



Taking Care of Wild Places

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Shaded box or star means "Action Needed." Don't be overwhelmed -- check the ACTION SUMMARY on p.2!

## 9. ACTION SUMMARY

¶No.	Issue	Contact	"Message!" or Action
1A	Inholdings in Obed and BSF	Both senators; Rep. L.Davis	"Please work for LWCF appropriations for these parks!"
2G	Fully funded LWCF	Gov. Bredesen	"Thank you for supporting HR. 3534! Also support S. 2747!"
3A	Cherokee Wilderness designations	Your US senators and rep.	"Support legislation to add Wilderness to Cherokee NF!"
5A	Full, dedicated funding for LWCF	Your US senators and rep.	"Please co-sponsor S.2747 and HR. 3534, respectively!"
5B	Natural resource protection	President Obama	"Thank you for signing good Interior Appropriations!"
6A	Nat'l Environmental Research Pks.	Sens. Alexander and Corker	"Please support HR. 2729 to benefit ORNERP!"

Senator John Doe  
United States Senate  
Senate Office Building  
Washington, DC 20510

The Hon. John Doe  
U.S. House of Representatives  
House Office Building  
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Dear Senator Doe  
Sincerely yours,

Dear Congressman Doe  
Sincerely yours,

Dear Mr. President  
Respectfully yours,

Dear Gov. Bredesen  
Respectfully yours,

Sen. Bob Corker  
Ph: 202-224-3344; FAX: 202-228-0566  
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Local: 865-637-4180 (FAX 637-9886)  
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Sen. Lamar Alexander:  
Ph: 202-224-4944; FAX: 202-228-3398  
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Local: 865-545-4253 (FAX 545-4252)  
800 Market St., Suite 112, Knoxville 37902

Rep. Zach Wamp:  
Phone: 202-225-3271  
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Local: 865-576-1976  
Web: [www.house.gov/wamp](http://www.house.gov/wamp)

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: <http://www.house.gov/lastname/> and <http://lastname.senate.gov/> General contact info: <http://www.lcv.org>  
With mail to Congress still slow following the anthrax scare, consider faxing, phoning, and other modes of communication.

There is much contact information in our up-to-date Political Guide. Visit the TCWP web site (<http://www.tcwp.org>)

### 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.**

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## 1. OBED AND BIG SOUTH FORK

### 1A. *Working to obtain land-acquisition funds*

[Includes information provided by NPS]

Much land within the authorized purchase boundaries of both the Big South Fork NRRRA and Obed WSR is still in private ownership and at great risk of being lost forever. At the BSF, this affects >10,000 of the authorized 125,000-acre area, and at the Obed, ~1,000 of the meager strip of 5,100 acres. This situation became tragically apparent earlier this year when some land at the BSF was divided and sold at auction (NL286 ¶1). If developed, such land is likely to become too expensive for future purchase by the National Park Service.

The BSFNRRRA has received only minimal acquisition funds in recent years. In 2001, ~\$200,000 was received, and currently the Park is working on acquiring mineral rights worth \$25-30,000. The Obed has received only a single appropriation since the time of its original authorization in 1976, namely \$750,000 in 2003 (NL254 ¶1A). Three purchases were made in 2005 (including one tract that had been in the "foster care" of a generous TCWP Board member) and one in 2008.

Both Parks have prioritized their remaining acquisition needs. At the BSF, a 50-acre internal tract - a privately held "hole" inside the Park - is the top priority, and ~\$500K would fill the "hole." The second priority encompasses 625 acres (two tracts) and includes some remote, never-logged, sensitive land on the western edge of the park. Some of this block, however, has been subdivided and is being developed, so time is swiftly running out. About \$4M is needed to secure this piece of land for the public. The Obed's land, consisting almost entirely of a narrow river corridor, is desperately vulnerable. The unsecured land is split into more than 30 tracts, ranging from 1.5 to 185 acres. Between \$3-4M could complete this Park.

In recent months, TCWP has made a number of efforts to secure LWCF (Land & Water Conservation Fund) appropriations for Obed and BSF -- see development of our Obed booklet (NL274 ¶3A), meetings with Rep. Lincoln Davis (NL287 ¶1A), with staff of our two senators (NL278 ¶1A), and with the SE Regional Office of NPS (NL281 ¶1A). Our efforts were insufficient, however, to bring results for FY 2010. Though the recently enacted Dept. of the Interior appropriation contains overall increased funding for the LWCF (¶5B, this NL), none of this money will go to the Obed or BSF. We are determined to build on our previous efforts and will look for success in securing FY 2011 acquisition funds. In the meantime, it'll be important for individuals to keep up Congressional contacts (see Action Box, below).

**WHAT YOU CAN DO:** Please contact both TN senators, your Congressman, and Rep. Lincoln Davis (see p. 2 for contact information) and tell them how important it is to get LWCF appropriations to purchase inholdings in the Obed WSR and Big South Fork NRRRA. They should also support the general LWCF bills now beginning to move through Congress (see ¶5A, this NL).

### 1B. *Oil & gas wells at the Big South Fork NRRRA and Obed WSR*

[Contributed by Cindy Kendrick]

At TCWP's Annual Meeting, we were privileged to hear an update on oil and gas (O&G) wells located within the boundaries of the Big South Fork National River and Recreation Area (BSF) and the Obed Wild and Scenic River (Obed) from Tom Blount, Chief Resource Manager (¶1C, below). The information in this article comes primarily from Tom's presentation.

While mineral extraction is no longer allowed within the river gorges (the designated Gorge Area of the BSFNRRRA), the plateau (the designated Adjacent Area) does include active wells. The BSF encompasses 326 O&G sites in Tennessee and Kentucky. These sites include wells, tanks, other equipment, pads, pits, pipelines, and 50-70 miles of access roads. Within the Obed boundary, there are six O&G sites. No new drilling is allowed at Obed; however, horizontal drilling with wellheads outside the Park boundary may extract O&G from underneath Obed land.

Ownership is mixed. At some sites, NPS owns the surface. Rights to different minerals (O&G, coal, etc.) may belong to different private entities. While the state gets revenues from active withdrawals, the Parks do not receive benefits.

NPS has its own minerals management rules (36CFR9, called "9Bs"). These rules may become stricter in the next few years. In 2006 NPS held public comment sessions on scoping for an O&G Management Plan and EIS for BSF and Obed (NL269 ¶1). The Plan will provide strategy and guidance for the next 15-20 years to ensure protection of Park resources, human health and safety, and visitor experience. Release of a draft for review is anticipated in about 1½ years.

State rules govern O&G activities within the Park. If ownership changes, NPS rules are also triggered. Under NPS rules, cradle-to-grave management plans and additional bonding are required.

Many of the wells and associated sites inside BSF have been abandoned; they do not have solvent owners to plug the wells and reclaim the sites, as required by state law. These deteriorating wells and sites pose significant environmental and public safety risks. Threats include contamination of groundwater and surface water, fire, personal injury, property and/or resource damage, and contin-

ued disturbance (e.g. erosion and spread of invasive plants).

The good news is that NPS has obtained funds (some of it stimulus money) to plug ~53 wells and reclaim the associated sites! Above-ground structures and debris will be removed. Sites and access roads will be stabilized and re-vegetated with native species, unless they are needed for future private mineral access or they coincide with approved NPS roads or trails. Access for these much-needed remediation projects will require reopening the old roads and re-disturbing sites to “fix” them for the long run. The scoping-comment period for this project closed on Nov. 6. NPS expects to have an EA available for public review in January 2010.

TCWP submitted comments for the scoping process. We commended NPS for undertaking the capping activity and for identifying the issues that need to be addressed in designing the methods of reclamation. We urged that these methods be made site-specific by taking into consideration the local topography, soil types, and vegetation. Care must be taken to avoid introduction of invasive exotic species and to avoid actions that might have adverse impacts on water resources. We also urged that presently existing accesses to the wells be obliterated unless they are parts of trails identified in the BSFNRRRA Management Plan.

#### **1C. *TCWP Annual Meeting at BSF yields good information and staff contacts***

Prior to this year’s Annual Meeting on October 17, over two decades had passed since TCWP held an Annual Meeting in the Big South Fork NRRRA (for that one, in 1988, NL166 ¶9 makes interesting reading). Many of the problems are still with us, but the staff is new and this year’s meeting provided a fine opportunity for us to get to know many of them, and vice versa.

Superintendent Stennis Young (who arrived in January, this year), new Obed Unit Manager Janet Ambrose (who arrived in September), Resource Manager Tom Blount, Obed Resource Manager Rebecca Shapansky, and Obed Ranger Matt Hudson all presented short accounts of their background, interests, and activities. In addition to these presentations, our informal interactions at the meeting and during the outings revealed the NPS folks to be a delightfully friendly and approachable group. Short talks on land acquisition (Stennis Young) and oil & gas wells (Tom Blount) contributed factual information covered in ¶1A and ¶1B of this NL, respectively.

#### **1D. *Opposition to coal-ash waste dump in Obed watershed***

Smith Mountain Solutions LLC, owners of yet-to-be-reclaimed abandoned coal mines on Smith Mountain in Eastern Cumberland County (in the Obed watershed, NL285 ¶2A), have applied to

OSM (Office of Surface Mining) for permit revisions to convert operations to landfills that accept Coal Combustion Waste (CCW). Almost 100 acres (30.5 + ~59 acres) would accommodate coal ash not only from TVA’s Kingston Steam Plant (where a disastrous spill occurred almost a year ago), but potentially from additional sources as well. Earlier this year, the mine owners had offered Cumberland County a host fee of about \$8 million, and promised 100 jobs (mainly trucking). As a result, the Cumberland County Commission, on June 15, voted 11 : 5 in favor of the proposal (NL286 ¶5B; NL287 ¶8).

An OSM hearing on the permit applications was held November 5. Executive Director Sandra Goss represented TCWP. In her comments, she noted that the requested revisions of federal permits constituted a major federal action significantly affecting the quality of the environment and thus required consideration under NEPA, in other words, an Environmental Impact Statement.

The proposed action poses an unacceptably high risk to resources that have been previously recognized on the federal and state levels, namely, (a) the Obed National Wild and Scenic River (WSR), classified by the state as Tier III - Outstanding National Resource Water; (b) designated critical habitat for federally threatened and endangered species (spotfin chub and purple bean mussel); (c) the Catoosa Wildlife Management Area (WMA); and, (d) several streams of state-recognized high water quality.

The Emory River watershed, into which the site drains, includes the Obed WSR. Sec. 7(a) of the Wild & Scenic Rivers Act requires that a determination must be made whether a proposed project has the potential to “... unreasonably diminish” the scenic, recreational, and fish & wildlife values of a National Wild & Scenic River. If this is found to be the case, no permit should obviously be issued. The National Park Service (NPS) submitted a letter requesting that joint approval of the proposal by NPS be a condition of permit issuance. Analyses by NPS and the US Fish & Wildlife Service outlined complex hydrogeologic conditions and groundwater quality at the proposed landfill site. Among several significant factors, is the circumstance that the existing mines, being located in the Sewanee coal seam, have historically generated severe acid mine drainage – acidity that could interact with leachates from the coal ash, increasing the probability for toxic discharges.

A 2006 National Academy of Sciences report, “Managing Coal Combustion Residues in Mines,” recommends extreme caution for activities such as the ones proposed in the present permit applications. Moreover, the Environmental Protection Agency (EPA), recognizing potential major risks to human health and the environment, is currently considering regulations governing the handling CCW nationwide.

### 1E. *Upper Obed watershed protection efforts*

[From OWCA newsletters]

The Obed Watershed Community Association (OWCA), based in Crossville, has a number of projects in the upper reaches of the Obed watershed. The activities are being coordinated by OWCA's Dennis Gregg.

- Assessment of the Obed upstream from Holiday Lake;
- Stabilization and restoration of stream banks on four Obed properties, including more than 450 ft of bank;
- Persuading the National Park Service to enter into a partnership with OWCA and the City of Crossville to restore the branch of the Little Obed that flows through Centennial Park.

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## 2. TENNESSEE NEWS

### 2A. *Working for the reinstatement of state land-acquisition funds*

Tennessee used to have funding dedicated to the acquisition of lands and waters for their protection. The money for four such funds came from a small addition to the Real Estate Transfer Tax and provided opportunities for protecting significant areas through a variety of strategies. All these capabilities were lost when the General Assembly in 2008 appropriated this designated funding for the purpose of balancing Tennessee's ailing general budget (NL287 ¶2C).

A task force has now been formed with the aim of supporting reinstatement of the lost funds—the only ones dedicated to conserving our state's land, water, air, and wildlife. Recently, Tennessee Parks & Greenways Foundation received a small grant to support this work of "Forever Green Tennessee." The lost land-acquisition funds represent less than 0.1% of Tennessee's \$27 billion budget but can accomplish miracles of preservation.

### 2B. *Legislative Scorecard assesses General Assembly*

Tennessee Conservation Voters (TCV) comprises representatives of 24 organizations dedicated to legislative and administrative advocacy for the state's natural resources. TCV recently released its 7th annual Legislative Scorecard, a copy of which is enclosed with this NL. The Scorecard provides a concise way to understand and evaluate each legislator's voting record on key legislation considered during the 2009 session of the 106th General Assembly. The full scorecard can be viewed at [www.tnconservationvoters.org](http://www.tnconservationvoters.org).

In 2009, an unprecedented number of bills were filed that threaten the integrity of the headwaters and hydrologic systems of Tennessee. Al-

though only one passed, that bill constitutes one of the greatest threats to clean water in our State's history. On the other hand, much of the Governor's clean-energy package was successful. Other good bills, however, were not, e.g., container-deposit legislation, and curbs on mountaintop-removal mining. Perhaps worst of all, funds dedicated to land acquisition (see ¶2A, above) were once again taken for general use. (See NL286 ¶3A for more information on 2009 state legislation.)

TCV has designated the top-ranked legislators as Legislative Friends. In the Senate, these are Berke, Kyle, Marrero, and Tate. (All but the first are from Shelby County.) Legislative Friends in the House are Representatives Mike McDonald (referred to by TCV as "the indisputable environmental voice of this session"), Brown, Camper, Coleman, Fitzhugh, Gilmore, Jones, Kernell, Miller, Pruitt, Richardson, Shaw, Stewart, Sontany, Turner, and Yokley. In addition, Senator Ketron, Senator Jackson, and Representative Dunn received Good Green Deeds Awards for their leadership in trying to stop mountaintop-removal mining.

### 2C. *Tennessee's impressive biodiversity*

[Source:

<http://www.state.tn.us/twra/cwcs/cwcsindex.html>]

Tennessee is one of the most bio-diverse states in the nation. Currently there are 315 species of fish, 77 mammals, 56 reptiles, 70 amphibians, and 340+ birds known to inhabit or migrate through Tennessee. The number of invertebrate species, many of which are endemic to Tennessee, is equally impressive, including 256 land snails, 99 aquatic snails, 120+ mussels, 77 crayfish and many insects. (By the way, there are more tree species on the Cumberland Plateau than in all of Europe.)

Conserving this biodiversity in the wake of economic growth and ever-changing landscapes requires funding at the state and federal level. Traditionally, conservation funding has been raised through state hunting fees and excise taxes associated with game species. Although conservation of game species has been very successful, nongame species were without dedicated conservation funding at the federal level. This led, eventually, to the enactment of the State Wildlife Grants program (see ¶2D, below).

### 2D. *State Wildlife Grants (SWGs)*

[Information from

<http://www.state.tn.us/twra/cwcs/cwcsindex.html>]

Recognizing that non-game species were without dedicated conservation funding at the federal level, Congress in 2001 enacted the Wildlife Conservation and Restoration Act (WCRP), and established the State Wildlife Grants (SWG) program. Over the years since then, Tennessee's share of the funding has totaled ~\$8 M out of ~\$500 M funded nationwide. SWG funding, as now proposed by the House (to be increased to \$115 M annually, na-

tionwide), would result in an annual allocation of \$1.73 M to TN, an increase of \$0.675M over FY'09. Additionally, the required state match of funds would be reduced from 50% to 25%. TWRA has urged Sen. Alexander to support the proposed increase. All states must annually complete a State Wildlife Action Plan (SWAP) that addresses 8 elements and will be reviewed every 10 years. The primary goal of the SWAP is to prevent wildlife from declining to the point of endangerment.

## 2E. . *Expected impacts of climate change on Tennessee habitats*

[Information from

<http://www.state.tn.us/twra/climate.html>]

The Tennessee Wildlife Resources Agency (TWRA) has released a report entitled "Climate Change and Potential Impacts to Wildlife in Tennessee," a comprehensive review of the scientific literature on climate change and its expected impacts on fish and wildlife and the habitats that they occupy. The report was authored by a team of about 20 TWRA biologists and managers, who reviewed available information on forests, aquatic habitats, caves, birds, amphibians and reptiles, mammals, and adaptation strategies. □

Among key findings are the following:

- Forests could experience dramatic changes in biomass and forest type, with current high elevation forests being lost entirely as a result of higher temperatures.
- Migratory birds, including waterfowl and many songbirds, are expected to be negatively impacted by climate change.
- Inhabitants of rivers and streams (especially those at higher elevations), and some lakes are vulnerable to increased temperatures
- Temperature-sensitive species that inhabit caves, including the federally endangered Indiana bat, may be vulnerable to warming temperatures.

## 2F. *Two Habitat Conservation Plans in the works for the Cumberlands*

[Information from The Nature Conservancy (TNC)]

The US Fish and Wildlife Service (USFWS) sponsors and funds a program to generate Habitat Conservation Plans (HCPs). These carefully researched Plans allow a community or agency to develop its land and to use its resources while safeguarding wildlife and habitats.

Two such HCPs are being generated for the northern Cumberlands. They address, (1) Forestry operations on TWRA's Wildlife Management Areas (the Forest Resources HCP, or FRHCP), and (2) development of Crossville and Cumberland, Morgan, and Scott Counties (the Water Resources HCP, or WRHCP). The Plans provide an up-to-date scientific basis for reducing harm to rare species of plants and animals, enabling HCP holders to plan to avoid potential Endangered Species Act lia-

bility. The Cumberlands are home to 21 species federally protected by the Endangered Species Act.

The Cumberland HCP project is under the direction of TNC's Alex Wyss, and the two teams include staff of the University of Tennessee, Tennessee Tech, TWRA, and the stakeholder communities. HCPs have spurred cutting-edge research on ecosystems of the Cumberland Plateau, funded almost entirely by the USFWS.

One critical part of the WRHCP is the operation and maintenance of wastewater facilities at Crossville. During low-flow conditions, the *majority* of the flow in the Obed River is water discharged from this wastewater plant. Crossville has budgeted ~\$6.3 million in 2009-2010 for sewer system improvements and plant upgrades.

Among current concerns of the FRHCP is the Hemlock Woolly Adelgid infestation, which could lead to the loss of 60-80% of Tennessee's hemlocks in the next 20 years, drastically changing the composition of forests in the Cumberlands and affecting, among other things, ecosystems dependant on streamside shade. Members of the HCP team are working with the State of Tennessee's Adelgid Task Force to develop control measures.

## 2G. *Gov. Bredesen supports full funding for the LWCF*

A bill introduced in the US House of Representatives earlier this year, H.R. 3534, would provide full, dedicated funding to the Land and Water Conservation Fund (LWCF) at the maximum level authorized by Congress (see ¶5A, this NL). The LWCF is the primary vehicle for federal and state acquisition of park and recreation lands. Our governor, Phil Bredesen, has written in support of this proposed legislation. He deserves our gratitude. We hope he'll also support the new Senate bill, S. 2747 (see ¶5A, below).

**WHAT YOU CAN DO:** Please contact Governor Bredesen (see p. 2) to thank him for supporting H.R. 3534. Full, dedicated funding for the LWCF would provide measurable benefits to Tennessee by protecting our vital natural resources and providing healthful opportunities for outdoor recreation.

## 2H. *Dirty air over East Tennessee*

Based on 2006-2008 data, an East Tennessee region (Anderson, Roane, Loudon, Knox, and Blount Counties) has the dubious distinction of being one of only two in the Southeast that fail to meet the federal standards for air quality (the other is Birmingham, AL). The offending parameter is particulate matter, which comes primarily from power plant emissions. Love that coal!

### 3. CHEROKEE NATIONAL FOREST

#### 3A. *Your help needed to add to wilderness areas in the Cherokee NF*

[Information from Will Skelton's editorial of 10/24/09]

Only 10.4% of Tennessee's 640,000-acre Cherokee National Forest is currently designated Wilderness under the terms of the 1964 Wilderness Act. It's been 25 years since the latest Wilderness designations were made. Big Frog Mountain, Bald River Gorge, Citico Creek, and Little Frog Mountain, a total of 32,606 acres in the ~300,000-acre southern Cherokee, were added to the National Wilderness System on October 30, 1984 through the efforts of the Cherokee National Forest Wilderness Coalition, coordinated by Will Skelton. Among politicians supporting the bill were then-Rep. John J. Duncan and then-Governor Lamar Alexander.

There are now very good reasons for *expanding* wilderness in the southern Cherokee by a modest 17,785 acres, adding the wonderful Upper Bald River and making several additions to existing Wildernesses — the most scenic natural areas in the Forest. Most of these designations have been recommended by the US Forest Service, but it takes an Act of Congress to bring them about.

Wilderness designation protects lands in perpetuity from logging, mining, and road building, while allowing hiking, hunting, horseback riding, fishing, and camping. Your Congressional representatives also need to know that no land acquisition would be needed in the Southern Cherokee — the areas are already parts of a national forest. Neither would their management need to change — they are already being managed as wilderness (though the future continuation of such management is not guaranteed without Congressional designation). No roads would be closed, and no facilities are affected.

**WHAT YOU CAN DO:** Contact Senators Alexander and Corker, and Representatives John Duncan, Jr. and Zach Wamp (addresses on p. 2) and tell them some of the reasons why they should support legislation that would designate additional areas in the Cherokee National Forest as Wilderness. Sen. Corker's staff member for national parks issues is Justin Spickard, at 202-228-5750. For more information, contact Jeff Hunter at [jeff@safc.org](mailto:jeff@safc.org) or 423-322-7866, or visit <http://tnwild.org/>.

#### 3B. *The Cherokee NF Hiking Guide is expanded*

The *Cherokee National Forest Hiking Guide*, edited by Will Skelton and originally published in 1992, was substantially expanded in its second edition, published in 2005 (ISBN: 1-57233-374-X). It now covers almost 200 mapped trails, along with a

wealth of general information on the forest's present and past wildlife, vegetation, and geology, as well as a history of the forest's human inhabitants. Also covered are the political battles that have been waged to protect the forest. The book, published by the University of Tennessee Press, has a new foreword by Lamar Alexander. (Cost, \$24.95. Royalties go to the Sierra Club.)

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### 4. TVA ISSUES

#### 4A. *Past+ TCWP Board member awaiting Senate confirmation to TVA Board*

On September 11, President Obama nominated Neil McBride and Barbara Haskeew to fill two of the four vacant slots on the TVA Board (which now consists of nine, instead of the former three, members) (NL287 ¶4A). These nominations require Senate approval. In early October, TCWP wrote to Senators Alexander and Corker supporting the confirmation of these nominees. Neil McBride, who has a prominent career in public-interest law, served on the TCWP Board of Directors for 5 years (1990 through 1994) and has a long history of active and effective public service and environmental involvement. Barbara Haskeew is a distinguished professor of economics at Middle Tennessee State University. To date there has been no Senate action on these nominations.

#### 4B. *Comments on TVA's*

##### *IRP and Natural Resource Plan*

The scoping for TVA's Integrated Resource Plan, IRP (NL287 ¶4B) revealed that a separate Natural Resource Plan (NRP) should be part of the process. About two weeks ago, TCWP submitted comments on such a plan. We stressed again that TVA must keep public lands in public ownership and provide careful stewardship of both lands and waters. Proactive steps should be taken to protect our natural resources. Among specific programs should be the promotion and protection of native species and the removal of invasive exotic species.

Additionally, TVA must act to reverse the damage it has caused to our atmosphere. As the largest public power producer in a nation that has until now contributed disproportionately to the world's climate-changing greenhouse-gas (GHG) emissions, TVA must now take a leadership position in reversing this trend. The agency must become a leader in promoting energy efficiency and the clean production of energy. We urge TVA to ban the use of coal obtained through mountaintop-removal or cross-ridge mining.

There has been criticism of the manner in which TVA is generating its Integrated Resource Plan (*Tennes-Sierran*, vol. 40, No. 5). Instead of allowing the public "to weigh in on the model design and the inputs into that model," the process

“will be conducted largely in-house with the engagement of a group of handpicked ‘stakeholders.’” The make-up of the advisory group of 15 was summarized in NL287 ¶4B. The website for the IRP process is [www.tva.gov/irp](http://www.tva.gov/irp).

#### 4C. *Public briefing on the Integrated Resource Plan*

TVA is holding a public briefing on the Integrated Resource Plan in Chattanooga on November 16 (the day this NL goes to the printer). Presentations will include an overview of the planning, and a review of the energy options that TVA is considering for meeting the electricity needs of the Valley over the next 20 years.

Also part of the meeting will be a listening session with the Stakeholder Review Group. The SRG (see ¶4B, above, and NL287 ¶4B) was created to provide TVA with various stakeholder viewpoints from across the Valley during the Integrated Resource Plan process. Audience members can provide comments to the SRG about the process and its outcomes.

For further information about the IRP planning process go to [www.tva.gov/environment/reports/irp](http://www.tva.gov/environment/reports/irp).

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## 5. NATIONAL MATTERS

### 5A. *Bills would provide full, dedicated funding for the LWCF*

These are exciting times: a month ago, and just a few days ago, respectively, a House and Senate bill were introduced that would, at long last, provide *dedicated* funding to the Land & Water Conservation Fund (LWCF) at the maximum level authorized by Congress. The LWCF was enacted in 1965 as the chief vehicle for acquiring natural lands and special places for conservation and healthful outdoor recreation. It is credited with \$900 million annually — primarily from revenues generated from oil and gas leasing of the Outer Continental Shelf (OCS) — but these credited LWCF monies cannot be spent unless appropriated by Congress. Such appropriations are made for federal land-acquisition programs (NPS, Forest Service, BLM, US Fish and Wildlife Service) and for state and local LWCF matching-grant programs for outdoor recreation needs.

Unfortunately, the Congressional appropriations (which may fluctuate widely from year to year) have generally been only a *small fraction* of the available LWCF; the non-appropriated funds have been diverted toward other federal activities. Last year, for example, only \$155 million were appropriated, with none of that money going to the states. (For additional LWCF facts, see NL279 ¶6A).

The House full-funding bill, HR. 3534, was introduced in October by Nick Rahall, Chairman of the Natural Resources Committee. Our Governor Bredesen has written in support of this bill (¶2G, this NL). In the Senate, S. 2747, The Land and Water Conservation Authorization and Funding Act of 2009, was introduced November 6 by Senators Bingaman and Baucus.

**WHAT YOU CAN DO:** Both of these very important bills need co-sponsors to speed them on their way. Please contact your Representative and both your senators (addresses p. 2) and urge them to co-sponsor HR. 3534 and S. 2747, respectively. Sen. Corker is on Sen. Bingaman’s Energy & Natural Resources committee. These bills will provide result in benefits to our state and our country by protecting vital natural resources and providing opportunities for outdoor recreation, important for human health as well as the economy.

### 5B. *Pres. Obama signs legislation that boosts conservation funding (including LWCF)*

[Information from The Wilderness Society]

President Obama has signed a Department of Interior and Forest Service funding bill that will help federal conservation programs rebound after years of neglect by the Bush administration. The \$32.24 billion appropriation represents an increase of \$4.6 billion over FY2009 levels.

Among the components of the bill are the following:

- \$306 million through the Land & Water Conservation Fund (LWCF) for land acquisition projects on the federal and state level. For FY2009 (the last Bush budget), only \$155 million were appropriated, and the state side of the program was totally zeroed out. This new appropriation is a great improvement but goes only part-way toward the sum that could be achieved (¶5A, this NL).
- \$77 million for the Forest Legacy Program, another aid to land protection.
- A \$40 million increase for the National Wildlife Refuge System, which had been starved almost to death in the Bush years.
- \$90 million to the Legacy Road and Trail Remediation Program that pays for decommissioning obsolete roads and maintaining trails for the purpose of restoring watersheds and improving recreational opportunities.
- \$75 million for the National Landscape Conservation System, permanently established in March 2009 to protect the crown jewels of public lands managed by the Bureau of Land Management.
- ~\$385 million for research and development to examine the effects of climate change on the U.S.



and what can be done to help the country respond to the problems.

**WHAT YOU CAN DO:** Thank Pres. Obama (address on p. 2) for signing this appropriations bill, which will, at last, change the course for what the federal government can accomplish to protect our natural resources. Urge him to continue to support such forward-looking legislation in the years ahead.

### 5C. *Mountaintop removal:*

#### *no more "Nationwide" Permits?*

In June, three federal agencies (EPA, Corps of Engineers, and OSM) announced an Interagency Action Plan "to significantly reduce the harmful environmental consequences of Appalachian surface coal mining operations, while ensuring that future mining remains consistent with federal law" (NL286 ¶7B). Among the several short-term actions proposed in this Plan, was a very significant one by the Corps of Engineers (CoE): to discontinue the use of "Nationwide" Permit-21 (NWP 21) for authorizing the discharge of fill material into streams for surface coal mining activities in the Appalachian region. In other words, there would no longer be an *automatic* authorization of §404 ("dredge-and-fill") permits under the Clean Water Act. Instead, applications would be reviewed by CoE and EPA on a case-by-case basis. CoE promised to solicit comments on its proposal to discontinue use of NWP 21; and so it did, with a deadline in late October. TCWP submitted comments, as did some individual members.

Based on its assessment that the authorization of mountaintop-removal mining activities results in environmental impacts that are more than minimal on a cumulative basis, CoE proposed to suspend and modify NWP 21. The proposed *modification* would prohibit the use of NWP 21 for the authorization of these activities and would require surface coal mining projects to apply for individual permits under the Clean Water Act. This should bring about the careful and scientific scrutiny of each proposal by the appropriate agencies and will also allow the public to study and comment on individual applications.

The proposed *suspension* of NWP 21 allows comments to be reviewed and evaluated. Time is of the essence, however, since a grandfathering provision gives each permittee 12 months (from the date NWP 21 is modified) to complete already authorized actions. In order to prevent additional and significant damage to be caused by these devastating activities, the *suspension* of NWP 21 should occur immediately, and the *modification* should be accelerated to the maximum degree possible.

### 5D. *Commission reports on Future of the National Park System*

The National Parks Second Century Commission recently released its 50-page report on the future of our National Park System. The 28-member Commission, convened by the National Parks Conservation Association (NPCA), is co-chaired by two former senators – Howard H. Baker, Jr. of Tennessee and J. Bennett Johnston of Louisiana. Their charge was to develop a 21<sup>st</sup>-century vision for the National Parks; they worked for a year and held 8 meetings listening to experts and concerned citizens. The final report is online at [www.VisionfortheParks.org](http://www.VisionfortheParks.org).

On November 4, the Southeast Regional office of NPCA and the Baker Center of U.T. held an interactive webcast discussion on the future of our National Park System. Recommendations from the Report were presented and discussed. The webcast has been archived on the Baker Center website.

Recommendations of the Commission are presented under four headings:

- To advance the 21<sup>st</sup>-century National Park idea
- To strengthen stewardship of our nation's resources, and to broaden civic engagement with, and citizen service to, this mission
- To build an effective, responsive, and accountable 21<sup>st</sup>-century National Park Service
- To ensure permanent and sustainable funding for the work of the National Park Service.

Under each of these headings, recommendations are grouped as follows:

- ∞ The President of the United States should: ...
- ∞ The Congress of the United States should: ...
- ∞ The National Park Service should: ...

### 5E. *Senate confirms*

#### *Jon Jarvis as NPS Director*

In September, Jon Jarvis received Senate confirmation to head the National Park Service. He was named by Sec. Salazar in April, and nominated by Pres. Obama in July, so there has been time for a number of favorable assessments of his record and positions (NL285 ¶10A, NL286 ¶9B). Among other things, he had spoken out fearlessly against the Bush Administration's efforts to promote commercial and certain recreational activities in the parks at the expense of conservation.

Addressing NPS employees (the "NPS family") shortly after his confirmation, he discussed his priorities, especially the four areas he wants to tackle first:

1. Workforce. "To help you succeed we will provide the funding, training, succession planning, recognition, facilities, and policies you need to get your work done." (Jarvis has come up through the Service and, most recently, was director of NPS's Pacific West Region.)
2. Relevancy. There is deep concern that the national parks may become irrelevant to a society that is disconnected from nature and from history. He wants to help all Americans, and especially young people, to discover a personal connection to their

national parks, so they will relate to them and cherish them.

3. Stewardship. The NPS mission to manage our treasured landscapes unimpaired is being challenged in several ways, particularly by global warming. He will create the position of Science Advisor to the Director. NPS must use the sustainability of its facilities and operations to demonstrate the best in energy and water conservation.
4. Education – a primary responsibility of the NPS. Parks are classrooms that help people understand and appreciate the complexities of the natural world and of historic events. He will create the position of Associate Director for Education and Interpretation.

Never in its history has the nation needed the National Park System more, said Jarvis to Congress. And he seems like a good choice to head it.

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## 6. THE OAK RIDGE AREA

### 6A. Support needed for our National Environmental Research Park

[Information contributed by Sandra Goss]

The National Environmental Research Park on the Oak Ridge Reservation (ORNERP) is one of six NERPs at Dept. of Energy (DOE) installations across the nation. These important facilities could benefit greatly from a bill making its way through Congress.

This bill, HR. 2729, directs the Secretary of Energy to support education and outreach programs for the NERPs and specifies that a DOE research director be assigned to coordinate research on the six parks. Additionally, it authorizes badly needed funds (\$5 million per year for each park) to fund research and expanded educational programs.

The Oak Ridge National Environmental Research Park was designated in 1980 (although not formally authorized) and will celebrate 30 years in 2010. ORNERP comprises 20,000 acres of undisturbed land that has been protected by security fences since 1942. This land contains the most irreplaceable 67-year ecological history of any landmass in the Ridge and Valley Province. Among many ongoing studies in the ORNERP are some on climate change. When formal designation is finalized by HR. 2729, opportunities for funding long-term studies may exist.

The funding authorization in the bill is a very important feature since the existing Oak Ridge NERP does not have a permanent budget. The funds authorized by HR.2729 would be used to enhance and expand existing research efforts on climate change, nuclear legacy remediation, and energy issues; they would allow expanded educational science-based programs for young people and teachers in a multi-state area; and they would heighten the synergy among University of Tennessee, UT–Battelle, and other DOE contractors.

More jobs would become available for researchers, which, in turn, would improve the local economy.

TCWP, as part of the Advocates for the Oak Ridge Reservation (AFORR), has been communicating the benefits of HR. 2729 to our senators. A recent meeting with Sen. Alexander's Knoxville staff included representatives of several area organizations, namely, Frank Hensley (AFORR), Sandra Goss (TCWP), Bill Johnston (AFORR), Wolf Naegeli (Foundation for Global Sustainability, FGS), and Susan Gawareki (DOE Local Oversight Committee, LOC). The benefits of the bill for ORNERP have also been pointed out by the Nature Conservancy, based on the important contribution that the site makes to the biodiversity of East Tennessee.

**WHAT YOU CAN DO:** Contact Senator Alexander and Corker (addresses on p. 2) and let them know some of the many reasons (see above) they should support HR. 2729.

### 6B. TCWP activities in Oak Ridge area

In addition to its interest in protecting the natural features of the ORR (e.g., see ¶6A, above), TCWP is involved in stewardship of a number of areas within the city. These include the North Ridge Trail (e.g., see NL286 ¶11D), the Oak Ridge Cedar Barren Registered State Natural Area, and the Worthington Cemetery Ecological Study Area. All these were protected and designated in past years through TCWP efforts. You can read about recent stewardship activities in ¶7C of this NL.

### 6C. ORR Environmental Report

The Oak Ridge Reservation (ORR) Annual Site Environmental Report (ASER) 2008 is now available. This report summarizes environmental activities on the DOE reservation and surrounding areas, using data collected through calendar year 2008. The report is available online at [http://www.ornl.gov/sci/env\\_rpt/aser2008/aser2008.htm](http://www.ornl.gov/sci/env_rpt/aser2008/aser2008.htm)

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## 7. TCWP NEWS

### 7A. 2010 Board and Nominating Comm.

The following were elected unanimously at our October 17 Annual Meeting:

President: Jimmy Groton

Vice President: Frank Hensley

Treasurer: Charlie Klabunde

Secretary: Carol Grametbauer

Directors:

Tim Bigelow                      Pat Mulholland

Mary Lynn Dobson      Larry Pounds

Jenny Freeman              Liane (Lee) Russell

Cindy Kendrick

Nominating Committee:

Doris Gove, Frank Harris, Joan Nelson.

## 7B. *Upcoming activities*

[Contributed by Carol Grametbauer]

### TCWP Holiday Party – Thursday, December 10

Long-time TCWP members Jenny Freeman and Bill Allen will once again open their home at 371 East Drive, Oak Ridge, to TCWP members and friends for what has become one of the most enjoyable holiday events of the year.

All members and friends are welcome. The hours are 7 – 9:30 p.m. Please bring an hors d'oeuvre or dessert to share. Beverages will be provided.

### Sandhill Crane Outing - Hiwassee Wildlife Refuge – Saturday, December 12

Each fall more than 50,000 migrating sandhill cranes stop at the Hiwassee Refuge en route from their nesting grounds in the north to wintering spots in Florida and Georgia. TCWP, partnering with the Obed Watershed Community Association and the Emory River Watershed Association, is planning a trip to the viewing site in hopes of getting some magnificent views of these large and beautiful birds. A carpool/caravan will depart from the NOAA building on S. Illinois Avenue in Oak Ridge at 8 a.m.; others can gather at the Cherokee Removal Center near the crane overlook at 10 a.m. Plan to dress warmly (it's an exposed, windy site), and bring a lunch.

**Advance registration is requested for this event;** contact [Sandra@sandrakgoss.com](mailto:Sandra@sandrakgoss.com) or call (865) 522-3809.

### Whites Creek Trail workday – Saturday, January 23

TCWP will sponsor the annual trail cleanup at Whites Creek in Rhea County as part of its ongoing stewardship of this TVA Small Wild Area. The trail loops onto land previously owned by Bowater, and (thanks to the generous support of our members) purchased by TCWP a few years ago. For additional details, see the January newsletter.

### Program on Invasive Pest Plants – Thursday, February 25

Most introduced plant species are harmless, but some—such as mimosa, autumn olive, bush honeysuckles, and others—may naturalize and become invasive, causing damage to native plant communities. There are many things home gardeners can do to guard against the spread of invasive exotics. At 7 p.m. on February 25, Harry Quarles of ORNL's Environmental Sciences Division will present an informational program on "Invasive Pest Plants in the Home Setting." Check the January newsletter for the location of this presentation.

### Alley Ford Cumberland Trail workday – Saturday, February 27

A day of trail work and hiking will take place on a section of the Cumberland Trail that TCWP

adopted in 1998, namely, the 2.5 miles between Nemo Picnic Area and Alley Ford at the Obed Wild and Scenic River. Watch for details in the January newsletter.

*Additional information on all TCWP activities may be obtained from TCWP Executive Director Sandra K. Goss at [Sandra@sandrakgoss.com](mailto:Sandra@sandrakgoss.com) or at 865-522-3809.*

## 7C. *Recent events*

### Elk bugling outing, Royal Blue – Saturday, Sept. 12

[Contributed by Carol Grametbauer]

Sixteen people made the trip to the Hatfield Elk Viewing Stand in Campbell County, and were rewarded with sightings of six bulls, nine cows (one wearing a radio collar), and two calves. The trip was scheduled to coincide with rutting season. It was such a success that we hope to repeat it in 2010.

### National Public Lands Day cleanup -- September 26

[Contributed by Jimmy Groton]

TCWP celebrated National Public Lands Day with an event at TVA's Worthington Cemetery Ecological Study Area on Melton Hill Reservoir in Oak Ridge. Despite drenching rains, more than 20 volunteers, including TVA Heritage Resource contractors and nearly a dozen members of the Jefferson Middle School Eco Club, participated. Activities included learning about the ecology of cedar barrens and wetlands, and removing invasive, exotic plants from the historic cemetery and the cedar barren.

Students removed Chinese privet, Chinese wisteria, bush honeysuckle, and other invasive shrubs and vines from the area. They also got a rare opportunity to slosh around in a forested wetland in the autumn and to experience wetland hydrology "up close and personal." Afterwards, everyone enjoyed a hot pizza lunch, and students were further rewarded for their efforts with a coupon good for a free pizza from Papa John's in Oak Ridge. TCWP has partnered with TVA and Jefferson Middle School numerous times since 1984 to enhance and protect natural resources at Worthington Cemetery and other TVA lands throughout East Tennessee as part of their mutual stewardship efforts.

### TCWP Annual Meeting -- Saturday, October 17

[Contributed by Carol Grametbauer]

We welcomed 34 attendees to our annual meeting, held at Big South Fork National River and Recreation Area. Recently appointed BSF Superintendent Stennis Young was our guest speaker, supported by Janet Ambrose, the new Obed WSR Unit Manager; BSF resource manager Tom Blount; Obed Resource Manager Rebecca Shapansky, and Obed ranger Matt Hudson. Stennis provided information about the status of land acquisition in the Obed and showed a 10-minute DVD of clips from Ken

Burns' "The National Parks: America's Best Idea," which recently aired on PBS. For more information, see ¶1C, ¶1A, and ¶1B, this NL.

Following our business session and lunch, Tim Bigelow and Jean Bangham led a hike on the Angel Falls Trail, and Larry Pounds led a hike on the Sunset Overlook Trail. Despite gray skies and chilly temperatures, an enjoyable time was had by all!

#### Oak Ridge Cedar Barrens cleanup -- November 7

[Contributed by Jimmy Groton]

On November 7, TCWP convened another workday at the Oak Ridge Cedar Barrens State Natural Area in Oak Ridge. We enjoyed great weather on an absolutely beautiful fall day.

We were joined by nearly 20 volunteers, including eight members of Scout Troop 153 from Westel! (Some of you may remember that Troop 153 has helped us twice before with trail maintenance events at TVA's Whites Creek Small Wild Area in Rhea County.) Volunteers got hands-on experience with the ecology of cedar barrens and the effects of invasive, exotic plants on the cedar barren. Participants removed bushy lespedeza, sericea lespedeza, Chinese privet, oriental bush honeysuckle, autumn olive, Japanese honeysuckle, oriental bittersweet, and a host of other invasive shrubs and vines from the area.

We were very excited to see that the city has begun replacing the split-rail cedar fence in front of the Triangle area along Fairbanks Road. This was a welcome surprise indeed. TVA also helped out by providing some much-appreciated equipment for the workday, including gloves, loppers, bow saws, and the ever-popular weed wrenches. Afterwards everyone enjoyed a pizza lunch and the chance to visit with one another on a beautiful day. TCWP has partnered with the City of Oak Ridge and Tennessee Department of Environment and Conservation since 1988 to protect the sensitive natural resources at the Oak Ridge Cedar Barrens State Natural Area.

#### **7D. *Well-deserved award for John Byrd***

John Byrd has spent his life teaching about the science and the wonders of the natural environment. In September, he was named Environmental Educator of the Year by the Tenn. Environmental Education Association. In addition to his classroom teaching career, John founded the Clinch River Environmental Studies Organization (CRESO), a partnership between Anderson County, the Oak Ridge Schools, and the O.R. Office of DOE. CRESO provides students with educational and research opportunities that are not available in school settings. Most recently, John Byrd has been creating wetlands at a number of area schools, helping kids discover the wonders of these ecosystems.

## **8. JOBS; CALENDAR; RESOURCES**

### •• JOB OPPORTUNITIES

#### National Park Service Internships Available

The Student Conservation Association, in partnership with the National Park Service (NPS), is assisting in a nationwide effort to eradicate invasive, exotic plants from NPS lands. The NPS Southeast Exotic Plant Management Team (SE-EPMT) is looking for interns to work on a traveling team to manage invasive, exotic plants in 18 NPS units in seven southeastern states. Park sites include Cumberland Gap National Historic Park (KY/TN/VA), Big South Fork NRR (TN/KY), Obed Wild and Scenic River (TN)

Minimum Requirements: Applicant must be 25 years or under, have a valid drivers license, have reliable transportation to the office site in Asheville, NC, be capable of navigating rough terrain on foot, carrying heavy loads (40lbs+) under potential extreme weather conditions.

For more information, contact

Nancy Fraley, NPS Coordinator  
Southeast Exotic Plant Management Team  
67 Ranger Drive, Asheville, NC 28805  
828-296-0850 x100.

### •• CALENDAR

(For details, check the referenced NL item; or contact Sandra Goss, 865-522-3809, or [Sandra@sandrakgoss.com](mailto:Sandra@sandrakgoss.com))

- December 10, 7-9 p.m., TCWP holiday party, home of Jenny Freeman and Bill Allen, Oak Ridge (see ¶7B, this NL).
- December 12, Sandhill Crane Outing – Hiwassee Wildlife Refuge (see ¶7B, this NL).
- January 23, Whites Creek Trail workday (see ¶7B, this NL).
- February 25, Harry Quarles presentation on "Invasive Pest Plants in the Home Setting" (see ¶7B, this NL).
- February 27, Alley Ford Cumberland Trail workday (see ¶7B, this NL).

### •• RESOURCES

- "The **Hemlock Woolly Adelgid**: A Threat to Hemlock in Tennessee" is a U.T. Extension fact sheet available at [www.utextension.utk.edu/publications/spfiles/SP503-G.pdf](http://www.utextension.utk.edu/publications/spfiles/SP503-G.pdf)

- Several **habitat-protection-incentive programs** are available for private landowners. They include:
    - Tennessee Landowner Incentive Program
    - Tennessee Stream Mitigation Program
    - Tennessee Forest Stewardship Program
    - Partners for Fish & Wildlife Program (USFWS)Some of these provide partial funding assistance. For details, visit <http://tennessee.gov/twra/habitatconserv.html>
  - If you have photos of yourself, family, or friends in national parks, they could be chosen for the invitation to NPCA's **Salute to the Parks Award Gala** (March 24, 2010, in D.C.). Submit by December 1. See [www.npca.org/galaphotos](http://www.npca.org/galaphotos) for more info.
  - "True Cost Accounting" is the name of OWCA's November fact sheet. Such accounting includes *social and environmental* costs and benefits of products and services, and values them in monetary terms. For info, call 931-484-9033.
  - "The Citizen Scientist," OWCA's October fact sheet, is devoted to the role of such laypersons in environmental and ecological monitoring. An extensive listing of citizen science projects can be found at [www.sciencecheerleader.com/project\\_finder](http://www.sciencecheerleader.com/project_finder).
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