



Tennessee
Citizens for
Wilderness
Planning

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Taking Care of Wild Places

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10. ACTION SUMMARY p. 2

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

10. ACTION SUMMARY

No.	Issue	Contact	"Message!" or Action
1C	Good bills in General Assembly	Senate and House sponsors	"Thank you!" [Rock harvesting; Natural gas regulation]
5A	Protecting waters of the US	EPA, by July 1	"I support your proposed strong rule!"
6C	Natural-gas extraction	US rep. and senators	"Please support the FRAC Act (H.R.1084 and S.587)!"
7A	Tree cutting in O.R. Greenbelt	City Manager, Mark Watson	"Thank you for caring! Vigorously prosecute perpetrators!"
8B	Archiving TCWP NL collection	TCWP	Volunteer to help with scanning old Newsletters
8C	Secret City Festival	TCWP	Volunteer to help man the TCWP booth
8D	TCWP's effectiveness	TCWP	Recruit new members. Sign up for e-mail alerts.

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Washington, DC 20510

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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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800 Market St., Suite 112, Knoxville 37902

Rep. Chuck Fleischmann:
Phone: 202-225-3271
FAX: 202-225-3494
Local (O.R.): 865-576-1976
<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 up-to-date Political Guide, recently mailed to you. You can also access the Guide, and much other information, 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.

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TCWP website: <http://www.tcwp.org>.

1. TENNESSEE STATE GOVERNMENT

1A. *New TDEC Deputy Commissioner*

The Tennessee Department of Environment and Conservation (TDEC) has two Deputy Commissioners: (a) for Environment, and (b) for Parks and Conservation. The latter slot was filled March 1 by Brock Hill (NL296 ¶2D). The former position was held by Paul Sloan, a holdover from the Bredesen Administration.

On May 2, Paul Sloan was replaced by Shari Meghreblian, who holds a Ph.D. in Environmental Management and a master's degree in Engineering from Vanderbilt University. Meghreblian has served as the environmental operations manager at the General Motors facility in Spring Hill since 2005. Prior to that, she served at the facility under the Saturn Corporation in roles including manager of environmental affairs, production operations supervisor, and environmental engineer. She has been active in environmental and business advocacy across Tennessee, holding membership in numerous organizations such as the Tennessee Chamber of Commerce and Industry; Air and Waste Management Association; Tennessee Environmental Council; The Nature Conservancy; and the Harpeth River Watershed Association.

Paul Sloan, who served as deputy commissioner since 2005, was an effective advocate for public participation in environmental issues. As expressed by John Noel: "Through numerous programs designed to enhance public inclusivity and participatory involvement, he advanced the notion that local people can assemble and make a difference to and for the improved health of water, air, and quality of life. ... TDEC is proudly a more open improved agency and the State a better place for his unselfish and unbiased pursuit of what is in the best interest of an Environment that cannot speak for itself and a general public in need of such proficient protection."

1B. *Funding conservation-land acquisitions from the Real Estate Transfer Tax -- still looking good*

Past years have seen major battles to keep the Real Estate Transfer Funds (RETF), established by a 1991 Act, for their intended purpose of purchasing land for local parks, greenways, state parks, wetlands, wild lands, open spaces, and wildlife areas (NL289 ¶2C; NL292 ¶1A, etc.). Thus it was especially good news when Gov. Haslam included all four of the RETFs, totaling \$16,514,700, in his proposed FY 2011-12 Tennessee State Budget (NL296 ¶2A). The problem was to make sure the General Assembly would *keep* these funds in their final, approved bill.

There is still no certainty that this will happen. It's a good sign, however, that the Real Estate Transfer Funds stayed in the governor's recently *amended* budget. Then, on May 11, Gov. Haslam met with members of the FOREVER GREEN TENNESSEE coalition to further

show his support for the Funds. Keep your fingers crossed!

1C. *Bills in the 107th General Assembly*

As this year's session of the legislature approaches its end, the status of some of the legislation of interest to TCWP is still in doubt. Two of the bills we supported (prohibition of ridgetop mining; beverage container deposit) are dead, and two that we opposed (ATVs; Norris Lighthouse Lodge) may be headed for passage. There are a couple of pleasant surprises, though: rock harvesting may acquire some measure of regulation, and citizens groups may be invited to participate in recommending fracking regulations.

Prohibition on surface mining at specified elevation levels.

SB.0577 (also, 0578. 2005), E. Stewart/ HB.0291(also, 0353), McDonald.

Prohibits surface coal mining operations that will disturb ridgelines above 2,000 feet elevation above sea level.)

SB.0577 and SB.0578, with amendments, failed in the Senate Environment, Conservation & Tourism Committee, 3/30/11, defeated by a 6 : 2 vote on party lines.

Tennessee Beverage Container Recycling Refunds Act.

SB.337, Summerville/HB.289, McDonald.

Creates a deposit system for the recycling of certain beverage containers.

Taken off notice in Senate Environment, Conservation & Tourism Committee, 03/16/2011.

Construction of Campbell County Lighthouse Lodge.

SJR.0086, Yager.

Requests approval from TVA for construction of lodge and convention center.

After amendment in committee to clarify that nothing in the resolution shall require an expenditure of state funds, was re-referred 05/05/2011 to Senate Calendar Committee.

Tennessee Rock Harvesting Act.

SB.1288, Southerland/HB.1473, McCormick, Hawk

As amended, establishes rock-harvesting regulations under the Water Quality Control Act. Defines requirements for applications related to rock-harvesting permits. Authorizes TDEC to issue a stop-work order if the operation causes pollution or is operating without a permit. Harvester must abide by new provisions for reclamation and return property to as close as reasonable pre-harvesting state, considering the available overburden.)

Passed Senate 4/25/2011; coming to House floor 5/19/11

WHAT YOU CAN DO:

Thank the sponsors for their efforts:
sen.steve.southerland@capitol.tn.gov,

rep.gerald.mccormick@capitol.tn.gov,
rep.david.hawk@capitol.tn.gov

Methods for natural gas extraction.

HR.0098, Richardson, Gilmore, Moore

Urges TDEC, Tennessee Oil and Gas Association, League of Women Voters, and Tennessee Conservation Voters to collaborate in proposing regulations to oversee use of hydrological fracturing as method of modern natural gas extraction.

- Passed the House unanimously.

WHAT YOU CAN DO:

Thank the sponsors for their efforts:
rep.jeanne.richardson@capitol.tn.gov,
rep.brenda.gilmore@capitol.tn.gov,
rep.gary.moore@capitol.tn.gov.

TN Adventure Tourism and Rural Development Act of 2011.

SB.1205, Yager/HB.1278, Matheny.

Directs three departments, including TDEC, to study and develop a plan for the promotion and development of adventure tourism and other recreational and economic development activities in rural areas of the state.

Status: Was recommended by Senate Finance Committee and has been sent to Senate Calendar Committee. Set for House Finance Committee 5/17/11.

Tennessee Conservation Voters (TCV) is concerned that the concept of Adventure Tourism is being advanced as a way to take advantage of the beautiful natural areas our state has for recreation and business creation. On May 2, TCWP wrote to members of the Senate Finance Committee and House Government Operations Committee, expressing our concern that the bill in its present form fails to address the potentially severe environmental damage that can be caused by ATV use in natural areas. ATVs can cause erosion, with subsequent sediment runoff that impacts fish and other aquatic life not only locally, but downstream. The vehicles also emit a lot of noise that seriously disturbs wildlife and shatters the peace that people might be seeking. The bill should provide a more specific understanding of what would be allowed and what would be prohibited in order to protect the land, prevent water pollution from sediment, prevent disturbance of wildlife, and ensure the rights of other users and their personal safety.

1D. 40th Anniversary for State Natural Areas Program

On May 13, TDEC hosted a celebration event for the 40th Anniversary of the TN State Natural Areas Preservation Act. Lee Russell was invited for having played a key role in the passage of the 1971 Act, but was unable to attend.

In NL296 ¶2F, we described the Natural Areas Preservation Act of 1971 (T.C.A. 11-14-101) as probably the most successful of several pieces of legislation

passed between 1968 and 1971 to protect Tennessee's natural resources. Forty years later, the Tennessee Natural Areas Program includes 81 areas that, in aggregate, cover 120,361.5 acres. Seven of them are less than 20 acres in size, but five are each larger than 10,000 acres (Meeman Shelby 11,000; Frozen Head 15,150; Savage Gulf 15,590; Fall Creek Falls 16,181; Reelfoot Lake 18,000). For a listing and location map, visit <http://tn.gov/environment/na/natareas/>

In addition, the Program administers the Natural Areas Registry, which develops non-binding voluntary agreements with private and public landowners to protect sites of ecological importance. There are presently over 30 such Registered State Natural Areas, including the Oak Ridge Cedar Barren (see www.tcwp.org). The Natural Areas Manager in TDEC is Brian Bowen, brian.bowen@tn.gov.

2. THE CUMBERLANDS

2A. TCWP comments on proposed oil & gas regulations

[Based on comments by Cindy Kendrick]

Although we had briefly commented on TDEC's proposed changes in oil & gas regulations in February (NL296 ¶1B), another opportunity arose as the result of Governor Haslam's 45-day suspension of rules at the beginning of his term. TCWP submitted more extensive and detailed oral and written comments (thank you, Cindy Kendrick!) for the May 9 deadline.

TCWP's involvement in oil and gas matters increased with the oil-well blowout and fire just outside the Obed Wild & Scenic River area in 2002. It vividly illustrated that prevention of such damage through appropriate regulation of procedures is greatly preferable to remediation or restoration.

TCWP's comments praise several proposed changes that represent significant improvements, though not always the optimum ones. One such change, for example, increases the required distance of pits from streams/lakes from only 25 ft to 100 ft; while this increased buffer is a vast improvement, we would have preferred a much greater distance.

TCWP comments note that some needed changes are absent, and list others that appear to significantly weaken controls or fall far short of needed protection. One such provision allows owners of abandoned wells to delay plugging for up to seven years. TCWP urges additional rule making to address these vulnerabilities.

Perhaps most urgent is the need for regulations that address several aspects of well fracturing (fracking), either with or without injection of water. The TCWP comments list some regulations that are needed, including,

- disclosure and control of chemicals injected,
- control of extraction of water from local streams and water bodies to protect ecosystems and respect other uses, and

o waste control and disposal.
(To view the proposed regulatory changes, visit www.tennessee.gov/environment →Permitting →Public notices →Water Pollution Control.)

2B. *Obed WSR Annual River Clean-Up organized by Park*

Volunteers dedicate many hours of their time each year to help the Obed Wild & Scenic River. One event that provides fun and good fellowship is the annual clean-up, to be held this year on Saturday, May 21, starting at 9 a.m. ET. Meet at the Obed Visitor Center (at 208 N. Maiden St., Wartburg) to join others and park staff to work in one of various sections of the park. Trash bags will be provided, but you should wear sturdy shoes and bring along gloves, sunscreen, insect repellent, and drinking water.

Following the clean up, the Park will provide a free Volunteer Appreciation Lunch at the Visitor Center at noon for anyone who has volunteered at Obed WSR in the past year. They will serve hamburgers, hot dogs, veggie burgers, chips, cookies, and lemonade. (You are welcome to bring a dish to share.) Please RSVP; call Moria Painter (Volunteer Coordinator) at 423-346-6294.

2C. *Obed is subject for water-conservation event*

[Contributed by Jimmy Groton]

For the fourth year in a row, TCWP is participating in the Rainy Day Brush-off sponsored by the Water Quality Forum and Stormwater Matters. The purpose of the annual event (which involves painted rain barrels) is to raise awareness and money to promote on-the-ground outreach, education, and water conservation efforts in our region.

TCWP's 2011 rain barrel is titled "*Wandering the Obed River.*" It seeks to make people aware of the importance of the availability of clean water in the Obed, the scarcity of water to the river during the summer months, and the sensitive habitats of the Obed that provide homes for endangered species such as spotfin chub, purple bean, Cumberland rosemary, Virginia spiraea, and other rare animals and plants. Despite the rugged beauty of the Obed, the area is very susceptible to disturbance from humans. Potential threats to the fragile ecosystem include loss of water supply, water quality degradation, and the scars to the watershed and watershed by irresponsible development and uncontrolled resource extraction (coal, oil, gas, forestry). Our barrel seeks to show the interaction of water, rock, plants, and animals that make the Obed a very special place in Tennessee.

This year's rain barrel was painted by former TCWP board member Olive Gaines, who also painted our 2010 entry. Olive also designed the TCWP logo and the designs on TCWP tee-shirts. Mary Lynn Dobson and Jimmy Groton assisted Olive with this year's rain barrel. Jimmy painted rain barrels for the event in 2008 and 2009.

All TCWP members are invited to attend the Brush-Off's Gala Opening at Knoxville Museum of Art (1050 World's Fair Park Drive) on Sunday May 22 from 2-4 PM. Bidding and voting on the barrels opens to the public on May 19 and ends on July 10. To RSVP for the Gala Opening, and for further information, contact parci.gibson@knoxcounty.org, or 865-215-5861

3. TVA: AIR, WATER, and NATURAL RESOURCES

3A. *Integrated Resource Plan: real reform, despite shortcomings*

[Based on information provided by Southern Alliance for Clean Energy, SACE]

After 19 months of analysis, public engagement, and stakeholder review, TVA's Integrated Resource Plan (IRP), released on March 4, was adopted by the TVA Board on April 14. The IRP process is designed to produce recommended strategies for meeting the agency's electricity demand while minimizing both cost and risk. The final product is a 20-year strategy that includes proposed guidelines in several key areas of TVA operations.

SACE, which served on the Stakeholder Review Group for the IRP process, feels that despite some shortcomings, the Plan represents real reform. "TVA's staff deserves credit for conducting a broad and relatively transparent evaluation of a range of options and incorporating significant input from stakeholders throughout the process."

The TVA staff analysis presents a range for each of several key components of TVA operations, such as coal capacity idled, renewable energy additions, energy efficiency, etc. The range analyzed for retiring old coal-plant generation is 2,400 - 4,700 MW (megawatts). The analysis shows that TVA can achieve the 4,000 MW of coal-fired retirements recommended by the IRP with least cost and risk, and that retiring 4,700 MW would not be significantly costlier. SACE feels that TVA should be looking to retire all 7,000 MW that currently do not have advanced pollution controls installed.

Shortcomings of the IRP were identified in the following areas.

- Energy efficiency. Although the IRP recommends the top of the explored range, 14,400 GWh by 2020 (demonstrated to be the most financially attractive to TVA customers), SACE believes this still falls short of what could realistically, and cost-effectively, be achieved.
- Renewable energy. SACE believes that selection of the preferred strategy for renewables was driven by seriously flawed assumptions, namely an undervaluing of In-Valley renewable resources.
- Need for added nuclear power. Because TVA did not properly evaluate energy efficiency and renewable energy, especially in the 2020 - 2030 timeframe, SACE believes there is still considerable uncertainty about

whether the plan actually justifies a “need” for additional nuclear reactors in 2020 or beyond.

3B. *Settlement of lawsuits*

will bring cleaner air to TVA Region

[Based on information provided by
Southern Alliance for Clean Energy, SACE]

Lawsuits brought more than a decade ago against TVA for violations of the federal Clean Air Act have been settled, as announced at the April 14 meeting of the TVA Board. The enforcement action by EPA, and the lawsuits that had been brought by TVA-served states, the Sierra Club, and NPCA, were resolved as follows. TVA has agreed to, (a) *permanently retire* 2,730 megawatts (MW) of its oldest and dirtiest [and least efficient] coal-fired generation; (b) install advanced pollution controls or retire additional coal units by 2018; (c) invest \$350 million in clean-energy projects, and (d) pay a \$10 million civil penalty.

Additional information:

(a) The 2,730 MW represent 16% of TVA’s coal-generated power. Coal-fired units to be retired by 2017 are located at the Johnsonville, Widow’s Creek, and John Sevier plants. TVA had announced in August 2010 that it would idle 1,000 MW of coal-fired generation. The recently adopted IRP calls for retirement of 4,000 MW or more (see ¶3A, above).

(c) Out of the \$350 million, four states (AL, KY, NC, TN) are granted a total of \$60 million for clean energy projects of their choice. Energy efficiency will receive \$240 million, slated for programs that help with demand and transmission projects. Included in the remaining \$50 million, most of which will go to a number of specified Clean/Renewable energy projects, is \$1 million for the National Park Service and US Forest Service to improve, protect, or rehabilitate lands that have been injured by emissions from TVA’s coal-fired power plants.

Execution of the settlement will move the TVA Region toward a cleaner energy future. Once all the retirements and pollution control upgrades are in place (by no later than 2019), TVA will have reduced their emissions of NO_x by 69% and SO₂ by 67%, compared to the year 2008. The EPA estimates that these reductions will create nearly \$27 billion in health benefits through reductions in the number of heart attacks, premature deaths, and asthma attacks.

3C. *Bull Run permit appealed*

[Information from TCWN newsletter]

The Bull Run coal-fired power plant is one of three at which TVA has already applied advanced environmental technologies to reduce acid-rain causing SO₂ and ozone-forming NO_x. These clean-up processes, however, result in scrubber waste water that can create a new liquid pollution stream. The discharge contains many of the same pollutants that are found in coal ash but in much higher concentration

On November 10, the Tennessee Clean Water Network (TCWN) appealed the permit issued to TVA for pollutant discharges from its Bull Run plant. TCWN charges that the 30-acre settling pond currently used is not effective in removing dissolved metals and poses a risk of future spills. As demonstrated at other plants around the country, zero liquid discharges can be achieved through modern handling techniques. The TCWN appeal seeks to place enforceable numeric limits on the coal-combustion waste discharges.

3D. *TCWP comments on the TVA Natural Resources Plan*

[Contributed by Sandra Goss]

(Note: this article was written prior to the May 16 comment deadline.)

A group of TCWP volunteers has been reading, analyzing, and discussing the recently released TVA Natural Resources Plan (NRP). This is the first time a plan has been developed for TVA’s vast natural resources, and it’s important that the agency receive plaudits for instigating the process, as well as thoughtful comments on various aspects of the plan. Under consideration are 293,000 acres of federally owned lands and 11,000 miles of shoreline on 46 reservoirs in TVA’s 7-state service area. The draft Plan and EIS may be viewed at <http://www.tva.com/environment/reports/nrp/index.htm>.

The much-heralded TVA Land Policy that dictates no further development on TVA’s lands (NL270 ¶4) is still in effect. So are the individual land management plans that have been completed for roughly half of TVA’s reservoirs. The NRP is a guideline for managers to use over the next several years.

The TCWP volunteers, including Warren Webb, Mark Bevelhimer, Frank Hensley, and Virginia Dale, are working to craft comments that address proper stewardship of TVA’s lands. Among topics our comments will address are invasive exotic plant management and native grasses programs, sensitive species management, and long-range planning to insure habitat corridors into the future.

3E. *Green Power Switch*

TVA invites Green Power Switch participants (a program under which electricity users can choose to pay for “blocks” of green power) to share their story. They are asked to tell why they chose to participate and why green power is important to the Tennessee Valley. If your story is chosen, TVA will pay your trip to Nashville for a day of filming, and will give you a small thank-you gift.

To participate, go to www.tva.com/greenpowerswitch@tva.com to fill out an online form. Deadline, June 1.

4. NATIONAL FORESTS

4A. *The new National Forest Planning rules need strengthening*

[Information extracted from SAFC, EarthJustice, FSEE, and other groups]

The National Forest Management Act (NFMA) of 1976 requires an agency-wide forest-planning rule that provides the blueprint for the management plans developed by individual Forests every 15 years or so. The USFS is still operating under the 1982 rule, and the Obama Administration has now drafted a new one (www.fs.usda.gov/planningrule) for which the comment deadline ended May 16 (NL296 ¶3A). A portion of TCWP's comments follows:

"We appreciate the Administration's attempts to avoid the harmful philosophies that inhabited the US Forest Service during the Bush Administration, some of which were fortunately struck down in court. The proposed rule has several good features tailored to new 21st-century problems, e.g. the encouragement to adapt policies to the pressures of climate change.

"However, while the proposal upholds certain of the laudable goals of forest management from the 1982 rule, it is so intent on providing a "flexible and adaptive approach" that it does not clearly obligate individual forest managers to meet the goals set forth. The risk is that managers, under pressure from politics or the logging industry, will make decisions not based on facts and science. Thus, they may prioritize logging and other extractive activities over the protection of watersheds, wildlife, and ecosystem.

"Specifically, we are concerned that the proposed rule,

- "Replaces mandatory protections for all forest wildlife with a narrower, subjective standard; that is, the rule no longer *requires* the USFS to maintain healthy and sustainable fish and wildlife populations for every species in our national forests. Instead, it applies protection only to "species of conservation concern" — a term whose definition is left to the discretion of local forest managers
- "Lacks clear and enforceable management standards to ensure the protection of the critical waters and clean drinking water sources within our National Forests. For example, the rule needs specific guidance for how to manage and remove logging roads within watershed and riparian areas, since roads continue to be the most critical threat to water quality.
- "Weakens the role of science-based decision-making, specifying only that local decision makers "consider" the best available science, but not requiring them to base their decisions on it.
- "Substantially reduces Forest Service accountability by weakening the standards that currently allow the public to take action when the Forest Service fails to maintain required forest protections.

"Our 155 National Forests and 20 National Grasslands provide valuable habitat for thousands of plant and animal species, and encompass watersheds that account for one-sixth of the public water supply. It is essential that a natural resource of such supreme value be protected by strong, mandatory, consistent, and science-based standards. The Obama Administration should be enacting stronger rules than the existing Reagan-era standards, instead of weakening them."

Of the nation's 190 million acres of national forests and grasslands, more than 5 million are in the Southeast. Southern Appalachian forests and the wildlife and water resources they support face unprecedented threats and challenges in the 21st Century. These forests support some of the most diverse temperate-forest ecosystems in the world. They are home to the best examples of rare or declining species and habitats, to the last vestiges of old growth forest, and to most of the remaining large tracts of interior forest habitat in the region.

Our forests need a planning rule that views forest management from a regional perspective but also provides substantive guidance on a national level to ensure that the multitude of local, project-level decisions that will implement regional strategies are well coordinated to meet the overall goals.

4B. *A bill that would make forests just for logging*

[From EarthJustice, 4/21/11]

H.R.1202, introduced in March by Rep. Stevan Pearce (R-NM) and 8 other Republican congressmen, states: "Notwithstanding any other law, rule, or regulation ... the Secretary of Agriculture shall permit any person who applies to carry out a timber activity on National Forest System land to carry out such activity."

It doesn't matter what the impact of the logging is. It doesn't matter if the logging proposal would violate laws meant to protect, say, community drinking water supplies. It doesn't matter if it would cost the U.S. Treasury millions. The Forest Service has to approve the logging and the roads that go with it. Period.

Under this bill, all 35 million acres of Forest Service lands designated by Congress as "wilderness" would be open for logging, gutting the Wilderness Act's central purpose: to leave lands wild and undeveloped for future generations.

(The bill does include two minor caveats. Clearcuts could be approved only in some cases. And the Forest Service must establish "a" reserve for one endangered species, the Mexican spotted owl. Every other endangered species on forest land is out of luck.)

4C. *At last, the Tongass NF receives "Roadless Rule" protection*

The Bush Administration had exempted the Tongass National Forest in Alaska, America's largest remaining temperate rainforest, from the landmark 2001

"Roadless Rule," which barred timber sales and logging roads in undisturbed areas of our national forest system. This exemption had been fought in court by NRDC and other national groups. Finally, earlier this year, a federal judge in Alaska ruled in favor of protecting 9.5 million acres of roadless areas in the Tongass from logging and road building.

5. OTHER NATIONAL ISSUES

5A. *A big step forward for water protection*

[Information from Clean Water Network and other sources]

Over the past decade, some of our important waters lost the clear protection of the Clean Water Act as a result of confusing 2001 and 2006 Supreme Court rulings as to what defined "waters of the US," and the resulting ambiguity of federal-agency guidance under the Bush Administration. The Obama Administration has now developed draft guidance that reaffirms protection for critical bodies of water. This guidance is open for public comment until July 1.

Subsequent to the ambiguous Supreme Court rulings of 2001 and 2006 (a split decision), the pertinent agencies (EPA and the Corps) in the Bush Administration issued policy directives that, if followed, would curtail Clean Water Act protections more than the Courts required. Polluters and developers were then able to argue that the law no longer protects isolated wetlands, non-navigable tributaries and their adjacent wetlands, and numerous other waters that had long been covered by the 1972 Act.

The guidance now issued in draft form by EPA and the U.S. Army Corps of Engineers clarifies that small streams and streams that flow only part of the year are protected under the Clean Water Act if they have a physical, chemical or biological connection to larger bodies of water downstream and could affect the integrity of those downstream waters. It also recognizes that water bodies that are "traditional navigable waters" are subject to Clean Water Act protections under a wider range of circumstances than identified in previous guidance.

These various at-risk waters provide critical environmental, economic, public health, and other benefits:

- According to EPA, more than 117 million Americans receive their drinking water from public systems fed in whole or in part by intermittent, headwater, and ephemeral streams.
- Prairie potholes in the upper Midwest (many of which had lost protection) provide essential breeding, feeding, and nesting habitat for an estimated 50-75% of the North American duck population.
- Wetlands and intermittently flowing streams naturally absorb flood waters, moderating peak flood stages and reducing flood damage.

For additional facts and talking points, visit <http://www.cleanwaternet.org/resources/wotus-guidance-press-releases-articles-and-factsheets>.

In addition to protecting essential waters, the guidance will provide regulatory clarity, predictability, consistency, and transparency.

EPA and the Corps will follow up the final guidance with rulemaking to provide further opportunity for comment and to clarify Clean Water Act regulations.

WHAT YOU CAN DO: By July 1, urge the Administration to craft a strong rule. Submit your comments, identified by Docket ID No. EPA-HQ-OW-2011-0409, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *E-mail:* owdocket@epa.gov. Include EPA-HQ-OW-2011-0409 in the subject line of the message.

5B. *The FY 2011 budget did retain bad policy riders*

The fight over the Continuing Resolution, i.e., the budget for the remainder of FY 2011, is history by now. Several of us were under the impression that, while major reductions were made in funding levels for many programs, the numerous policy riders that had been contained in the House bill, HR.1 (including several related to greenhouse gases and other EPA matters), were dropped in the compromise. This is not totally true. Furthermore, some of the funding cuts have preferentially affected important environmental programs (see ¶5C, below).

Two legislative riders impacting the environment did survive, one (a) affecting the Endangered Species Act the other (b), wilderness.

(a) Wolves in Montana and Idaho were taken off the endangered species list, setting the terrible precedent that Congress, rather than scientists in a pertinent federal agency, can remove endangered-species protections. The rider also precluded judicial review of this provision. (Note: The case of the snail darter was different. Congress did not remove the endangered status of the fish; it decreed construction of the Tellico Dam *despite* this status.)

(b) Secretary Ken Salazar's new "Wild Lands Policy" for the Bureau of Land Management (NL295 ¶5C) was effectively eliminated by stripping it of all funding. This means that – as during the Bush era – BLM can no longer identify Wilderness Study Areas (WSAs) in which resources are protected to remain eligible for Wilderness designation by subsequent Act of Congress. This is a great setback (and, hopefully, just a temporary one) for one of the Obama Administration's cornerstone policies to protect unspoiled lands in the West.

Fortunately, none of the other riders in the House bill (a number of which were summarized in NL296 ¶4A) ended up in the final product (see also ¶5D, this NL).

5C. *Environmental-funding cuts in the FY 2011 budget*

[Information from *The New York Times*, April 12 and 13]

The following is a partial list of funding outcomes for programs or agencies important to environmental protection.

- EPA: cut by \$1.6 billion – a 16% decrease from last year.
- Land and Water Conservation Fund: funded at \$301 M, a \$149 M (=33%) cut below current levels, but \$244 M above H.R.1. (Note: the Obama budget request for FY 2012 for \$900 M -- the maximum authorized -- may not fare well in the current Congress.)
- National Park Service: received \$2.6 billion (including \$2.3 billion for operations) for the remaining fiscal year, which is \$112.7 M above H.R.1.
- Fish and Wildlife Service: received \$1.51 billion (including \$37.5 M for the North American Wetlands Conservation Fund and \$62 M for state and tribal wildlife grants), an increase of \$238.9 M above H.R.1.
- Forest Service operations: received \$4.7 billion, an 11% decrease from FY 2010 levels.
- A sample of other cuts:
 - energy-efficiency and renewable-energy programs, \$438 M.
 - EPA revolving funds for local water treatment and pollution cleanup programs, \$997 M.
 - Dept. of Agriculture conservation programs, \$800 M.

5D. *Congress's anti-EPA frenzy*

Anti-EPA sentiment is rampant in the new House of Representatives, and a significant number of the policy riders that were attached to the FY 2011 spending bill (H.R.1) were designed to prevent EPA from enforcing Clean Air Act rules. Never mind that that law was passed and strengthened during Republican administrations (Nixon and George H.W. Bush, respectively). And never mind that former EPA Administrators (William Ruckelshaus and Christine Todd Whitman) that had served under Republican presidents (Nixon, Reagan, George Bush) labeled recent Congressional anti-EPA attacks “extreme.”

Several of the actions in both Houses of Congress (e.g., the Upton/Inhofe bill introduced by Sen. McConnell) were based on a denial of the existence of global warming. An editorial in the prestigious scientific journal *Nature* labeled this assault “fundamentally anti-science” and wrote: “It is hard to escape the conclusion that the US Congress has entered the intellectual wilderness, a sad state of affairs in a country that has led the world in many scientific arenas for so long.”

The polluter-backed media and internet messages demonized EPA regulations with statements such as, “costly new regulations” (National Assoc. of Manufacturers), “higher energy costs and lost jobs would result”

(the Koch brothers’ *Americans for Prosperity*), “the EPA plan will appreciably lower the U.S. standard of living” (Rupert Murdoch’s *Wall Street Journal*). Congressmen argued that regulation of greenhouse gases (GHGs) would raise electricity prices and interfere with creation of jobs. Newt Gingrich called for the abolition of EPA.

Answering the charge that EPA’s plan to limit GHG emissions is an unconstitutional “power grab” (Rep. Ed Whitfield, R-KY), here is the truth: The U.S. Supreme Court ruled in 2007 that by passing the Clean Air Act, Congress itself gave EPA explicit authority and responsibility to curb air pollutants, *including* CO₂ and other GHGs.

What was the outcome? First, attempts to block EPA’s implementation of the Clean Air Act failed in the Senate, though it was a narrow squeak. None of four proposed amendments received a majority vote, even with some of 17 coal-, oil-, auto-, or corn-state Democrats joining Senate Republicans in voting for at least one of these amendments.

Subsequently, President Obama, Majority Leader Reid, and other environmental champions in the Congress succeeded in negotiating a FY 2011 spending bill that does not include provisions that block the EPA from limiting GHG emissions under the Clean Air Act. The agency’s budget was, however, reduced by a large amount – 16% (§5C, above).

Historically, almost every major Clean Air Act program initially met fierce resistance from industry and Congressional opponents, only to lead eventually to popular approval and economic benefits. The requirement for catalytic converters for new cars and trucks created a global market for these devices that was dominated by American manufacturers. In the 1990s, the phasing out of ozone-layer-depleting CFCs was predicted to kill the refrigeration business. Instead, the phase-out, which was completed 5 years faster and at 30% lower cost than predicted, spurred innovation in the refrigeration industry that found new markets overseas. The recent increase in fuel-efficiency standards is helping to rejuvenate the automobile industry, and will save new car owners thousands of \$\$ in gas over the life of the car. EPA’s proposed rules for GHG reductions that are generating such extreme Congressional ire would affect only the largest power plants (not, as opponents claim, mom-and-pop businesses).

Overall, the Clean Air Act has been one of the most cost-effective pieces of legislation in U.S. history – AND it has saved lives. According to a March editorial by EPA Administrator Lisa Jackson: “In 1990 alone, EPA’s implementation of the Act prevented an estimated 18 million child respiratory illnesses, 850,000 asthma attacks, 674,000 cases of chronic bronchitis, and 205,000 premature deaths. The mere monetary value of saving Americans from those harms through implementing the Clean Air Act is projected to reach \$2 trillion in 2020 alone. Over the period from 1990 through 2020, the monetary value to Americans of the Act’s protection is projected to exceed the cost of that protection by a factor

of more than 30 to 1. -- In addition to lowering healthcare costs, increasing productivity, and saving lives, the EPA's implementation of the Clean Air Act's public health protections creates American jobs."

5E. *Past Congress rated on environmental issues*

The non-partisan League of Conservation Voters (www.lcv.org) has once again rated Members of Congress on their performance on environmental issues. The recently released *Scorecard* covers the second session of the 111th Congress, i.e., the year 2010. It represents the consensus of experts from 19 respected organizations who select the votes on which Senators and Representatives are graded. These votes pertain to the most important issues of the year, and they are of a type that presents legislators with a real choice. For 2010, the scores for members of the Senate and House were calculated on the basis of 7 and 10 votes, respectively.

For 5 and 6 **key environmental committees**, respectively, in Senate and House, it is interesting to compare the ratings of the 2010 chairpersons (D) with those of the ranking members (R), some of whom had chaired the respective committees in the preceding Congress. Average ratings are as follows:

	Chair (D)	Ranking member (R)
Senate	60	0
House	88	12

Similarly, for the **leadership** of the two bodies (averages for 3 leadership positions in each, Senate and House):

	Majority (D)	Minority (R)
Senate	100	5
House	100	0

Finally, the scores for the **Tennessee delegation**.

Name	Distr.	2010	2009+10	Lifetime
SENATE				
Alexander	--	0	17	17
Corker	--	14	11	20
HOUSE				
Roe	1-R	0	4	4
Duncan	2-R	0	4	13
*Wamp	3-R	10	13	11
*Davis, L	4-D	60	63	59
Cooper	5-D	90	92	77
*Gordon	6-D	100	100	67
Blackburn	7-R	0	0	2
*Tanner	8-D	60	58	44
Cohen	9-D	90	96	96

*Did not run or was not re-elected in Nov. 2010

6. GLOBAL CLIMATE CHANGE

6A. *Our actions have very long-term effects*

Excerpt from the National Research Council's 2010 report, *Climate Stabilization Targets: Emissions, ...* [The National Research Council is an activity of the U.S. National Academy of Sciences]

"Emissions of carbon dioxide from the burning of fossil fuels have ushered in a new epoch where human activities will largely determine the evolution of Earth's climate. Because CO₂ in the atmosphere is long lived, it can effectively lock the Earth and future generations into a range of impacts, some of which could become very severe. Therefore, emissions reductions choices made today matter in determining impacts experienced not just over the next few decades, but in the coming centuries and millennia. Policy choices can be informed by recent advances in climate science that quantify the relationships between increases in CO₂ and global warming, related climate changes, and resulting impacts, such as changes in streamflow, wildfires, crop productivity, extreme hot summers, and sea level rise. ...

"... altered states of the Earth's climate ... would be nearly irreversible for many thousands of years, even long after anthropogenic greenhouse gas emissions ceased."

6B. *Yet another feedback loop*

Several feedback loops have been identified in the process of global warming (in other words, cases where the increase in warming is much greater than linearly related to the man-made emissions of GHGs). For example, as permafrost melts, methane gas (a potent GHG) is released from the previously frozen tundra. Or, the dark ocean water exposed when arctic ice melts absorbs sunlight, whereas the shiny ice reflected it.

Here is yet another feedback loop [from NRDC's *Onearth*, Spring 2011]. As the soil warms, subterranean roots, fungi, and bacteria become more active, their respiration rates increase, and CO₂ emissions rise.

6C. *Complexities of determining the environmental footprint of natural gas*

Natural gas has often been touted as a relatively cleanly burning "bridge fuel" for the transition between dirty coal and oil and a clean energy future. In the process of combustion, natural gas emits roughly half the amount of CO₂ as coal, and about 30% that of oil. (Note: to calculate *total* emissions associated with various fuels, one must also include those resulting from the processes of recovering the fuel from the ground, transporting it, dealing with the waste, and other potential generators of GHGs.)

(a) One set of environmental impacts from natural gas derives from the fact that, increasingly, this fuel is recovered by "unconventional" production, namely by

the use of fracturing previously inaccessible formations deep underground. Currently, almost 25% of total US production is obtained that way, and the number is projected to grow to 45% by 2035. Hydraulic fracturing (“fracking”) uses high-pressure injection of water and other substances into these fractures, and these substances can make their way into groundwater that supplies the wells of rural families. During the Bush Administration, this process was exempted from the requirement of the Safe Drinking Water Act. This means that, among other things, industry does not have to disclose the substances injected into the shale.

In April, the minority staff of the House Committee on Energy and Commerce (ranking member, Henry Waxman, D-CA) released a report on the chemicals used in hydraulic fracturing. This provides the first comprehensive national inventory of such chemicals. In analyzing the fracking fluids used by 14 of the leading oil and gas service companies, the committee found these included more than 2,500 products containing 750 different chemicals and other components. At least 29 of the chemicals reported being used are known or possible human carcinogens, including benzene. A bill introduced in both Houses of Congress, the Fracturing Responsibility and Awareness of Chemicals Act (FRAC Act) of 2011 would lift the exemption from regulation under the Safe Drinking Water Act granted to hydraulic fracturing in 2005. In addition, it would require oil and gas companies to disclose the chemicals used in fracking operations.

WHAT YOU CAN DO: To safeguard our drinking water, urge your US Representative and senators to support the FRAC Act, (H.R.1084 and S.587). Addresses on p.2.

(b) Recent studies by Cornell University scientists (*New York Times*, 4/11/11) suggest that methane, the chief component of natural gas, is escaping into the atmosphere in far larger quantities than previously thought from shale-gas wells (intentionally vented or flared) or seeping from loose pipe fittings along gas distribution lines (the industry argues that these leaks have been greatly reduced). Methane has a vastly greater heat-trapping ability than CO₂; and a recent NASA study suggests that an interaction of methane with certain aerosol particles significantly amplifies methane’s already potent greenhouse-gas effect. These circumstances could make the GHG footprint of shale gas considerably higher than that of coal per unit of energy produced, and even small amounts of escaped methane could have a big impact on climate change.

The Cornell group is the first to admit that these are early studies and that more data are needed, but they caution that better measurements should be obtained before a vast push for gas development is made. Flooding the market with cheap, *dirty* natural gas could greatly diminish the ability of *real* green power to compete. But we also would not want to give a boost to the use of coal

by inhibiting the use of natural gas. All this gives added urgency to efforts to improve energy efficiency/conservation and to develop truly green energy sources.

6D. *White House loses climate-change advocate*

Early this year, Carol M. Browner the White House coordinator for energy and climate change, left to return to the private sector. She had directed the Administration’s effort to enact comprehensive legislation to reduce GHG emissions and to move the country away from dependence on fossil fuels. Climate-change legislation didn’t make it through the past Congress and is even less likely to do so after the big Republican gains in the mid-term elections. On top of that, Ms. Browner, who was the EPA Administrator during the Clinton Administration, has had to witness an EPA under concerted siege by Republicans (see ¶5D, this NL).

Among Ms. Browner’s major accomplishments during the past two years was to fashion the deal under which automobile fuel efficiency will increase ~25% over the next 5 years. She also helped coordinate the response to last summer’s BP oil spill in the Gulf.

7. OAK RIDGE NEWS

7A. *A slap on the wrist for illegal tree cutting*

In several locations, residential owners of properties that abut on City-owned Greenbelt have cut trees on the public land, often with the objective of opening a view of the Cumberland Mountains. This tree cutting has damaged a vital public resource and has diminished the experience of NRT walkers and others who seek the peace of a natural, undisturbed forest. Violators usually go unpunished; and even when they have had to pay, the fine imposed by a lenient court has been so small as to make it worthwhile for perpetrators to open a mountain view for themselves (NL294 ¶9A).

Recently, there has been good publicity and a good-will effort by City government to stop the tree cutting. *The Oak Ridge Observer* carried a prominent op-ed by a TCWP representative; a letter signed by City Manager Watson and Police Chief Beams was mailed December 1 to residents living near greenbelts; and EQAB made further suggestions that were followed. Subsequently, the Spring quarterly “Report to the Citizens” carried an article that referenced the City Code chapter dealing with tree regulations. One section of the Code explicitly states, “It shall be unlawful for any person to cut, top, prune, trim, or remove any tree on any city greenbelt, right-of-way, park, or other city property without the written permission of the city manager.” Readers were also invited to report any suspicious activity

on greenways, greenbelts, or other city property to the Parks Department or Police Department.

But in early April, another very low fine was handed down by City Court for greenbelt tree cutting by a Westlook Circle resident who claimed error. Acting City Judge W.L. Tunnell imposed a \$50 fine, the maximum allowed by the state constitution for violation of a municipal ordinance. City Attorney Ken Krushenski had argued that the fine should be \$50 per tree per day for multiple violations, but he did not prevail. According to *knoxnews.com* (*Knoxville News Sentinel*) the trees were said to be very large and valued between \$17,000 and \$18,000. It is hoped that newer cases will be prosecuted as *criminal* matters (vandalism) in *county* court, where larger fines are possible.

WHAT YOU CAN DO: Contact City Manager Mark Watson (address below) to thank him for actions already taken, and to urge him to vigorously prosecute any future perpetrators in a manner that allows punitive fines and true restitution to the city. (Contact info: P.O. Box 1, Oak Ridge, TN 37831-0001; or, 425-3550; or, mwatson@cortn.org.) For information on Greenbelts, see www.cortn.org/departments/recreationparks/recreation/parks.html

7B. *Major work session is scheduled for the North Ridge Trail*

Maintenance for a section of the North Ridge Trail will be performed on National Trails Day (for details, see ¶8A, this NL). The 11-mile NRT, developed and maintained by TCWP over a period of more than four decades, has been designated as both a National and State Recreation Trail.

7C. *Retiring ORO Director was friend of the Reservation*

[Contributed by Sandra Goss]

The Department of Energy's Oak Ridge Operations Director Gerald Boyd retired at the end of March. Over the years, Boyd met several times with Advocates For the Oak Ridge Reservation, AFORR (on whose board Frank Hensley represents TCWP), concerning issues affecting important and/or sensitive areas in the Oak Ridge Reservation (ORR).

Among the 100+ guests at the party was TCWP member and AFORR leader Virginia Dale, who thanked Boyd for his help in strategic considerations of how best to make decisions and support interests of TCWP and AFORR on behalf of environmental conservation, historic preservation, recreation, and education

8. TCWP NEWS

8A. *Upcoming activities*

[Contributed by Carol Grametbauer]

National Trails Day Workday on North Ridge Trail – Saturday, June 4

TCWP's North Ridge Trail Steward, Susan Donnelly, will host a working morning on the section of the trail between Wedgewood Lane and Key Springs Road on Saturday, June 4. In an event planned to coincide with National Trails Day, participants will trim vegetation from the trail. We will start at 9 a.m. from the Wedgewood Lane access (off West Outer Drive in Oak Ridge) and will be done by noon.

The North Ridge Trail is one of TCWP's oldest ongoing projects. Developed and maintained by TCWP members for many decades, the 11+-mile National and State Recreation Trail is one of the crown jewels of the acclaimed Oak Ridge Greenway system. Sections of the trail are available for adoption by volunteers.

Participants should wear weather-appropriate clothes and boots or sturdy shoes, and bring work gloves, drinking water, and protection against chiggers, ticks, and poison ivy. Hand tools such as clippers, hand pruners, loppers, and/or cordless weed-eaters will be useful. Some hand tools will be available at the event. Chainsaws are not permitted. For more information or to register, e-mail Susan Donnelly at susan.donnelly@comcast.net, or call TCWP Executive Director Sandra Goss at 865-583-3967.

Outings in the Ocoee area of the Cherokee National Forest – Saturday and Sunday, June 11 and 12

TCWP, the Tennessee Native Plant Society, TennesseeWild, and the Benton MacKaye Trail Association will co-sponsor four outings based on conservation issues, hiking, and native plants in the Ocoee area on June 11 and 12. Pick one or more events, or plan to spend the weekend! The events will include:

June 11:

Event 1: Benton Falls hike, 10 a.m. Eastern time

On Saturday morning Larry Pounds will lead a three- to four-mile hike to Benton Falls. We hope to see the rare yellow-flowered sweet shrub along the way. The trail is easy, except for the short descent to the base of the waterfall.

Directions for Event 1: Take U.S. 64 east from Cleveland, past the Parksville Lake Dam and the Ocoee Ranger Station. Turn left on Forest Road 77 (first left after the Ocoee Ranger Station) and follow the signs approximately 7.3 miles to the campground entrance (on the right). We will meet in the parking lot by the small lake where you pay your camping or day-use fee.

Event 2: Ocoee River motorcade, 3 p.m. Eastern time

A rare plant survey is currently being conducted along U.S. 64 in the Ocoee Gorge. Joey Shaw (TN Native Plant Society) and others are checking for possible impacts to such plants from proposed improvements to the highway. He will lead a motorcade Saturday afternoon with stops along the road to see plants and sights of interest, including the chalk maple.

Directions for Event 2: we will meet at the Ocoee Ranger Station mentioned in the directions above for Event 1.

June 12:**Event 3: Big Creek Trail, 9:30 a.m. Eastern time**

Jeff Hunter, head of TennesseeWild, will lead a hike on the Big Creek Trail, which passes through a beautiful area that has potential to become a federal wilderness area. The Big Creek Trail is an easy two-mile in-and-out hike. The trail is relatively flat, but is narrow in a few places. We will see an impressive stand of hemlocks and some lovely beech trees, and have an opportunity to see a variety of native plants at the edge of the Big Frog Wilderness.

Directions for Event 3: We will meet at the Ocoee White Water Center, which is 18.5 miles east of the intersection of U.S. 64 and U.S. 411.

(For additional details on directions, see www.fs.fed.us/r8/ocoe/directions.shtml.)

Event 4: Benton MacKaye Trail hike through Little Frog Wilderness Study Area, 1 p.m. Eastern time

Dick Evans, president of BMTA, will lead a hike on a section of the BMT, an alternative to the Appalachian Trail. This section is through an area that has been proposed for federal wilderness status. We will hike from Deep Gap on Kimsey Highway to U.S. 64, 5.6 miles with a car shuttle. Alternatively, participants can do an out-and-back hike from Deep Gap of whatever length they choose.

Directions for Event 4: Participants in Event 3 can continue on to Event 4. Others should make contact with Larry Pounds (see information below) to arrange to meet up with the group. (Some possible meeting places are Ocoee Whitewater Center or Deep Gap.)

NOTE: The contact for all four of these outings will be Larry Pounds (PoundsL471@aol.com; cell 865-705-8516; home phone 865-816-3576). Please send Larry your email address if you are interested in participating; he will send updates on the planning.

Additional information on all TCWP activities may be obtained from TCWP Executive Director Sandra K. Goss at Sandra@sandrakgoss.com or at 865-583-3967.

8B. Archiving TCWP's Newsletter collection: progress report

Every one of the 169 paper-only Newsletters has now been found; Jean Bangham supplied the two still listed missing in NL296. Two volunteers, Ed Clebsch and Phil Campbell (and we need more), have now received their scanning training at the UT Library and have started their activities. Even before this, Charlie Klabunde and Jimmy Groton scanned 44 of the old Newsletters into PDF format.

WHAT YOU CAN DO: Please volunteer to help with the scanning process. After being trained at the UT Library with the latest equipment, you can choose to help as little or as much as your time allows. Contact Sandra Goss (Sandra@sandrakgoss.com, or 865-583-3967).

8C. Volunteers needed for Secret City Festival

[Contributed by Sandra K. Goss]

TCWP will again exhibit at the Secret City Festival, slated for Friday and Saturday June 17 and 18. We are seeking volunteers to work the booth in 2-hour shifts both days. The booth will be manned by pairs, so one is never alone there, and a short, easy-to-understand orientation is offered to new (and experienced, if you want it!) volunteers. Shifts are available between 11:00 and 6:00 on Friday, and between 10:00 and 5:00 on Saturday. Contact Sandra for more info, or to sign up: Sandra@sandrakgoss.com or 865.583-3967.

8D. Hello from the Executive Director

[Contributed by Sandra K. Goss]

Dear TCWP folk,

As the state legislature winds down and the weather warms up, the typical whirlwind of environmental work is slowing down a little. THANK GOODNESS

This allows time for tax-return preparation. Long-time TCWP treasurer Charlie Klabunde (one of our crown jewels) prepares our Form 990. Among many items, we must report our accomplishments and how much they cost. In compiling this information, our frugality and low administrative costs become very apparent.

Thanks to dedicated volunteers like Charlie and many of you, we're able to get much of our work done with very little expenditure. When we *must* spend money, it's after careful comparison-shopping. All this means that most of your contribution to TCWP goes to protect natural lands and waters, with less than 10% used to administer our organization.

I'm proud of that low percentage -- and it *is* low -- for our administrative costs. We spend our money to protect natural lands and waters. That's been our mission since our founding in 1966, and with your help we've had a number of successes.

The budget woes at all levels of government threaten the acquisition of special areas, as well as the adequate stewardship of the lands that are already in public hands. At the same time, increased and varied uses of public lands present a management challenge that does not have easy answers. People with sister organizations agree that lack of money is worrisome, both organizationally and governmentally.

TCWP has been the recipient of a few bequests and large contributions over the past several years that have enabled us to continue to work to protect the Obed Wild and Scenic River, special areas all over the Cumberland, and the quality and quantity of water in our state, as well as to educate folks about why this work is important.

Thank you for helping with these efforts. Thank you for making TCWP the fine organization that it is. It's an honor for me to associate with our leaders and members

We need you. If you haven't signed up for our e-mail alert list, please do so. If you haven't enrolled your friends and neighbors as TCWP members, please do so. Help us increase our momentum by increasing the number of members and the number of citizens who will engage in our efforts. It takes all of us working together to secure our unique natural resources.

Sandra K. Goss
Executive Director

PS: To sign up for e-lert list (average, 3 e-mails/month), drop me a note at Sandra@sandrakoss.com. I'll be typing to you.

8E. *Hearty and sincere thanks to:*

[Contributed by Sandra K. Goss]

- Jean Bangham, John Bates, Frank Hensley, Charlie Klabunde, Dick Raridon, and Hal Smith for their help assembling recent mailings.
- Mark Bevelhimer, Virginia Dale, Kevin Kline, and Warren Webb for attending the TVA public meeting on the Natural Resources Plan. Thanks to Mark Bevelhimer, Frank Hensley, and Warren Webb for attending an information session on the plan.
- Jean Bangham, Tim Bigelow, Jan Lyons, and Hal Smith for working at the TCWP booth at the Oak Ridge Earth Day festival on April 30
- Francis Perey for keeping our website looking good, and Lee Russell for updating articles on the website.
- Phil Campbell and Ed Clebsch for their work in scanning old non-electronic newsletters at UT Library. When this is completed, TCWP newsletters will be available through the UT Digital Library in searchable format.
- Cindy Kendrick for her well-reasoned, written and oral comments on Tennessee's new Oil and Gas Regulations.

- Lee Russell for preparing organizational comments on the National Forest Planning Rule,
- Olive Gaines, for painting TCWP's rain-barrel entries for this year and last (see ¶2C), Jimmy Groton for painting them the two preceding years, and Mary Lynn Dobson for helping Olive,
- Olive Gaines, for the designs on TCWP tee-shirts,
- Roger Macklin of Greenways Oak Ridge, Jean Bangham, Marion Burger, Jimmy Groton, and others, for helping with the garlic-mustard pull, and Larry Pounds for identifying wildflowers for the group,
- Jimmy Groton for leading the Cummins Falls outing.
- Virginia Dale for representing TCWP at Gerald Boyd's Retirement Reception.
- First United Methodist Church of Oak Ridge for hosting TCWP Executive Director Sandra K. Goss, who spoke on fracking for natural gas in Tennessee.
- Bill Campbell for an enjoyable presentation on photographing the Cumberland Trail for the recently released book, *Cumberland Odyssey*.
- State Naturalist Randy Hedgepath for leading our Black Mountain Hike.

8F. *Recent events*

[Contributed by Carol Grametbauer]

Outing to Cummins Falls – Saturday, April 2

Seven people participated in the trip to Cummins Falls in Jackson County, near Cookeville. Because of a mix-up regarding the location of the access point, the Cumberland Harpeth Audubon Society group that was leading the April 2 hike for Tennessee Parks & Greenways was already out of sight by the time our group arrived, but the group enjoyed a view of the beautiful 75-foot-tall falls while eating lunch. Some of the participants went to the Obed Watershed Community Association's wine-tasting event afterwards.

Cummins Falls is the eighth-largest waterfall in the state and the largest privately owned waterfall in Tennessee. The Tennessee Parks & Greenways Foundation has mounted a campaign to purchase it and make it a public state park or natural area. More information is available on the TPGF web site, www.tenngreen.org.

Wildflower Greenway Garlic Mustard Pull and Wildflower Walk – Saturday, April 9

A group of 10 volunteers came out to continue our efforts to remove garlic mustard—a very invasive exotic that crowds out native plants—from the Wildflower Greenway behind Oak Ridge's Rolling Hills Apartments. TCWP and Greenways Oak Ridge, co-sponsors of the event, have been having some success in recent years in eliminating this harmful plant from the greenway, which is one of the best wildflower trails in Anderson County. TCWP's Larry Pounds led a wildflower

walk as part of the event. Weather conditions this spring caused a variety of wildflower species that would normally bloom sequentially over a period of weeks to bloom at the same time, making a spectacular show.

Cumberland Odyssey slide presentation -- April 18

A standing-room-only crowd of some 60 people turned out at the Oak Ridge Civic Center to see a slide show presentation by Oak Ridge nature photographer Bill Campbell, who took the photographs for the new book *Cumberland Odyssey: A Journal in Pictures and Words along Tennessee's Cumberland Trail and Plateau*.

After years as a medical doctor, Bill cut his hours as a physician to part-time in order to pursue his avocation, photography, which allowed him to spend time outdoors. He was chosen as the photographer for *Cumberland Odyssey* as the result of a chance meeting with former Cumberland Trail Conference Executive Director Paul Freeman while hiking the trail. His work on the project produced between 7,000 and 8,000 photos from which the images used in the book were selected.

In addition to showing some of his many photos of waterfalls, birds, animals and wildflowers and sharing some of his photographic techniques, Bill discussed the Cumberland Trail project and the importance of the volunteer effort for its completion, and encouraged attendees to use the trail.

- Sept. 29-30, Nashville, Tenn. Urban Forestry Council. Info at www.urbanforestryconference.org.

•• RESOURCES

- *Southern Appalachian Wilderness Stewards (SAWS)* provide volunteers, conduct training, and supply other assistance for trail projects in wilderness and proposed-wilderness areas. Such projects require non-mechanical equipment. To volunteer, go to www.trailcrews.org.
- The Union of Concerned Scientists' "Clean Car Watchdog" page on Facebook (<https://www.facebook.com/cleancarwatchdog>) examines media coverage of the auto industry to uncover the truth behind automakers' spin.

9. CALENDAR; RESOURCES

•• CALENDAR (events and deadlines)

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

- May 21, 9 a.m., Obed Wild and Scenic River Annual River Cleanup Day and Volunteer Appreciation Lunch. (see ¶2B, this NL).
- May 22, 2-4 p.m., opening of painted-rain-barrel event. Bidding ends July 1 (see ¶2C, this NL).
- June 1, Deadline for Green Power Switch statements (see ¶3E, this NL).
- June 4, National Trails Day: North Ridge Trail Workday (see ¶8A, this NL).
- June 5, 1:30-4:30, ORR walk: Animal inventory along Solway Bend. Reservation required by noon, June 2 -- call 865-574-7323. For info, jetttrt@ornl.gov.
- June 11 & 12, Outings in the Ocoee area of the Cherokee National Forest (see ¶8A, this NL).
- June 11, 9 a.m., Invasive plants on ORR, presentation and walk. Reservation required by noon, June 9 -- call 865-574-7323. For info, jetttrt@ornl.gov.
- June 17 & 18, TCWP booth at Secret City Festival (see ¶8C, this NL).
- July 1, Comment deadline for EPA's Clean Water guidance (see ¶5A, this NL).

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Hey, Folks—Just because we nearly reached **one goal** does NOT mean there is not still a great deal more yet to be done to preserve the many tracts within the Obed Wild and Scenic River boundary which are still in private ownership.

Count me in! I will help save the beautiful and unique Obed River Gorge from unsightly development. Here's my check.

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***Check out the Historical Facts
of past application of EPA Rules
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See page 8, ¶ 5D