



Tennessee  
Citizens for  
Wilderness  
Planning

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January 23, 2011

Taking Care of Wild Places

**1. The Cumberlands** ..... p. 3

- A. Suitability Petition to stop ridge-top mining is progressing to EIS
- B. Niki Nicholas, new BSF/Obed superintendent
- C. Large chicken-breeding facility for Obed watershed
- D. Hearings for plant near Frozen Head
- E. Frozen Head biodiversity

**2. Tennessee State Government** ..... p. 4

- A. Cabinet positions of interest
- B. Prospects for the 107<sup>th</sup> General Assembly
- C. Organization of the House
- D. Conservation Committees
- E. Amplification and correction
- F. Bottle bill and Anderson County
- G. TCV needs support

**3. Other Tennessee News** ..... p. 5

- A. Proposal to hunt cranes is deferred for 2 years
- B. Report on TN forestry resources
- C. District-3 congressman on important committees
- D. Rocky Fork on acquisition priority list
- E. A ruling against commercial farming in LBL
- F. Large solar facility now generating power

**4. Climate Change** ..... p. 7

- A. EPA needs our strongest support for slowing GHG emissions
- B. Some illustrations of urgency
- C. House wastes no time in attacking EPA’s climate-change initiatives
- D. Network nurtures doubt about climate change

**5. Other National Issues** ..... p. 8

- A. EPA vetoes huge mountaintop-removal project
- B. BLM to make conservation a priority for National Conservation Lands
- C. Sec. Salazar reverses BLM’s “No More Wilderness” policy

**6. Oak Ridge News** ..... p. 9

- A. City cracking down on illegal tree cutting on public property
- B. Other North Ridge Trail news (scout builds bridge; GIS mapping; NRT on Facebook)
- C. Update on Climate Action Plan
- D. Greenway may be extended to Haw Ridge

**7. TCWP news** ..... p. 10  
(Archiving of NL collection gets go-ahead; Activities; ETWC donates to Obed fund; Milestones for Board members)

**8. Calendar; Resources** ..... p. 11

**9. ACTION SUMMARY** ..... p. 2

**The BIG stories**

**Ridge-top mining petition progressing to EIS** ..... ¶1A

**Crane-hunting proposal deferred for 2 years** .... ¶3A

**EPA’s moves to decrease GHGs need support** .... ¶4A

**EPA vetoes mountaintop-removal project** ..... ¶5A

**“No More Wilderness” policy reversed** ..... ¶5C

**Crack-down on green-belt tree cutting** ..... ¶6A

**Archiving of our NL collection gets go-ahead** ..... ¶7B

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## 9. ACTION SUMMARY

No.	Issue	Contact	"Message!" or Action
1A	N.Cumberland ridgeline mining	Sandra Goss Governor Haslam Sen. Alexander	Volunteer to attend scoping meeting "Strongly support state's Unsuitability Petition!" "Thank you for supporting Petition!"
1D	Heraeus emission controls	TDEC -- by January 31	"Set high standards; closely monitor and enforce compliance!"
4A	Schedule for setting GHG limits	EPA -- by January 31	"Thank you! Timeline is supported by science; set stringent rules!"
5A	Veto of Spruce Mine #1 permit	EPA and CEQ	"Thank you for courageous decision that heeds scientific evidence!"
5C	Wilderness protection by BLM	Sec. Salazar	"Thanks for restoring tool! BLM must fully implement new policy!"
7C	Archiving TCWP NL collection	Sandra or Lee	Volunteer to scan old Newsletters
9	Items 3B, 3C, and 6 from last NL	See NL294	These actions are still needed. See NL294

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. Haslam  
Respectfully yours,

Sen. Bob Corker  
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<https://fleischmann.house.gov/contact-me>

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 new, up-to-date Political Guide, soon to be mailed. You can also access the Guide on TCWP's 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 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:** Jimmy Groton, 865-483-5799 (h)

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## 1. THE CUMBERLANDS

### 1A. *Suitability Petition to halt ridge-top mining is progressing to EIS*

In past years (and Administrations), some Lands Unsuitable for Mining (LUM) petitions have been halted, or seriously delayed, by an Office of Surface Mining (OSM) declaration that they were administratively incomplete. This is why it's great news that, on November 24, OSM found the recent petition for the North Cumberland to be "administratively complete." (Our extra thanks to the Bredesen Administration for crafting the LUM petition so *carefully!*)

The petition, which was filed on October 1 by the State of Tennessee, requests that ridgelines on public-use lands in the Northern Cumberland Plateau be designated unsuitable for coal surface mining (NL294 ¶1A). Much of the area covered by the Suitability Petition is part of the "Connecting the Cumberland" conservation initiative (NL276 ¶1A) and is located in Anderson, Campbell, Morgan, and Scott counties.

Approval of the petition would prevent surface mining of coal for 600 ft on each side of the ridgelines in the designated area, creating a 1,200-foot ridgetop corridor encompassing approximately 67,000 acres. These corridors include about 40% of the total North Cumberland Wildlife Management Area and Emory River Conservation Easement Tract (the latter managed by Frozen Head State Park for public use).

OSM, having declared completeness of the petition, must now prepare an Environmental Impact Statement (EIS), which will provide several opportunities for public input and will, if all goes well, culminate in approval of the petition by the Secretary of the Interior. The first step in the EIS process is scoping meetings. These are being scheduled for late Feb/early March. It will be important for us to have a good representation. We urge you to attend and bring along friends and other interested people. See action box for details.

The petition was submitted by, and had the full support of, the Bredesen Administration. Senator Alexander, who subsequently met with Interior Secretary Salazar, stated that protecting the Upper Cumberland ridge tops "in which Tennessee taxpayers already own an interest" will "attract job-creating tourist dollars." It is to be hoped that Bill Haslam, our new governor, will be equally supportive. You may wish to contact him on this issue (see Action Box).

For a related story with national significance, see ¶5A, this NL.

range ride-sharing (865-583-3967; [Sandra@sandrakgoss.com](mailto:Sandra@sandrakgoss.com))

- (2) Contact Governor Bill Haslam (address on p.2) and urge his strongest support for the State's petition. It represents a reasonable compromise position and provides for the long-range economic viability of the tourism/recreation future of the region.
- (3) Thank Sen. Alexander for his support (address on p.2).

### 1B. *New superintendent for Big S. Fork and Obed*

On January 17, Niki Nicholas became superintendent of Big South Fork National River and Recreation Area and Obed Wild and Scenic River. Ms. Nicholas is no stranger to this area, having in the past worked at TVA, her last position there being Senior Manager for Environmental Impact Reduction Technologies. From there, she moved to the National Park Service where, for the past 7 years, she has been Chief of Resources Management and Science at Yosemite National Park.

The new superintendent holds a bachelor's degree in biology, a master of science degree in ecology, and a doctorate in forestry. She is a member of the Ecological Society of America, Forest History Society, Society of American Foresters, and the George Wright Society. She and her husband, Charles Nicholson, TVA's Manager of NEPA Compliance, have bought a house in Oneida. For more information, visit <http://www.nps.gov/biso/planyourvisit/>

### 1C. *Large chicken-breeding facility for Obed watershed*

A 1000-acre farm in Deer Lodge has been purchased to become the site of a pedigree breeding complex for broiler chickens. The development will include a hatchery, as well as the brooding, rearing, and production housing and an employee center, according to a press release by the Cobb-Vantress Co., which has committed to investing \$19 million in the project. It will be the fifth such pedigree complex in the country, and the second one in Tennessee. The Morgan County Economic Development Board is slated to receive \$25,000 from TVA to help with engineering the project, and is submitting a Fast Track grant application for utilities. Construction of the facility is projected to take about 12 months.

Large-scale animal breeding facilities generate a great deal of waste. The fact that this project is located in the Obed watershed will make it especially important to assure that this waste is handled so as not to impact water quality.

### 1D. *Hearing for the Heraeus Metal Processing Expansion Permit*

Heraeus Metal Processing, Inc., a precious-metal reclamation facility on Hwy 62 near the Frozen Head turn-off, recently applied for a permit that would entail

#### WHAT YOU CAN DO:

- (1) Attend one of the scoping meetings and bring along friends and other interested persons. Meetings will be held late Feb/early March in Huntsville, Wartburg, and Cove Lake. Exact dates and places are yet to be announced. Contact Sandra for this information and to ar-

major expansion of the facility. Because the company has a bad air-pollution record, and because the facility is located close to important resources (0.2 air miles from a water-treatment plant, within two miles of three schools, and not far from Frozen Head State Park and Natural Area), TCWP requested a public meeting so concerned residents could learn more about Heraeus' proposed emission controls (NL294 ¶1C).

TDEC's Division of Air Pollution Control has now scheduled a public hearing on the draft Title-V operating permit 561481 for Heraeus. This will be held in Wartburg on Tuesday, January 25, and a TCWP representative will speak. Comments can be submitted by e-mail through Monday, January 31.

**WHAT YOU CAN DO:** By Monday, January 31, 4:30 CST send an e-mail to Barry R. Stephens, Director Air Pollution Control Division, TDEC, at [barry.stephens@tn.gov](mailto:barry.stephens@tn.gov). Urge that the Heraeus facility be held to the highest degree of accountability, and that compliance be closely monitored and enforced.

### 1E. *Frozen Head biodiversity*

The biodiversity of Frozen Head State Park and Natural Area is being catalogued for the All Taxa Biodiversity Inventory. Some progress was made in 2010 with the addition of new species and more information about others. A report is available as a PDF document (13 MB) that can be requested from Ranger Michael Hodge ([Michael.E.Hodge@tn.gov](mailto:Michael.E.Hodge@tn.gov)). The report is also available on [http://www.scribd.com/doc/44812652/Fall-2010-Biodiversity-Report?secret\\_pass\\_word=oerlvvdbwkeevhcbktw](http://www.scribd.com/doc/44812652/Fall-2010-Biodiversity-Report?secret_pass_word=oerlvvdbwkeevhcbktw)

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## 2. TENNESSEE STATE GOVERNMENT

### 2A. *Cabinet positions of interest have been filled*

Prior to his inauguration on January 15, Gov. Haslam named commissioners for almost all 22 cabinet positions. Three of these are of special interest to us.

#### Commissioner of Environment and Conservation: Robert Martineau

According to the official news release, "Martineau is a partner at Waller Lansden Dortch and Davis, PLLC, practicing in the area of environmental and regulatory law, and he has extensive experience working with companies on the development and implementation of corporate environmental management programs and auditing programs." He is a "member of the Air and Waste Management Association and a former council member of the Section of Natural Resources, Energy, and Environmental Law of the American Bar Association ... [and] serves on the Board of Directors for the Legal Aid Society of Middle Tennessee and Cumberlands." A knowl-

edgeable person who has worked with him in this last-named capacity reports that Martineau is deeply involved with legal services and some other good nonprofit organizations. He used to work for EPA.

#### Commissioner of Agriculture: Julius Johnson

Johnson has been the Chief Administrative Officer for the Tennessee Farm Bureau for the past 15 years. We have no inside information on Mr. Johnson. The Farm Bureau has frequently taken adversarial positions to environmental initiatives and legislation.

#### Commissioner of Transportation: John Schroer

Schroer has been Mayor of Franklin since 2007, and is a member of the Middle Tennessee Metropolitan Planning Organization and the Regional Transit Authority. According to a Franklin resident who is active in an area conservation group, Mayor Schoer has been very supportive of efforts for greenways, trolley/bus service, and all kinds of modes of transportation -- bike lanes, etc. He is very much involved in historic preservation, but is also a developer. He strongly supported Franklin's new storm-water regulations.

### 2B. *Prospects for the 107<sup>th</sup> General Assembly*

[From *Tennessee Conservation Voters News*, 12/13/10]

For the first time since 1869 the Tennessee House and Senate are both Republican. The biggest shift in power occurred in the House of Representatives, where Republicans won 14 previously Democratic seats, including several formerly held by strong environmental champions. This leaves Democrats with just 34 seats out of the total of 99. The Conservation & Environment Committee will be significantly different this coming year (see ¶2D, below). The recurring themes in many campaigns, such as 'state government needs to stay out of the way and there needs to be a pro-business environment with less regulation,' give a hint of what's to come

The Republican/Democratic ratio in the State Senate is 20/13 after Democratic incumbent Doug Jackson's surprising loss to Jim Summerville. Jackson's defeat was a blow to the environmental community. He consistently advocated for environmental protection, including such issues as the bottle bill and mountaintop removal mining. The make-up and tenor of the Senate is likely to reflect much of the anti-regulatory protection approach we saw in the recent past.

### 2C. *Organization of the House*

Beth Harwell, the Nashville Republican who was elected as the new speaker of the House at the start of the 107<sup>th</sup> General Assembly, has announced her committee assignments. In contrast to the practice of her predecessor, who assigned chairmanships proportional to the partisan breakdown of the chamber, Harwell has named only Republicans to be chairmen. Also in a departure from usual practice, there will be only one "General Subcom-

mittee” for each of the House’s 13 standing committees. These General Subcommittees appear (in most, but not all, cases) to be made up of the full committee except for first-time legislators. Speaker Harwell plans to send some legislation straight to full committees. Controversial or complex bills that need in-depth study will be sent to subcommittees.

In a tentative assessment of this move, TCV suggests that it may help speed things up. On the other hand, as some have pointed out, the subcommittee system allowed the flaws in some bills to be discovered and remedied. It remains to be seen how the new system works.

## 2D. *Conservation committees*

The following committee appointments were announced a couple of weeks ago. In parentheses following each name, we are showing the 2010 TCV ratings (range -3 to +7).

### Senate Environment, Conservation, And Tourism

Chairman: Steve Southerland (+3)

Vice-Chair: Jack Johnson (-3)

Secretary: Jim Summerville (new)

Members: Mike Bell (new)

Mike Faulk (-1)

Senator Haile (new)

Roy Herron (+4)

Beverly Marrero (+7)

Eric Stewart (+4)

### House Conservation & Environment (\* indicates member of General Subcommittee)

Chair: David Hawk\* (0)

Vice-Chair: Ron Lollar\* (-2)

Secretary: Richard Floyd\* (-1)

Members: Sheila Butt (new)

Charles Curtiss\* (+2)

Brenda Gilmore\* (+6)

Andy Holt (new)

Mike Kernell\* (+3)

Pat Marsh\* (-2)

Mike McDonald (+6)

Frank Niceley\* (+1)

Art Swann\* (new)

John Tidwell\* (-2)

## 2E. *Amplification and correction*

An article in NL294, which reported election results for a number of state legislators who had received special mention by Tennessee Conservation Voters (TCV) in 2010, listed four recipients of the Good Green Deeds Award. These awards were given for certain specific actions and did not necessarily reflect the legislators’ overall performance in 2010, let alone previous years. In fact, one awardee (Rep. Niceley) had worked *against*, rather than for, important environmental legislation. The last sentence in the article NL294 (¶4A) should read “None of these lost on Nov. 2.”

## 2F. *Consideration of bottle bill supported by Anderson County*

Supporters of beverage-deposit legislation have for some time now been asking county commissions to pass resolutions requesting the General Assembly to debate and vote on such a bill. This attempt failed in Anderson County in November, but succeeded in December by a 10:5 vote. The resolution was introduced by Commissioner Myron Iwanski of Oak Ridge. Voting for it were Meredith, White, Alley, Biloski, Mead, Fritts, Alderson, Iwanski, Wandell, and Hitchcock. Voting against were Irwin, Bates, Isbel, Creasy, and Shuey. Opponents referred to the proposal as a tax (which it obviously is not) and as government interference.

## 2G. *TCV, our contact with the State legislature, needs support*

Tennessee Conservation Voters, TCV, is the state affiliate of the national League of Conservation Voters, with a mission of lobbying the state legislature on behalf of 25 state-based environmental and conservation groups (including TCWP). TCV also produces an annual Tennessee Legislative Scorecard, similar to the national scorecard produced by LCV, which evaluates the voting records of each state legislator (NL288 ¶2B).

TCV needs financial support to carry out its work and, to this end, holds an annual fundraiser. The event to raise funds for 2011, “Nature Votes.” will be held on February 11 in Nashville. To find out more about this great party, visit [www.tnconservationvoters.org](http://www.tnconservationvoters.org). If you’d like to attend, be a sponsor, or donate an auction item, call the TCV office (615-269-9090) or email [tcved@bellsouth.net](mailto:tcved@bellsouth.net); or contact Mary Helen Clarke at [mhclarke@mac.com](mailto:mhclarke@mac.com) (615-297-2969). If you are unable to attend, you may wish to send a contribution.

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## 3. OTHER TENNESSEE NEWS

### 3A. *Proposal to hunt sandhill cranes is deferred for 2 years*

On January 21, the Tennessee Wildlife Resources Commission voted to defer for two years a proposal to hunt sandhill cranes. There was considerable public opposition to the proposed hunting (72% of 753 comments submitted). TCWP dispatched an e-mail alert to its members and submitted organizational comments in opposition. Even among hunters, a significant portion urged caution. Because just a few decades ago the crane population was dangerously low, and because these birds have a very slow reproductive rate, some hunters would like to make sure the resource is protected to sustainable levels before a hunting season is opened.

Some area farmers have complained that the birds are damaging their crops, and a few have obtained depredation permits to kill cranes. Tennessee’s new Commissioner of Agriculture, Julius Johnson (¶2A, this NL),

was a longtime official and lobbyist for the Tennessee Farm Bureau, which supports crane hunting. [Note: An erroneous impression may have been left in NL294 ¶3D concerning the magnitude of impacts of crane populations on agriculture. The figures, which were derived from the TWRA website, are for all Mississippi Flyway states combined. In Tennessee only 9 depredation permits have been issued in the past three years combined -- only two in 2010. TWRA did not mention this in the announcement of their hunting proposal.]

### 3B. *New report on Tennessee forestry resources*

[Contributed by Sandra Goss, with information from the Div. of Forestry website]

In September 2010, the Tennessee Department of Agriculture's Division of Forestry released the Tennessee Forest Assessment and Strategy. This report was generated to comply with the 2008 Farm Bill, which amended the Cooperative Forestry Assistance Act of 1978 and directed States to develop a long-term Statewide Assessment and Strategy for Forest Resources.

The purpose of the report was to determine the status of the state's forest resource through an assessment — what's there, who owns it, what are its threats, and how can federal funds help to manage it? Strategies would then need to be developed to address issues raised from the assessment. Completion of the Assessment and Strategy renders states eligible to apply and compete for federal funds through an annual grant cycle.

Where possible, the Forest Assessment and Strategy complements other state agency assessments, such as the Tennessee Wildlife Resources Agency's State Wildlife Action Plan

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

and the Tennessee Dept. of Environment and Conservation's Recreation Plan

<http://tn.gov/environment/recreation/plan/> with a particular focus on maintaining water quality and quantity.

Through cooperation and commitment, the assessment and strategies set forth in this statewide plan will be highly relevant and useful to a variety of organizations and individuals who seek to address forest-resource issues pertinent to our state. Input from knowledgeable forest resource stakeholders was vital to achieving this objective. The full document can be accessed through

<http://www.state.tn.us/agriculture/forestry/sustainability.html>.

“Full of interesting data, this is a snapshot of Tennessee's forests, their health, ownership and trends,” explained Louise Gorenflo, former Executive Director of the Obed Watershed Community Association. The document is not a planning or strategy tool. “It identifies some real problems that Tennessee forests face.”

Gorenflo will present an overview of the report in Crossville on Tuesday, February 1, at 3:00 CST. For more information, call 931.484-2633.

### 3C. *New Tennessee Congressman on important committees*

Congressman Chuck Fleischmann (R-TN), newly elected to represent Tennessee's Third District, has been appointed to the Natural Resource Committee of the House of Representatives, a committee that covers many areas of interest to TCWP. In addition, Mr. Fleischmann will also serve on the Science, Space, and Technology Committee, and on the Small Business Committee.

### 3D. *Rocky Fork, the only Tennessee area on priority list.*

The Wilderness Society has identified a list of 29 key areas nationwide as “2011 Priority Land Acquisition Projects; LWCF and Forest Legacy.” The single item from Tennessee is Rocky Fork, 3,628 acres for \$11 million. This acquisition would complete a project begun in December 2008, when the Conservation Fund and the US Forest Service, with contribution from the Tennessee Heritage Conservation Trust Fund, purchased the roughly 9,600-acre Rocky Fork tract along the NC state line (NL283 ¶5A).

### 3E. *A ruling against commercial farming in LBL*

[Information from Forest Service Employees for Environmental Ethics, FSEEE]

The Land Between the Lakes (LBL), between Kentucky Lake (on the Tennessee River) and Barkley Lake (on the Cumberland River), is the largest inland “peninsula” in the United States. In 1963 TVA designated it a National Recreation Area to demonstrate a multiple-use approaches to recreational lands. Later, when TVA was shedding “non-core” operations, it transferred operation of LBL to the US Forest Service (USFS) in 1998.

Subsequently, parts of LBL became the only national forest areas in the country that were farmed. Several thousand streamside acres that could have been managed for species diversity and complementary recreation were commercially developed as corn and soybean plantations -- crops that are certainly not in short supply. Significant parts of these crops were left for deer and turkey, popular targets for recreational hunting. The USFS gave up its oversight functions by allowing the National Wild Turkey Federation to issue and administer the farmers' special-use permits.

Recently, in a lawsuit brought by FSEEE against the USFS, the judge ruled that delegation of such power by the Forest Service was unlawful.

### 3F. *Tennessee solar facility now generating power*

The largest solar facility within the 7-state TVA region began generating electricity last week. The 5.5-acre solar farm, located in Jackson (Haywood County), TN, supplies the bulk of its electricity directly into the TVA grid (TVA will buy the power at daily market

rates), and a minor part to an adjacent privately-owned warehouse and plant as part of a rejuvenation initiative for such facilities. The solar farm, which is owned by National Energy Group, contains almost 5,000 panels. The construction cost of the farm was about \$5 million, of which the federal government is reimbursing 30%.

In supporting this facility, the Southern Alliance for Clean Energy wrote that the Solar Farm would showcase Tennessee's commitment to solar energy deployment, strengthen markets for the state's current solar industry, and attract additional investments in these markets. The Solar Farm will also contribute to the economies of scale necessary to bring down the costs of solar installation and serve as a research tool for increasing the efficiency of solar photovoltaic technology.

#### 4. CLIMATE CHANGE

##### 4A. *Significant EPA actions*

###### *need our strongest support*

[Extracted from information provided by the Union of Concerned Scientists]

The Environmental Protection Agency (EPA) has moved on two fronts to bring about significant reductions in the emission of heat-trapping greenhouse gases (GHGs). In view of Congress' recent failure (and near-future unlikelihood) to address the high probability of climate catastrophe, **EPA's efforts in this regard are our only hope.**

(1) One EPA approach (announced in May 2010) is to address the manner of operation of the largest stationary GHG sources – power plants, oil refineries, and other large industrial facilities. In aggregate, these represent 70% of US GHG emissions from *stationary* sources. As of January 2, 2011, the largest of these sources (new projects that will emit >100,000 tons GHG pollution, and plants making modifications that will increase GHG by >75,000 tons) must use best available technology to reduce their GHG emissions.

(2) The other EPA action (announced December 23, 2010) is to develop a schedule for setting limits on GHG emissions. The schedule applies to power plants and petroleum refineries, which include the nation's oldest and dirtiest stationary facilities and together account for 40% of all US GHG pollution. For power plants, the draft rule is scheduled to be ready by July 2011, the final rule by May 2012; for refineries, these deadlines are 5 and 6 months, respectively, later.

It is truly urgent that we support EPA, because the agency is under assault from multiple fronts – Congress (§4C, below) and the country's most powerful industries (big oil, the coal industry, and electric utilities). A major part of their strategy is to cast doubt on the well-established scientific basis for climate action. Yet, EPA has taken great care to ground its actions in best available science. The supreme urgency to limit GHG emis-

sions is justified by numerous lines of evidence (see, e.g., §4B, below) that scientifically justify the legitimacy of EPA's proposed timeline

**WHAT YOU CAN DO:** Comments to EPA are due no later than 5 p.m. EST on January 31, 2011 (details below).

Thank the agency for moving ahead on this rulemaking, especially in light of current attacks on its efforts. Confirm that EPA's proposed timeline is supported by the urgency of the science (see, e.g., §4B, this NL). Urge EPA to allow no delays, and make the substantive rules as stringent as possible.

In your communication, refer to Docket ID#: EPA-HQ-OGC-2010-1045 .

You can send your message by either of these methods:

(a) <http://www.regulations.gov> and follow instructions for submitting comments.

(b) e-mail to [ow-docket@epamail.epa.gov](mailto:ow-docket@epamail.epa.gov). Include the docket No. (see above) in the subject line.

##### 4B. *Some illustrations of urgency*

[From Union of Concerned Scientists, 1/14/11, and Snow and Ice Data Center]

- ❖ Carbon dioxide (CO<sub>2</sub>) levels have already far exceeded any seen over the past 800,000 and probably the last 2 million years. This puts us in the position of playing “catch-up,” even if we begin reducing emissions right away.
- ❖ Scientists are concerned that ‘tipping points’ or points of no return might be reached in the climate system -- e.g. substantial Greenland ice sheet melt, tundra methane release, ocean carbon release -- at which point the impacts are *irreversible* on a human timescale.
- ❖ Recent evidence suggests that climate change consequences are occurring *faster than expected* by many scientific papers written even a decade ago, thus emphasizing the rapid pace of change.
- ❖ 2010 was the hottest year on record (shared with 1998); 18 countries set *all-time* heat records.
- ❖ The costs of inaction are very high—the longer we wait to get started, the bigger the problem and higher the costs.
- ❖ Arctic sea ice is shrinking at an alarming rate. (For striking illustrations, visit <http://nsidc.org/arcticseaicenews/>.) Its area, averaged over December 2010, was 4.63 million square miles - - the lowest December ice extent recorded in satellite observations from 1979 to 2010. It is 104,000 sq. miles below the previous record low of 4.74 million sq. miles set in 2006 and 521,000 sq. miles below the 1979-2000 average. (Note: More than a thousand spy-satellite photos of Arctic sea ice that were withheld from public view by the Bush Administration are now available.)

4C. *The new House wastes no time in attacking EPA's climate-change initiatives*

On the first full day of legislative business, Republicans in the newly constituted House of Representatives introduced bills to block EPA's proposed regulation of greenhouse gases (GHGs) (§4A, above). Tennessee's Marsha Blackburn (R-7) was one of three legislators who introduced these bills.

This is part of a broader assault on what Republicans have termed job-killing regulations from the Administration. One talking point, used by Fred Upton (R-CA), the new chairman of the Energy and Commerce Committee, is that the Obama Administration should not try to do by regulation what it cannot do by legislation (viz., control GHG emissions -- see §4A, above). This drew a marvelous response from Sen. Barbara Boxer (D-CA): "So when the new chairman ... says EPA cannot pass by regulation what Congress failed to pass by law, let me correct him -- Congress passed our Clean Air laws, Republican Presidents signed them, and those are the laws the EPA is following."

The new House majority is already scheduling Congressional hearings designed to cast doubt on the well-established scientific basis for climate action. These will be political show trials designed to manufacture public doubt and delay action.

4D. *Major network nurtures doubt about climate change*

[From CREDO Action, 12/18/11]

On December 8, 2009, Fox News' White House correspondent Wendell Goler reported that 2000-2009 would be the warmest decade on record, and that the scientific community remained united behind their belief in human-induced climate change. Shortly afterwards, Fox News' Managing Editor Bill Sammon sent an e-mail memo instructing reporters to "... refrain from asserting that the planet has warmed (or cooled) in any given period without IMMEDIATELY pointing out that such theories are based upon data that critics have called into question..." (Politico.com, 12/15/10)

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## 5. OTHER NATIONAL ISSUES

5A. *EPA vetoes huge mountaintop-removal project*

It came to pass: in NL294 (§2B), we urged you to tell EPA Administrator Lisa Jackson to follow EPA Region-3's recommendation to veto the Army Corps of Engineers' permit for Spruce Mine No. 1 (West Virginia), one of the largest mountaintop removal coal mines in Appalachia, which would directly impact 2,278 acres of wooded mountains and bury more than seven miles of headwater streams (NL291 §5B). The Clean Water Act

(CWA) gives EPA the ultimate enforcement authority via a veto process.

On January 13, Administrator Jackson announced that she would indeed veto this permit. The veto is based on scientific studies that contain clear evidence that the mine would have severe impacts on local watersheds, ecosystems, and wildlife; and in its analysis EPA also addresses health impacts on the people of the surrounding area. The veto proposal had been under serious attack by the industry, and Ms. Jackson's decision was a most courageous one for which she deserves our sincerest thanks.

To see a few pictures of mountaintop removal mining and its effects, visit

[http://earthjustice.org/slideshows/images-of-mountaintopremovalmi-ing#/sites/default/files/slideshows/09-2010/mtr\\_01.jpg](http://earthjustice.org/slideshows/images-of-mountaintopremovalmi-ing#/sites/default/files/slideshows/09-2010/mtr_01.jpg)

**WHAT YOU CAN DO:** Thank Administrator Jackson for her courageous decision, which shows her commitment to following the law and heeding scientific evidence. Also thank Nancy Sutley, chair of the Council on Environmental Quality. Contact information  
Lisa Jackson: [Jackson.lisap@epa.gov](mailto:Jackson.lisap@epa.gov), or phone 202-564-4700.  
Nancy Sutley: [www.whitehouse.gov/ceq](http://www.whitehouse.gov/ceq), or phone 202-395-5750.

5B. *BLM to make conservation a priority for our National Conservation Lands*

[Based on information from the Wilderness Society]

The Bureau of Land Management (BLM) is of major interest because it oversees 42% of all our public lands. Included among these is the National Landscape Conservation System, also known as our National Conservation Lands (NCL). This spectacular system of western lands, established in 2000, was made permanent by the Omnibus Public Land Management Act of 2009 (NL285 §9B). The NCL include 27 million acres and encompass national monuments, wilderness areas, national conservation areas, wild and scenic rivers, and national historic and scenic trails -- altogether 886 units.

In mid-November, Secretary of the Interior Salazar signed an order requiring BLM to make conservation a priority for the management of the NCL. Under this order, the BLM must ensure that NCL components are managed to protect the values for which they were designated. For example, national monuments and other conservation lands can be designated to preserve cultural artifacts, wilderness and wildlife habitat, scientific research opportunities, and many other values. These resources must take priority when BLM determines what other uses are permitted on those lands. While this acreage is large, it represents only about 11% of the 256 million acres of public lands managed by the BLM.

The order raises the expectation that BLM will rely on sound science to properly manage protected lands,

and will address these areas in the context of their larger landscapes. This will become ever more important as land managers grapple with the impacts of climate change. We hope our National Conservation Lands will provide much-needed ecological connectivity and refuges for wild lands and wildlife to adapt to a changing climate.

Call 202-208-3100; e-mail [kensalazar@ios.doi.gov](mailto:kensalazar@ios.doi.gov); or write 1849 C Street, NW, Washington, DC 20240.

5C. *Sec. Salazar reverses BLM's "No More Wilderness" policy*

[Information from the Southern Utah Wilderness Alliance]

On December 23, 2010, Interior Secretary Ken Salazar issued a new "Wild Lands Policy" for the Bureau of Land Management (BLM), part of which reverses the Bush era "No More Wilderness" policy. Under that policy, promulgated in 2003, wilderness became the only resource that BLM was specifically *precluded* from managing or protecting. That meant that the agency could no longer identify Wilderness Study Areas (WSAs) in which resources would be protected to remain eligible for Wilderness designation by Act of Congress.

With WSAs off the table since 2003, huge acreages were auctioned off for oil and gas leasing (over 45 million acres are currently under lease), and areas that qualified for Wilderness became vulnerable to off-road vehicle abuse. Secretary Salazar's order will restore needed administrative protective tools to qualifying areas, but still leave 94% of BLM's 256 million acres available for energy development and other uses. In mid-January, BLM Director Bob Abbey came to Utah to discuss the new wilderness guidance and to confirm that it is a tool for providing protection to BLM-managed wild lands until Congress acts to officially designate wilderness.

Several of our crown jewel national parks are surrounded by BLM lands, and, under the Bush policy, were seriously threatened by oil, gas, and tar-sand developments and by destructive off-road vehicle use. The new Salazar policy will protect these parks also.

While BLM oversees 42% of all our public lands (vastly more than any other agency), only 3% of BLM lands in the lower 48 states are protected as wilderness. Overall, BLM administers less than 8% of the nation's wilderness. By contrast, the National Park Service oversees only 13% of our public lands, but 40% of our entire National Wilderness Preservation System.

Opponents of wilderness have already pledged to do anything they can to stop the announced BLM policy before it is even implemented, so Secretary Salazar should be made aware of our support. Additionally, BLM needs to close an escape hatch in the new policy, which allows the agency not to protect deserving lands if it decides that development would be "appropriate."

**WHAT YOU CAN DO:** Tell Secretary Salazar that wilderness is important to you, and thank him for the new policy; but let him know that the BLM must live up to the policy's full potential to protect the last remaining wild country in the West.

## 6. OAK RIDGE NEWS

### 6A. *City cracking down on illegal tree cutting on public property*

In our last Newsletter (NL294 ¶9A) we reported that, in several locations, owners of houses upslope from the North Ridge Trail have cleared the trees not only in their backyard but in the contiguous City-owned greenbelt so as to open a view for themselves. Subsequently, *The Oak Ridge Observer* of November 11 published an op-ed by Lee Russell on the subject.

On December 1, a letter co-signed by City Manager Mark Watson and Police Chief David Beams was sent to owners of homes adjacent to the Northern Greenbelt, warning against "the removal of any tree on public property." If specific reasons are identified, "such as safety, or the tree is dead or diseased," residents must communicate with the City. Otherwise, if trees are removed from City greenbelts, the "Oak Ridge Police Department will investigate such incidents and issue warrants, for which the Anderson County District Attorney will pursue criminal prosecution and conviction. Restitution will be sought and attorneys' fees requested for the lost value per board foot of mature hardwoods cut."

This much stronger stand by the City (*criminal* prosecution by the *County* attorney; meaningful fines) is most encouraging and deserves our commendation. At the same time, several aspects of the letter need clarification and strengthening. For example, *all* types and ages of trees must be included in the prohibition; the *highest* value for any cut tree must be re-paid; the letter must be sent to everyone living adjacent to public land (not just Northern greenbelt). An official letter with these suggestions will soon be mailed to the city.

### 6B. *Other North Ridge Trail news*

#### (a) Scout constructs bridge

On the weekend of December 18-19, Cody Reeves completed construction of a 16ft bridge on the North Ridge Trail in the vicinity of the Wedgewood Road entrance. Cody belongs to Boy Scout Troop 147 (Knoxville), of which Lance McCold, former TCWP Board member, is Assistant Scoutmaster. The bridge was Cody's Eagle Leadership Service Project.

We are most grateful to Cody for this major improvement in the trail, and we congratulate him on becoming an Eagle Scout!

#### (b) GIS mapping for NRT

[Contributed by Susan Donnelly]

With increasing development in the valley below the North Ridge Trail over the past several years, there has been a growing need to ensure that the Trail lies on

city, rather than county, property. To this end, TCWP has been working with City of Oak Ridge staff to GPS the North Ridge Trail so they can check it against the official city boundary. The project should be complete later this spring. The results will allow forward progress on re-blazing suspect sections and re-routing any segments that verge onto county property.

(c) NRT on Facebook

[Contributed by Susan Donnelly]

The North Ridge Trail has a brand-spanking new, evolving page on Facebook. Check it out, post photos, and comments -- this is a community for North Ridge Trail users and aficionados. To find the page, search for "North Ridge Trail" (Community) or try this link: <http://www.facebook.com/pages/North-Ridge-Trail/>

6C. *Update on O.R. Climate Action Plan*

[Contributed by Jimmy Groton]

On December 13, the Oak Ridge City Council approved the Climate Action Plan prepared by the Environmental Quality Advisory Board (NL293 ¶8A). This plan, which represents the culmination of more than two years of hard work by EQAB, contains descriptions of actions the city can implement to help reduce greenhouse gas emissions. Included are items already being implemented, actions that are budgeted and scheduled but not yet under way, and other actions that need funding, scheduling, and other details. Hopefully the city will begin implementation of the plan. EQAB will continue to assist the city with the implementation phase and to foster educational opportunities to engage the community sector in the process.

6D. *Greenway may be extended to Haw Ridge*

TDOT has given the go-ahead to the City for extending the Melton Lake Greenway along Old Edgemoor Rd and through the field to the kiosk at Haw Ridge.

Bids will open in early February, with Council approval as early as March.

A map may be viewed at

<http://web.eecs.utk.edu/~dunigan/google.php?trk=phase4>

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## 7. TCWP NEWS

7A. *Change in contact information*

TCWP's executive director Sandra Goss has a new phone number, 865-583-3967. Please change all your records.

7B. *Proposal approved: TCWP's Newsletter Collection WILL be archived*

The Tennessee Digital Library Initiative (DLI) has approved TCWP's proposal to archive a digital, searchable collection of our Newsletters, going back to 1966 and continuing into the future. The earliest 172 issues exist

on paper only, many as single copies. Over the decades, the Newsletters have reported on conservation/environmental issues in Tennessee and the nation. They chronicle many significant achievements (and defeats) in conservation history, most of these spanning many years, and they serve to reflect grass-roots organizing skills and techniques.

For TCWP to carry out this important task, a number of volunteers will be needed. Please see ¶7C, below.

7C. *We need volunteers to scan old Newsletters!*

There are several discrete tasks involved in our big archiving project (such as locating all old issues, proof-reading the digitized products, etc.), but the one for which we need as many volunteers as possible is the scanning of paper copies into electronic product. You do NOT need any prior experience or expertise; UT Library staff will train our volunteers and will provide state-of-the-art equipment at the library.

We need to identify volunteers as soon as possible since all will be trained at once, regardless of when they actually perform the work. You can volunteer for a limited number or for many hours of help – it's up to you. It could be fun learning new computer techniques and meeting interesting people in the lovely UT library on the Knoxville campus.

**WHAT YOU CAN DO:** To volunteer for this very worthwhile task, or to find out more about it, contact Sandra Goss ([Sandra@sandrakoss.com](mailto:Sandra@sandrakoss.com), or 865-583-3967) or Lee Russell ([lianerussell@comcast.net](mailto:lianerussell@comcast.net); do NOT phone).

7D. *Upcoming activities*

[Contributed by Carol Grametbauer]

Alley Ford Cumberland Trail workday – Saturday, February 26

A day of trail work and hiking will take place on the 2.5-mile section of the Cumberland Trail between Nemo Picnic Area and Alley Ford at the Obed Wild and Scenic River that TCWP adopted in 1998. Participants should wear sturdy shoes or boots and bring work gloves, loppers, small bow saws or folding saws, shovels and grubbing tools, as well as a lunch and plenty of water. Some tools will be available at the event.

Participants can meet for carpooling at the Books-A-Million parking lot on South Illinois Avenue in Oak Ridge (meet at the end close to Illinois Avenue, near the Waffle House) in time to leave Oak Ridge at 9 a.m. EST; or they can join the crew at Nemo Picnic Area or Rock Creek Campground at 10 a.m. We expect to return to the trailhead by around 3 p.m. (NOTE: If the weather is uncooperative--excessive rain or snow and ice—we will reschedule for another Saturday.) For additional information, contact Jimmy Groton at 865-805-9908, or send email to [groton87@comcast.net](mailto:groton87@comcast.net).

Spring Cedar Barren cleanup – Saturday, March 5

We will conduct our spring exotic invasive plant removal at the Oak Ridge Cedar Barren on March 5. Located next to Jefferson Middle School in Oak Ridge, this Barren is a joint project of the City of Oak Ridge, State Natural Areas Division, and TCWP. One of a few cedar barrens in East Tennessee, the area is subject to invasion by Chinese lespedeza, Japanese privet, autumn olive, mimosa, Nepal grass, multiflora rose, and woody plants that threaten the system's prairie grasses. Our efforts will help to eliminate the invasives and other shade-producing plants that prevent the prairie grasses from getting needed sun.

Volunteers should meet in the Jefferson Middle School Parking lot at 9 a.m., with sturdy shoes, loppers, gloves, and water. The work session will conclude at noon.

*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 865-583-3967.*

7E. *Paddling Club donates to Obed acquisition fund*

In September, the East Tennessee Whitewater Club generously donated \$1,000 to the fund TCWP established for purchasing land within the authorized boundaries of the Obed Wild & Scenic River, to hold until the National Park Service obtains the funds to acquire it. The donation was made in memory of Patrick Martin, a great lover of the Obed and its tributaries, who died about three years ago. He would have been 54 in February.

Warren Devine, one of Patrick's many friends, writes: "I recall paddling with Patrick on Clear Creek on numerous occasions, even when he was suffering from cancer. The beauty of the river, cliffs, and forest always seemed to bring him pleasure and some measure of comfort. I know he would want the protected area expanded so that others could appreciate it and receive the same benefit." Thank you Patrick; and thank you ETWC!

7F. *Milestones for TCWP-Board members*

Jenny Freeman on ORSSAB

Jenny (present and past TCWP Board member and past executive director) has been appointed to the Oak Ridge Site Specific Advisory Board by DOE. Jenny is currently the business development manager for Strata-G, an environmental consulting firm. Before that, she led ETEBA, a trade group of businesses engaged in environmental cleanup and technology development. (And that's only a very small part of the list of her activities and achievements.)

Memorial for Ken Warren

Ken, who died on March 31, 2009, was an integral part of TCWP from its very beginning. He was active on several of our early Boards (1969, 1970, 1981), at one time worked hard on organizing a Tennessee Wilderness coalition, and for more than a decade (1980s and 1990s) served as TCWP's trail steward for the North Ridge Trail, together with his wife Helen. In 2007, Ken and Helen moved to Albuquerque, NM, to be closer to family.

On Wednesday, February 2 at 12 noon, a short service to inter Ken's ashes will be conducted at the Oak Ridge Unitarian Universalist Church. Attendees are invited to gather afterwards in the ORUUC Hearth Room for reminiscences and refreshments, and to write Helen and the kids a short note if they wish.

(For further information, contact Marty Adler-Jasny, 865-483-9455, [adlerjasnym@bellsouth.net](mailto:adlerjasnym@bellsouth.net).)

Marion Garber died

Marion, who had worked as chief librarian at Oak Ridge Associated Universities, was another active, early TCWP member. She served on our Board in 1990 and 1991 as Board Secretary. Marion died at 89 on January 16. An on-line guest register may be signed at [www.mcfarlandfuneralchapel.com](http://www.mcfarlandfuneralchapel.com)

7G. *Recent events*

[Contributed by Carol Grametbauer]

TCWP Holiday Party – Thursday, December 9

Once again we had a fine turnout of TCWP members and guests at our annual holiday party, held at the Oak Ridge home of Jenny Freeman and Bill Allen. This party is always an opportunity to renew old friendships, meet some new friends, and enjoy excellent food in a cozy setting. Our thanks to Jenny and Bill for hosting us in their beautifully decorated (and recently remodeled) home!

## 8. CALENDAR; RESOURCES

••CALENDAR (events and deadlines)

(For details, check the referenced NL item; or contact Sandra Goss, 865-583-3967, or [Sandra@sandrakgoss.com](mailto:Sandra@sandrakgoss.com))

- January 31, Comment deadline for EPA's proposed schedule for limiting GHG emissions (see ¶4A, this NL).
- January 31, Comment deadline for Heraeus permit (see ¶1D, this NL).
- February 1, Crossville, Overview of the TN Forest Assessment report (see ¶3B, this NL).
- February 2, Oak Ridge, Memorial for Ken Warren (see ¶7F, this NL).
- February 5, Hike to Cummins Falls, sponsored by TPGF, 615-545-0195, or [projects@tenngreen.org](mailto:projects@tenngreen.org) (see NL294 ¶3B).

- February 11, Nashville, Fund-raising party for TCV (see ¶2G, this NL).
- February 26, Alley Ford Cumberland Trail workday (see ¶7D, this NL).
- March 5, Cedar Barren cleanup (see ¶7D, this NL).
- March 5, Hike to Cummins Falls, sponsored by TPGF, 615-545-0195 or projects@tenngreen.org (see NL294 ¶3B).

## • RESOURCES

- For a directory of all Tennessee State Senators and Representatives, go to <http://www.capitol.tn.gov/directory/> and check the upper right-hand corner for links.
  - The 2010 list of impaired waters in Tennessee may be viewed at <http://www.state.tn.us/environment/wpc/ppo/>. For specific summaries of Nashville, Memphis, Knoxville, Chattanooga, and the Tri-cities area see [www.tcwn.org](http://www.tcwn.org).
    - *National Park Field Guides* is an application, created for the National Parks Conservation Association, that is available free to iPhone, iPad, and iPod Touch users. It identifies plants and wildlife in 50 national parks (including features such as bird-call recordings, range maps, etc.). The guide also contains information such as major sites within each park, directions, hours and fees, and links and phone numbers to make reservations or get more information. You can download the app by visiting <http://bit.ly/NPCApp>. Or visit your iTunes store and search for “Park Guides” (10.2 MB).
  - Environmental Defense has launched the Clear the Air advocacy website to cover the anticipated industry-funded attacks on Clean Air Act enforcement. At this site, (<http://www.edf.org/page.cfm?tagID=60734>), you can learn about the threats and find out how to take action.
  - “Great Smoky Mountains Trivia,” by TCWP member Doris Gove, provides short , factual answers to numerous questions as well as illustrative, colorful details on topics such as mountain culture, geology and geography, plants, animals, the national park, Cades Cove, and others. (Riverbend Publishing, Helena, MT, 2010. 142 pp.)
  - A list of Global Warming materials for educators has been produced by the Union of Concerned Scientists' Climate Change Program. All of these materials are based on published, peer-reviewed science, and have themselves been peer-reviewed by scientific experts in the relevant fields.  
[www.ucsusa.org/global\\_warming/science\\_and\\_impacts/impacts/global-warming-materials-for.html](http://www.ucsusa.org/global_warming/science_and_impacts/impacts/global-warming-materials-for.html)
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*Cumberland Trail: Nemo-Alley Ford workday*  
— Saturday, February 26. (see page 10)

“Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it is the only thing that ever has.”

— Margaret Meade