

TENNESSEE CITIZENS FOR WILDERNESS PLANNING

Newsletter No. 42, August 18, 1971

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1. SAVE THE DUCK

We feature the Duck River in this Newsletter and should like to draw your attention to the two enclosures which pertain to this subject. After you have read "Needed: A Bill of Rights for Our Rivers", please pass it on to a legislator or a friend who could use the information. The DRPA brochure speaks for itself. This embattled group needs help and it'll cost you only \$1 to join.

The 289-mile Duck is the longest undammed river left in Tennessee. It is also probably one of the most beautiful, easily rivalling rivers of somewhat similar character, such as the Buffalo and Collins. In both of the proposed impoundment areas, the Duck flows past innumerable and varied limestone bluffs of considerable height, or between banks of layered rock ledges that form the edging to banks supporting a rich and lovely flora. The valley hardwoods are gigantic and often arch overhead, and the world of man rarely intrudes except with an occasional picturesque farm.

The proposed TVA project consists of two dams -- Columbia (at mile 137) and Normanby (at mile 249) -- which would, respectively, impound 54 and 17 river miles and a total of about 16,000 acres. Estimated cost is close to \$80 million. The major benefits claimed by TVA are: 25% for recreation (note: this is a phony benefit because the loss of the potential recreational uses of the free-flowing stream were not subtracted: if this is done the marginal total benefit/cost ratio of 1.2 drops to 0.9 or lower.); 29% for industrial expansion (note: industry is predicted to come to the area as a result of the water supply and pollution-dilution features--see below; however, experience along existing reservoirs has shown that these may not be prime factors in site selection; and, furthermore, is it in fact, desirable to attract polluting industries with the incentive of pollution-dilution?); 16% for water supply (note: even at minimum flow the free flowing river could supply between 8 and 26 times the municipal needs of the various towns, though, in actuality, much of the domestic water supply derives from abundant ground-water sources; most of the water demand comes from one industrial plant, which could instead be required to recycle); 7% for water quality (note: a better phrase would be "pollution dilution"; should TVA, an agency charged with "conservation" actually promote such a practice, instead of requiring the 4 major polluters to meet their obligations to society?); 7% for flood control (note: should TVA permanently flood 16,000 acres in order to "protect" a fraction of this acreage against occasional flooding, some of which may actually improve farm fertility?)

TVA filed the draft of the required Environmental Impact Statement on June 30. TWP will be among those testifying at hearings to be held on this statement on Aug. 24 at Columbia. The independent citizen study (see NEWSLETTER No. 41), which is nearing completion, shows the true environmental impact to be exceedingly detrimental.

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Funds for the Duck River project have never been budgeted by either the Johnson or Nixon Administrations' Office of Management and Budget -- an action ordinarily considered a "no-no" by federal agencies. However, Congr. Joe Evins, as chairman of the Public Works Appropriations Subcommittee, in whose district the river lies, has managed to get appropriations 3 years in a row. Two of these were temporarily frozen by OMB, but later released under political pressure from Evins. When this year's House appropriation went to the Senate, Sen. Gaylord Nelson (D., Wisc.), introduced an amendment to delete funds for the Duck dams (along with those for Tellico dam, and the Tennessee-Tombigbee canal -- see below) on the grounds that such funds would make a mockery of the National Environmental Protection Act, the final Environmental Impact statements not having been accepted (Duck, Tellico), or having been challenged in court (Tenn-Tom). This amendment lost 56:17. Among those voting or paired against it were Sens. Brock and Baker. Although Sen. Brock expressed his general agreement with the spirit of the Nelson amendment, he had objections to various components. None of these objections applied to the Duck appropriation. It is unfortunate that he could not have separated out this project for a new amendment.

* We urge you to communicate to your Senators and Congressman your feelings about the environmental impact of the Duck River dams, about their alleged benefits, and about the appropriations that have been voted. Talk to your friends about it, and to other organizations; write letters to the editor. This is a magnificent river that must not fall victim to another pork-barrel project!

2. TELLICO DAM: SUIT FILED BY EDF; OTHER ACTIONS

On August 11, the Environmental Defense Fund (which had earlier been successful in stopping the Cross Florida Barge Canal) filed suit in Washington to halt construction of the Tellico dam. Co-plaintiffs are the Assn. for the Preservation of the Little T, Trout Unlimited, counsel for the Cherokee Indian Nation, and a landowner. The suit charges that TVA has failed to comply with a number of federal laws, and that the Tellico dam would cause serious environmental damage as well as destruction of a scenic stream, of farmland, and of several important Indian sites. The suit also questions the accuracy of the benefit-cost figures. Denial on Aug. 16 of a request for a temporary restraining order is not considered a real setback, since it did not involve the Judge assigned to the case proper, and since such an order would have been good for 10 days only.

The Tenn. Dept. of Conservation has written a highly critical comment on TVA's draft environmental impact statement. Walter Criley, director of the Planning Division, challenge TVA's claim that the project is needed to halt an alleged population loss from the 3-county area by showing that these counties actually gained in population between 1950 and 1970. He also criticizes TVA for using "words to make points" (e.g. "modest" land losses from the 19,400-acre impoundment, "relatively small use" for current boating activities), for not taking account of the economic losses from farm-flooding, and for assuming that the projected growth is "automatically beneficial". He finally questions whether the project is consistent with the Tenn. Scenic Rivers Act which declares a state policy that river preservation is essential to maintaining a balance between reservoirs and free-flowing rivers.

Other Little-T news: (a) Mike Frome spoke to APLTR on July 24. (b) An appeal has been made to Sen. Proxmire for a Senate investigation of the Tellico project. (c) State Repr. Al Edgar (R., Chattanooga) stated on August 16 that he will push for passage of a pending bill which would place the Little T into the Tenn. Scenic Rivers System. (d) There was a press release that the State included the Little T in a short list of rivers compiled in response to a BOR request for suggestions on possible additions to the National Wild and Scenic Rivers System.

* Your views on the Tellico project should be expressed to President Nixon, to Sens. Baker and Brock, to Congressmen Duncan and Lamar Baker, to Gov. Dunn, and to your state legislators.

3. CONSERVATION GROUPS MEET WITH SEN. BAKER

TCWP organized a meeting of several conservation groups with Sen. Baker on August 10, similar to the one held with Sen. Brock on June 12. Sen. Baker's views on the Big S. Fork may be summarized as follows: (a) There will be no Devils Jumps dam; (b) he may be favorable toward a very small dam upstream on New River to control stripmine silt; (c) he wants to see an effective proposal for mine reclamation in the New River drainage; (d) he is willing to introduce legislation for positive preservation of the Big S. Fork, Clear Fork, lower New River and surrounding areas, provided the legislation contains provision whereby the county would receive payment in lieu of taxes.

We were also most encouraged by the Senator's views on stripmining. He believes that even the 28° slope limitation is insufficient to prevent irreparable damage, and feels that there are some areas (e.g. the New River) where stripping should be forbidden.

4. URGE PRES. NIXON TO SIGN EXECUTIVE ORDER ON WILDERNESS

Several weeks ago we contacted most of you via our phone committees on the issue of the Wilderness Executive Order. It is not too late to act on this highly important issue. In case we failed to reach you earlier, here is another summary of what it's all about.

* The 1964 Wilderness Law was designed to protect 50-55 million acres (only 2½% of our land area) -- but present indications are that less than half of the wilderness-review work will be completed by the 1974 deadline. The proposed Executive Order would safeguard the remaining potential wilderness lands from development until hearings can be completed. The Order also gives protection to "de facto wild lands" in National Forests by requiring the USFS to identify and inventory these. Close to home this includes Joyce Kilmer-Slickrock. The USFS has been very resistant to protecting such lands and, on the contrary, has speeded up their destruction through logging and other developments. The President must be given every encouragement to sign the Executive Order which would ensure that the Wilderness Act of 1964 is not preempted. Opposition to the order comes mainly from the USFS. Write without delay to the President, The White House, Washington, D.C. urging him to sign the Order which would earn the gratitude of this and future generations.

5. REGIONAL CAPSULES

A. EDF files suit on Tennessee-Tombigbee

* Suit was filed early in July for an injunction to stop construction. The complaint charges the Corps with violation of the National Environmental Policy Act and other federal laws.-- The Corps has offered to meet with conservation groups to discuss environmental problems.-- In the meantime, opening of bids on construction has again been delayed until September because of Labor disputes.-- We gave more details on the direct and indirect damages from this project in our last Newsletter. We hope some of you will get interested enough to help actively.

B. Joyce Kilmer-Slickrock Creek road threat persists

Filing of the draft Environmental Statement on the Tellico Plains-Robbinsville Road is imminent. The statement which is a joint effort of the USFS, the Fed. H'way Adm.. and the N.C. State H'way Commission, will be issued by the last of these. We have been refused a preview of the separate inputs. On July 13, i.e. long before publication of the statement, the Fed. H'way Administration wrote, "It is still our analysis that the most feasible location is the one... which skirts the northern boundary of the Joyce Kilmer Memorial

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Forest. This... will result in the least overall environmental impact." And Ed Cliff, USFS Chief, writes: "The Scenic Highway location, between Joyce Kilmer Memorial Forest and Slick Rock drainage meets the intent of Congress to provide people with an opportunity for an outstanding travel experience." With such prejudgement, can the Environmental Impact Statement be a fair evaluation?

C. Pawleys Island in renewed danger

An earlier TCWP letter to the U.S. Fish and Wildlife Service concerning proposed dredging and filling of this estuarine area brought the encouraging reply that the Service would object to any permit involving filling of tidal marshes. Dr. Tiller has now re-applied to the Corps for dredging work, with spoil to be deposited above mean high water mark. Written statements regarding the proposal must be received by 8/27/71 and should be addressed to Ltc. R. L. Broughton, Acting District Engineer, Charleston District, Corps of Engineers, P.O. Box 919, Charleston, S.C. 29402.

D. Magazine issue devoted to threats to southern Appalachia

We recommend the July issue of National Parks & Conservation Magazine for fine articles by Mike Frome, Harry Caudill, Jack Trawick, and Rep. Ken Hechler. The threats that are vividly and intelligently discussed include stripmining, destruction of forests and natural areas, and dams.

6. NATIONAL ISSUES

A. Public Land legislation

Landmark decisions are about to be made on the future of our public lands (National Forests, Parks, Wildlife Refuges, etc.), which cover 1/3 of this nation's surface. Hearings began during the last week in July on H.R. 7211, Congr. Aspinall's first bill in a series designed to implement the Public Land Law Review Commission Report. Repr. Aspinall's bill expresses his conviction that management of the public domain should be oriented toward the desires of local commodity users. Under H.R. 7211's provisions "even parts of the national parks could conceivably be sold off" (Michael McCloskey). National conservation groups instead support Rep. Saylor's H.R. 9911 and Sen. Jackson's S. 921. Title I of the Saylor bill applies only to lands administered by the BLM and sets stringent limitations on their disposal as well as requiring that they be administered to maintain environmental quality. It also requires inventory of potential "Wilderness Areas" on BLM lands. Title II repeals the Mining Law of 1872 and substitutes a new mineral leasing system. The Saylor bill is a model bill which environmentalists can strongly support. Please send your statements of opposition to H.R. 7211 and support of H.R. 9911 to Chairman, Comm. on Interior and Insular Affairs, U.S. House of Representatives, Washington, D.C. 20515. Do not delay, and ask that your statement be included in the record of the hearings that began July 26. Senate Interior hearings on S. 921 (see above) will be held Sept. 21, 22.

B. Alaska land-planning ignored; pipeline action

In Newsletter #41 (item 8C) we pointed out the disastrous consequences of settling natives' land claims without the prerequisite of a comprehensive land-use plan. Unfortunately H.R. 7432, which received subcommittee approval Aug. 3, does not require such a plan and thus imperils Alaska's park, wildlife, and wilderness values. It is important that conservationists communicate their feelings on the matter to the full House Interior Committee which will act on the subcommittee report.--Re pipeline: (a) support Rep. Aspin's bill (requires new draft impact statement and its approval by Congress); (b) support Rep. Saylor's bill (requires Congressional approval of any pipeline permits); urge Interior Secy Rogers Morton to delay any permit approval until other alternatives have been fully studied.

C. Environmental Education Act

In Newsletter #41 (item 8E) we expressed disappointment at the lack of implementation of the Environmental Education Act. Things may be looking up at last. The 21-member Environmental Education Advisory Council called for by the Act has at last been created, and -- even better news -- our active environmental legislator, Victor Ashe, has been appointed for a one-year term, the only Tennessean thus honored.

D. Channelization moratorium fails

In late June, the House defeated an amendment by Rep. H. Reuss (Wisc.) which would have placed a moratorium on any new stream channelization projects by the Soil Conservation Service. Opponents incorrectly portrayed the amendment as an attempt to halt small watershed control projects. Of all Tennessee Congressmen, only Richard Fulton had the wisdom to realize the environmental damages and to vote for the amendment. He deserves our thanks. A Senate Interior subcommittee more recently held hearings on channel "improvement" projects. We need enthusiastic TCWP volunteers to take on the channelization issue -- much future effort will be required.

E. Hells Canyon National River hearings

Hearings will be held Sept. 16, 17 on Sen. Packwood's S. 717 which would create the Hell's Canyon National River to protect the deepest river canyon in the world (on the Middle Snake between Oregon and Idaho) and its adjacent wilderness. Rep. Saylor has introduced companion bill H.R. 4249.--Sen. Church's S. 488, which provides a 7-year moratorium on licensing dams on the stretch, passed the Senate June 28. In a recent letter to the FPC chairman, the governors of Idaho, Oregon, and Washington oppose dams on the Hell's Canyon reach and conclude "We feel it is time to seek protection... rather than development." Such protection would be provided by S. 717, which conservationists should endorse by writing to Sen. Bible, chmn., Parks and Recreation Subcommittee, Senate Interior Committee, U.S. Senate, Washington, D.C. 20510).

P.S. If you want copies of any bill (up to 3 copies free), write to Senate or House Document Room, U.S. Capitol, Washington, D.C. 20515, enclosing a self-addressed, gummed label.

F. Project-by-project authorizations for Corps?

Currently all diverse projects of the Corps are lumped in the omnibus Rivers and Harbors bill, a situation that is most conducive to pork barrel and back-scratching. S.C.R. 3 (Sens. Church and Len Jordan) would provide for Congressional project-by-project approval. Write to Sen. Everett Jordan, Chmn., Rivers and Harbors Subcommittee, Senate Public Works Committee, U.S. Senate, Washington, D.C. 20510, and urge that public hearings be held for Congressional action on this legislation.

7. CALENDAR

- August 21, 22 Buffalo River canoe camping. Sierra Club (Dottie Adams, Goodlettsville, 615, 865-5018)
- Sept. 4,5 Hiwassee River, 3rd Annual Canoe and Kayak Competition, TVCC (W. D. Hixson, Jr., Hixson, 615-877-9051)
- Walt Disney Wildlife Film Series:
- Aug. 24 Grand Canyon; The Wild Dog Family Free showings, 3:30 and 7:30 p.m., Lawson McGhee Library, 500 W. Church Ave, Knoxville
- Sept. 7 The Living Desert
- Sept. 21 White Wilderness
- Sept. 17 Ray Harm lecture. Greater Knoxville Area Audubon Chapter (Frances Deleam, Knoxville, 522-8686)
- Sept. 25, 26 Joyce Kilmer-Slickrock backpacking. Tenn-Eastman Recreation Club (Dick Ardell, Tenn-Eastman Co., Kingsport)
- Sept. 25, 26 Roan backpack. Sierra Club (Richard Phelps III, Rt. 3, Seminole Drive, Kingsport 37663)
- Oct. 9 Trails Progress Meeting, Montgomery Bell. TTA (Don Todd, Wartburg, 615, 346-3113)
- Oct. 16, 17 Big S. Fork float. TCWP and TSRA. Details in next Newsletter.

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