

TENNESSEE CITIZENS FOR WILDERNESS PLANNING

\*Newsletter No. 60, February 4, 1974

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1. TCWP TO SPONSOR SLIDE SHOW ON "UNDERGROUND WILDERNESS"

Mark your calendar now for a fascinating TCWP meeting.

TIME: Thursday, March 28, 8:00 p.m.

PLACE: Oak Ridge Public Library auditorium (easternmost wing of O.R. Civic Center,  
Oak Ridge Turnpike, 1-1/2 blocks E of TN 62 intersection

SUBJECT: "Underground Wilderness," a slide show by Bill Deane, featuring Mammoth Cave  
and Carlsbad Caverns.

Mr. Deane, who is a professional photographer, will talk about wilderness legislation  
as it applies to the protection of underground areas, and about the effects of surface

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483-8611, ext. 3-7639 (work)

DUES FOR 1974 ARE DUE NOW. Tear off and send the form below.

To: Charles Klabunde, Treasurer, TCWP  
219 E. Vanderbilt Dr.  
Oak Ridge, Tennessee 37830

Date \_\_\_\_\_

Enclosed are my 1974 membership dues for TENNESSEE CITIZENS FOR WILDERNESS PLANNING.

Membership type marked below. Do include me in local Chapter: \_\_\_HV, or \_\_\_CH.  
Do not

Name \_\_\_\_\_  
Address \_\_\_\_\_  
ZIP \_\_\_\_\_

Phones: Home \_\_\_\_\_  
Work \_\_\_\_\_  
Tenn. county \_\_\_\_\_

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|---|------------------------------------|---------|
| 1 | Student member (full-time student) | \$ 1.00 |
| 2 | Corresponding member (nonvoting)   | 2.00    |
| 3 | Regular member, individual         | 6.00    |
| 4 | Family members, husband & wife     | 10.00   |
|   | each child under 18 (optional)     | .50     |

- |   |                   |          |
|---|-------------------|----------|
| 5 | Sustaining member | \$15.00* |
| 6 | Supporting member | 25.00*   |
| 7 | Life member       | 75.00*   |

\* Includes spouse if named.

Make checks payable to TCWP. That portion of dues over \$2 is tax-deductible.

SEE OVER for explanation of CHAPTERS and Dues-Paid Status Code on address label.

developments on underground systems. With public hearings on Mammoth Cave coming up soon, this is a timely subject. Those who have seen Mr. Deane's slide show report that it is fabulous. Do bring your family and friends!

## 2. RIVER NEWS

### A. Big South Fork: bill clears Conference Committee

Almost immediately after the Christmas recess, the Senate passed, for the third time, a bill that would create the Big South Fork River and Recreation Area -- actually, the Omnibus Rivers and Harbors bill (S.2798), of which the BSF provision is a relatively small part. No substantive changes had been made in the BSF portion since the bill's earlier passage in February 1973. Last week, the R & H bill emerged from conference committee with the BSF provision intact, thanks to Sen. Baker. (The House version, as you may recall, had lacked any BSF language.) No-one cares to place bets on whether or not the bill will draw a Presidential veto, as it did in 1972. Except for the BSF section and one or two others, this is a very bad bill (see item 8A). If it is vetoed expressly for its bad features, any revisions will very probably leave the BSF section unaltered. In the meantime, NPS has circulated for comment a draft EIS on an alternative legislative proposal for a BSF-NRA. Although the timing seemed rather odd, we nevertheless felt that comments were highly in order, (a) in case the other bill failed, or (b) to prepare NPS for its eventual takeover from the Corps, which is provided for in the R & H bill. TCWP sent extensive comments on the draft EIS and urged other groups to do likewise. In general, we found the NPS's expressed philosophy to be one of preserving the resource against wrong use and overuse.

### B. Obed: BOR ignores citizens' desires and its own earlier promises

The task force report has been printed and is being circulated to federal and state agencies for a 90-day review period, after which it will go to the Secretary of the Interior for his recommendation. The public had been asked to comment on the draft of this report at public hearings last September, with the clear understanding that the final report would be like the one made available for public scrutiny, except for any modifications made in response to public comment. We are now shocked to learn from Mr. John Brown of BOR's SE Regional Office that a major change has, in fact, been made, and that this change is diametrically opposite to the publicly expressed desires of citizens. [Incidentally, Mr. Brown was going to keep this change secret until directly pressed on the point, refuses to let citizens see the final task force report, and refuses to release reasons for the major change.]

tear off dues statement below (see over)

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CHAPTERS: There are presently only two: HV = Holston Valley in upper East Tenn; and CH = Chattanooga, including several surrounding counties. If you are already a member of one (it is coded such, instead of M, on your address label), continuing membership is automatic when you pay your TCWP dues. If you wish to join one, please indicate in space on form. A part of your dues will go to the Chapter organization.

DUES-PAID STATUS CODE: Upper right corner of address label, after the M (or after HV or CH, for chapter members): the 1st digit is the code (1 thru 7) for the dues you paid in '73; or, X if you failed to pay; or, 0 if you did not join until '74. After your '74 dues are received a 2nd digit will signify that.

### SPECIAL DUCK RIVER FUND APPEAL

I should like to help financially in the effort to preserve Tennessee's last remaining free-flowing river of its size, the Duck R., against two TVA dams. Enclosed, in addition to my dues, is my contribution of \$\_\_\_\_. I (do) (do not) wish to bid on the Mark Trail autographed originals (\$50, minimum)  
[Make check payable to TCWP, Inc. (deductible)]

At both sets of public hearings -- in May and September -- BOR officials categorically stated that the task force report would contain only management alternatives, and not make a specific recommendation. At both sets of hearings, the overwhelming weight of the public testimony was in favor of management by National Park Service, with cooperation by the State. At one of the hearings, a vote was called for and came out 42 for NPS : 0 for TVA. At another one of the hearings, even a man who opposed the project as such said that if there had to be a project he'd want it to be run by NPS and not TVA. At, and shortly following, the 2nd Intergroup Conference last October, 21 Tennessee organizations with many tens of thousands of members signed a resolution asking for Obed management by NPS and state. So now SE-BOR has changed the task force report to recommend -- you guessed it -- management by TVA (+ state)! Furthermore, SE-BOR did not change the report in the one area in which nearly everyone had asked for change, namely visitation figures, which both friends and opponents of the project found much too high. Evidently, SE-BOR's point of view is "the public be damned" (and that includes those citizen groups to whose efforts the project is due in the first place, and who subsequently cooperated at length with the task force, providing pertinent data and field guidance).

NPS has a philosophy of preservation, and would not allow a fragile area to be damaged; but TVA has not shown that it is concerned about keeping a wilderness wild -- only that it can "develop" an area and that it is good at mass recreation. Obviously, TVA is anxious to wear a "white hat," and they'll undoubtedly do so by advertising the "wild" river to the world: good-bye wild river! They also want to bring in as many people as possible to show them how well TVA reclaims stripmines, like the "typical" model job (with balled trees) on the Obed mine -- on which, incidentally, stripping was contracted for by TVA after the Obed became a study river on the Wild and Scenic Rivers Act.

\* If you want real statutory preservation of these rivers and are disturbed by SE-BOR's unilateral action, write to Asst. Secretary Nathaniel P. Reed, U. S. Department of the Interior, Washington, D. C. 20240, to Senators Baker and Brock (Senate Office Bldg., D. C. 20510), and to Congr. LaMar Baker (Cannon House Office Bldg, D.C. 20515). Send copies to Mr. Robert Baker, Director, S.E. Regional Office, Bureau of Outdoor Recreation, 810 New Walton Bldg, Atlanta, Ga. 30303.

#### C. Duck River: a good law suit

We have received a most informative report from a person very closely associated with the Duck R. suit, and are here reprinting it in only slightly abbreviated form.

"The trial involving the controversial dams on the Duck River concluded on January 18, after one week of testimony. The suit was brought by the Duck River Preservation Association against TVA and was tried before U. S. District Court Judge Charles Neese in Winchester. The Court gave lawyers 25 days to file briefs and other matters (and will probably hand down a decision not too long thereafter - ed.)

"The plaintiff contended that TVA violated the National Environmental Policy Act of 1969 (NEPA) by filing an inadequate and inaccurate environmental impact statement (EIS). The most startling testimony came from John Meldorf, a former TVA employee who had responsibility for the Duck impact statement, who described in detail how information developed by TVA experts for inclusion in the statement was suppressed by TVA officials in Knoxville. Most striking was the revelation that TVA agricultural economists predicted that the project would result in an immediate annual loss to the region's economy of over \$6 million, a loss greater than TVA's claimed project benefits. This information was excluded from the statement. In addition, TVA recreation experts had made visitor-use projections for the Duck fully developed as a scenic river, to be used in considering this type of development as an alternative to the dams. (NEPA specifically requires consideration of alternatives to the proposed agency action.) This material was also withheld from the document.

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"TVA general manager, Lynn Seeber, took the stand to explain why he and others had omitted the information from the environmental statement. At one point in his testimony, Seeber claimed that even though the information developed by TVA's agricultural staff was omitted, a person reading the document could come up with the same calculations based upon data contained in the statement. When, on cross-examination, DRPA attorney, Robert S. Brandt, asked Seeber to go to the black-board and make the calculations, he was unable to do so.

"In addition to Brandt, the DRPA was represented by Murfreesboro attorney, Frank Fly, and an EDF attorney from New York. TVA staff attorneys Tom Pederson and Gray Geddie represented TVA. [The report then lists DRPA's 9 expert witnesses.] A large volume of internal TVA correspondence was filed as exhibits, much of it containing comments by TVA experts critical of the environmental consideration and critical of the Duck River Project itself."

Close observers feel that, regardless of the decision of the Court, the "Save the Duck" coalition (of which TCWP is a member) has attained somewhat of a victory, not the least of which was bringing the case to trial in the first place, in spite of EDF's last-minute withdrawal and failure to prepare the case. [All of us are deeply grateful for the brilliant and hard work by attorneys Bob Brandt and Frank Fly, for the outstanding factual and expert preparation achieved over the course of years by Pete Hollenbeck, and for the tenacity and courage of the valiant officers of DRPA (Marjorie Collier, Don Wagner, the Raymond Dukes).] DRPA attorneys were able to present to the Court all the pertinent evidence -- especially internal TVA documents critical of the EIS and of the project -- and made their points clearly. And press coverage, via Nashville Tennessean reporter, Keel Hunt, was excellent.

As a postscript, Mr. Hunt disclosed in the Tennessean of Jan. 25 one of the internal TVA documents filed, but not talked about, in Court. This memo, written 2 months prior to the Aug. 1971 Duck R. hearings states: "The Office of Tributary Area Development will discuss appropriate techniques and information to be supplied to organizations in the Upper Duck River area for use in combatting efforts of so-called wilderness preservation groups opposed to the Duck River Project." Responding comments by TCWP's Duck R. chairman, Bill Russell, were widely quoted in the press, as follows: "It is shocking to find that an agency supported by public funds was working behind the scenes to 'stack the deck' by influencing the expression of public opinion at a supposedly open hearing.... The citizen groups who want to preserve the last sizeable river in Tennessee are regarded by TVA as enemies who would be singled out for 'combatting' through 'appropriate techniques'." Hopefully, the exposure, through the trial, of the tactics TVA used in promoting the project and formulating the EIS will have some deterrent effect on this type of TVA conduct in the future.

TCWP has, to date, contributed \$1000 for the trial. Much of this has had to come from the general treasury and will have to be at the expense of other efforts, unless individual members help us recoup some of this expense by their donations. Won't you please avail yourself of the form at the back of your dues statement?

### 3. STRIPMINE NEWS

#### A. Federal legislation

The full House Interior Committee has not yet begun consideration of H.R. 11500, the "Surface Mining Control and Reclamation Act," which was reported by two of its subcommittees on Nov. 12. Industry is said to be trying all sorts of delaying tactics, including a request for new hearings. (A perusal of the record of the April 1973 hearings will show that industry had ample opportunity to have its say in several days of testimony.) H.R. 11500 is generally strong in its permanent standards, which prohibit

X placing spoil on a downslope that exceeds 20°, require restoration of approximate original contour, and provide an extended operator responsibility for revegetation. However, the present version of the bill has a major failing: it sets up a set of exceedingly weak "interim" standards that could be in effect for over 3 years, and would apply not only to ongoing operations but to new mining starts as well. During this period it would be "business (= destruction) as usual" -- if not actually worse -- for Appalachia. TCWP has transmitted a careful analysis of this weakness of H.R. 11500 to members of the Interior Committee and has asked that the House bill-- like the Senate bill -- should have only one strong set of standards, to go into effect on enactment. We hope TCWP members will express their opinion on this subject to Rep. James Haley, Chm., Committee on Interior and Insular Affairs, U.S. House of Representatives, Washington, D. C. 20515. Send a copy to your own Congressman.

On Dec. 27, Rep. Fulton held a public hearing in Nashville on "the local effects of the energy crisis." TCWP sent testimony to urge that we should not let the "crisis" panic us into scrapping our hard-earned progress in environmental legislation. Particular reference was made to stripmine control, and we pointed out, again, that all but a small fraction of our coal reserves are only deepminable in any case.

#### B. State legislation

X The Citizens Amendments to the 1972 Law, H.B. 390 (see Newsletter 54, item 2A), were left in House Calendar Committee at the very end of the 1973-half of the session, the bill having passed the Senate 25 : 0, without amendments. Even if this bill were to be emasculated in its passage through the House, several good features could still be rescued in the Senate-House conference committee. So far, the bill's sponsors (Reps. Murphy, Bissell et al.) have shown no eagerness to move H.B. 390 out of Calendar Committee, and should certainly be encouraged to give it a try. In the meantime, true to past pattern, a "parallel" bill (sponsors Watson, Garner, Bowman, Burleson) has been drafted with the cooperation of the Dept. of Conservation and will go to Conservation Committee February 5. We still have not been sent this bill, but it is said to contain one feature in common with H.B. 390, namely the requirement that a stripper hold a water-discharge permit before he can be granted a stripmine permit. Bond is raised from \$600 to \$1000 per acre (for coal), but \$600 of this is returned to the stripper after regrading. The bill is also said to contain sections that would substantially weaken the language of the already weak 1972 law. Will the second-bill device again succeed in quashing the citizens' measure? Rep. Bissell, one of H.B. 390's sponsors, seemed ready to drop his bill without a fight, even though it is well ahead of the administration bill on its time course toward passage. But, after being contacted by several concerned citizens, he will perhaps give it a try?

#### C. Actions by the Water Quality Control Division

X Before the Consent Decree resulting from our writ-of-mandamus action (see NL #57, item 4B; NL #59, item 3A) was entered on 12/7/73, the Division had granted discharge permits to 7 stripminers (Oct. 31 through Nov. 28). Following the Decree, in the month of December, the Division granted 3 permits and denied 2. The Division now has 4 men working on stripmine water pollution: Robert J. Bayer (Master's in Geology, UT) and Nick S. Wright (Master's in Biology, Tenn. Tech) have joined Collier Goodlett and Chuck Higgins and are working out of the Knoxville office.

#### D. More facts

According to Tenn. Dept. of Labor statistics for the year ending 6/30/73, as quoted in the SOCM Sentinel, only 834 persons in the entire state were employed in stripmining, 748 of these in the 5 counties (Anderson, Campbell, Claiborne, Morgan, and Scott) that together produced over 7 million tons of coal. These 748 persons represent only 1.8% of the total employment for this 5-county area. In the light of this, we are wondering

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about Conservation Commissioner Granville Hinton's recent pro-stripmine editorial in the Tennessee Conservationist, which states "At first, I was totally ready to stop this ravage. But after seeing and talking with the people who depend on mining for a living, I realized that they too must be taken into consideration whenever we make decisions about surface mine regulation." A well-conceived editorial in the Oak Ridger of 1/28/74 laments Hinton's "failure to recognize the disaster stripmining has meant to mountain town after mountain town." It points out that deepmines employ more people while causing much less damage, and that "most coal can only be obtained by deep mining in any event." How long will it be until our decision makers, too, learn this lesson? Do your share by constantly bringing the facts to their attention.

#### 4. NATURAL-AREAS LEGISLATION AND OTHER STATE BILLS OF INTEREST TO TCWP

With the 1974 session of the 88th Tennessee General Assembly now in progress for almost a month, a number of bills with environmental implications are being considered. The following information should be of special interest to TCWP members.

- A. H.B. 1514 (White et al.), an amendment to the Natural Areas Preservation Act of 1971, is an administration bill that would add 7 areas to the system, 2 as Class-I and 5 as Class-II. Only three of these represent new acquisitions: Twin Arches, in Pickett County, 1,500 acres; Roundtop Mountain, bordering for one mile on the Great Smoky Mtns. National Park in Sevier County, acreage unspecified; and Bone Cave, 400 acres in Warren County. Four of the proposed areas are within existing state parks or state forests, as follows: 8,000 acres in Frozen Head S.P. (total park acreage 11,000); 9,280 acres in Fall Creek Falls S.P. (total park acreage 16,030); 212 acres in Grundy S.F., and 1,043 acres in Cedars of Lebanon S.F. The bill is now in House Calendar Committee. A companion bill has been introduced in the Senate by Sen. Kenneth Porter. While conservationists will wish to commend the Department of Conservation for designating considerable acreages, they were disappointed to find that of the two areas designated Class-I (the less protective classification), one was Frozen Head, the wildest and most natural of our state parks. It is hoped that the Department will work with the citizen conservation groups that are so deeply concerned about this park, and develop a wise master plan that will permit reclassification of most or all of this area (and hopefully additional acreage as well) as Class-II. In one respect, the Dept. is already heeding the 1971 law's requirement that it "shall consult with citizens' organizations in the administration of this act" -- it is presently eliciting suggestions concerning new areas to be included in the system. The Dept. also plans, before too long, to hold regional workshops on natural areas.
- B. H.B. 1482 (Denton, Elkins, Jensen, Atchely), "The Mineral Test Hole Regulatory Act," would regulate exploratory drilling by setting up a supervisory board, requiring permits after 7/1/75, and by providing a mechanism for inspection and enforcement. One of the main purposes of this bill is to prevent pollution of surface or underground waters. In Conservation & Environment Committee, according to CCLC Newsletter of 1/28/74.
- C. H.B. 1367 (Martin) is a litter control and resource conservation measure patterned after Oregon's famous "bottle bill," which has served to reduce that state's litter by 50-70% without reducing beverage sales. H.B. 1367 would require beverage containers to have a refund value of 5¢, and would prohibit pull-top cans. Note that Tennessee is the last state to consider a bottle bill.
- D. Other bills of interest to TCWP are reported elsewhere in this Newsletter. See sections on land-use planning, stripmining, and Smokies. Remember the legislative hotline if you need to know about the status of any state bill. Call, toll-free 1-800-342-8490, weekdays 8 a.m.-5 p.m. (If you live in Davidson County, dial 741-3511).

5. GAME & FISH's NON-GAME PROGRAM; DEPT. OF CONSERVATION AND OTHER STATE NEWS

A. Game & Fish Program

Game & Fish Commission's Director, Harvey Bray, met with representatives of several Tennessee organizations on January 7 to discuss a proposed program emphasizing study and protection of non-game wildlife. It was decided to create a strong citizens Task Force to work with the Commission in this endeavor. TCWP's representative on this Task Force is C. Monty Halcomb of Murfreesboro (phone 893-1787).

B. Progress in implementing state trails and rivers systems.

The first project administrator for a state scenic trail was hired in mid-January. He is David Shupe, a U.T. Forestry graduate, who will have responsibility for fully implementing the Cumberland Trail, which will eventually run from Cumberland Gap to Chattanooga. (Don Todd, former president of TTA and now president of TCWP, was largely instrumental in getting this trail underway.) Anyone wishing to help with this activity can contact Shupe through the Crossville Chamber of Commerce. A new Trails Manual will soon be printed by the Department of Conservation, after being reviewed by several TTA committees.

We understand that the hiring of the two state scenic rivers project administrators, whose positions were funded largely thanks to citizen pressure (NL #59, item 8), is imminent.

C. The state's conservation education program.

Mack Prichard asks us to print the following item. "Dear TCWP Friends: In the last newsletter we read that Mr. James L. Bailey, Director of Educational Services for the Conservation Department, would be retiring and that I would possibly take his place. He is not....and I am not. This misinterpretation may have been drawn from my recent transfer to this Division as Assistant Director. -- Also, it was announced that an appreciation party would be held for Mr. Bailey on January 24. His conservation leadership began with the birth of this Department in 1937 and has touched many that now choose to honor him. It is my pleasure to work with him, and we solicit your ideas on behalf of our state conservation education effort. -- Sincerely, Mack S. Prichard."

D. Small dam regulations drafted. "The Tennessee Safe Dams Act of 1973" required the promulgation of rules and regulations for construction of such dams. Copies of the proposed regulations are available from the Division of Water Resources, Tenn. Dept. of Conservation, 2611 West End Avenue, Nashville, TN 37203.

E. A road proposal. The Tenn. Dept. of Transportation has invited us to comment on a draft EIS for construction of a portion of State Route 111 in Van Buren County, extending from the Sequatchie County line to the S. city limits of Spencer. Anyone willing to help with this should contact the editor. The deadline is March 4.

6. LAND-USE PLANNING PROGRESS

On January 22, the full House Interior Committee favorably reported H.R. 10294, which provides assistance to the states for land-use planning processes. The bill, which will probably not reach the floor of the House until March, resembles the Senate-passed bill in lacking sanctions against non-complying states. An attempt will be made to add these as a floor amendment. The House bill is weaker than the Senate bill in certain respects, especially with regard to control of subdivisions. TCWP's Land Use Planning Committee has sent pertinent material, including information gathered by the ad hoc study group (see below) to the Tennessee Congressional delegation.

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On the state level, the Land Use Task Force, which was created last year by a resolution of the General Assembly, submitted to the General Assembly the report of its study in which Rep. Tom Jensen's Land Use Subcommittee of the House State & Local Government Comm. cooperated. (Request copies from the Tenn. State Planning Off., 660 Capitol Hill Bldg., Nashville, TN 37219). Two bills have been introduced, based on the recommendations of this study. H.B. 1449 (Ashe et al.) would broaden the mandate of the State Planning Office and result in more comprehensive state-wide and regional planning. H.B. 1623 (Jensen, Murphy, Ashe, Watson, Hendren), introduced 1/24/74, would create the Tennessee Land Use Commission to act "as an interim vehicle to study, assess, and develop viable solutions to land use processes in Tennessee, and to recommend to the General Assembly legislation deemed necessary to insure an effective land use planning and management program." The Commission would consist of 21 members, 8 of them private citizens, and would be appointed within 45 days of enactment. This bill has been favorably reported by the House Conservation Committee and is awaiting action in Calendar Committee.

\* The ad hoc land-use study group, which has already contributed so successfully to governmental and legislative activities, will resume work sessions this month, concentrating on the problems of "second home" developments. Anyone interested in participating should get in touch with Bob Farmer, 99 Reservoir Road, Norris, TN 37828, phone 494-7908.

Lily Rose Claiborne, an active TCWP member, was appointed chairman of the Zoning Subcommittee of Oak Ridge City Council's Land Use Advisory Committee.

## 7. SMOKIES

In a reply, dated 12/20/73, to a TCWP letter, Mr. Ronald Walker, Director of the National Park Service, writes as follows: "I can appreciate your concern about the transmountain road proposal from Bryson City to Townsend... In February 1973 after again considering the various aspects of such a road, a position was taken that the road is out of the question. -- Roadless areas of any consequence are particularly scarce in the eastern half of the country and few can compare with the western portion of the Park. In view of this, I can assure you that a transmountain road is not considered a viable proposal."

TCWP is most gratified by this strong and unequivocal rejection of the Transmountain Road. At the same time, we shall remain vigilant with respect to other threats to the Park wilderness, particularly extension of the North Shore Road.

The NPS is still working on the Master Plan (mostly in the Denver Office) and the Wilderness Proposal (mostly in the Atlanta Office). Citizen conservationists' (including TCWP's) wilderness recommendations for the Park were sent to the NPS last July and are now being refined.

The state's Great Smokey Mountain Park Commission has been kept going for years by a series of executive orders and has largely represented development interests. A bill has now been introduced (SB 1372, Ayres, Koella, Porter) which would give this Commission statutory standing.

## 8. NEWS ABOUT WATER: RESOURCE POLICIES; POLLUTION

### A. Omnibus Rivers and Harbors bill seeks to destroy gains made in achieving a realistic discount rate

As we reported in NL #58, item 9, the Water Resource Council's (WRC's) new Principles and Standards for Planning Water and Related Land Resources, effective 10/25/73, require,



among other things, that the discount rate, used in calculating benefit/cost ratio be 6.875%. The House version of the Rivers & Harbors bill (H.R. 10203), passed last November, contained a clause that would lower this rate to the old 5.625%, i.e. far below actual expense, thus making costs of a dam or channelization project look artificially low. When the bill (S.2798) came up in the Senate on January 22, successive amendments were offered by Senators Proxmire and Buckley that would have forced projects being authorized in this legislation to be evaluated under the new 6.875% rate. These amendments were defeated 75 : 9 and 63 : 21, respectively. Sen. Brock, who voted for both, and Sen. Baker, who voted for the second, deserve our thanks. Sen. Brock also voted for another unsuccessful Buckley amendment that would have deleted 10 of the most destructive projects from the bill. Even with defeat of the amendments, the Senate bill was still superior to the House version, since it accepted the 6.875% rate in principle, for future projects. However, in conference, last week, the House version won. Unfortunately, this very bad bill, which will probably be passed on the floor of both Houses next week, contains the good BSF section (see item 2A, this NL). It is hoped that a veto of the bill would be specifically on the discount-rate issue, and that this portion of the bill would subsequently be improved. -- The discount-rate controversy may surface again later this year, when there will probably be hearings on legislation to be drafted by the WRC -- hopefully based on the National Water Commission Report (NL #56, item 7D). All of us who have for years battled destructive and economically wasteful dams on a piecemeal basis should stay alert to events in this area.

B. EPA formulating policy on non-degradation of waters

Many states have "under-classified" relatively clean water, thus legalizing and inviting more pollution until the water is actually degraded down to the lower standard. In such instances, a federal "non-degradation policy" (supported by the Federal Water Pollution Control Act Amendments of 1972) would prevent deterioration to a low state-set standard. A recent "Citizen Alert" from NRDC suggests how you can help to make EPA's policy on non-degradation a strict one. (a) Contact David Goodrich, Director, Tennessee Game & Fish Commission, Ellington Agricultural Center, P. O. Box 9400, Nashville, TN 37220, and urge him to press EPA for a strict policy. (b) Contact S. Leary Jones, Director, Tenn. Division of Water Quality Control, 621 Cordell Hull Bldg, Nashville, TN 37219, and urge that water currently cleaner than the state-set standard be protected against any degradation. (c) Write to Ms. Lillian Regelson, Deputy Asst. Administrator for Water Planning, EPA, Waterside Mall, 401 M Street, S.W., Washington, D.C. 20460, and explain how a strict non-degradation policy would benefit our state.

C. National Flood Insurance Act passed

In late December, the Senate passed the National Flood Insurance Act (earlier passed by the House), under the terms of which communities with flood-prone areas must develop plans for keeping vulnerable structures out of the flood plain -- or face a cut-off of federal funds and federally-backed loans. This bill marks a milestone in the progress toward non-structural approaches to flood management. Senators Brock and Baker supported this measure and deserve our thanks.

D. President cuts Clean Water Funds

President Nixon announced in January that he would impound \$3-billion of the \$7-billion authorized by Congress for federal water cleanup funds in fiscal '75. Ironically, this is the only impoundment of funds planned by the Administration in the coming year.

E. Information on water discharge permits

If you want a chance to have an input in the granting of discharge permits, you need to know who is applying for what. Write to (a) EPA, Region IV, Water Enforcement Branch, 1421 Peachtree Street, N.E., Atlanta, Ga. 30309, and ask for Notices of Application for NPDES permits for Tennessee; and (b) Tenn. Water Quality Control Board, 621 Cordell Hull Bldg, Nashville, TN 37219, and ask for monthly reprints on WATER QUALITY

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CONTROL ACTIVITIES. -- Incidentally, TSRA reports that the state feels it does not have enough evidence to justify prosecution of Dixie Drilling Company, which has repeatedly spilled oil into the Clear (?) Fork watershed. Unbelievable -- in view of an on-site investigation (involving state and federal personnel) that happened onto a spill in progress!

## 9. MISCELLANY

- \* A. The BLM Organic Act, S.1040, is sorely in need of a provision that would require the Bureau of Land Management to study its land in order to determine areas suitable for Wilderness Act protection. Sen. Metcalf will offer amendments to this effect in committee markup. The BLM administers 450 million acres of public land and should certainly be required to carry out the same wilderness review procedure as carried out by the Park Service, Forest Service, and Bureau of Sports Fisheries & Wildlife. Write to Sen. Henry Jackson, chairman, and to Sen. Lee Metcalf, Senate Interior Committee, Senate Office Bldg, D.C. 20510) supporting the Metcalf amendment.
- B. Some good "energy-crisis" quotes and thoughts:  
 "At some point, decision-makers must realize that the planet is not expanding in direct relation to the Gross National Product." (Sam Love, in The Progressive, Jan. '74, p. 20)  
 "Those who seek to employ the energy crisis as an excuse for easing or abandoning our environmental efforts are in for an unpleasant surprise. They will discover, sooner or later, that both our energy and environmental ills stem essentially from the same source: from patterns of growth and development that waste our energy resources just as surely and shamefully as they lay waste our natural environment." (Russell Train, Administrator of EPA, 12/11/73)  
 "...it may take as much as 9 units of energy to produce 10 units of energy from [oil] shale." (Jeff Stansbury and Edward Flattau, Los Angeles Times). Estimates of energy from our oil-shale resources could thus be exaggerated tenfold. We have also learned that more than a ton of the richest shale must be ground up to produce each barrel of oil, and that the process employs 2-3 barrels of water for each barrel of oil produced. Did you know that Tennessee was one of a few eastern states with known oil-shale deposits (however of lower grade than those in Colorado)?
- C. EPA and TVA are battling over air-pollution controls. EPA feels TVA should reduce emissions, in accordance with federal law, by installing scrubbers. TVA, on the other hand, wants only to distribute these emissions in space and time by building higher stacks and by limiting boiler use during times of high pollution potential.
- D. Public Affairs Pamphlet No. 494, "The campaign for cleaner air," is available for 35¢ from Public Affairs Pamphlets, 381 Park Ave. S., N.Y.C., N.Y. 10016. -- "Tennessee Air Currents," a newsletter published by the Division of Air Pollution Control, is available from the Tenn. Dept. of Public Health, C2-212 Cordell Hull Bldg., Nashville, TN 37219. -- EPA's pamphlet "Health effects of environmental pollution," may be ordered from the Office of Public Affairs, EPA, Washington, D.C. 20460. -- And, if you want to get away from it all, write for "A Way to the Wilderness," describing over 100 trips offered by the Wilderness Society for 1974 (Trip Dept., The W.S., 4260 East Evans Ave., Denver, Colo. 80222).
- E. The world's largest mammal may soon be extinct. Both Japan and the USSR have refused to comply with majority decisions of the International Whaling Commissions to restrict whale killing quotas and phase out the taking of one species altogether. The USA objected to the position taken by Japan and the USSR (in fact, it urged a 10-year moratorium on all whaling) and many major national conservation groups have strongly supported the U.S. position. The National Wildlife Federation is urging that we boycott Japanese and Soviet goods, and notify dealers and ambassadors of the reason for our action.

10. HOLSTON VALLEY CHAPTER NEWS  
(submitted by Dick Ardell)

The general meeting in November was attended by 26 people who heard reports from chapter directors after enjoying a delicious pot-luck supper. Terry Dougherty, Don Shields and Rick Phelps were elected to serve two-year terms on the board of directors. They fill posts vacated by Don Kreh, Powell Foster, and Gordon Newland. Dick Ardell was elected Chairman.

In December, five members of our chapter hiked a trail which has been proposed to connect Roan Mountain State Park with the Appalachian Trail. They were accompanied by Zeb McCloud, Roan Mountain State Park superintendent, and Duke Barr, Chief Ranger, Unaka District, Cherokee National Forest. This project is being headed up by Tom Swindell.

In January, four chapter members and one person from the Watauga Chapter of the National Audubon Society traveled to Nashville for a meeting with Walter Criley, director of Planning and Development, and Tony Koella, Assistant Conservation Commissioner. This meeting was arranged by State Representative Bob Bible of Kingsport. We discussed recreation development planning for Bays Mountain Park, and emphasized that, because of the fragile nature of the area involved, development should be kept to a minimum.

Our chapter submitted a statement concerning planning for Unit 10 of the Cherokee National Forest (Unaka Mountain-Nolichucky River area).

The Board of Directors endorsed the final draft of the Smoky Mountains Hiking Club's Wilderness Proposal for the Great Smoky Mountains National Park.

11. TCWP Organizational: committee chairmen

\*\*\* If you have not sent in your dues, go back to p. 1!

\*\*\* The following have agreed to serve as committee chairmen in 1974. Most are continuing in these jobs, but a few are new.

Smokies: Bruce Ketelle and Leroy Fox, co-chairmen

Stripmine: Reid Gryder (tentative)

Landuse Planning: Bob Farmer

Obed: Lee Russell

Big S. Fork: Hal Smith and Lee Russell

Duck R.: Bill Russell

Eastern Wilderness and Forest Service: volunteers needed to chair this committee which already has 3 members.

State Scenic Rivers: Don Jared

Game & Fish liaison: Monty Halcomb

Trails: Lily Rose Claiborne

Harvey Broome Film Series: Elizabeth Peelle

Program: Reid Gryder

Newsletter: Lee Russell

Volunteer Services & roster: Pat Tyrrell

State phone coordinator: Martha Ketelle

\* If you can help with the work of any of these committees, or in any way whatsoever, get in touch with the editor.

\*\*\* Those of you who didn't come to TCWP's January 10 meeting (and many didn't -- the annual State-of-the-Laboratory message having, with short notice, been scheduled for the same night), missed an excellent talk by Bob Miller about flood-plains (while a flood was in the making outside). Do turn out for our next meeting March 28 (see item 1)!

over

## 12. CALENDAR

- Feb. 9 - TSRA float, Bledsoe Creek (call Lib Napier, Nashville 383-9060)
- Feb. 9 - Sierra Club, night hike to Silers Bald (call Charlie Frye, Knoxville 588-8486)
- Feb. 16 - TTA trailclearing worksession in Frozen Head State Park.  
(Call Don Todd, Wartburg 346-3113)
- Feb. 16 - TSRA float, East Fork, Stones River (call Ben or Kathleen Welch, Murfreesboro 893-7743, or Nashville 741-4246)
- Feb. 17 - SMHC hike to Snowbird Mtn by A.T. (Call Leroy Fox, Knoxville 588-5058)
- Feb. 23-24 - TERC hike, A.T. from Iron Mtn. Gap to Nolichucky River (call R. Ardell, Kingsport 247-3718)
- March 2 - SMHC hike to Newton Bald (Call Grover Bickley, Knoxville 524-5603)
- March 9 - TSRA float, Upper Daddys Creek (Write TSRA, P.O. Box 3104, Nashville, TN 37219)
- March 16 - TERC hike, Chimney Top Mtn (Call R. Ardell, Kingsport 247-3718)
- March 16 - TSRA float, Harpeth River (Write TSRA, P.O. Box 3104, Nashville, TN 37219)
- March 17 - SMHC hike to Virgin Falls Pocket Wilderness (Call Charles or Eleanor Du Bois, Kingston 376-9813)
- March 23 - TERC hike, A. T. from Watauga Dam to Tenn. Hiway 67 (Call D. Petke, Kingsport 246-9035)
- March 28 - TCWP slide show "Underground Wilderness" (see item 1)
- March 30 - TERC hike, Red Rock Mtn to Clinch Mtn Rec. Area (Call Gordon Newland, Kingsport 246-8845)
- March 30-31 - SMHC car camp and hikes to Oswald Dome and Gee Creek (Call Robert Lee, Niota 568-2456)
- March 30-31 - TSRA float, Conasauga River (Call Mac McLean, Gallatin 452-2049)