



Tennessee
Citizens for
Wilderness
Planning

ISSN 1089-6104

Newsletter No. 301

January 22, 2012

Taking Care of Wild Places

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

11. ACTION SUMMARY

No.	Issue	Contact	"Message!" or Action
1A	Coal slurry spills into New River	TDEC	"Hold Premium Coal accountable!"
2A	Tennessee legislature	TCWP	Sign up to receive legislative alerts (via e-mail)
3A	Cherokee NF Wilderness bill	Distr.1,2,3 Reps.; both Sens. Newspapers across the state	"Pass S.1090 this year!" Write letter to the editor
3D	National Forest Management Rule	Pres. Obama	"Define clear <i>national</i> standards!"
5A	Vulnerable small streams, wetlands	Pres. Obama; Nancy Sutley	"Finalize guidance and rule-making for Waters of the U.S.!"
5B	Mountaintop Removal mining	Pres. Obama; Lisa Jackson	"Deny more MTR permits! Sequenced valley fills are not justifiable!"
5C	Proposed fuel-economy standards	EPA, by January 30	"Thank you! I support these standards!"
5D	Emissions from power plants	Pres. Obama; Lisa Jackson	"Thank you for courageously standing up to political pressure!"
5E	Uranium mining at Grand Canyon	Int. Sec. Salazar	"Thank you for standing up to mining industry!"
7A	Home energy audit	Climate Action Campaign	Volunteer to serve on team

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Dear Senator Doe
Sincerely yours,

Dear Congressman Doe
Sincerely yours,

Dear Mr. President
Respectfully yours,

Dear Gov. Haslam
Respectfully yours,

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Rep. Chuck Fleischmann:
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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 the up-to-date Political Guide we have 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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1. BIG SOUTH FORK

1A. *Coal slurry spills into New River*

[Information from *The Tennessean*, 1/9/12, and from SOCM]

On January 2, the New River, one of the two main stems of the Big South Fork Cumberland, was polluted by a spill of coal slurry, a fine, grayish-black material that results when coal is separated from shale and rock during processing. The spill occurred at the Premium Coal's Baldwin processing plant, located near Devonia (just east of Frozen Head State Park), which is owned by James C. Justice II of West Virginia (who also owns the Zeb Mountain operation and several other surface mines in Tennessee).

The plant failed to report the spill to OSM and TDEC, as required by law. "Black water" was discovered by a local resident over 40 miles downstream. TDEC staff visiting the area two days later found that, for about seven miles downstream of the release site, material had adhered to algae on the rocks and was deposited in the quiet areas along the edges of the stream.

WHAT YOU CAN DO: Tell TDEC (see Political Guide) to hold Premium Coal accountable for the spill and for failing to report it.

1B. *High-level staff retirements at BSFNRRRA*

Among long-term BSFNRRRA staff who retired at the end of 2011 were two who may be known to several TCWP members. They were Chief of Resource Management, Ron Cornelius, and Chief Ranger of Law Enforcement and Interpretive operations, Frank Graham. The two men had served at BSF since 1983 and 1995, respectively. Obed Ranger Matt Hudson will be acting head ranger at BSF until April.

including TCWP, the top four legislative priorities for 2012 are:

1. Protections against Mountain Top Removal. TCV has worked with a broad-based coalition of environmental groups to lay the groundwork for this year's legislative session. The coalition had grassroots organizers working in targeted legislative districts in Middle, Southeast, and Northeast TN this fall.
2. Opposing the movement toward deregulation (including a reduction in environmental funding for state parks and for staffing sufficient to enforce state laws and regulations). There has been considerable press about the need to loosen state regulations -- especially those that protect our air, land and water -- to make Tennessee more "business friendly."
3. Hydraulic fracking. Last year, TCV and many member groups including TCWP and the League of Women Voters of Tennessee worked to pass a Resolution calling for the Department of Environment and Conservation, representatives from the oil and gas industry, and citizen groups to work toward the creation of responsible regulations for hydraulic fracking (NL298 ¶3A). These regs are still in process of development at TDEC. This may be a contested issue this session; the creation of sensible rules is critical to the protection of Tennessee's environment.
4. Maintaining real-estate transfer tax funds for land acquisition and preservation. It is likely that work must be done to make sure these funds remain dedicated to land acquisition and preservation purposes.

Aids to keeping informed

- TCWP issues legislative alerts by e-mail throughout the session. To sign up for the alerts, contact TCWP Executive Director Sandra K. Goss at Sandra@sandragoss.com.
- Log on to <http://capitol.tn.gov/> to look up bills, see what's coming up in any given week. The HELP section of the website is quite robust.

2. TENNESSEE NEWS

2A. *State legislative outlook*

[From Tennessee Conservation Voters and Sandra K. Goss]

The 2nd session of the 107th Tennessee General Assembly convened on Tuesday, January 10. Initial focus has been on redistricting, but potentially significant bills are being filed. Committees are already hearing bills and the bill-filing deadline is January 26 this year -- weeks earlier than it's been in the past.

Stewart Clifton, TCV lobbyist, urges each of us to meet and communicate with our legislators in the new session (see, also, ¶7B, this NL). Remember that relationships and contacts are the keys to making a difference. [Our 2012 Priorities](#)

In December, the TCV Policy Council met to discuss the coming Legislative session and priorities for 2012. With input from many of TCV's member groups,

2B. *Cummins Falls saved by TPGF*

The need to protect this spectacular area became apparent about 5 years ago when preliminary bulldozing began on a bluff overlooking Tennessee's eighth largest waterfall (and the largest privately-owned one). The developer planned 80 river-front houses, including some projecting over the 75ft-high spectacular falls.

The 186-acre parcel extended for 1½ miles along the NE side of the lushly forested gorge of Blackburn Fork, a State Scenic River in Jackson County, a river segment that is a designated U.S. Watershed Hot Spot because of its rich aquatic life. Location on the Eastern Highland Rim makes for dramatic topography.

At an auction in May 2010, Tennessee Parks & Greenways Foundation (TPGF) managed to acquire an option on the entire 186-acre tract (NL294 ¶3B) with the assistance of Dr. Glenn Hall of Cookeville. They had until December 2011 to raise the purchase price of \$1,034,000 (plus considerable associated costs). With the help of federal and state money (\$500,000 each from the

Land & Water Conservation Fund and the State Lands Fund), foundations, NGOs, businesses, and individuals, the dedicated staff of TPGF managed to accomplish this miracle.

In fact, an *additional* 25 acres was acquired, making the total 211 acres. TPGF has completed fundraising for both tracts. The area will be turned over to the state of Tennessee and designated a state park or state natural area.

2C. *Tennessee's Abandoned Mine Land Reclamation Program*

The Surface Mining Control and Reclamation Act of 1977 (SMCRA) establishes criteria authorizing the federal Office of Surface Mining (OSM) to fund, and for the state of Tennessee to implement, an AMLR Program within the Tennessee coalfield counties. The evaluation of this program is conducted within the guidelines of an annual work plan.

The Performance Agreement for 2012, finalized after opportunity for public input, lists 17 provisions, including the following (here paraphrased):

- Some areas have been targeted for special review emphasis during the year, and it is recognized that additional topics may be added based on review findings, stakeholder suggestions, etc.
- Areas of Tennessee's AML program identified as problematic or deficient during *previous* years will be periodically reviewed.
- TDEC will consider use of the Forest Reclamation Approach on abandoned mine land projects for post-mining use as forests

2D. *Cumberland Plateau Nature Trail lists 48 sites*

The Alliance for the Cumberlands (of which TCWP is a member organization) has recently published a brochure that identifies Northern, Central, and Southern "Tours" through the Cumberland Plateau, listing 14, 17, and 17 sites, respectively, and scenic byways that connect some of them. The sites are accesses to state parks, forests, natural areas, and wildlife management areas, units of the National Park System, greenways, etc. Included in the Central Tour, for example, are Burgess Falls SNA, Fall Creek Falls SP and SNA, the Bridgestone/Firestone Centennial Wilderness and Virgin Falls SNA, Catoosa WMA at Devil's Breakfast Table, Cumberland Trail SP at Black Mountain, Frozen Head SP and SNA, Obed WSR at Lilly Bluff, and 10 others.

The brochure also refers to links for each site at www.cpnaturetrail.com, and a more complete list of natural and historical sites at www.LetsGoPlateau.com.

2E. *Cumberlands area fish added to Endangered Species list*

Among 5 Southeastern fish species recently added to the federal Endangered Species list, two live in the Cum-

berland areas of Tennessee. The Cumberland darter once inhabited 21 streams in the upper Cumberland River system. It now survives only in short reaches of less than one mile along 12 streams, which in Tennessee are located in Scott and Campbell County in the watershed of the Big South Fork Cumberland. The laurel dace was historically found in seven Walden Ridge streams on the edge of the Cumberland Plateau. It is now survives only in short stream segments in Rhea and Bledsoe Counties. Among the factors leading to the serious decline in these populations is mining.

The listing of these five fish species as endangered became effective on September 8, 2011. The final rule is available on the Fish and Wildlife Service's website at <http://www.fws.gov/cookeville/>. Critical habitat for the 5 newly listed species was proposed in the Federal Register of Oct. 12 (<http://www.fws.gov/cookeville/pdfs/5fishesCH.pdf>). The comment period ended December 12, 2011.

3. THE CHEROKEE and OTHER NATIONAL FORESTS

3A. Campaign to pass the *Tennessee Wilderness bill*

[Contributed by Sandra Goss]

The long-sought Congressional Wilderness designation for special parts of the Cherokee Forest is in play. The Tennessee Wilderness Act of 2011 (S.1090), which was introduced in late May by Senators Alexander and Corker, would protect nearly 20,000 acres of wilderness in the Cherokee National Forest by expanding five existing wilderness areas and creating the brand-new, more than 9,000-acre, Upper Bald River Wilderness. In November, the bill was approved by the Senate Energy and Natural Resources Committee.

Several groups, including TCWP, Sierra Club, Smoky Mountains Hiking Club, Cherokee Forest Voices, The Wilderness Society, and Southern Environmental Law Center, collaborate on strategies and outreach tasks to further passage of the legislation. Much work has gone into passing the bill through this Congress. After the 2012 elections, the makeup of the Congress, as well as the districts across the state will change. It is best for the current Congress to pass the bill. See Action Box, below, about the need to communicate with appropriate Representatives and Senators. In addition, letters to editors in newspapers across the state can be very important.

- (2) We're seeking writers of letters to editors in newspapers across the state. If you can help with this valuable work, contact TCWP **WHAT YOU CAN DO:**

(1) Currently, it is important to communicate with Congressmen Roe, Duncan, and Fleischmann (in whose districts the proposed new wilderness areas lie) in support of the bill. Also, Senators Alexander and Corker need to hear

that there is a lot of support for passage of the bill that they introduced.

Executive Director Sandra K. Goss at 865.583-3967 or Sandra@sandrakgoss.com for assistance.

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 in our national forests. □ □

3B. *Steep slopes in Cherokee NF saved from logging*

[Information from Southern Appalachian Law Center]

In recent years, there has been an increase in proposals to log timber on steep, erosion-prone terrain in Southern Appalachian national forests. The Big Creek timber sale in the NE portion of our Cherokee NF, which had targeted such sites, was challenged by SELC, and the USFS scaled back the project. More than 120 acres of steep forested slopes in the headwaters of the French Broad were spared from logging

3C. *Roadless areas are intact in region's national forest*

[From Southern Appalachian Law Center]

For almost 13 years, new road construction and logging trucks have been kept out of roadless areas in the Southern Appalachian national forests, thanks largely through the work of SELC (NL300 ¶2A) and other conservation groups. Of these, 85,000 acres are in the Cherokee National Forest of Tennessee.

3D. *Weigh in on the National Forest Management Rule*

[Information from Defenders of Wildlife and NRDC]

The comment period for the proposed draft US Forest Planning Rule, required under the National Forest Management Act of 1976 (NFMA), closed in May (NL296 ¶3A; NL298 ¶5D). This rule will provide the blueprint for the management plans developed by individual Forests every ~15 years. Publication of the final rule is imminent, but there is probably still time to affect the outcome.

The proposed rule left too much decision-making authority in the hands of *local* forest managers (and thus subject to local economic interests), without clear *national* standards. This could be particularly risky in two areas.

1. Wildlife. The rule should, (a) include a scientifically accepted definition of wildlife "viability"; (b) require the monitoring and protection for species at risk of extinction; and (c) require the USFS to do what it can to protect wildlife, even when threats originate outside of agency control.

2. Water. National forests are the single largest source of clean drinking water in the United States. In order to safeguard this critical freshwater supply effectively, the final rule must have (a) a default buffer zone of at least 100 feet along streams and other waterways and contain specific direction for what management activities can or cannot occur within buffer zones and watershed areas (such as prohibiting resource extraction activities like logging, grazing, drilling and mining); and (b) specific

WHAT YOU CAN DO: Contact Pres. Obama and ask that his Forest Service include the requirements summarized above in the final Forest Management rule. (Contact info on p.2)

3E. *Committee to advise on forest management planning*

On January 5, Sec. of Agriculture Vilsack called for nominations to the newly-formed National Advisory Committee for Implementation of the National Forest System Land Management Planning Rule (¶3D, above). The committee will advise the Secretary and the Chief of the U.S. Forest Service, Tom Tidwell, on issues such as planning-rule directives for implementation, best practices, effective monitoring practices, and ongoing collaboration efforts.

The 21-person committee is to be composed of equal numbers of each of three interest groups that may be broadly defined as, (1) segments of the general public and elected state, county, and local officials, (2) environmental/conservation organizations and the scientific community, and (3) timber/grazing/energy interests, hunting/fishing/commercial-recreation and OHV interests.

WHAT YOU CAN DO: The 45-day nomination period closes Feb. 21, 2012. Details may be found on the USFS website (<http://www.fs.fed.us>), or in News Release No. 0002.12 on <http://www.usda.gov/wps/portal/usda>

3F. *Two states attack recent reinstatement of Roadless Rule*

[Information from EarthJustice, 12/13/11]

No sooner had the 10th Circuit Court of Appeals (in Denver) firmly and *unanimously* ruled to uphold the Clinton Administration's Roadless Area Conservation Rule (NL300 ¶4A)*, than the sniping started. A few weeks ago, the state of Wyoming and the Colorado Mining Association asked the full Court to review the unanimous decision handed down by a three-judge panel on October 21. The process, known as an "en banc" rehearing, is rarely granted.

Under a Bush Administration attempt to replace the original Rule with a state-specific petition process, Colorado in 2005 developed a plan for managing about 4.2 million acres of federally owned forests in the state that had been inventoried as roadless and are largely undisturbed by development. This Colorado plan allows numerous road-building exemptions for natural gas drilling, logging, coal mining, and ski-area expansion. In Wyoming, a district court judge had some time ago placed an injunction against the Roadless Rule.

Legal experts have stated that nothing in the 10th Circuit Court's careful and methodical October 21 deci-

sion upholding the Roadless Rule justifies the use of the extraordinary *en banc* procedure. They are hopeful that the Colorado-Wyoming petition for the rehearing will be denied.

*[Note: The 10th Circuit decision means that the Rule can be enforced on more than 49 million of the 58.5 million total acres of inventoried roadless areas. The remaining 9.3 acres — 16% of the nation's -- is located in Idaho, which had opted for a Bush era policy that allowed a state to decide the fate of *national* forests within its borders. Idaho's governor at the time became Bush's second Secretary of the Interior. (NL286 ¶4C)]

3G. *History: Eastern national forests created by 100-year-old Weeks Act*

[We thank TCWP member Harry Shatz for providing the information for this article]

The whole of federal land policy until 1891 had been to sell or grant the vast public domain as quickly as possible. The Forest Reserve Act of 1891 authorized *retention* of certain forested public lands. Two decades later, the Congress provided for *addition* to the public land base through purchase. (By 1980, ~22 million acres had been added by purchase to the eastern national forests).

The vehicle for doing so was the Weeks Act of 1911 (just over a hundred years old), which authorized the purchase of forestlands in the headwaters of navigable streams, to be selected by the then newly created National Forest Reservation Commission on the basis of protecting such locations. (The first purchase made under the Act was in NC, at a cost of \$5.41 an acre.) The restriction to watersheds of navigable streams was subsequently eliminated by the Clarke-McNary Act of 1924. The first national forest established in an eastern state was the Pisgah in October 1917.

The Weeks Act had a couple of important additional features. It gave consent for states to enter into compacts for the purpose of conserving forests and water supplies; and it authorized federal matching grants for approved state agencies to protect forested watershed of navigable streams. The latter, in particular, bolstered state-level forestry efforts at a time when state legislatures were timid or skeptical about developing forestry agencies. No single law has been more important to the return of forests to the eastern U.S. than the Weeks Act.

For further information, visit <http://www.foresthistory.org/ASPNET/Policy/WeeksAct/Implementation.aspx>.

3H. *Loss of open space*

[From Forest Service Employees for Environmental Ethics, 11/9/11]

The US Forest Service reports that the United States is currently losing 6,000 acres of open space each day. That's four acres a minute.

Biodiversity study imperiled

The All-Taxa Biodiversity Inventory (ATBI) has now been in progress for almost 15 years and has documented many of the estimated 100,000 species that may be present in the Great Smoky Mountains National Park. To date, these include more than 7,100 species new to the Park and 915 new to science. The project will develop checklists, reports, maps, databases, and natural history profiles that describe the biology of this rich landscape to a wide audience. It also encourages understanding of genetic variation *within* species and ecosystem descriptions.

Although most of the work, including that of many of the 5,000 scientists who participate, is done by unpaid volunteers, the study has cost about \$200,000 per year. It is funded exclusively through grants and contributions to the nonprofit Discover Life in America (www.dlia.org/atbi/). Sadly, continuation of the ATBI may now be imperiled by funding shortages.

The 15th ATBI Conference will be held March 22-24 at the Glenstone Lodge in Gatlinburg, with Prof. E.O. Wilson as the keynote speaker. Further information may be obtained at www.dlia.org/sites/default/files/2012ConfReg.pdf, or by calling Dr. Patricia B. Cox, TVA, 865-632-3609.

5. NATIONAL ISSUES

5A. *Rule-making for "Waters of the United States" needs to be finalized*

[Information from Clean Water Network]

Over the past decade, some of our important waters lost the clear protection of the Clean Water Act as a result of, (a) confusing 2001 and 2006 Supreme Court rulings as to what defined "Waters of the U.S.," and (b) the resulting ambiguity of federal-agency guidance under the Bush Administration. To restore Clean Water Act protection to these critical bodies of waters, the Obama Administration developed draft guidance (NL297 ¶5A). The process was initiated in the late spring of 2011 -- now the Administration needs to finish the job!

The draft that was released by EPA and the U.S. Army Corps of Engineers (and on which 230,000 comments were received) 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.

Until this new guidance is finalized, water bodies that supply drinking water for 117 million Americans remain at risk. These waters also provide important fish

and wildlife habitats that fuel local economies and support outdoor traditions.

WHAT YOU CAN DO: Contact Pres. Obama (information on p.2), and send a copy to Nancy Sutley (www.whitehouse.gov/ceq). Thank them for taking the first step to restore and clarify Clean Water Act protections for critical waters, and urge the Administration to finalize the guidance and rule-making without further delay.

5B. *New gimmick being used in permit applications for Mountaintop Removal mining*

[Information from EarthJustice]

Despite the EPA's courageous decision a year ago to veto the very large Spruce No. 1 Mine in West Virginia (NL295 ¶5A), coal companies are pushing for more than 100 new mountaintop removal mining permits. Many of these are being justified by proposing a new, and supposedly benign, method called sequenced valley fills.

There is no scientific evidence showing that sequencing valley fills prevents the inevitable damage caused by the permanent destruction of headwater streams, or the harm to downstream water quality. Sequencing valley fills is an "act now, deal with the consequences later" approach. The Clean Water Act and all of modern science dictate that the sequencing of valley fills is an indefensible approach. There is no evidence showing that after-the-fact so-called "mitigation" activities are actually effective at reversing or offsetting the harm caused to our streams and our watersheds.

WHAT YOU CAN DO: Contact Pres. Obama (p.2) and EPA Administrator Jackson (Jackson.lisap@epa.gov), urging that more mountaintop removal permits be denied. The use of sequenced valley fills to justify any of these permits is definitely not warranted. If your time is very limited, you can simply sign on to a letter at <http://action.earthjustice.org/site/R?i=9kxBj0g7QC8kQ78cp8HSw>.

5C. *Proposed fuel economy standards need support*

The Obama Administration has proposed new rules for fuel economy standards that would further increase vehicular fuel efficiency and thus drastically reduce global warming pollution and our dependence on oil (pre-viewed in NL299 ¶5D). The new standards will require automakers to produce vehicles that emit roughly half the global warming emissions produced by today's new automobiles

The following information is extracted from www.epa.gov/otaq/climate/documents/420fl1038.pdf, which contains additional details:

The standards proposed would apply to passenger cars, light-duty trucks, and medium-duty passenger vehi-

cles, covering model years 2017 through 2025. The proposed standards are projected to require on an average industry fleet-wide basis 163 grams/mile of carbon dioxide (CO₂) in model year 2025, which is equivalent to 54.5 miles per gallon (mpg) if the vehicles were to meet this CO₂ level all through fuel economy improvements.

This proposal builds on the success of the *first* phase of the National Program to improve fuel economy and reduce GHG emissions from U.S. light-duty vehicles, which established strong and coordinated GHG and fuel economy standards for model years 2012-2016 (NL286 ¶8B).

Unfortunately, some members of Congress are attempting to block these common-sense measures. Rep. Darrell Issa (R-CA) has launched a politically motivated investigation into the clean car standards, despite the fact that auto companies, autoworkers, veterans, consumers, and countless public interest organizations support them.

WHAT YOU CAN DO: Your support is needed, and the deadline is January 30. Commend the Obama Administration for continuing to pursue strong, clean vehicle standards.

Comments can be sent by Internet

(www.regulations.gov), by e-mail (A-and-R-Docket@epa.gov), or by surface (EPA [6102T], 1200 Pennsylvania Avenue NW, Washington, DC 20460). They should be identified by Docket ID No. EPA-HQ-OAR-2010-0799.

If your time is very limited, you can simply sign on to a letter at

http://action.lcv.org/site/R?i=90joOg_uCnZqNKzvHBloWg

5D. *Historic clean-air protections decreed for power plants*

[Information sources: EPA, *Washington Post*, etc.]

On December 21, the Obama Administration took a major and courageous step to clean up the nation's air. EPA issued the first-ever national standards to slash dangerous emissions from power plants, the largest remaining source of toxic air pollutants. These standards are over two decades overdue, having been mandated by the 1990 Clean Air Act Amendments. Yet ~40% of presently existing coal-fired power plants are not in compliance, having failed to deploy pollution-control technologies that, in the other ~60%, have since proved able to meet the standards. With political clout, the non-compliant plants had been grandfathered in under the original Clean Air Act.

The most important pollutants that will be controlled are mercury, arsenic, acid gas, nickel, selenium, and cyanide -- toxins linked to developmental disorders (particularly of the nervous system), to respiratory illnesses like asthma, and to heart attacks. EPA estimates that the new safeguards will annually prevent 11,000 premature deaths, 4,700 heart attacks, 130,000 cases of childhood asthma symptoms, and about 6,300 cases of acute childhood bronchitis. For every dollar spent to reduce pollution

from power plants, the American public will see up to \$9 in health benefits.

There are additional economic benefits. The needed technologies, manufactured by companies in the United States, will support short-term and long-term jobs. Manufacturing, engineering, installing, and maintaining the pollution controls to meet these standards will provide employment for, potentially, 46,000 short-term construction jobs and 8,000 long-term utility jobs. The total health and economic benefits of the new Mercury and Air Toxics Standards are estimated to be as much as \$90 billion annually.

More than 900,000 Americans submitted comments to the EPA – *the most comments ever received on an EPA rule* -- and the overwhelmingly majority of those comments was in support of the rule. Yet, there is no doubt that Congress will attempt to block these protections from being implemented. Some industry groups and congressmen are predicting possible blackouts and economic havoc. A recent AP survey found, however, that the affected plants are mostly ancient -- their average age is now 51 years. Many of them were slated for retirement in the coming years regardless of what the EPA did, thanks to state air-quality rules, rising coal prices, and the influx of cheap natural gas.

Studies by the Edison Electric Institute, The US Dept. of Energy, M.J. Bradley & Associates, and EPA's own modeling, conclude that utilities can retire their oldest and dirtiest plants without crushing disruptions, and that the regulations will not threaten the reliability of the country's electric grid. EPA has given operators four years (and, potentially, a fifth) to comply with the standards. The estimated costs for upgrading (\$11 billion by 2016) are greatly outweighed by the estimated health and economic benefits (see above). It is to be hoped that at least some power companies, instead of spending millions to upgrade their old plants, will replace them with cleaner options (including energy efficiency, the cleanest and cheapest way to meet power demands).

WHAT YOU CAN DO: Thank Pres. Obama (contact information on p.2) for courageously standing up to political pressures and holding operators of polluting plants to their legal obligation. Also thank EPA Administrator Lisa Jackson (contact info in Political Guide).

5E. *Grand Canyon victory*

[Information from NPCA]

On January 9, Interior Secretary Ken Salazar finalized plans to protect one million acres surrounding Grand Canyon National Park from new uranium mining for the next 20 years. Fueled by a recent boom in uranium prices, corporate mining interests had been staking out thousands of new mining claims and working to re-open old mines near the Grand Canyon. Salazar's tremendously important decision will not only preserve the integrity and incredible views surrounding the park, but also prevent uranium mining pollution from contaminating the Colorado River, which supplies drinking water to more than 25

million people. It represents a truly a great victory for America's national parks.

WHAT YOU CAN DO: Thank Secretary Salazar (kensalazar@ios.doi.gov) for standing up to the mining industry and protecting a national treasure.

5F. *Where will the water come from?*

[From River Network]

Electrical generation now uses 53% of our nation's surface water resources. By the year 2030, electrical demand is expected to grow by 30% in the western U.S. and 10% in the Southeast. For a few illustrations of the energy-water collision, see NL300 ¶6C.

5G. *House of Representatives' record*

[From EDF, 12/27/11]

In 2011, The U.S. House of Representatives voted 191 times to weaken our clean air and other environmental protections. That's an average of more than one anti-environmental vote per legislative day.

6. CLIMATE CHANGE

6A. *The National Climate Assessment*

[Information from Union of Concerned Scientists]

The National Climate Assessment is developed by the U.S. Global Change Research Program to report on our current understanding of climate-change science and impacts. It is designed to inform strategies and policies on global warming for federal, state, and local governments, as well as for the private sector and citizens.

Scientists and knowledgeable citizens can get further informed about the program, and can contribute to it.

- UCS is offering a Webinar briefing on the National Climate Assessment on February 1, Noon-1:00 p.m. (EST). You can register for the webinar at <http://action.ucsusa.org/site/R?i>.
- The U.S. Global Change Research Program (USGCRP) is seeking input for its 2013 National Climate Assessment (NCA) report from scientists with expertise related to climate change science, impacts, or solutions. Technical input can be submitted to Emily Therese Cloyd, Public Participation and Engagement Coordinator, National Climate Assessment, US Global Change Research Program. Preferred format is via email with attached Word or PDF documents. Email: ecloyd@usgcrp.gov before March 1, 2012. The original request for information is published in the Federal Register of July 13, 2011 (76 FR 41217).

6B. *Disappointing outcome of Climate Change Convention*

[Information from *NY Times*, 12/11/11]

The 17th conference of the U.N. Framework Convention on Climate Change, held at Durban, South Africa, ended December 10 with only modest accomplishments.

The two achievements were, (a) a promise to work toward a new global treaty in coming years (details yet to be negotiated), and (b) the establishment of a new climate fund.

(a) The decision to move toward a new treaty was hard-won, after 72 hours of continuous wrangling. That treaty would replace the 1997 Kyoto Protocol that enshrined the two-tiered system, in which so-called developed and developing countries are treated differently. China still is classified as a developing country and is thus exempt from any emissions limits, but it has a vastly larger economy than it had in 1992 and recently surpassed the USA as the world's largest emitter of greenhouse gases. As noted above, all details of any new treaty have yet to be negotiated.

(b) The new Green Climate Fund would help mobilize a promised \$100 billion a year in public and private funds by 2020 to assist developing nations in adapting to climate change and converting to clean energy sources. Decisions about the precise sources of the money for the fund, and how and by whom it would be disbursed, were also left to another day.

6C. *Something else to get depressed about*

[From EarthJustice]

The International Energy Agency's annual World Energy Outlook, released in November, projected that the Earth was on a path to a 6°C temperature rise by century's end; and the World Meteorological Organization confirmed global warming is heading for a threshold that could cause *irreversible* changes.

IEA warned that it will become increasingly difficult and costly to meet the goal set at last year's talks of limiting a global temperature increase to 2°C. It urged nations to start acting NOW, instead of waiting for a global deal. Unfortunately, the Durban talks (§6B, above) did nothing to put the world onto the path aimed to meet last year's goal.

7. KNOXVILLE/OAK RIDGE AREA

7A. *Free home energy audits help reduce GHG emissions*

One activity of the TN Climate Action Campaign is to encourage people to get a TVA In-Home Energy evaluation (NL300 ¶3F). Household consumption (mostly for heating and cooling) has been estimated to account for over 80% of total U.S. greenhouse-gas emissions. TVA will repay the cost of the initial evaluation when you follow through with recommendations, and will match up to \$500 in weatherization costs.

WHAT YOU CAN DO: The Climate Action Campaign is building teams to help people get these utility audits. Anyone willing to serve on an Oak Ridge team, or to help in the Knoxville area (where a coordinator has been named),

should contact the Campaign at 931-484-2633, or lgorenflo@gmail.com.

7B. *Local opportunity to talk to your state legislator*

The League of Women Voters of Oak Ridge sponsors a monthly Breakfast with the Legislators that is open to the public. These events are held from 7:30-8:30 a.m. on the fourth Monday of each month that the General Assembly is in session. Location: Social Room, Oak Ridge Civic Center. The first Breakfast of 2012 is scheduled for January 23.

8. BLASTS FROM THE PAST Or, The More Things Change, The More They Stay The Same [Contributed by Sandra Goss]

8A. 40 years ago

From TCWP Newsletter #38, 2/2/71: Controls for Tennessee's Oil and Gas Production Needed

The Tennessee Oil and Gas Board (composed of the Commissioners of Conservation and of Revenue, the State Geologist, and the Attorney General) is seeking a change in the state law that pertains to the operation of oil and gas wells. Recent operations in the Oneida oil field have been marred by sloppy practices leading to stream and air pollution, hazardous conditions, and waste. Under the present law, the Board cannot exert any control until production reaches 50,000 barrels per day (it is now about 3000 barrels/day in the Oneida field). The Board proposes a change in the law that eliminates this limiting provision. We endorse the Board's recommendation and suggest that you contact your state legislator to ask for elimination of Sect. 60-105 of the Tenn. Code Annotated, as well as for various more minor changes that will give greater definition to the Law.

8B. 30 years ago

From TCWP Newsletter #117, 1/20/82: Cherokee Wilderness proposal needs your support

As we informed you in our last NEWSLETTER, the Cherokee National Forest Wilderness Coalition (CNFWC), of which TCWP is a member, and the Tenn. Conservation League (TCL) jointly drafted a bill that would designate as wilderness four areas of the Cherokee National Forest South of the Smokies. [Since then, three of these have become threatened by oil leases -- see ¶1]. These four areas, which the USFS in its RARE-II review recommended either for wilderness or further planning status, total 35,547 acres, or 5.8% of the Cherokee National Forest. Presently, only 1.3% of the Forest is protected as wilderness. TCL had, in the past, not always seen eye-to-eye with wilderness advocates, because many TCL members are deer hunters who oppose the Wilder-

ness Act's prohibition against maintaining wildlife clearings. However, CNFWC and TCL managed to draw boundaries of the proposed areas so as to exclude all wildlife clearings, and thereupon forged a clear consensus compromise. The draft wilderness legislation is thus supported by Tennessee groups having a combined membership of many tens of thousands. You need to bring this to the attention of key people in the Congress (see below), together with the following additional arguments: the proposed areas include no private land, contain no campgrounds or roads (except for a short length of dirt road in one area), have high scenic and wilderness value, and constitute but a small fraction of the Cherokee National Forest, which presently has only a minute amount of wilderness.

WHAT YOU CAN DO: Write to Representatives John Duncan and Marilyn Bouquard and to Senators Baker and Sasser (see Political Guide for addresses) and ask them to introduce or co-sponsor the CNFWC-TCL compromise bill for wilderness in the Cherokee National Forest.

9. TCWP NEWS

9A. *Upcoming activities*

[Contributed by Carol Grametbauer]

Whites Creek Trail workday – Saturday, January 28 (re-scheduled from January 21)

TCWP will sponsor a day of trail work at Whites Creek Small Wild Area in Rhea County at 10 a.m. Eastern time, as part of our ongoing stewardship activities for this TVA Small Wild Area trail. The trail loops onto land that TCWP purchased from Bowater several years ago, thanks to the generous support of our members.

We'll concentrate on routine trail maintenance chores (brushing and removing limbs and logs) and on marking the trail. Participants should wear sturdy shoes or boots and bring work gloves, loppers, and small bow saws or folding saws. Some hand tools will be available at the event. Please be sure to bring clothing appropriate for weather conditions, water, snacks, and/or a lunch.

Participants can meet for carpooling in Oak Ridge at the Rush/Books-A-Million parking lot (on South Illinois). We plan to leave Oak Ridge at 9 a.m. Eastern Time. Or, volunteers can join the crew at the trailhead 10 a.m. Eastern. We plan to spend at least 3-4 hours at the site, but people may come and go as they wish.

For additional information, contact Jimmy Groton at 865-805-9908 or at groton87@comcast.net.

Alley Ford Cumberland Trail workday – Saturday, February 25

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 adopted by TCWP 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 drinking 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 side close to Illinois Avenue, near the Waffle House) in time to leave Oak Ridge at 9 a.m. Eastern, or 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 the following Saturday.)

“Ferns of Tennessee” – Thursday, March 8

TCWP will herald the approach of spring with a presentation on our state's ferns by Patricia Cox, a botanical specialist for TVA. Dr. Cox will explain the terminology associated with identifying ferns based on their structure, then will discuss the most common ferns in Tennessee, the rarest ferns in the state, and “the invasive ones that no one should have in their yards.” Her presentation will be held at 7 p.m. in the Craft Room at the Oak Ridge Civic Center.

Dr. Cox is currently working on the All Taxa Biodiversity Inventory (ATBI) project in the Great Smoky Mountain National Park, mapping fern species in the Smokies. A member of the American Fern Society, she has given talks to several southeastern garden clubs, native plant societies and botanical gardens, and has served as a field-trip leader for the American Fern Society's national meetings in Knoxville and Mobile.

Spring Cedar Barren cleanup – Sat., March 10

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 with a pizza lunch.

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.

9B. *Recent events*

TCWP Holiday Party – Thursday, December 9

A good crowd of TCWP members and guests turned out for our annual holiday party, held at the Oak Ridge home of Jenny Freeman and Bill Allen. As always, the event provided an opportunity to catch up with old friends and to make new friends, while enjoying delicious snacks and desserts. Many thanks to Jenny and Bill for hosting us once again!

9C. *Two area paddling clubs make generous contributions to TCWP*

In October, the East Tennessee Whitewater Club voted to donate the proceeds from the River Sports Pint Night in August to Tennessee Citizens for Wilderness Planning to be used for land purchases for the Obed Wild and Scenic River. The club's share of the Pint Night money was \$556.13. In addition, ETWC is making a 2012 donation of \$200 to TCWP, similar to the donation the club made in 2011.

At their November meeting, Chota Canoe Club members voted on how to distribute their annual conservation donation. Among a number of organizations, TCWP received the largest number of votes and will be awarded \$2,500 (one-half the total sum being distributed).

9D. *Notes from the Executive Director*

[Contributed by Sandra Goss]

Happy New Year! 2012 holds challenges and opportunities for those of us who are interested in protecting our natural resources.

The State Legislature has just convened (§2A, this NL), with a promise that the session will be short. A new set of Oil and Gas Regulations (NL298 §9A) will be released for public comment in the next several weeks. On the federal front, there's cause for some optimism that the Tennessee Wilderness Bill (§3A, this NL) will be folded into an Omnibus bill and approved before year's end. The verdict on the Unsuitability Petition to stop stripmining of ridgelines (NL294 §1A) will become known this year.

The shortened legislative season allows little time to pass the Scenic Vistas Protection Act, educate legislators about the importance of the real-estate transfer fund, and tend to the host of other issues that are likely to arise. The Oil and Gas Regulations provide an opportunity for our state to strike a balance between energy needs, property rights, and protection of pure drinking water in our water tables. Passage of the Tennessee Wilderness Bill depends on letting our Congressmen in those districts know how important it is to formalize a designation that the U.S. Forest Service recommended

One can read in our Blasts From the Past feature (§8, this NL) that oil and gas extraction was a hot topic

decades ago, as were wilderness issues for the Cherokee NF. As our leadership on both the state and federal levels exclaim ever more loudly that regulations are bad for business, it's easy to become discouraged about our natural world, and to think, "Why bother?"

I take heart from remembering some simple truths: everything takes longer than you think it will; without the work that TCWP and others have been doing for the past 45+ years, significant areas of natural lands and waters would have been forever despoiled, our waters would be nastier and our air would be much dirtier. Working together, we can effect change.

Want to get involved? Sign up for e-mail alerts that will inform and empower you to communicate to our elected officials. Drop me an e-mail, or call me, to be added to our list.

Put Wednesday, February 22 on your calendar -- it's Conservation Day on the Hill, an opportunity to join other environment/conservation-aware people in showing the State Legislature that Tennesseans care about protecting natural lands and waters, about pure drinking water, and about clean air. There'll be a carpool for the one-day event. It's thrilling (and effective) to be at Legislative Plaza with dozens of other Tennesseans from across the state who are there to talk to state legislators. Registrants will get simple tips about how to maximize their effectiveness that day. To register, visit http://www.tectn.org/display_event.php?id=883 or the Events Page (February 22) at <http://www.tectn.org>. To carpool call or write me.

Looking forward to a wonderful year.

Sandra

9E. *Thanks, and a tip of the hat to ...*

[From Sandra Goss]

- Jean Bangham, Don Davis, Frank Hensley, Charlie Klabunde, and Hal Smith for your help assembling TCWP Newsletter No. 300 in November.
- Thanks to the fans of the TCWP Newsletter, who offered such glowing compliments on the quality of the Newsletter.
- Much gratitude to Holiday Party hosts Jenny Freeman and Bill Allen. Their hospitality and their lovely home were some of the factors that contributed to an enjoyable evening with TCWP pals.
- Thanks to Mary Lynn Dobson, Steve Scarborough, and Alliance for the Cumberland's Zeb Turrentine for spending an early December lunch and afternoon discussing the Alliance and its leadership and future projects.
- Thanks to Tennessee Conservation Voters, Tennessee Environmental Council, Stewart Clifton, John McFadden, and sister organizations for their collaborative work on the upcoming State Legislative session that prepares us to work intelligently and effectively with our elected officials in Nashville.

- Thanks to Dawn Coppock, Pat Hudson, and the Lindquist Environmental Appalachian Fellowship for sponsoring "Forty Days of Prayer for Creation," a web-based outreach effort to pray for our leadership and our mountains.
- Thanks to Jeff Hunter of Tennessee Wild for staffing the TCWP display at Wilderness Wildlife Week, held earlier this month at Pigeon Forge.
- Thanks to Brian Paddock, Cindy Kendrick, and sister organizations for their efforts on State Oil and Gas Regulations. This is a complex topic with many considerations. Working together, we pool our knowledge and limited time to develop a good understanding of the issue.
- Thanks to TCWP members who took an active interest in the information we publish: Donald Shaffer for providing updated information on White House contacts; Harry Shatz for contributing material on the historic Weeks Act (§3G, this NL).

these topics suitable for adults and children, please let us know. Call June Zettelmeyer, 788-5022 or email her at pgwhstl@hotmail.com, to arrange pickup."

- Clean Water Network's 2011 Dirty Water Voting Chart has been published on the EcoWatch.org website. An accompanying article is currently on their homepage. The direct link to the piece is: <http://ecowatch.org/2012/how-did-your-members-of-congress-vote-on-clean-water-bills-and-riders-in-2011/> EcoWatch is a news service website that promotes the work of the grassroots environmental movement.

"The true meaning of life is to plant trees, under whose shade you do not expect to sit" (Author unknown).

10. CALENDAR; RESOURCES

•• CALENDAR (events and deadlines)

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

- January 28, Whites Creek Trail workday (see §9A, this NL).
- January 30, deadline for comments on fuel-economy standards (see §5C, this NL).
- February 22, Conservation Day on the Hill (see §9D, this NL).
- February 25, Alley Ford Cumberland Trail workday (see §9A, this NL).
- March 8, "Ferns of Tennessee" (see §9A, this NL).
- March 10, Spring Cedar Barren Cleanup (see §9A, this NL).
- March 22-24, Gatlinburg, All Taxa Biological Inventory (ATBI) meeting for the Smokies; will feature two talks by E.O. Wilson (one in Knoxville). For more information, contact Dr. Patricia B. Cox, TVA, 865-632-3609.

•• RESOURCES

- Note that the address for contacting the President electronically is now <http://www.whitehouse.gov/contact> (we have corrected the information on our website and on p.2 of the Newsletter).
- Downsizing your home library? Read the following from the Obed Watershed Community Association. "OWCA is starting a small lending library focused on land and water conservation and nature identification books, (tree, bird, wildlife, etc). If you have books on

Join the
Conservation Caravan
for
Conservation Day on the Hill
Wednesday, February 22, 2012
One-day Nashville Jaunt
State Legislative Committee Meetings
Visits with Elected Officials
Carpool now organizing
Stops along I-40
From Knoxville to Cookeville
Sandra@sandrakgoss.com or
865.583-3967



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TCWP MEMBERSHIP RENEWAL for 2012

Our "dues" year is the calendar year, Jan 1 to Dec 31. Contributions to TCWP **are IRS tax-deductible**.

Your address label is coded **M_ _** with numbers 1 – 7 inserted showing dues class paid for '11 & '12.

Numbers correspond to those in form below. (**Other contributions may just be coded c.**)

Tennessee Citizens for Wilderness Planning 1/1 - 12/31/12 - Membership

Please send form, and check (**payable to TCWP**), to:

Charles Klabunde, Treas., TCWP; 219 E. Vanderbilt Dr.; Oak Ridge, TN 37830

NAME(S) _____ e-mail: _____

ADDRESS _____ PHONES: Home _____

_____ Zip _____ Work _____

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- | | | | |
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| 2. <input type="checkbox"/> Student, Correspond, Senior (low budget) . | \$15.00 | 5. <input type="checkbox"/> Sustaining member | \$100.00** |
| 3. <input type="checkbox"/> REGULAR (individual) ,..... | \$25.00 | 6. <input type="checkbox"/> Supporting member | \$200.00** |
| 4. <input type="checkbox"/> Family (husband, wife) | \$35.00 | 7. <input type="checkbox"/> Life member (new) | \$500.00** |
| 1. <input type="checkbox"/> Name your own Intermediate Rate (>\$15). \$ _____ | | **Includes spouse if indicated: <input type="checkbox"/> | |
- (will be recorded as next lower rate + gift) On back of form, list names, addresses of others who might want to join TCWP.

I prefer delivery of Newsletters as PDF attached to an e-mail instead of paper copy via USPS.

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See Inside of Back Cover
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- Jo Hardin Director
- Larry Pounds Director
- Warren Webb..... Director
- Liane (Lee) Russell Director
- Sandra Goss Executive Director

Outdoor Activities for You
Saturday, Jan 28— at Whites Creek
Saturday, Feb 22— CT at Nemo

Indoor Presentation
Thursday, Mar 8— Ferns of TN

See page 10, ¶ 9A, for all of these