

Newsletter No. 79, April 5, 1977*

Priority #1. The President's deletion of water resource pork barrels (¶1, below): *endorse!*
 Priority #2. The Columbia and Tellico Dams (¶2,3, below)
 Priority #3. The federal stripmine bill (¶5A)
 Priority #4. The needed Obed additions (¶4A)

Thursday, May 5, 7:30 pm
Roberta & Don Steiner
105 E. Morningside Drive
Oak Ridge, Ph. 482-3169

Spend an hour writing needed letters, then enjoy your TCWP friends over refreshments. Call your host ahead of time, if possible, but this is not essential. If you have been to a letter-writing social before, you'll know that they are productive as well as fun, so do come again. If you have never tried it, this is the time. Non-members welcome also.

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In a dramatic confrontation with pork-barrel politics, Pres. Carter deleted 30 projects from the Fiscal-Year-1978 Ford budget. Other deletions may follow (see #2). "...You now have a President who cares about rivers and who deserves your support," says the ARCC Newsletter. "The President has put himself on the line to try to help the environment, even though it means arousing considerable antagonism. This is the kind of move

* Editor: Lee Russell, 130 Tabor Road, Oak Ridge, TN 37830. Phone 615, 482-2153
Star in the margin means "Action needed"

that most Presidents would not dare to take. The American people should give whole-hearted endorsement to this action. The water project review issue may ... set the tone for environmental and budgetary efforts in general for the next four or eight years."

* Please support our courageous President! Write your Congressperson (House Office Bldg., D. C. 20515) and two Senators (Senate Office Bldg, D. C. 20510) and ask them to do so likewise by giving up some or all the wasteful, unjustified projects in our own state (see below). Send a copy to Jimmy Carter (The White House, D. C. 20500), with a note of thanks.

Presently, billions of \$\$ are spent annually on water-resource boondoggles. Up until now, the executive branch has pretty much rubber-stamped projects dished up by Congress; and Congressmen have generously approved each other's pet project in a spirit of mutual back-scratching. The present administration move is a first step in a more long-term "comprehensive reform" sought by Carter.

While, to date, the proposed FY 78 budget has deleted funding for only 30 particularly infamous projects, hundreds of others are under agency review to determine whether they would (a) fail to yield a benefit/cost ratio greater than 1.0 when the current interest rate of 6 $\frac{3}{4}$ % is applied to remaining cost; or (b) result in adverse environmental impacts; or (c) pose potential safety problems. Two of five TVA projects -- Columbia Dam (see ¶2) and Bear Creek -- have flunked this test, as has the Tennessee-Tombigbee Waterway; and hearings have recently been held on these, preparatory to the final Administration verdict, which will come April 15.

In the meantime, Congress has reared up in righteous wrath. In what was more of a symbolic gesture than an action of substance (since the Carter deletions affect the FY 78 budget), the Senate voted 64:24 to endorse last year's (FY 77) appropriations for the threatened water projects. This measure was attached to the Jobs bill and has no counterpart in the House. It is, however, indicative of how sensitive your elected representatives are about the projects they think you so ardently desire. It is up to you to let them know otherwise! Over 20 conservation groups, with a combined membership of 4,500,000, recently announced a nationwide campaign for citizen support of the President's decision. TCWP's Bill Chandler is even now attending a Dam Fighter's Conference in Washington to help us help with our part of the effort.

While all this is going on, however, the Public Works Subcommittees of the Appropriations Committees are holding hearings on FY 78 appropriations for water-resource projects (see also ¶2 and ¶4). They can choose to totally ignore the President's budget. (Again, this is where your effort can make a difference.) If this happens, the next step could be a veto and a fight over the veto override. In the meantime, taking this one step at a time, be sure to write your Senators and Congressperson in support of the President's position.

2. WE HAVE ANOTHER CHANCE TO SAVE THE DUCK RIVER

* We have recently sent you a special Action Call on this issue. If you have not already responded, please do so TODAY.

Only about two weeks ago, area newspapers quoted Sen. Sasser's report that this dam (and, in fact, all TVA projects) had been removed from the Carter "axe list." Since TVA was apparently in charge of the re-examination, it seemed likely to us that calculations were being done with the old, patently invalid, figures; and that other factors were being ignored. We provided information for OMB and others on facts that had been revealed in the course of the Duck R. lawsuit and in a 1974 General Accounting Office Analysis of TVA's benefit/cost computation. We called a large number of people, including the Domestic Council in the White House.

On March 28, we were told that the Columbia Dam was, after all, still under review and that TVA had scheduled hearings for March 31 at Columbia, the only place in the state where TVA could have mustered any pro-dam sentiment to speak of. With this extremely short notice, we marshalled what testimony we could. Several TCWP members travelled to Columbia from Murfreesboro (Prof. McGhee, Patrick Doyle), Oak Ridge (Bill Chandler, Bill Russell, Howard Box), and elsewhere. They were vilified and verbally attacked by the large Columbia crowd that has been told for years that their river is "drying up," is "either a vanishing trickle or a raging torrent," need only be dammed in order to attract all the world's industry. All the politicians spoke for the dam: Gov. Blanton, Congressmen Beard and Gore, representatives for Senators Baker and Sasser. And former Congressman Joe L. Evins, the powerful man originally responsible for the dam, has just been hired by Gov. Blanton -- at taxpayer's expense -- to lobby for all the axed and halted Tennessee projects: Columbia, Tellico, Tenn-Tom. At the Columbia hearings, amazingly, oral pro-river testimonies outnumbered pro-dam ones.

Politically we're up against it, folks! But morally we're so much on the side of right, it almost hurts to think about it. The benefit/cost ratio has now dropped to 0.8, even with TVA's old phony figures (except for the deletion of secondary benefits). The Duck is about to be declared the critical habitat for not one but several endangered species. The dam produces no power, no navigation, no nothing -- other than a nebulous dream of industry for one little spot on the map. So let me remind you again: look at your Action Call and write TODAY.

TCWP also submitted written testimony for appropriations hearings in both Houses. The Senate one was presented orally by TCWP member Brad Neff. If you want a copy, send a stamped self-addressed envelope to the editor.

3. LITTLE T: WE SEEK MODIFIED DEVELOPMENT

As all of you undoubtedly know, TVA's Tellico Project has been permanently enjoined by the 6th Circuit Court of Appeals, which ruled that TVA is in violation of the Endangered Species Act. While TVA and politicians are picturing this event in terms of a 3-inch "minnow" ridiculously holding up near-completed "progress," the injunction should more properly be viewed as an opportunity for Congress to review a project which has enough other things wrong with it to fill a book.

The recently formed Little Tennessee River Alliance (which includes TCWP) has been looking into viable alternatives that would be more beneficial to the region from economic, social, and environmental standpoints than the dam and reservoir. The alliance proposes an interagency study by USDA, USDI, TVA, and the State that would give attention to the creation of a Coordinated Multi-Purpose Development Area. Such an Area, unique in the U. S., would combine agriculture, recreation, historical preservation, and development in a coordinated manner. A summary of suggested uses may be ordered from Bill Chandler, Box 117, IEA-ORAU, Oak Ridge, TN 37830.

Politicians are bustling around like mad to reverse the halt in the dam. The State House passed two resolutions calling on Tennessee members of Congress to amend the Endangered Species Act to allow completion of Tellico and Columbia Dams. A State Senate committee 3/30/77 held hearings on similar resolutions, but voted for them in spite of almost 3:1 testimony against them (Bill Chandler and Ken Warren testified for TCWP)* -- Congr. Duncan held three Little-T area hearings, at which total pro-river testimonies outnumbered total pro-dam testimonies. Despite this result, he then announced that a sampling of his District (from which Knox County and some other areas had evidently been excluded) indicated "overwhelming sentiment" in favor of the dam. As a result, he

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*Good guys: Repr. Nolan, Cobb, Spence, M. Murphy, Martin, Kernell; Sen. White. Bad guys: Sens. Albright, Atchley, Ray Baird, Hamilton, Neal, O'Brian. Ashe left just before vote.

introduced a bill to specifically exempt Tellico from the Endangered Species Act. Congresswoman Lloyd went outside her District (remember the Obed, where she said she could not do so?) to co-sponsor Duncan's bill, having ignored a request by many of her own constituents to meet and discuss the matter. Congr. Beard has introduced an amendment to the Endangered Species Act that would exempt any water resource project whose construction was begun before the species was listed. The bill would thus apply to the Duck as well as the Tellico Dam. Sen. Baker is said to favor a similar amendment.

These bills are obviously a major threat to the Endangered Species Act. Arguments presented in court in the Tellico case stressed that a full fact-finding review of a project is essential where possible exemption from the federal Act is considered. As a result, Representatives Murphy, Leggett and Forsythe (top members of the Committee on Merchant Marine and Fisheries), and Congr. Duncan have requested an extensive GAO study of the Tellico project, including the value of the recoverable project expenditures in land, roads, bridges, etc., when developed for utilizations alternative to a reservoir.

The Endangered Species Committee (P. O. Box 8590, U. T. Station, Knoxville 37916) will supply for you, on request, an excellent info package on the project. Among many other items, this contains a fact sheet showing that:

- (a) Only \$14 million and \$6 million, respectively, have been spent on the dam and canal. The remainder of the \$116 million expenses claimed by TVA are already benefiting the public, or are recoverable.
- (b) The dam would produce only 0.1% of TVA's generating capacity at a cost 11X that of the average TVA kilowatt. If Timberlake is built, Tellico will be a net energy consumer, rather than producer.
- (c) Even in the case of a flood equal to the worst on record, the dam would reduce flood level in Chattanooga by only 6".
- (d) TVA has spent \$65 million (over half its total ^{Tellico} budget) since the existence of the snail darter was established.

What you can do

Write to both Senators and to your Congressperson and ask them: (1) To support the GAO study requested by Congressmen Murphy et al. (see above) prior to taking any legislative action on Endangered Species Act exemptions; (b) To support an Interagency study to explore the Coordinated Multi-Purpose Development Area modification of the present project.

4. IMPLEMENTING OUR "AUTHORIZED" RIVERS: OBED AND BIG S. FORK

A. Obed

Doyle L. Kline has been named as Project Manager for Big S. Fork and Obed. Mr. Kline, 50, is presently assistant superintendent of Mammoth Cave National Park, but will soon open an office in Oneida. The National Park Service is busily engaged in its studies that will result in detailed boundaries for the strips bordering the Obed, and on a development plan. An NPS-BOR group, including Mr. Kline and Dick Holden (who heads up the Obed Planning Team) spent the week of Feb. 14 in the area -- on the ground, on the river, in the air, and in consultation with TWRA and representatives of the citizens groups (including Don Todd, Russells) that had brought about the legislation. The NPS joins us in our concern about adding the highly worthy upstream portions of the rivers (that were omitted from designation in the 1976 bill) lest they become degraded by inevitable development. The key is the new Congressman from the area, Al Gore, Jr. Mr. Gore has not yet heard from TCWP members. We urge you to write him very soon (The Hon. Albert Gore, Jr., U. S. House of Representatives, Washington, D. C. 20515).

In the meantime, the Conservation Dept. has just granted two stripmine permits upstream on Clear Creek (W of U. S. 127, i.e. outside the boundary of the original bill). As far as we know, no special protective provisions were written into the permits.

B. Big South Fork

* Representatives of the Big S. Fork Coalition met on January 29 to discuss the needs to get land acquisition underway in order to prevent further degradation of the area and to head off spiralling land costs. Following the meeting, a BSF Factsheet was prepared by Lee Russell, coordinator of the Coalition. (To receive any number of these that you could use in helping the BSF cause, plus a report of the Jan. 29 meeting, send a self-addressed, stamped envelope to the editor. Add 11¢ stamp for every 5 Factsheets beyond one.)

* The Ford budget on the BSF (unaltered by the new administration) contains only planning money to the amount of \$170,000. However, the Corps of Engineers has expressed a "capability" of \$5,400,000 for the year starting 10/1/77, i.e., their planning, surveying, appraising, etc., has progressed to the extent that this amount could be spent for the first year of land acquisition. On March 30, the Subcommittee on Public Works of the Appropriations Committees of both Houses held hearings on the BSF funding. Though notice was very short, the Coalition and some of the member organizations have submitted testimony in favor of a \$5.4 million appropriation. This request was supported by Senators Baker, Sasser, and Huddleston of Ky. Letters are needed to your Congressperson (The Hon. _____, House Office Bldg, Wash, D.C. 20515) to urge the need for land acquisition funds NOW. Send copies to your two Senators also.

Some of you may have read reports of an article that implied Sen. Baker promoted the BSF boundaries and the increased spending authorization for financial gain to himself and friends. To set the record straight: The boundaries were arrived at by consensus of the BSF Coalition members; and the Coalition, in turn, based their recommendations on the National Park and NRA proposals in the Interagency Report, which was initiated before Baker got into the act (he was still pushing BSF dams at that time). There is no Baker land within the Area or immediately adjacent to it. As regards the increase from \$33 million (incl. ca \$15 million for land acquisition), in the 1974 Act, to the \$103 million authorized in the fall of 1976, this was based on the Corps study showing that about \$36 million will be needed for acquisition of the 125,000 acres (the rest of the money being for road and bridge improvements, construction of picnic areas etc.). It had become obvious that the originally authorized sum was based on outdated land-cost estimates derived from the old Interagency Study. -- Having set this record straight, we want to point out that there have been despicable activities by some within the Area who apparently wish to enrich themselves at the expense of the BSF. We refer to the blackmail exerted by some of the big landowners who have mined and clearcut their land in order to force acquisition at an inflated price. We urge the Corps of Engineers to be aware of this tactic, and to act with becoming frugality in setting a price.

5. STRIPMINE NEWS: FEDERAL AND STATE BILLS; WATER QUALITY

A. The federal stripmine bill

A stripmine bill (H.R.2, S.7) was introduced on the first day of the Congress; and, with the support of the new administration, federal legislation seems assured. The coal industry has therefore concentrated its effort on weakening the bill, rather than killing it. Several hundred (!) industry amendments have been proposed.


In the meantime, however, the industry and its friends are still making noises as if they're trying to kill the bill outright. Tennessee's stripmine lobby, FACT, has joined those of other states in the refrain, "our state law is good enough." [See #13 for a publication that analyses 28 state laws.] A resolution urging Congress to defeat the federal bill has been drafted for introduction in the Tenn. General Assembly by Rep. Lanier. And Gov. Blanton sent a telegram in opposition to H.R.2 to House Interior Committee chairman Udall, and invited the Committee to come see how great the Tennessee state law was working. TCWP subsequently joined 8 other groups who followed Blanton's telegram with one of theirs, offering to take the Committee on a Tennessee tour of their own.

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Not only the President, but others in the Administration have given strong support to a federal bill. Testifying before a Senate Subcommittee, Interior Secretary Cecil Andrus said, "Coal is abundant in this country. We can afford to be particular about where and how we mine it ... We can afford to declare certain areas off limits to strip mining." Energy Advisor, James Schlesinger, in commenting on H.R.2, wrote to Committee Chairman Udall: "... The portion of [the nation's coal] resource made unavailable by this legislation is extremely small -- no more than 5% of total reserves." The federal bill was also supported by FEA chief, John O'Leary, who said that, without a federal law, coal production will not increase as needed to meet energy demands. Early in February, Andrus and Schlesinger met with coal-area residents attending a COALition meeting in Washington (Bill Chandler attended for TCWP). Andrus also toured stripmines in Kentucky, and afterwards commented that they looked "like the aftermath of World War III."

During hearings on the federal bill, testimony by environmental groups and coal-field residents urged inclusion of the following provisions: restoration of approximately original contour (i.e., elimination of highwalls); a ban on mining alluvial valley floors; a 10-year moratorium on new mining starts on prime agricultural lands; phase-out of mountain stripmining. The House bill has just emerged from Subcommittee in reasonably good form, except for the fact that it allows stripmining on national forest lands. It will now go to the full House Interior Committee. Senate markup is underway.

["Back-to-original-contour" reclamation, which the industry is opposing, has recently been studied by the Appalachian Resources Project, U. T. Environment Center, using data accumulated on TVA's Massengale Mountain Project. It was found that the incremental cost of this technique is only \$2.67/ton, and that uniform back-to-contour requirements would have little effect on total coal production in Appalachia.]

 What you can do: Write to Congr. Morris Udall, chmn., House Interior Committee, House Office Bldg, Wash., DC 20515 and urge that the Committee report the strongest possible bill (H.R.2), particularly with regard to national forests and some of the other features here mentioned. Write a similar letter to Sen. Metcalf and to Sen. Jackson, chmn, Senate Interior Committee, Wash., DC 20510, concerning S.7. Send copies to your own Representative and Senators.

B. Stripmining and the state legislature

(a) Transfer of Surface Mine Section of Water Quality Control Division, WQCD (Dept. of Public Health) to Stripmine Div. (Dept. of Conserv.), SB 153/HB 232. As we had expected (NL 78, ¶1) the Blanton administration (through Rep. Watson and Sen. Anna Belle Clement O'Brien) introduced such a bill, which would have cleared the way for AMAX. After Sen. O'Brien sampled some of the opposition and talked to Ray Baird, that bill was dropped; but the administration introduced an even more blatant one that would have exempted stripmine operators from having to get a water discharge permit in the first place. That bill, too, was dropped, possibly as a result of lobbying, or possibly because it became clear that it would conflict with another, generally popular, bill (see (b), below). [An interesting piece of information that has just come our way reflects on the growth in state stripmining activity. During just the first 2 months of 1977 (Jan. and Feb., the snow months), the WQCD issued 41 permits to coal companies for a total of 2202 acres. The average area, 54 acres per permit, has substantially increased also.]

(b) Revision to Water Quality Act (SB 359/HB 355). This bill would enable the Tennessee WQCD to administer the National Pollution Discharge Elimination System (NPDES), now being administered by EPA, and is supported by industries and municipalities, since they would have to get only one permit, instead of two. The bill does not weaken Tennessee's strong Water Quality Act, and is supported by the WQCD. Since permits are required for development of natural resources (including coal), passage of this legislation would preclude the bills discussed under (a), above. Because of this, the stripmine industry may concentrate its effort on putting weakening amendments into this bill, either in House committee or on the floor of either House (SB 359 passed Senate committee unamended).

(c) Consent of surface owner prior to issuance of a permit is required by HB 484 (Hillis, Spence, Carter)/SB 491 (R. Baird). Hearings on this bill will be held in Senate committee on April 6, and House committee on April 12.

(d) The "face-up" bill, SB 487 (R. Baird) would close a loophole in the 1972 Stripmine law whereby illegal strippers can pretend to be deep miners and thus get away without a permit. This bill was written by the Dept. of Conservation and is in Energy & Natural Resources Committee.

X What you can do: Write to your Senator and Representative and support passage of the bills discussed under (b) -- without amendments, (c), and (d).

C. Stripmining and water quality

(a) The State Water Quality Control Division March 30 organized a meeting of groups interested in the "208" Water Quality Plan, and particularly its application to stripmine waste. The meeting was chaired by John Williams, representing TCWP; Bill Chandler and Ken Warren attended briefly. The 208 Plan is a program mandated under the Federal Water Pollution Control Act of 1972, and is administered on a regional basis with regard to wasteload allocation, thus providing a useful vehicle for land-use planning. The program is, however, severely underfunded. The March 30 meeting was essentially an information session. Future meetings are planned. Anyone interested in participating should contact the editor.

(b) EPA's coal-mining effluent guidelines, now being developed, can have a major effect on just how stripmining is done. TCWP recently contributed financially to Dick Hall (our attorney in the 1973 stripmine lawsuit against TVA, who is now in the private practice of public-interest law in Washington) to help him monitor the progress of these guidelines. -- John Williams, representing SOCM, recently met with EPA in Washington to argue that the guidelines ought to stay in effect until the revegetation bond has been released by the state. Indications are that EPA may agree to this point.

6. AROUND THE STATE: LEGISLATURE, OVERTON, A NEW TRAIL, ETC.

X A. The legislature. (For stripmine items see ¶5B. For other legislature items, see ¶3, 7B). A bill to create a Tennessee Landuse Commission, SB 328 (Ashe)/HB 350 (Jensen et al.), was introduced late in March and referred to committee (Senate Energy & Natural Resources; House Government Operations). The 22-member Commission would carry out a broad study and recommend a program to the legislature by Jan. 28. Interested persons will express their support to the committee chairmen, Sen. Albright and Rep. R. G. Murray.

An administration bill to incorporate the Tennessee Wildlife Resources Agency (TWRA) into the Tenn. Dept. of Conservation was withdrawn because of strong opposition. There have been signs of friction between the policy-setting TWR Commission (governor-appointed) and operational TWRA (professionals) headed by Harvey Bray.

The Environmental Action Fund, Inc. (EAF), formed by a union of Tennessee organizations (including TCWP), has received a \$2000 grant from Citizen Action Fund. The \$2000 comes from money raised at a benefit showing of "All the President's Men" in Nashville. EAF's executive director and registered lobbyist in the state legislature is Frank Fly, who distinguished himself in the Duck River lawsuit and in the AMAX hearing. A brochure listing EAF's 1977 Platform, its Board, and its participating organizations may be ordered from EAF, Inc., P. O. Box 22421, Nashville, TN 37202.

Holly Gwin, our legislative correspondent, has written to all elected legislators who, as candidates last fall, filled out the TCWP questionnaire. Our hope is that they will act positively in those areas in which their policy position agreed with TCWP's. Holly has also sent news releases on these positions to appropriate news media across the state.

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B. Overton Park

State and Memphis City officials and local business interests are using two approaches simultaneously to get I-40 built on the "original alignment" through Overton Park.

(a) The State is resubmitting its plans to go through the Park to Brock Adams, the new Transportation Secretary. (Recall that State plans had been suddenly withdrawn last fall when it appeared that a DOT official favorable to the integrity of the Park would be in charge.) A meeting of State officials with Sec. Adams was scheduled for March 24.

(b) Senators Baker and Sasser are being pushed into submitting legislation that would exempt the Overton portion of I-40 from the federal highway system, and thus make it nonsubject to federal protective laws. Both Senators have said that they would sponsor this legislation, and chances are it would get tacked on as a rider to another bill and thus hard to beat. Consider what a dangerous precedent such an exemption would set: new federal highways could be run through National Parks, alongside Wild Rivers -- anywhere where a similar exemption could be pushed by self-serving interests. Please let Senators Baker and Sasser know how you feel about this problem.

C. A new National Trail for Tennessee

Secretary of the Interior has just designated the Blue River Trail in Chattanooga a National Recreation Trail. This 10½ mile trail is located mainly within the Chickamauga & Chattanooga Natl. Military Park, 3 miles from downtown, and was constructed in the 1930's by the CCC. There are now 108 National Recreational Trails in the USA, an average of 2.2 per state. Tennessee, however, has 9 -- pretty good!

D. Capsules

COVE LAKE STATE PARK TO BECOME A PLAYGROUND. Pressure brought on Commissioner of Conservation, Buck Allison, will result in large-scale recreation and tourist developments within the park. These will include a 75-acre golf course, 300 additional campsites along US 25W, tennis courts, playground facilities, and trails. Reasons cited were that 30,000,000 people pass the park each year, and that Expo '82 will increase the number of tourists.

A PARKS, RECREATION, AND OPEN SPACE PLAN has been proposed by the East Tenn. Development District ETDD, and public hearings have been held. The plan (actually, a set of recommendations that may make it easier for state and local governments to obtain federal funds) aims to assure open space and outdoor recreation opportunities for the region through the year 2000. On the basis of ETDD's recommendation of 15 acres for every 1000 persons (0.015 acres/person), East Tennessee is found to have a present deficiency of 6558 acres, and a projected deficiency (in the year 2000) of 8616 acres. The plan recommends augmenting scenic trail, scenic stream, and natural-area designations.

MOTORCYCLES ON THE NORTH RIDGE TRAIL have disrupted the outdoor experience for many hikers and are causing serious soil erosion in various areas. Ruth Young, TCWP trail committee, is working with the City of Oak Ridge to get signs erected at the most frequent motorbike entry points. Riders should be informed that there is a city ordinance (\$50 fine) against motorized vehicles in the greenbelt; it is also against state law to use the trail for anything but foot travel. Riders may be directed to the Haw Ridge area, which is specifically set aside for motor bikes.

HIGHLANDS OF ROAN. For some years, several groups have been thinking about preserving a 12,000-acre area stretching for 10 miles along the Appalachian Trail where it runs on the crest of the Roan, over peaks 6000'± high. Out of these early efforts grew the Southern Appalachian Highlands Conservancy, SAHC, founded in 1974, which is currently trying to raise \$3 million to protect about 2/3 of the Highlands (1/3 is already protected, largely as a result of U. S. Forest Service action.) SAHC is now selling signed and numbered prints of a watercolor by artist Raymond Williams for \$25 each. (Write SAHC, P. O. Box 3356, Kingsport, TN 37664.)

7. TVA: AIR QUALITY LAWBREAKING AND OTHER ITEMS

A. Citizens ready to sue as TVA continues to disobey air-pollution laws

In its now two-year long resistance to federal clean-air laws, TVA has tried to enlist the help of state agencies, state legislature, and the U. S. Congress. The Tennessee Air Pollution Control Board, meeting March 14 at the request of TVA, adopted a resolution asking EPA to delay enforcement action against TVA's Kingston and Johnsonville steam plants until the Board had evaluated the petitions for variances. (This resolution was less than the endorsement of full and permanent exemption that TVA had hoped for; and, besides, it is not binding on EPA.) Board action occurred partly in response to a legislative resolution, HJR 30 (Watson, Cawood), passed during the preceding week. In the meantime, on the federal front, Sen. Baker introduced an amendment to the Clean Air Act that would have exempted four TVA steam plants (including Kingston and Johnsonville in Tenn.) from complying with emissions limitations. Fortunately, on March 16 this was defeated 8 to 5 by the Senate Public Works Comm. ("TVA's friends are getting harder to find," said Baker.)

A coalition of 11 citizens' groups (including TCWP) on March 9 sent a letter to TVA stating their intentions to bring suit under Sec. 304 of the Clean Air Act, unless "acceptable progress is ... evidenced within 60 days." The 11 groups are located in Tenn., Ala., Ky., and Ga., and are represented by Dean Hill Rivkin, an attorney for the Natural Resources Defense Council. While TVA feels it can continue to delay enforcement action by EPA, the suit would seek "firm judicially supervised compliance."

Although TVA's March 21 decision to meet standards by burning low-sulfur coal reduces the immediate prospect of a lawsuit by EPA, EPA feels that it, too, may eventually have to go the court route. Implementation of TVA's current low-S plan provides the potential for continued and substantial delay (e.g., TVA requested a 14 months' lag just to get coal contracts signed). EPA feels that TVA should burn the coal it sits astride of (rather than cutting into the nation's supply of low-S coal), and use technology to reduce SO₂. "That proven technology presently exists and is within the capability of TVA is unquestionable," wrote EPA regional director, Jack Ravan, to TVA. "With regard to cost, I must point out that TVA's conscious management decision to utilize every possible avenue to challenge the law has in itself resulted in increased costs that must now be borne by the consumer."

TVA's decision to burn low-S Western coal has had the (intended?) effect of leading to lobbying by Tennessee coal interests and their supporters. Only 9% of TVA's total coal comes from Tennessee. Further, it should be pointed out that the decision to buy low-S coal from other states is TVA's decision: it is not an inevitable outcome of EPA requirements, which permit (and, in fact, encourage) other options of complying (e.g., scrubbers, coal washing).

B. TVA capsules

THE TVA BOARD VACANCY has still not been filled. About a month ago, local papers reported that Jack Gibbons and S. David Freeman are among Pres. Carter's frontrunners for the nomination. Both of them were recommended by TCWP and by the Tennessee Conservationists for Carter. If either one is appointed, we can look for a drastic change for the better in TVA matters.

THE UPPER FRENCH BROAD, a few years ago, escaped the threat of multiple TVA dams only as a result of concerted citizen action. Now it appears to some members of the UFB Defense Assoc. that planning may be underway for channelization, under the guise of locally favored "river cleanup." At a recent Hendersonville, N. C. meeting, a TVA spokesman indicated that in order to reduce flooding "we would have to make a major change in the channel, increasing it by at least 50%." UFBDA members are keeping a watchful eye out for such possible moves by TVA.

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PUBLICATIONS ABOUT TVA: are they influenced by local pressures? An article in SCIENCE (1/21/77) discusses the case of a recent book turned down by the U. T. Press because of a dispute with the book's author over a chapter critical of TVA. Was this due to UT's close ties to TVA? asks the author. The article also mentions another book about Land Between the Lakes that was refused publication by TVA, presumably because of its account of TVA's displacement of area residents. The article raises the question of whether such incidents may have resulted in a dearth of up-to-date scholarly books about TVA.

8. THE SMOKIES MASTER PLAN

* Leroy Fox has agreed to chair the TCWP Smokies committee. Anyone wishing to work on this committee should get in touch with him (Knoxville 588-5058).

TCWP had excellent representation at the February public meetings called by the National Park Service in connection with the preliminary work on the Smokies Master Plan. In preparation for these NPS meetings, Bob Farmer convened a TCWP planning workshop to discuss the NPS document, "Alternatives for the Draft Management Plan," that was to be discussed. The assembled group (Bob Farmer, Bruce Ketelle, Minnie Duncan, Dick Ardell, Dave Scanlon, Harry Wiersema, Don Kilgore) developed a TCWP position, which was subsequently submitted in writing by Bruce Ketelle. At the NPS meeting at Knoxville, some TCWP members (Ken Warren, Grace Foster) served as recorders for the discussion subgroups. -- As part of its preparation of the Master Plan, the NPS Denver-based team is now analysing the public comment from the February series of meetings. It is unlikely that the first draft of the Plan will be ready before summer.

9. CARTER APPOINTMENTS AND BUDGET REQUESTS IN THE ENVIRONMENTAL AREA

Doug Costle, Administrator, Environmental Protection Agency (EPA), is a 37-year-old lawyer with an excellent background in environmental protection and fine credentials for administrative knowledge. From 1972-1975 he was, first, deputy commissioner and then commissioner of the Connecticut Dept. of Env'tl. Protection, administering programs in air, water, solid waste pollution, natural resources, and wildlife. He strongly supported the state's strict wetlands protection program; and he initiated a program that imposes on industrial polluters fines that are equal to the amount of money saved by not installing pollution-control equipment. In 1970 he played a key role in the creation of EPA; and after 1975 he worked as natural resources division chief in the Congressional Budget Office.

Barbara Blum, EPA Deputy Administrator, 37 years old, worked as an environmental lobbyist for SAVE (Save America's Vital Environment) in Georgia and D.C. from 1972-1976. She was deputy director for the Carter presidential campaign. Her earlier professional background is in mental health and restaurant management.

Charles Warren, Chairman, Council on Environmental Quality. As California state assemblyman, he authored major legislation on every aspect of natural resource conservation, and was named "best environmentalist in the assembly" in 1974. Environmentalists familiar with his accomplishments consider him highly committed and competent, and are jubilant over his appointment.

Gustave (Gus) Speth, Council on Environmental Quality. This is another appointment highly applauded by conservationists. Speth, 35, has been with the Natural Resources Defense Council, which he helped found. NRDC, well-known for its landmark environmental lawsuits, took the lead in the suit against TVA's stripmine practices, in which TCWP was a plaintiff.

Robert Herbst, Asst. Secretary of the Interior for Fish, Wildlife, and Parks was formerly Minnesota Commissioner of Natural Resources, and, before that, exec. director of the Izaak Walton League. His nomination was opposed by some conservationists because, as Commissioner, he had tried to get the eastern timber wolf removed from the federal endangered species list, and had favored deletion of areas from Voyageurs Natl. Park to benefit hunters.

James Joseph, Under Secretary of the Interior, was vice president of Cummins Engine Co., Columbus, Ohio. Although he is an unknown in the area of natural resources, he receives high marks from environmentalists who have worked with him in his position of special advisor to Sec. Andrus.

John Spinks, the new chief of the U. S. Fish & Wildlife Service's Office of Endangered Species, is a former Audubon Society regional representative. Cynthia Wilson, Audubon's D. C. representative, now is a special assistant to Interior Secretary Cecil Andrus.

Prof. Donald Kennedy, a Stanford Univ. biologist, has been appointed to head the Food & Drug Admin. This is the first time in 12 years that FDA has not been headed by an M. D.

Good news about the Carter budget. Pres. Carter's revision of the Ford budget contains a substantial (\$11,000,000) increase for EPA, and would increase personnel by the 600 positions needed to fulfill EPA's statutory responsibilities (mostly in connection with the new solid waste law, sewage plant construction grants, and water quality enforcement). An additional \$25 million would go to states for pollution control programs. -- Pres. Carter's budget also restores the \$4,000,000 environmental education program, which was cut out by Pres. Ford. This program, created by a 1970 Act, gives grants to schools and citizens' groups for environmental education projects.

10. NATIONAL CAPSULES

A. Clean air is in peril

... and we are in a good position to help rescue it, since Sen. Baker is a prominent member of the Senate Public Works Comm. which is working on this legislation. Please contact him before April 19 (end of the Spring recess) on the following points.

(1) Ask him to reject the Bentsen amendment. This amendment deletes the requirement that states must attain standards safe for human health by a certain date. Instead, states would merely need to show that total emissions will be gradually reduced. A state could, e.g., set its first-year allowable emissions much higher than current actual emissions; then gradually reduce the allowable, while increasing the actual emissions.

(2) Tell him that you want a firm statutory mandate for the prevention of deterioration of air quality. We, further, need this guarantee of pristine air not only for National Parks but also for major, wild recreation areas; National Monuments; wilderness study, primitive, and roadless areas; and large national wildlife refuges.

B. Clean water needs help too

While a Senate committee is threatening to mess up clean air, a House committee is trying to cripple the Clean Water Act. The details are too complex to report here, but the message is simple. Ask your representative to vote against H.R. 3199, and to oppose attaching H.R. 3199 to the Jobs bill. If action is taken on H.R. 3199, ask him/her to support amendments that will protect all of our wetlands and waters from dredge and fill damage.

C. American Endangered Wilderness Act

This bill (HR 3454, Udall) would provide immediate protection for 14 de facto wilderness areas in western national forests, and would designate another 8 as study areas. Less than 2 million acres would be involved, out of a total of 187 million acres under control of the Forest Service. Conservationists are writing to support this bill and oppose deletion of any of the proposed critical wilderness areas (Congr. Morris Udall, chmn., House Interior Committee, House Office Bldg, Wash., D.C. 20515). A similar bill is about to be introduced in the Senate by Frank Church.

D. Alaska Natural Interest Lands Act

This bill (HR 39, Udall) would add almost 115 million acres to our national conservation system: as Natl Parks & Monuments, Natl. Wildlife Refuges, Wild & Scenic Rivers. Hearings

over

in D.C. and around the country have been scheduled, the nearest ones to us being in Atlanta, May 6 & 7. Alaska wilderness, our largest remaining one, has only few people locally to speak for it: the rest of the country must do so. If you can testify orally, write before April 21 to John Seiberling, Chmn., Subcommittee on General Oversight, House of Representatives, Wash., DC 20515. Written comment will probably be accepted for several months to come. -- Incidentally, Congr. Jimmy Quillen has co-sponsored HR 39. TCWP members in his district should thank him. Can we get other Tennessee Congresspersons to follow his example?

E. Rivers inventory

BOR is compiling a national inventory of rivers to determine which are appropriate for study for inclusion in the Wild & Scenic Rivers System. It is important that BOR be made to look upon this inventory as a minimum -- to be added to -- rather than as a ceiling. Our regional BOR office will soon be holding a public workshop on the process. Let them know of your interest, and suggest any worthy river segments you want to see included (Paul Adams, BOR, SE Regional Office, 148 Cain St., Atlanta, GA 30303).

F. Beverage Container Reuse and Recycling Act

This bill, S. 276 (Hatfield)/HR 936 (Jeffords) would require a 5 ¢ deposit on beer and soft-drink containers (to go into effect three years hence), and would prohibit "flip-top" detachable tabs. Encourage your legislators to co-sponsor this bill. For more info and further ideas on how to support the legislation, write Pam Deuel, Evtl Action, Suite 731, 1346 Connecticut Ave, NW, Wash., DC 20036.

G. Help stop the porpoise slaughter

Since the "purse-seine fishing" of tuna was introduced, 6 million harmless, intelligent dolphins have been killed. The tuna industry uses the porpoises as indicators of where the tuna schools are, then surrounds tuna plus dolphin with huge nets in which the porpoises drown or die of shock. The tuna industry is using constant pressure to delay and weaken enforcement of the already weak 1972 Marine Mammals Protection Act. Their PR is constantly at work (I have recently seen two longish reports on the 6:30 News about how tuna prices will skyrocket if the industry is made to comply with the law). What you can do: (a) Boycott the purchase of "light meat" tuna (not the Albacore or white type), and write to the canner why you are doing so; (b) Send a postcard to Pres. Carter asking him to enforce the 1972 Marine Mammals Protection Act; (c) Contribute to National Campaign to Save the Dolphin, 1965 P Street, NW, Wash. DC 20036.

11. CONGRESSIONAL REORGANIZATION AND ASSIGNMENTS

Senate reorganization has changed names and/or functions of three committees that often deal with matters of concern to us.

(a) Comm. on Energy and Natural Resources -- formerly, the Interior Comm., (Henry Jackson, chmn). This committee has jurisdiction over wilderness; but, in the case of wilderness created from non-public domain lands (primarily Eastern wilderness) jurisdiction is shared with the Agriculture Comm.

Subcomm. on Public Lands (Lee Metcalf, chmn): will deal with irrigation, reclamation, BLM, etc.

Subcomm. on Parks & Recreation (James Abourezk, chmn): oversees national parks, recreation areas, wild and scenic rivers, etc.

(b) Comm. on Environment & Public Works -- formerly, the Public Works Comm. (Jennings Randolph, chmn). Jurisdiction has been expanded to include NEPA, fisheries & wildlife (including endangered species), environmental aspects of toxic substances, regional economic development.

Subcomm. on Water Resources (John Culver, chmn): water management policies, incl. Corps authorizations

Subcomm. on Evtl Pollution (Ed Muskie, chmn)

Subcomm. on Resource Protection (Mike Gravel, chmn)

(c) Comm. on Agriculture, Nutrition & Forestry: Jurisdiction over national forests, eastern wilderness (shared, see (a), above), pesticides, etc.

Subcommittee chairmanships of the House Interior Committee turned out generally as anticipated in NL 78, 18. A new subcommittee on Omnibus Oversight has been created and is headed by one of Congress' best environmentalists, John Seiberling (D., Ohio). The Mines & Mining Subcommittee (where we had listed three "possibles") is headed by Abraham Kazen (D., Tex.).

Assignments of interest: Sen. Sasser was appointed to the powerful Appropriations Committee, which handles funding for government agencies and projects. He is thus a key person on fundings we desire (e.g., BSF land acquisition) and fundings we oppose (e.g., Columbia and Tellico dams). -- Joe Evins' powerful position as chairman of the Public Works Subcomm., House Appropriations Comm., has been taken over by Alabama's Tom Bevill.

12. TCWP ORGANIZATIONAL NEWS

* Don Todd Day. Perhaps we don't do enough to sing the praises of those among us who have given so much, so quietly. That's why we are happy to pick up on a suggestion, made in a recent TTA newsletter, that April 23 be celebrated as Donald Todd Day. The occasion is Don's leading (for the umpteenth time) the annual springflower hike in Frozen Head. And what makes it so fitting is that, without Don, there would be no Frozen Head State Park -- in fact, there might be a big stripmine there instead. There also would be no Cumberland Trail, no Tennessee Trails Act, and probably no Obed Wild & Scenic River (for Don was instrumental in building the vital Morgan County support without which Mrs. Lloyd never would have acted). Don, of course, was TCWP President 1974-1976, and, before that, on the Board and committees for years. So come out for the April 23 celebration; write a letter to Don; write a letter to the paper about him. LET'S SING HIS PRAISE!

* Dues. If there is a small green card enclosed with this NEWSLETTER (or if you received one earlier), you are among the ca. 400 members who have paid their 1977 dues. The rest of you (a large proportion of our membership) are delinquent. Remember, we have extra expenses this year: an executive director who gets paid half time but works at least time-and-a-half. Please send us your dues, plus any extra contribution you can make, and help those of us who work hard to get the things we all want.

Cain Memorial Fund. Glenn W. Cain, who, only a year ago, joined vigorously in our fight to preserve the Oak Ridge greenbelt against a threatened road, died March 9 from injuries received in an automobile accident. Mr. Cain, who at 67 carried as many petitions as anyone, and faithfully and quietly attended meetings of City Council, Planning Commission, etc., was always touching in his praise of the spokesmen in our common effort. We mourn his death. The family requested that memorials be sent to TCWP. The money will be put to use on efforts he would have appreciated.

TCWP Booth at Annual Wildflower Pilgrimage. Martha Ketelle, artist Bill Worley, and Bill Russell are hard at work preparing exhibits for our new venture -- a booth. You-all come and take a look (see Calendar). The exhibits will be constructed for easy shipping so that they can later be used in connection with our chapter-building effort.

Comments about TCWP. The letter-writing-social form we sent out in January also had room for "comments on the workings of TCWP." While many people have not bothered to fill out that part of the form, over 35 have. The ratio of favorable to critical comment was about 7 to 1. We list here most of the latter, and a small sample of the former. Critical: "Should be more effective in developing effective wilderness implementation methods and plans for natural areas, scenic rivers and trails, Smoky Mt. N.P." "Newsletter often arrives too late" (from a member who lives in a Massachusetts town); "Maintain good communications with other groups." Favorable: "TCWP takes the most

over

professional approach toward issues of any environ. organ." "Totally astounded at every publication -- the fantastic amount of work reflected in the Newsletter"
 "...appropriately focussed on political action..." "best job of any organization"
 "I'm glad we found one another" "Fantastic"

13. PUBLICATIONS OF INTEREST

- "State Strip Mining Laws: An Inventory and Analysis of Key Statutory Provisions in 28 Coal Producing States," by John C. Doyle, Environmental Policy Inst., March 1977 (Order from EPI, 317 Penn. Ave., SE, Wash. DC 20003)
- An updated version of "Disasters in Water Development" provides information on 15 dam, canal, and irrigation projects throughout the country (\$1 from Am. Rivers Cons. Council, 317 Penn. Ave., SE, Wash. DC 20003. Orders of 20 or more are \$0.25 each).
- In a READER'S DIGEST article, "Half a Billion Dollars Down the Drain," James Miller discusses how destructive boondoggles, like the Garrison Diversion Project in N.D., come about. Reprints of this article may be ordered from ARCC (see above), together with their excellent "Citizen's Guide to Water Projects," which details methods of organizing political strength against boondoggles.
- For info on the Tennessee-Tombigbee boondoggle, read the "Smithsonian Magazine" of Dec. 1976, and "Forbes" of March 1, 1976.
- "1977 Conservation Directory" is a very useful compendium of federal and state government agencies, members of Congress, and citizens groups (\$3 from National Wildlife Fed., 1412 - 16th St NW, Wash. DC 20036. Specify Item 79552 TD).
- A list of Tennessee-owned areas containing long-distance trails suitable for backpacking, and information contacts for each one may be obtained from Joe Gaines, Trails Administrator, Tenn. Dept. of Conservation, 2611 West End Ave., Nashville, TN 37203.
- "Land Use Controls in the United States -- A Handbook on the Legal Rights of Citizens" by the Natural Resources Defense Council (\$7.95 paperback, or \$15.95 hardcover from NRDC, Box B, 15 W. 44, New York, NY 10036. Hardcover \$13.50 when ordered from Wilderness Soc. Book Dept., Box 725, Stamford, CT 06904).
- A number of books, by various publishers, that may be of interest to conservationists are available at up to 20% discount through the Wilderness Society (For list, write 1901 Pennsylvania Ave., Wash. DC 20006)
- "Action Plan for Consideration of Economic, Social, and Other Environmental Effects of Highways," prepared by Tenn. Dept. of Highways June 1976.
- "EnviroSouth" is a new quarterly publication by the Montgomery-based Env'tl Quality Assoc. For its first issue, it promises a story on the Bartram Trail, an interview with Jane Yarn, a profile on artist Hubert Shuptrine, etc. \$3.50/yr from EnviroSouth, Inc., Box 2804, Montgomery, AL 36105.
- The Plow -- The Monthly Magazine for the Mountains," addresses regional issues, such as stripmining, and says something about people in the mountains -- their skills, memories, dreams. (\$2 for 6 months, \$4 a year, from Appal. Info. Inc., P. O. Box 1222, Abingdon, VA 24210).
- The National Solar Heating & Cooling Info Center is an info source for reports and reading lists. (Write: Solar Heating & Cooling, P. O. Box 1607, Rockville, MD 20850; or call, toll-free, 1-800-523-2929). The Division of Solar Energy, ERDA, Washington, D.C. 20545, mails weekly capsule reports on request.
- "Energy Conservation in the Home" is a 325-page teaching guide for high-school level, prepared by U.T. In addition, a series of curriculum guides for all grade levels, entitled "Interdisciplinary Student/Teacher Materials on Energy, the Environment, and the Economy," have been prepared by the Nat'l Science Teachers Assoc. (To request single free copies, teachers should write on school letterhead to ERDA, TIC, P. O. Box 62, Oak Ridge, TN 37830)
- A report on the increasing use of wood residue claims that it would take 1,400,000 acres of additional forest in the Tenn. Valley to grow the wood saved last year through the recovery of waste material that once was discarded. The report, about to be published, is available from TVA's Div. of Forestry, Fisheries, and Wildlife Dev't, Norris, TN 37828.

- "Finding Solutions to Environmental Problems: A Process Guide," 1976, by Jonathan Wert and M. A. Magnoli, is a methodology for helping students and citizens groups to identify pressing problems in their communities and to find solutions. (Write Environment Center, U.T., South Stadium Hall, Knoxville, TN 37916)
- Workbooks for a home-energy self-audit may be requested from the Tenn. Energy Office by calling the toll-free number 1-800-342-1340. You may also request an in-home audit by a trained volunteer.

*Important
see page 16*

14. CALENDAR

- April 16 - TERC hike, Nolichucky Gorge (Call Gordon Porter, Kingsport 288-6513)
- April 16 - TTA hike. Snow Falls, Dayton (Call David Rhyne, Cleveland 479-2420)
- April 16 - TERC canoe trip, N. Fork of Holston, Class I-II (Call Dick Burow, Kingsport 288-3452)
- April 17 - SOCM's 3rd Annual Bluegrass Benefit Show, Oak Ridge National Guard Armory, 1-6 p.m. Many fine entertainers, including the New River Boys; cider, good food; quilts for sale, and a quilt raffle.
- April 17,30; May 14-15, 22, 28-30 - SMHC hikes (Write SMHC, Box 1454, Knoxville, TN 37901)
- April 21 - Address by U.S. Forest Service Chief, John McGuire. Auditorium, U.T. Plant Science Bldg, Ag Campus, 7:30 p.m.
- April 22-24 - 26th Annual Spring Wildflower Pilgrimage. This will have a TCWP booth -- see #12 (Call Ed Clebsch, Knoxville 584-2345; or 974-3065)
- * April 23 - Donald Todd Day! How about writing a letter-to-the-editor of your paper (see #12)
- April 23 - TTA wildflower hike, Frozen Head State Park (Call Don Todd, Wartburg 346-3113)
- April 23,24 - TERC bicycle trip, Cades Cove (Call Powell Foster, Kingsport 239-8609)
- April 30; May 7-8, 14, 19-22 - TERC hikes (Write TERC, Tennessee Eastman, Kingsport, TN 37662)
- May 1 - TTA hike and picnic, Radnor Lake. (Call David Stidham, Nashville 298-5735)
- May 14 - TTA hike, Savage Gulf (Call Grimes Slaughter, Oak Ridge 483-5859)
- May 28-31 - Appal. Trail Conference, biannual conference, Shepherdstown, West Virginia (Write B. F. Sherman, Jr., 6329 Mori Street, McLean, VA 22101)
- * June 3-8 (Register a.s.a.p.) - Camp Ecology Counselor Workshop, Camp Ozone, sponsored by Am. Camping Assoc. and Roane State Comm. College. Early registration advised (Write Camp Ozone, Ozone, TN 37842, or phone 615, 354-9747)
- * June 6-8 (Registr. due April 30) - National Wetland Protection Symposium, Reston, VA, sponsored by Envtl. Law Inst. and U.S. Fish & Wildlife Serv. (Write Environmental Law Inst., Suite 620, 1346 Connecticut Ave., NW, Washington, D.C. 20036)
- Sept. 8-10 - 4th Natl Trails Symp., Lake Junaluska, NC (Write Evan Means, 200 Butler Rd., Oak Ridge, TN 37830)
- * Item requires earlier action

A recent Harris poll shows that 66% and 67%, respectively, of Americans feel that air pollution and water pollution are "very serious." This is a significant increase from last year's survey.

URGENT POSTSCRIPT

Federal stripmining bill

✕ There are ominous signs that the bill is about to be badly weakened with respect to standards related to "mountain-top removal" and "head-of-hollow fill". Please write to Sen. Jennings Randolph, Senate Office Bldg, Washington, D.C. 20510 to:

- (1) express your opposition to mountain-top removal, the most destructive method of coal extraction in Appalachia; and
- (2) request that, if mountain-top stripmining is to be permitted, the law be written in such a way as to forbid the depositing of spoil downslope, or "head-of-hollow fill."

Senate markup on the stripmine bill is coming soon, so write TODAY.