

TENNESSEE CITIZENS FOR WILDERNESS PLANNING

Newsletter No. 40, May 10, 1971

1. The state legislature: victories and cliff hangers (trails bill and natural areas bill passed; stripmine law improvements still a toss-up; Little T; environmental protection bill).p. 1-3
2. Conservationists meet with the governor.p. 3-4
3. TCWP completes North Ridge Trail.p. 4
4. Other recent TCWP action: seven capsule reports.p. 4
5. Follow up on the big victory of the SST defeat.p. 5
6. National news briefs (Grand Canyon NP master plan and wilderness proposal; channelization; to halt extinction of whales; land use planning--Alaska and other states)p. 5-6
7. Dues and other important organizational announcements.p. 6
8. Extra thanks.p. 6
9. Pawley's Island: appeal for help.p. 7
10. Calendar. Our extra long calendar of outings and other events is more than just a calendar: it includes many of the particulars.p. 7

1. THE STATE LEGISLATURE: VICTORIES AND CLIFF-HANGERS

Though we have had an interest in many pieces of environmental legislation brought before this session of the legislature, limitations of time and manpower have restricted our major efforts to less than half a dozen. Of these, two have passed -- the trails bill and the natural areas bill. A third -- the stripmine bill -- is still a cliff-hanger, with an incredible history.

A. State Trails bill signed by governor

About 2 weeks ago, *Governor Dunn signed the bill that makes Tennessee probably the first state with a comprehensive state foot trails system (note: we led with our scenic rivers system too! Less than a dozen states have enacted trails legislation, and most of this provides for inventories or studies, for recognition of a particular trail, or for snowmobile regulation). TCWP had a major part in the writing of the Tennessee Act and cooperated with TTA and with the Tenn. Dept. of Conservation in supporting passage. Our additional thanks should go to Rep. Bob Bible and Douglas Henry, the prime legislative sponsors, and to Commissioner Jenkins for his work with the legislature.--Three classes of trails are established: (a) scenic trails which are long trails (cross-state, etc.) traversing mostly natural areas and restricted to foot travel, except that the department may, on limited segments, permit use by horses or non-motorized bicycles; (b) recreation trails, in or accessible to urban areas and restricted to foot, horse, or non-motorized bike use; and (c) connecting or side trails, of the same nature as the trails they serve. Seven long trails are designated as initial components of the system, including the Appalachian trail and the Cumberland Trail, on which TTA has been working so hard. Other trails can be added later by act of the legislature (scenic trails) or by departmental designation (recreation trails). Within the trail rights-of-way, the state may acquire land or interest therein and the natural vegetation will be kept undisturbed except for the trail itself, occasional vistas, or occasional trail-use facilities.

over

B. State Natural Areas System established

* Bob Miller, one of a couple of TCWP members most actively concerned in the drafting of the natural areas bill, was invited to witness the May 4 gubernatorial signing of this piece of legislation. (You may recall that, last year, we missed by one vote.) Prime sponsors Rep. Victor Ashe and Sen. Wm. Bruce deserve our warmest thanks. The Act establishes (a) Scenic-Recreational areas, which may be developed with foot trails, campgrounds, picnic areas, and sanitary facilities, and (b) Natural-Scientific areas, which may be developed with foot trails and overlooks, but may have limitations placed upon their use if deemed too fragile. The Dept. of Conservation, in cooperation with the Game and Fish Comm., is to administer and implement the program; and the Dept. must, by next year, transmit a suggested list of initial components of the system. These components, and any future additions, are designated in perpetuity by the legislature. The state is to acquire land or scenic easements within the boundaries of designated natural areas except those belonging to local governments. In addition, the state shall maintain a registry of natural areas that are in private ownership and whose owners have agreed to maintain them in a natural state.

C. Attempts to improve our stripmine law: incredible efforts and constant surprises

There has probably rarely been an effort like this year's attempted stripmine-law improvement for repeated and almost daily changes from elation to depression, and for sudden necessities to alter strategy, redraft legislation, and re-communicate with legislators and news media. We'll avoid the temptation to write the book we could on this subject, but our story will be slightly longer than most -- partly because this has been a major TCWP effort, partly because we feel some of you may welcome an insight into the unpredictable workings of our state legislature.

As you may recall, two bills had been introduced: a very weak Dept. of Conservation bill sponsored by Bowman, and a much stronger (but still moderate) citizens' bill drafted, after much research, by TCWP and sponsored mainly by Sen. Baird. On April 13, about a week after our second big stripmine forum in Oak Ridge (the first was in Knoxville in February), open hearings were held in Nashville by the pertinent Senate and House Committees. Thirteen persons testified impressively in favor of the citizens' bill, which was also supported by a petition from over 300 Morgan County residents, and by TVA chairman Aubrey Wagner (who praised TCWP for its efforts). Subsequent press support was excellent. However, in spite of previous agreements, Rep. Bowman had moved his bill out of the House Conservation Committee before the hearing and then blocked a subsequent effort by sponsor Murphy to move the citizens' bill, on the grounds that a second bill did not need to be considered (most representatives were misled into thinking that there was very little difference between the two bills). House minority leader Tom Jensen had made it clear before the hearing -- and this was confirmed by Commissioner Jenkins at the hearing -- that the Bowman bill could become an Administration bill only after lengthy amendments were added. These were drafted shortly after the hearing and consisted almost entirely of material taken from the citizens' bill. (A crisis arose when it was discovered that the caption of the Bowman bill was too "restrictive" to permit these amendments, and a quick and complete re-write had to be performed.) When Bowman brought his bill to the floor on April 19, he refused to entertain even the Administration amendment, but is said to have offered to accept amendments that might later be added in the Senate. Administration forces did not press the issue since the critical tax package was about to come up. The weak bill passed, though only by one vote. Reps. Murphy, Bissell, Elkins, Ashe, Jensen, Krieg, and Bible, who had hoped and tried to get it strengthened, were among those opposing it (we don't have the complete tally).

Though Senator Baird could easily have passed the citizens' bill in the Senate, this would have been to no avail, since it had been impossible to move this bill out of the House committee. He therefore took the course, on April 27, of bringing up the Bowman bill and, with the help of Senator Ayres, adding 5 amendments that turned it virtually into the citizens' bill. Sen. Blank had added 4 other amendments that essentially exempted minerals other than coal from the stronger regulations. Immediately following Senate passage, Rep. Bowman took the amended bill over to the House and made a passionate appeal for non-concurrence in the Senate amendments -- on the grounds that this was "his" bill and that amendments had been added without his agreement. It was not until 4 amendments (which happened to be the Blank amendments) had been non-concurred in, that Reps. Ashe, Bible, and Jensen managed to get across the point that no one had any idea of what was the content of the amendments that were being voted on, and that consideration of the remainder should therefore be postponed. This remainder, which includes all of the material added from the citizens' bill was scheduled for May 5; but Rep. Bowman postponed it until today, and many legislators are suspicious that he will postpone it again -- perhaps in the hope that the bill will die as the session runs out. Rep. Bowman's fear in bringing up consideration of the amendments may be due to the obvious great shift in sentiment (in favor of a strong stripmine law) in the legislature. Part of this is the result of improved information (TCWP has sent 3 separate mailings, including a big photo, to each legislator, explaining the situation at various complex steps in the procedure; Sen. Baird has also sent a letter); part is the result of an excellent press we have been able to stimulate; part is due to phone calls to legislators elicited by our new statewide phone committee.

Please watch the papers for the end to this cliff-hanger. Whatever happens will happen by May 21, when the session adjourns. Just a little thought: if you think Anderson County was torn up a lot by stripping last year, you may be interested to know that the strippable coal reserves left will permit it to get torn up 34 times as much again -- and Anderson isn't the worst county!

D. Bills that would affect the Little T

A resolution by Sen. Berry, asking that no more funds be appropriated for Tellico Dam, passed the Senate on a voice vote. A bill has been introduced (Sen. Berry, Rep. Al Edgar) to add the Little T (from Chilhowee Dam to its confluence) to the Tennessee Scenic Rivers System.

(Incidental note: about 100 persons participated in a Mother's Day float on the Little T yesterday and enjoyed the beautiful river on a magnificent day.)

E. Sen. Bruce's Environmental Protection bill in calendar committee

S.B. 288 (Bruce, R. Baird, Ayres)/H.B. 434 (Krieg and 13 others) was filed March 11, had hearings April 6, was recommended for passage by the Senate General Welfare and Environment Committee, and is now in the Calendar Committee of both houses. This bill would give to a private citizen or group of citizens, as well as to the Attorney General and other public officials, right to obtain court relief against any individual, corporation, city utility, or the State itself which is "likely to pollute, impair, or destroy the air, water and other natural resources or the public trust therein..." This bill has the greatest potential for achieving effective preservation of our environment, and you should contact your legislator about it very soon, in view of the short time remaining for this session.

2. CONSERVATIONISTS MEET WITH GOVERNOR

On April 26, 11 representatives of 8 statewide and regional conservation groups met with Governor Dunn in Nashville to present him with information and conservation

over

viewpoints on the following topics: (a) implementation of the state scenic rivers system; (b) stripmine legislation; (c) state trails system; (d) natural areas system (at that time the bill had not yet passed); (e) inclusion of Obed and Buffalo in national rivers system; (f) Big S. Fork preservation; (g) NPS proposal on the Smokies; (h) opposition to Duck River and Little Tennessee R. dams. Commissioner Jenkins, Deputy Comm. Russell, and State Parks Naturalist Prichard were also present. The governor listened with evident interest and stated, among other things, that he would not ever commit himself in favor of a Big S. Fork dam without allowing conservationists to tell him their side of the story. TSRA and TCWP reiterated their earlier invitation to the governor to join a Big S. Fork float in October. He mentioned that he would ride and hike into Savage Gulf four days hence. (Apparently that trip was a great success.)

3. TCWP COMPLETES "NORTH RIDGE" TRAIL

The 9-mile "North Ridge Trail" through the Oak Ridge City-owned greenbelt has been completed by members of TCWP this past year. Wanted: TCWP members to maintain the trail during the summer by using it. Maps showing the trail and access points are available from committee members Lily Rose Claiborne (chmn), Bob Lefler, and Minnie Duncan.

4. OTHER RECENT TCWP ACTIONS: CAPSULES

- * A. TCWP has gone on record endorsing NPS Proposal B, with three minor modifications in routing (to avoid road intrusion into the Slickrock Creek watershed, to cross Fontana as far east as possible, ^{and} to avoid the Cataloochee Divide). We have also asked that plans be made to avoid overdevelopment at the proposed new access points, and have suggested that parking lots for these as well as for the shuttle service on US 441 be placed outside the Park. We have offered help to the NPS in sponsoring meetings to gain support for Proposal B, and have urged the NPS to speed up formulation of a new wilderness proposal, to resemble the plan advanced by major conservation groups in 1966. We commend the Service for the outstanding Environmental Impact statement in the report and suggest that all of you urge your Congressman to read this.
- B. TCWP met with BOR personnel who were visiting the Obed during the week of April 26 as part of the Wild River study. Unfortunately there are indications of another delay.
- C. Three TCWP members met with Senator Brock in Chattanooga on April 26 to discuss federal stripmine legislation. The Senator appears interested in establishing strong reclamation requirements.
- D. TCWP met with officers of the Environmental Defense Fund during three recent field trips that these made to various parts of Tennessee.
- E. TCWP Director Don Todd has been invited to present a talk on the Tennessee Trails system at the National Symposium on Trails to be held in Washington June 2-4 (sponsored by Depts. of Agriculture and Interior and the Open Lands Project).
- F. TCWP will participate in discussions of the Master Plan being formulated for Mammoth Cave National Park.
- G. TCWP participated in the Oak Ridge Earth Day celebration by making available our Harvey Broome films for continuous showings, providing the Big S. Fork exhibit, and sponsoring several greenbelt hikes and wildflower hikes.

5. FOLLOW UP ON THE BIG VICTORY OF THE SST DEFEAT

* You could hardly have missed the big news of the SST defeat (215:204 in the House, 51:46 in the Senate) in the face of a tremendous Administration effort to keep this project going. This conservation victory can have a major long-term effect on other national policy decisions if citizens will follow through by making their Senators and Congressmen aware of the continuing political force behind environmental issues. * Congratulate those Congressmen (Anderson, Duncan, Evins, Fulton, and Jones) who voted against the SST. They had to resist strong pressures within Congress and at home. Tell those who voted for the SST (Senators Baker and Brock, Congr. Baker, Blanton, Quillen and Kuykendall) that you are disappointed. (A coalition of 13 Tennessee groups, organized by TCWP, repeatedly urged their opposition to the SST.) Ask them to support other measures you favor (NPS Proposal B for the Smokies, a Big South Fork National Park, Wild River status for the Obed, wilderness designation for Slickrock Creek-Joyce Kilmer, strong national stripmine legislation, etc. etc.)

6. NATIONAL NEWS BRIEFS

A. Grand Canyon National Park master plan and wilderness proposal.

* (1) NPS has come up with a generally far-sighted master plan which would extend the area of the Park (to include two proposed dam sites*), limit the number of river trips to the ecological carrying capacity, limit aircraft activity below the canyon rims, limit future visitation and development of the North River, and develop a mass transportation system on the South Rim. Conservationists generally applaud this plan but additionally ask for greater expansion of the Park, banning of motors from the Colorado River, and eventual removal of visitor accommodations from both North and South Rims. Send comments by June 1 to Superintendent, Grand Canyon N.P., P.O. Box 129, Grand Canyon, Ariz. 86023. * (2) The NPS wilderness proposal calls for 505,300 acres, while conservationists would like to see a total of 850,505 acres protected, to include adjacent plateau lands (which form the canyon's setting), the Colorado River itself, and most of Grand Canyon National Monument. Send comments by June 17, 1971 to Hearing Officer, c/o The Superintendent, Grand Canyon National Park, P.O. Box 129, Grand Canyon, Ariz. 86023 and ask that they be made part of the hearing record.

** thus preventing renewed agitation for these dams*

B. Channelization

Rep. Reuss' subcommittee on Conservation and Natural Resources held hearings on channelization and other stream modification on May 3-4. Later hearings will probably be held on Rep. Blackburn's bill (H.R. 200) which would require the Soil Conservation Service to incorporate all fish and wildlife mitigation measures recommended by the Interior Dept. SCS has declared a moratorium on channelization until 6/30/71 (report any channelization that occurs before then!) and will classify their projects according to severity of environmental impact. The National Wildlife Federation and TCL have joined a lawsuit to stop the Corps of Engineers from channelizing the Obion and Forked Deer River basins in West Tennessee.

C. Attempts to halt extinction of whales

The largest creatures on earth are in danger of extinction due to over-exploitation. Dec. 31, 1971 has been set as the final termination date for whaling by U.S. companies and for importation of whale products from 8 endangered species. However, the U.S. takes only a small percentage of the world harvest. We recommend a startling and haunting record of whale sounds, "Songs of the Humpback Whales" accompanied by an illustrated booklet, \$9.95 (proceeds go to Whale Fund, N.Y. Zool. Soc.). Order from WHALES, Box 131, Del Mar, Calif. 92014.

over

D. Land Use Planning -- for Alaska and for all states

Sen. Jackson's Interior Committee will hold hearings May 18 on S. 632 and S. 992 which would encourage states to prepare and implement land-use programs. In addition, comprehensive land-use planning for Alaska has been urged by major national conservation groups, especially since settlement of the native claims could open Alaska to a rush of private land claimants and to harmful state selection of federal lands under the Alaska Statehood Act. Write to President Nixon urging that a comprehensive Alaska land-use plan be made a prerequisite for any land selection or development, including a trans-Alaska oil pipeline.

7. DUES AND OTHER IMPORTANT ORGANIZATIONAL ANNOUNCEMENTS

Although we had a fine response to our first 1971 billing, many members have not yet paid dues. If you are one of these, you will find another bill enclosed. Please pay promptly: it is quite an effort for us to re-bill.

Some of you (representatives of organizations and news media) will find a short questionnaire enclosed. Please return this promptly.

We need a new TCWP Secretary! Ruth Slusher, who kindly took over when Nancy Jasgczak had to move to Chicago, had to resign due to a change in her job. Offers or suggestions will be gratefully entertained.

We have formed active TCWP phone committees in Chattanooga, Memphis, and Nashville; but our state "master" phone chairman, Maxie Swindell, had to resign because the phone company operates at only fractional efficiency where she lives (at the end of the line on Roan Mountain). Who will offer to take on this rather fascinating (and not too time-consuming) job? Expenses are reimbursed, of course.

8. EXTRA THANKS

So many of you work so hard for TCWP efforts for so much of the time that it becomes impossible to express adequate thanks. We do want to single out a few, this time, for extra special effort.

Senator Baird has done a devoted and intelligent job on the difficult stripmine effort. (See Sec. 1 for other legislators who deserve our special thanks in connection with this and other legislation.) The TCWP stripmine committee has probably worked harder than almost anybody -- literally day and night for weeks now, with the expenditure of much emotional cost. Members, alphabetically, are Lily Rose Claiborne, Bob Farmer, Tom Hebble, Bob Lefler, Bob Peelle, Lee Russell, Don Todd, Sr. and Jr., and Ken Warren. Dick Lorenz printed almost 200 8 x 10" enlargements of stripmine pictures to send to legislators, etc. He has also worked hard at filming the "leader" for our Harvey Broome films from posters contributed by Lee Andrews, George Wilson, and the Science Center. The following have recently contributed extra special effort to the following issues. Duck River: Marjorie Collier, Frank Ivy, Pete Hollenbeck, Bill Russell, Don Bodley, David Irving; Little T: Kirk Johnson, Alice Milton, Mack Prichard, Bill Russell; Obed: Lee Russell, Don Todd; Smokies: Leroy Fox, Ray Payne, Powell Foster, Ed Clebsch, Lee Russell. Since the beginning of this year, NEWSLETTER distribution has been beautifully handled by Mrs. D. Alford (Dorothy) and her group of Horizon Club girls who volunteered for this effort.--Remember, this is a very partial list of those who deserve our thanks.

9. CAN WE PREVENT PAWLEY'S ISLAND DESTRUCTION?

This tiny island is not in Tennessee (it is off the S.C. coast) but many Tennesseans are most fond of it, and TCWP member Florence Manning (4619 Holston Hills Road, Knoxville) appeals for help against a threatened dredging and filling of the lovely marsh that sustains so much life. To protest this project write to Mr. C. Edward Carlson, Regional Director, U.S. Fish and Wildlife Service, Peachtree Seventh Bldg., Atlanta, Ga. 30303.

10. CALENDAR

- May 12-14 → Fontana Conservation Roundup "Balancing Resource Use and Environmental Quality". Keynote speaker: Sydney Howe; banquet speaker: Sen. Henry Jackson.
- May 15 → Duck River Preservation Association sponsors this easy float to emphasize the beauty of the natural river. Meet at 9 a.m. CDT at Powers Bridge, outside Manchester, or join float at noon at Denny Waite Bridge. Take-out at 4 p.m. CDT at Hiles Bridge. (Call T. C. Austin, Tullahoma, 615, 455-4670 or write P.O. Box 94, Normandy, TN 37360).
- May 15 → TTA hike on crest of Clinch Mtn, on proposed "Trail of the Lonesome Pine" (in State Trails System). Meet 9:30 a.m. EDT at Powder Springs Gap (follow I-75 Knoxville to Joppa, then left on paved road to top of mountain). Leader: Max Young, Nashville 741-2164.
- May 15-16 → TSRA and TVCC Emory-Obed float. Saturday: Canoe Hole to Nemo Bridge; meet 9 a.m. EDT at junction of US 27 and State 62, 3 mi. N of Wartburg. Sunday: Nemo to Oakdale; start 9:30 EDT. (Class II and III rapids - NOT for beginners. Leader Wm. McLean, Nashville, 615, 747-3231 (office), or Gallatin 615, 452-2049 (home)).
- May 17 → Start of ETWWC canoe training course (contact Reid Gryder, P.O. Box 3074, Oak Ridge, TN 37830).
- May 21-23 → McCreary County, Ky., wildflower tour -- waterfalls, arches, historical spots. Meet at 4H-Camp, 5 mi. from Whitley City on Road No. 700. Slide shows of arches, etc. on Friday and Saturday nights. Free camping (tents, campers, or shelter house, cots and mattresses provided) or motels. (Call Lee Russell or write Wm. E. Boggs, McCreary County Extension Office, Whitley City, Ky., 42653, phone 376-2524).
- May 22 → TSRA Hiwassee float. (Contact Bill Mitchum, Nashville 269-9759).
- May 22-23 → Nashville Sierra Club sponsors Savage Gulf backpack. (Call Mack Prichard, Nashville 615, 741-3251, or Bob Dorris, Nashville, 228-1549)
- May 24 → Dedication of Nature Interpretive Center, Bays Mountain Nature Park, Kingsport (contact Jonathan Wert, 3800 Glen Alpine Road, Kingsport 37660; phone 615, 349-6306).
- May 28 → Audubon slide-lecture "The Right to Exist" by Don Pfitzer (Bureau of Wildlife and Fisheries). 8:00 p.m. at Tenn. Valley Unitarian Church, 3219 Kingston Pike, Knoxville.
- May 28-30 → TVCC Canoe School for Beginners and Intermediates, Toccoa River. (Write TVCC, P.O. Box 11125, Chattanooga, TN 37401).
- June 5 → Cumberland Chapt. of Sierra Club sponsors beginners' cave trip to Climax Cave, Rockcastle County. (Contact Bill Andrews, 1952 Fontaine Road, Lexington, Ky 40502).
- June 13-19 → TVCC weeklong 80-mile trip on the beautiful Arkansas Buffalo. (Contact John Alden, 3727 Skylark Trail, Chattanooga, TN 37415). Phone 265-4631, or 892-7971 (home).
- June 5-6 → Nashville Sierra Club sponsors No Business backpack in Big S. Fork area. (Call George Hornal, Nashville 615, 741-2776 or Richard Coleman, Nashville 262-9721)

Lee Russell, editor
130 Tabor Rd., Oak Ridge, TN 37830
482-2153

