

# TENNESSEE CITIZENS FOR WILDERNESS PLANNING

Newsletter No. 81, July 28, 1977\*

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Order your canoe raffle tickets and  
T-shirts today! (see colored page)

Take action on starred items !

## 1. LITTLE T: TESTIMONIES AND OFFICIAL STUDIES SHOW ALTERNATIVE DEVELOPMENTS

### CAN YIELD MORE BENEFITS THAN UNJUSTIFIED DAM

Bill Russell testified on behalf of the Little Tennessee River Alliance (of which TCWP is a member) at Senate Environment and Public Works Subcommittee hearings on the Endangered Species Act, held July 21 at Washington. (As you may recall [NL 80, 14] Reps. Duncan, Lloyd, and Beard have introduced bills that would exempt Tellico from the Endangered

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Species Act.) Bill pointed out that, along with the snail darter, we would lose one of the Southeast's last big river environments, an entire unique ecosystem, if Tellico Dam is completed; and that the Alliance was trying to find a positive, constructive solution to the conflict between TVA and the law, based on the finding (see below) that many of the benefits of the Tellico Project, plus others, could be achieved with an imaginative multipurpose development associated with a river instead of a reservoir. He suggested that "the problem the Committee is facing today is not a problem with the Endangered Species Act, but a problem with TVA."

It is of interest that in the 4 years since the Act's passage there have been at least many hundreds (4500, by one estimate) of consultations between federal construction agencies and USDI's Office of Endangered Species. All but 3 (including Tellico) were resolved either by determining that no endangered species were jeopardized by the project under consideration, or by making some alterations in the construction plan to accommodate the law.

The results of two important studies were made known in time for the hearings. One was a General Accounting Office (GAO) study of the dam, requested by the House Merchant Marine & Fisheries Comm., which concludes that none of TVA's claimed benefits are supported by TVA's data or cost-accounting methods, since TVA occasionally "double counted," cited gross benefits as net benefits, or included conflicting benefits. It also points out that TVA did not consider the "no-dam" option among the alternatives studied for the project. -- An important finding of the GAO study is that of \$102 million expended to date, only \$10 million can be considered as "sunk" into the dam, with \$67.6 million retrievable (road and bridge construction, land acquisition) and \$24.7 million already having benefited the economy of the area (construction wages). Of the total \$102 million, \$70 million was spent after the discovery of the snail darter. TVA has claimed that if it is forced to re-study benefits and costs in cooperation with other agencies, as requested by GAO, this would take 6 months and would further delay the project; but it has been pointed out that neither Congressional action on the Endangered Species Act nor a Supreme Court decision on the appeal (see below) are expected before that time in any case.

Another study commissioned by the Congress was released July 21 by the U.T. School of Architecture. The 58-page report compares the potential of the valley under three alternatives: (a) retention of the free-flowing river, (b) river impoundment, and (c) selected tributary impoundment. Alternative (a) was rated "high" and superior to alternative (b), with respect to agriculture, historic-cultural, public education, and research and development. It was equal to alternative (b) with respect to commercial, industrial, and residential potential. The report also concludes that with alternative (a), the Little-T valley could preserve important historic sites and could be made into a tourist mecca that would draw off some of the heavy visitation of the Smokies.

TVA filed its appeal to the Supreme Court in May or June. The Tennessee Endangered Species Committee filed its brief July 2. The Tribal Council of the Eastern Band of Cherokee Indians voted on June 20 to join TESC in the suit as amicus curiae.

\* What you can do: We hope that you will use some of the information we have summarized for you in this section of the NL when you write to your Representative and to both Senators Baker and Sasser in support of alternatives to the Tellico Dam. Other important people to write to are Sen. John Culver, Chmn., Subcommittee on Environment and Public Works, and Rep. John Murphy, Chmn., Merchant Marine & Fisheries Committee (all Senators are at Senate Office Bldg, Washington, D.C. 20510; all Reps. at House Office Bldg, D.C. 20515). Send a copy of your letters to the editor of your local paper.

## 2. WATER PROJECTS: THE DUCK RIVER LOSES IN A PARTIAL CAVE-IN BY THE ADMINISTRATION

At this time it looks as if we'll end up winning less than half the battle to delete funds for water resource boondoggles. President Carter is expected to sign a Public Works Appropriations bill that resembles the Senate version by continuing funding for 9 of the 18 water projects Carter recommended for deletion (including Columbia Dam), and goes along with his recommendation on only 3 of the 5 on which he asked for modification. (It should be recalled that the original number of projects reviewed was 32, and that the Administration itself recommended continued full funding of 9 of these, including the Tennessee-Tombigbee. Thus we end up with only 9 of 32 major boondoggles deleted.) The Administration apparently agreed to this water-project compromise in return for an elimination of Breeder funds. One good feature of the bill is that it also cuts all funding to initiate new water projects; but the Big S. Fork acquisition funds may have fallen victim to this feature (see ¶3).

The Administration's acceptance of the compromise is particularly disappointing in view of the indication that a veto could probably have been sustained. For example, a switch of only 13 votes would have won the Conte-Derrick amendment in the House to cut funding for all projects. (The vote was 194:218; but among our own state delegation, only Rep. Harold Ford voted right, and all other Tennesseans voted wrong. Rep. Gore, in fact, made a special speech on behalf of Columbia Dam funding.) The McIntyre amendment in the Senate to cut funding for all projects lost 34:52, with Baker and Sasser opposed.

While this is, of course, a very disappointing setback in our efforts to halt the destructive and unjustified Columbia Dam, it is by no means the end of the line. For one thing, we'll have another chance in the next fiscal year. For another, the direction of TVA may change with the appointment of David Freeman to the Board this year (see ¶8), and the replacement of Chmn. Aubrey Wagner next. But even before then, we can have an input in the Executive Branch review of federal water resource policy that has been ordered by Pres. Carter, who aims to confine development to projects that meet criteria of "economic efficiency, safety, environmental protection, and fair distribution of project benefits." To continue efforts along these lines, we have formed the Tennessee Coalition for Water Project Review. Organizational members, to date, are TCWP, the Tenn. Conservation League, the Tenn. Outdoor Writers Assn, Sierra Club, and the Tenn. Endangered Species Committee.

X What you can do: Citizen input has been invited for hearings of the Water Resources Council. Comments should be sent to Water Resources Council, 2120 L Street NW, Washington, DC 20037, deadline August 20. You may wish to focus on specific disasters like the Duck River Dams or Tellico, or comment in more general terms. If you would like more detailed info, contact the editor.

Footnote on the "benefits" of Normandy Dam on the Duck River: The TSRA Newsletter reprints an item from the Lewisburg newspaper of June 7 that reports foul odor and taste in water coming to the Lewisburg and Shelbyville water intakes from the Normandy Reservoir, where they were brought about by proliferation of the alga anabana. Similar occurrences are promised for future spring seasons, while fall seasons will bring foul water from decaying leaves. The TSRA editor reminds us that one of the major benefits promised from Normandy Dam was "an assured water supply for downstream towns." -- In Florida, they're restoring a major river, the Kissimee, to its pre-channelization state. Do you suppose the Tenn. legislature will ever vote to tear down Normandy Dam?

## 3. OBED; BIG S. FORK; NATIONAL WILD & SCENIC RIVERS ACT

No acquisition funds for the Big S. Fork National River and Recreation Area are included in the Public Works Appropriations bill that has just gone to Pres. Carter for signature. The Ford Administration budget for Fiscal Year 1978 contained no BSF money, and no budget

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changes were made on this item by the incoming Carter Administration. While Senators Baker, Sasser, and Huddleston and Rep. Gore (see below) made an attempt to have the Committee include the Corps-expressed capability of \$5.4 million for a start in BSF land acquisition, the effort fell victim to Sen. Stennis' agreement to exclude all "new construction starts" from the bill in hopes of avoiding a Carter veto (see ¶2, this NL). Attempts were initiated through the White House staff to get an exception to this blanket ruling (the BSF obviously not being a run-of-the-mill Corps construction job), but by that time it was too late to change the Congressional process.

When we reported earlier on Congressional support for Big S. Fork land acquisition funding (NL 80, ¶6), we were not aware that Rep. Al Gore, Jr. had made an eloquent statement before the House Subcommittee on Public Works Appropriations urging that \$5.4 million be appropriated in FY 1978. Mr. Gore also requested that the statement by the BSF Coalition be included in the record of the subcommittee's hearings. Although he failed this year, Mr. Gore promised continued support in the future. We hope you will express your appreciation for his action (Longworth House Office Bldg., Washington, D.C. 20515).

Doyle L. Kline, the National Park Service's Project Manager for the Big S. Fork and Obed, now has added an office and phone to his Oneida address. His office is in the Brewster Bldg, Industrial Lane, Oneida (going N on U.S. 27, turn left at first light, go 0.4 miles). Address is P.O. Box 477, Oneida, TN 37841. Phone: 615, 569-6389.

The NPS has opened an office at the Wartburg Federal Bldg in preparation for the Obed land acquisition projected to start late this year. Under the terms of the legislation, no more than 100 acres per river mile (including both sides) can be acquired in fee simple, and no more than a total of 320 acres/mile by any method. The final EIS projected a corridor averaging 650 ft on each side. The Land Acquisition Officer, Mrs. Marion I. Turzai, who has served at Indiana Dunes Natl Lakeshore, and Sleeping Bear Dunes Natl Lakeshore, is presently researching land records for the Obed area. Her address: P.O. Box 429, Wartburg, TN 37887.

TCWP has written a factsheet on the current Obed status, together with a map. If interested, send a self-addressed stamped envelope to the editor.

Part of the history of Obed preservation, and TCWP's part in it, is contained as one of "Three Case Studies" in an article by Russ Manning in a fine new book called "Flowing Free: A Citizen's Guide for Protecting Wild & Scenic Rivers." See ¶15 of this NL for more detail on the book's many other features.

The National Wild & Scenic Rivers Program could get a big boost from Pres. Carter's environmental message of May 23. In past administrations, the Executive Office of Management and Budget (OMB) has failed to give positive recommendations even for rivers on which studies had been completed for some time. Carter recommended that 8 such rivers, totalling 1303 miles, be added. In addition he proposed 20 rivers for study. The President deserves an expression of our thanks and our active support for protecting rivers "before they are dammed, channelized, or damaged by unwise development."

One way in which we can help boost the program is to have a positive input into the formulation of BOR's "National Inventory of Rivers," which in the past has shown evidence of being merely a series of negative filters for eliminating all but a tiny fraction of rivers that have potential for inclusion in the national system. Now, with a new Administration, we have an opportunity for constructive criticism and positive suggestions. Write to Mr. Chris Delaporte, Director, Bureau of Outdoor Recreation, U.S. Dept. of the Interior, Washington, D.C. 20040.

#### 4. SMOKIES: A GOOD PARK SERVICE ENVIRONMENTAL REVIEW IS READY FOR COMMENT

There are many steps in the planning process for Park management of the Great Smoky Mtns Natl Park. We might summarize them as follows: Environmental Assessment (alternatives

presented) ① → Environmental Review (NPS choices) ② → Draft Environmental Impact Statement (Spring 1978) ③ → Final EIS (1978) ④ → General Management Plan (1978). Workshop meetings were held last February at transition #1, and TCWP participated very actively (see NL 79, ¶8). Oral and written comment will again be possible at transition #3. Now we are at #2, which requires written comment. The 13-page Review may be obtained from, and comments should be sent to, Boyd Evison, Superintendent, Great Smoky Mtns Natl Park, Gatlinburg, TN 37738.

A few highlights may here be summarized. The Review mentions that degradation of certain key resources that has accumulated must be curbed; and that this can be done by drawing the line at certain peak-use levels, and by further limiting some activities. Both the Second Transmountain Road and the North Shore Road are eliminated from consideration because of the great environmental problems they present. The Cataloochee Access Road will be built as a low-speed road, but the number of people and vehicles permitted in the valley will be held at 1975-76 levels, or lower. Optional public transportation will be tested; and the appeal of such transportation will be enhanced by giving it exclusive access to some trailheads and by combining it with interpretive services. LeConte Lodge will operate through 1978, with monitoring of environmental impacts to determine whether it should continue beyond that. Some trail shelters will be removed, and the remainder phased out as they deteriorate.

NPS proposes several substitutes to the 1943 Agreement, all of which would serve to increase visitation in Bryson City. These include an interpretive center in the Deep Creek area, a day-use facility in the tunnel terminus area, and possibly recommendations to Congress to improve Highways 28 and 129 (outside the Park) and to fund a major folk art/crafts/entertainment center (outside the Park) near the Deep Creek interpretive center. Since NPS will not extend the North Shore Road (see above), acceptance by Swain County and N.C. of these substitutes to the 1943 Agreement would remove the last obstacle to including the 44,000 acres north of Fontana Lake in the Park wilderness, as proposed in the "Citizens' Wilderness Proposal" (see NL 80 ¶7). The Review points this out, and NPS commits itself "to managing all or most of the area in question as if it were wilderness," and to seeking addition of the area to the designated wilderness as soon as settlement of the 1943 Agreement occurs.

We hope you will obtain the full text of this well-formulated Review and that you will contact Leroy Fox (Knoxville 588-5058) who is heading TCWP's Smokies Committee.

[P.S. Gov. Blanton's recent appointee to the Smoky Mtns Park Commission -- see NL 80, ¶7 -- is quoted in the Oak Ridger of July 20 as having said, "If we increase the number of little bitty old trails, we're going to get more of these vagabonds." Instead, he wanted more automobile turnouts for the park roads.]

## 5. WILDERNESS IN CHEROKEE NATIONAL FOREST

Bob Farmer and Bill Chandler will testify July 29 at a Wilderness Evaluation Workshop for the Cherokee National Forest. Assistant Secretary of Agriculture, Rupert Cutler (see NL 80 ¶11), has ordered a thorough review of all wilderness opportunities on National Forest lands, and a suggested inventory will be commented on at the Workshop. In addition, the Forest Service is soliciting suggestions on national criteria for use in evaluating the inventoried areas for possible inclusion. We urge all of our members who can comment on these matters to send their testimony by Sept. 15 to Robert R. Lusk, Forest Supervisor, Cherokee National Forest, P. O. Box 400, Cleveland, TN 37311.

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## 6. STRIPMINING: A FEDERAL BILL IS PASSED, BUT OUR EFFORTS CONTINUE

### A. Conference committee version of federal bill passes

On July 20 and 21, respectively, the Senate (by voice vote) and House (325:68) passed the conference committee version of the Surface Mining Control and Reclamation Act of 1977, and Pres. Carter is expected to sign the measure momentarily to give the country its first stripmine law. The final bill is, in fact, about half-way between the stronger House and weaker Senate versions. Worst among the weakening provisions is one that exempts small operators from the legislation until January 1979. (Senate bill would have exempted them until July 1979; House bill until April 1978). The definition of 'small operator' includes the bulk of Appalachian stripminers. On the other hand, House conferees successfully defended the requirement that highwalls be eliminated after mining is completed (though variances may be permitted for "experimental" purposes). The conference also retained the stronger House bill's requirement that surface owner consent be given before federal coal is mined. The bill allows mountaintop mining in Appalachia, but provides for strict regulation in spoil placement. Mining in alluvial valley floors in the West is allowed, provided it doesn't interrupt or prevent farming. When mining in prime farmlands, operators must reconstruct the soil according to stringent criteria. A reclamation fee of 35¢/ton of stripmined coal will go into the Abandoned Mine Reclamation Fund.

### B. Stripmining and floods

The House Subcommittee on Environment, Energy and Natural Resources has begun a series of hearings on the effect of strip mining and improper reclamation on flooding in Appalachia. These hearings will form the basis for recommendations for reclamation regulations to be developed by the Interior Dept. under the new stripmine law.

### C. Report on coal-mine water discharge hearings

The TCWP Exec. Director, Board, and individual members presented testimony at the June 15 and 16 hearings on coal-mine water discharge, though the turnout was not nearly as good as it had been at our open meeting on the subject the week before (which an estimated 75 attended). Stripmine operators were well represented but not very persuasive. In our testimonies, we asked that conditions of permits for operations that drain either into the Obed or Big S. Fork be strengthened in at least 3 ways: (a) monitoring to be done daily on weekdays; (b) limits to be set for any single sample (rather than for an average); (c) permit requirements to continue until revegetation is complete. The last of these points was also supported by the Tenn. Dept. of Conservation -- possibly as a result of our open meeting the week before.

## 7. TVA/CLEAN-AIR-SUIT UPDATE (contributed by Bill Chandler)

Many positive developments have occurred in the law suit (in which TCWP is a plaintiff) since our last report. As you probably remember, TVA has been sued in three states for non-compliance with the Clean Air Act of 1970 at 10 of its coal-fired electric generating plants. Most important, the Environmental Protection Agency (EPA) has committed considerable resources to intervene in our behalf in the suit filed by Dean Rivkin (who is based at the University of Tennessee Legal Clinic). Three attorneys at EPA will be working full time on the case, as well as a number of technical and economic consultants. In addition, the Department of Justice has assigned 4 seasoned attorneys to assist EPA. The burden on our attorney and resources for this the largest clean air action ever will therefore be tremendously reduced. In Alabama, the Attorney General has filed a parallel suit against TVA, with preliminary hearings expected as early as mid-September. Dean Rivkin has met with TVA attorneys to discuss consolidation of the Tennessee, Alabama, and Kentucky suits, and both parties agree that this would be beneficial. EPA and TVA have also met to discuss a compromise, but none was reached.

\* TCWP still has failed by more than \$100 to raise its share of the cost of the clean air lawsuit. If you wish to contribute, please make your (tax-deductible) check payable to TCWP, Inc., 130 Tabor Road, Oak Ridge, TN 37830.

On the state level, Ralph Deaderick and Bill Chandler testified before the Air Pollution Control Board, which is considering a TVA request for variances at 6 of its steam plants.

Deaderick contributed considerable effort to his testimony which described what it has been like living downwind of the Kingston Steam Plant. He asserted that although the tall stacks provide relief locally from the sulfur oxide pollution, they worsen the problem ultimately by thrusting the pollutant high enough into the atmosphere to produce sulfates and sulfuric acid, and to be carried by the winds as far as Canada. [TVA has maintained that it meets ambient standards and therefore complies with the law. However, the Supreme Court (in EPA vs. TVA) ruled that this strategy was inadequate.] Chandler concentrated on the scientific documentation to the health and property damages caused by sulfur oxide pollution, and on the favorable economics of using flue gas desulfurization (scrubbers) instead of low sulfur western coal in TVA coal plants. TCWP was one of about half a dozen organizations testifying in opposition to the TVA request. Testimonies were coordinated by Ruth Neff of TEC. The Board's decision, which will indirectly determine whether the State of Tennessee will join our law suit, is expected by August 24.

In the Federal Congress, a House-Senate Conference Committee will consider a Howard Baker (Senate-bill) amendment to exempt the Kingston Steam Plant from the Clean Air Act. The House bill lacks this provision.

## 8. FREEMAN NOMINATED TO TVA BOARD; OTHER TVA NEWS

### A. Freeman nominated

One of the 3 persons TCWP recommended last November to Pres. Carter for the vacant TVA Board position has now been nominated. S. David Freeman, whose nomination was announced July 19, was recommended also by the Tennessee Conservationists for Carter. The 51-year-old Freeman was born in Chattanooga and started his professional career with TVA--first as an engineer and then as an attorney. He subsequently worked for the Federal Power Commission, and the Senate Commerce Committee, and later headed the Ford Foundation's Energy Policy Project which came out strongly on the side of energy conservation and efficiency, and questioned the wisdom of continued energy growth. Freeman recently said, "We must be sure that consumer protection and environmental protection do not become the first victims of the energy crunch." His appointment is seen to be consistent with Pres. Carter's decision to restore TVA to its status as a regional resource development agency that would serve as a national model for innovations in energy conservation measures and in demonstrations of new technical, social, and economic energy policies.

### B. TVA opens seven "Small Wild Areas"

TVA has identified 17 sites (8 to 300 acres) on land owned by the Agency that have unique natural features (e.g. waterfalls, caves, etc.). Of these, 7 are now open to the public, as follows:

- Beach Island (Union County -- Norris Lake area)
- Stiner's Wood (Union County -- Norris Lake area)
- River Bluff (in Norris Dam Reservation), contains Natl Rec Trail
- Little Gizzard Creek (Marion Cy -- reach via Fiery Gizzard State Scenic Trail)
- Lady Finger Bluff (Perry County, near Land Between the Lakes)
- McCuiston Woods (Kentucky)
- Old First Quarters Ravine (North Alabama)

## 9. NEWS FROM THE STATE

### A. Cooperative agreements with organization

A bill of importance to the state scenic rivers and trails programs that passed this year authorizes the establishment of cooperative management agreements between the Dept. of Conservation and qualified organizations for purposes of resource conservation. One provision authorizes the Commissioner to provide park rangers and other services on

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publically or privately-owned areas used by the public. This legislation is applicable to the Buffalo River Preservation Association (formed by local people who opposed National Scenic River status); and it may be a selling point in getting permission to run state trails across private lands.

#### B. Conservation bond authorized

The 90th General Assembly authorized an issue of \$6 million in general obligation bonds for state parks and recreation. Of this, \$737,500 is for Natural Area acquisition and development, \$72,000 for the Scenic Rivers Program, and \$210,000 for State Trails (including \$100,000 for right-of-way acquisition). The great bulk of the money goes for Cultural Areas and Park maintenance.

#### C. Scenic Rivers

Six sites on 5 rivers have been acquired, including two by lease or easement from federal agencies. The Program Administrator, Mike Countess, also developed a large array of informational and educational services, such as a slide show, a Program brochure (see #15), an essay contest, a float map brochure, a TV presentation, public service TV announcements, and a visitor information station on the Hiwassee. The Program has engaged in research (e.g., sediment studies), training (e.g., a land acquisition seminar) and service (e.g., removal of blow-down material from the Collins).

#### D. Trails

From material recently provided by Program Administrator Joe Gaines, we've extracted the following very brief summary. Work is proceeding both on the scenic trails listed in the Tennessee Trails Act of 1971, and on trails to be located on existing state lands. In the former category, the state is receiving major aid from TTA in developing the northernmost and southernmost segments of the Cumberland Trail; has hired temporary employees to perform land-owner contacts and route research, respectively, for the Trail of the Lonesome Pine and the Trail of Tears; has received a BOR matching grant for trail construction on two publically-owned segments of the Chickasaw Bluffs Trail; and is getting ready to acquire the right-of-way to a railroad abandonment (Frozen Head to Harriman) for the John Muir Trail (see B, above). Trails are also being developed on existing state lands (Savage Gulf, Natchez Trace State Park, Percey Priest Reservoir), some of them with the help of federal employment programs. Progress is being made in the public information area: a slide show, with text, on each of the State Scenic Trails projects is available for loan; a statewide trail brochure is being prepared (with the cooperation of the Sierra Club); trail maps for some of the trails enumerated, and others, are in preparation; and a tabular listing of almost 40 Tennessee trails will probably appear in a Tenn. Div. of Tourism outdoor brochure.

#### E. Water Quality

Sec. 208 of the Federal Water Pollution Control Act Amendments of 1972 concerns itself with non-point sources, such as run-off from agriculture, construction, urban surfaces. The Tennessee Division of Water Quality Control recently received an EPA grant for a "208 Planning Program." Pollutant loads derived from various sources will be evaluated, and new management practices may be recommended, if necessary. One of two committees created to advise the project staff -- the Policy Advisory Committee, consisting of locally-elected officials -- will be headed by West Tennessean Steve Brunson, former president of the Tenn. Assn. of Soil Conservation Districts.

The legislature in May of this year passed amendments to the Tennessee Water Quality Act that give the State the authority to issue federal discharge (NPDES) permits, in addition to continuing to issue state permits. However, agricultural and forestry-related activities and lands were exempted from the new legislation.

#### F. The new Tennessee Energy Authority

TEA, created by the recently adjourned legislature as an independent agency, will replace TEO (the Tenn. Energy Office), which was part of the executive branch. TEA will be governed by a 7-member board (5 to be appointed by the governor, one each by House and Senate), and will have an Executive Director (presently Edward Spitzer). The staff will be organized into 3 divisions, responsible for (a) energy development, (b) contingency planning and conservation, and (c) energy information and monitoring.



### G. Voting records

The "Legislative Wrapup" by the CCLC Legislative Newsletter lists 25 recorded votes each for Senate and House. Of these, 3 and 5, respectively, are in the Energy-and-Environment area. While the final vote on a bill is often insufficient to indicate a legislator's performance (many important steps taking place in committees and on amendments), we feel the 5 House votes are worth reporting, since they are on a fairly good cross-section of issues. (To exempt agricultural and forestry activities from water quality control, see E, above; to establish TEA, see F, above; to exempt solar equipment from sales tax; to implement energy efficiency standards; to request completion of Tellico Dam). Only five representatives voted "correctly" (by TCWP's criteria) 5 times out of 5, namely Cobb, Kernell, Martin, M. Murphy, and Spence. Fourteen voted right 4 times out of 5, namely, Brewer, Byrd, Cawood, Chiles, Darnell, DeBerry, Ellis, E. Ford, King, Lanier, Nolan, Ozment, Small, Turner (in each case, except Nolan, the wrong, or absent, vote was the one on Tellico Dam).

### H. Overton Park

Again there is the threat of legislation that would specifically exempt the Overton Park portion of Interstate-40 from one or more protective federal laws, perhaps by having the state alone pay for that road segment. According to Citizens to Preserve Overton Park, Sen. Baker may introduce such legislation and Sen. Sasser may support it. It seems that protective environmental laws are OK with our legislators -- until they affect developments in their own back yards: then comes a new bill to exempt the back yard! You should let Senators Baker and Sasser and your representative know how you feel about this sort of thing (Senate or House Office Bldg, Washington, D.C. 20510 or 20515).

## 10. NATIONAL ITEMS

### A. Wetland protection

Though we have already lost half of our national heritage of wetlands to developers, the important wetlands protection program authorized 5 years ago is being threatened by Congress even as it moves into its final implementation stage. Under the "404" permit program established by the 1972 Water Pollution Control Act, the Corps of Engineers keeps a watch on the various activities that involve disposal of dredged spoil or fill material into the nation's watercourses and wetlands. On July 1, the third and final phase went into effect under which all waters are protected up to their headwaters (Phase I included only coastal waters and traditional navigable waters inland; Phase II was an intermediate step). -- In April, the House passed a bill that includes severe cutbacks in the 404 Program, essentially by restricting it to Phase-I waters only. The Senate Environment and Public Works Committee bill, which may come up for floor action momentarily, retains the broad jurisdiction over all waters, but would delegate the Corps program for smaller waters to the states. The Bentsen amendment, to be brought up on the Senate floor would adopt the House provisions for the 404 Program. Your senators need to be told (a) that the Bentsen amendment must be defeated; and (b) that any delegation to the states should mandate the use of the permit process and should establish tight federal oversight of the state program.

### B. Boundary Waters Canoe Area

Even though far away in northern Minnesota, this Area of a thousand river-connected lakes has been enjoyed by several TCWP members. A special provision of the 1964 Wilderness Act, which established this largest wilderness east of the Rockies, specifically allowed power-boating throughout, and logging in some portions. These activities, as well as snowmobiles and potential mining, now badly threaten the area. Conservationists are supporting Congressman Fraser's HR 2820 which would permanently designate the entire million acres as wilderness, prohibiting motorized vehicles, logging, and mining (Write the Hon. Phil Burton, Chmn, Subcommittee on Parks & Recreation, House Interior Committee, 1522 Longworth House Office Bldg, Washington DC 20515. Send one copy to your own Congressperson. Send another copy to Asst. Secretary of Agriculture Rupert Cutler, USDA, Washington, DC 20250.)

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### C. Council on Environmental Quality

CEQ almost fell victim to staff recommendations for Executive Office reorganization (and personnel reduction), but was rescued by Pres. Carter following strong pressure from environmental groups and over 70 Members of Congress. CEQ staff will be reduced from 40 to 32 and review of EIS's will be shifted to EPA to reduce the workload. However, CEQ will retain NEPA policy control (including resolution of conflicts between agencies), will analyze long-term environmental trends, and will assess policies for improving the environment.

### 11. MORE GOOD NOMINATIONS AT SUB-CABINET LEVELS

S. David Freeman, TVA Board. (See ¶10)

William Whalen, 36, Director of National Park Service, USDI. In his most recent position as General Manager of the Bay Area National Parks (Point Reyes National Seashore and Golden Gate National Recreation Area), a fragmented 70,000-acre area of great diversity, Whalen earned a reputation for excellent management. He was also asst. superintendent of Yosemite N.P., and associated with the National Capital Parks (D.C.).

Ira Hutchison, 50, Deputy Director, National Park Service USDI, the first black man to be appointed to a high position in the NPS, was Director of the Gateway National Recreation Area (in and near New York harbor). He is said to have strong feelings for wilderness preservation.

Paul C. Pritchard, Deputy Director of the Bureau of Outdoor Recreation, USDI is a former Knoxvillean with a Master's degree from U.T. Most recently, he served as deputy director of the Appalachian Trail Conference in Harpers Ferry, W.Va.; and prior to that was Georgia transportation coordinator during Jimmy Carter's term as governor.

James Moorman, Assistant Attorney General for Land & Natural Resources was formerly an attorney for the Sierra Club Legal Defense Fund who played a prominent role in precedent-setting environmental litigation.

Richard Hall, as Special Consultant to the Interior Department's Surface Mining Project, will be involved in writing regulations under the recently passed federal stripmine bill (see ¶6A). Formerly an NRDC attorney, Dick represented TCWP and other groups in the stripmine lawsuit against TVA.

### 12. TCWP CANOE RAFFLE AND T-SHIRT SALE NEED YOUR BUSINESS

Of a number of fund-raising schemes researched by Hal Smith, the TCWP Board has chosen two. A fund-raising committee consisting of Hal Smith, Reid Gryder, Martha Ketelle, Bill Russell, John Landry, Lynn Dye, Paul Singley, Cecil and Bets Higgins are now hard at work but badly need your help. We are raffling a Blue Hole canoe worth nearly \$500 in retail price; and we are selling T-shirts with original art silk-screen prints pertinent to TCWP themes. Details are on the colored insert to this Newsletter. Please read it and use it as your order blank.

### 13. TCWP ANNUAL MEETING PLANS NOW COMPLETE

(contributed by Bob Farmer)

Following our highly successful weekend meeting of 1976, we've planned an even better one for 1977, so mark the date!

The TCWP annual meeting will be held at Pickett State Park on October 21-23, and will highlight plans for the Big South Fork National River and Recreation Area. Those arriving Friday evening will be treated to film and slide shows, including a look at the new acquisitions in the Harvey Broome Memorial Film Series. Saturday morning will start off with a

session devoted to the Big South Fork, featuring speakers from the Corps of Engineers, the National Park Service, and the BSF Coalition. The business meeting and election of officers will follow in late morning. In the afternoon, Grimes Slaughter will organize hikes and floats in the BSF area.

After dinner on Saturday, Dr. Brent Blackwelder of the Environmental Policy Center, Washington, and founder of the American Rivers Conservation Council, will give an account of this year's water projects fight and other observations on conservation activity in Washington. Brent has been the most effective national organizer of action to preserve rivers. Following the talk, we'll have the drawings in the Great Blue Hole Canoe Raffle; and we'll end the evening with our traditional folk dancing. Sunday will be devoted to meetings of standing committees and development of their plans for 1978.

This year we will use the group camp facilities at Pickett. This means that we will sleep in the men's and women's dormitories, and cook and eat communally in the lodge, which will also serve as conference room. The total cost of food and housing for each registrant will be \$15.00 for the entire weekend. Dee Jared, the meeting's general chairman, checked out the Park and came back with a glowing report of facilities and atmosphere there. Mark Oct. 21-23 on your calendar; a registration mailing will follow in September.

#### 14. NOTES ON TCWP DOINGS

- Films in TCWP's Harvey Broome Memorial Film Series were loaned out a total of 102 times in 1976. John Grant has agreed to have our films cleaned and repaired at the Tenn. Dept. of Conservation. Margot Spore is the able chairperson of our film committee.
- A Knoxville News-Sentinel article on environmental groups (6/30/77) starts out with, and dwells on, TCWP.
- Senate Joint Resolution No. 21 (Ray Baird, V. Ashe, sponsors) congratulates Bill Russell on winning the Fermi Award.
- Our letter-writing-social organizer Vicki Mierzewski just had a new daughter: therefore, no social this month.
- Don Carlton, one of our very active Nashville members, is, sad to report, moving to Oregon. In his farewell letter, he writes "TCWP is one of the few organizations with competency and corresponding effectiveness."
- This prompts us to list a few special activities in which members have lately taken an active part. (We don't do this often enough, although mentions are generally scattered throughout the NL.) Lynn Dye has organized the best phone committee TCWP has ever had. Hal Smith researched a large number of fund-raising possibilities and is heading up the T-shirt effort, together with Bill Russell, who contributed his photographs and drawing. Reid Gryder conceived of, and is heading up the canoe-raffle effort. See 112 for rest of committee.
- Martha Ketelle took charge of a movie show as a fund raiser. She also organized our Sequatchie River float trip.
- Bob Farmer is advising the U.T. Dept. of Forestry on curriculum development with regard to inclusion of land-use and wild-land resource policy. He and Bill Chandler are testifying at Cherokee National Forest wilderness hearings.
- Dee Jared, with Bob Farmer and Mike Holland, are organizing the Annual Meeting.
- Mike Holland organized the open meeting preparatory to the stripmine NPDES hearing.
- Ken Warren has made special mailings for the Little T River Alliance, in addition to regular TCWP mailings.
- Eric Hirst hosted the latest successful letter-writing social that netted close to 40 letters. Linda Collins hosted one in Chattanooga.
- Bill Russell testified at Endangered Species hearings in DC (see 11). He and Ed. Clebsch attended the June 23 Workshop on Alternative Land Preservation Methodologies at Cumberland Mtn S.P.
- Charles Klabunde revised our mailing list.

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Ralph Deaderick testified at the Air Pollution Control Board hearings in Nashville (¶7). Bill Chandler formed the Tenn. Coalition for Water Project Review (¶12); prepared and presented TCWP testimony for the NPDES stripmine hearing (Oak Ridge, ¶16C) and for the Air Pollution Control Board hearing on TVA's variance request (Nashville, ¶7); presented two civic-group talks on alternatives to Tellico Dam; analyzed TVA power demand growth rate, and was TCWP's representative in the preparation of the SO<sub>2</sub>/TVA lawsuit. Lee Russell revised the TCWP brochure for a new printing; lined up Brent Blackwelder as the Annual Mtg speaker, as well as speakers for the BSF session (¶13); prepared an Obed Factsheet (¶13); on behalf of the TCWP Board, wrote to conferees on the stripmine bill (¶6A); to Pres. Carter with a request to veto the water projects bill (¶12); and to EPA and the State on NPDES permits for coal miners (¶16C).

Bring your special activities to my attention so I can mention them next time.

- The TCWP nominating committee will shortly get to work. If you have any suggestions, call Dee Jared, chairperson (Oak Ridge 483-6789).

### 15. PUBLICATIONS OF INTEREST

- "Flowing Free -- A Citizen's Guide for Protecting Wild & Scenic Rivers" (\$3.25 from The River Conservation Fund, 317 Pennsylvania Ave., SE, Washington, DC 20003). This extremely useful 76-page booklet discusses the National Wild & Scenic Rivers Act (including how to add rivers), summarizes state programs, discusses other alternatives for protection, and recounts 3 case studies, one of which is the Obed.
- "The President's Environmental Program 1977," compiled by the Council on Environmental Quality, contains: (a) the President's 13-page Message on the Environment; Executive Orders on Exotic Organisms, Floodplain Management, Off-Road Vehicles on Public Lands, Protection of Wetlands, and Enhancement of Environmental Quality; (b) a 41-page "Fact-Sheet" giving background on the Message and the Executive Orders; and (c) an EPA statement on the Clean Air Act. (Stock No. 040-000-00384-3 from U.S. Govt. Printing Office, Washington, DC 20402).
- "Air Update: TVA and Sulfur Dioxide Control" is a carefully researched 8-page publication prepared by the Tennessee Environmental Council. (Send self-addressed envelope to TEC, P. O. Box 1422, Nashville, TN 37202).
- "Grassroots along the French Broad" is an account of how local people defeated TVA's plans for damming the French Broad River in N.C. -- most instructive reading for present and future fights (\$1.75 pp from Alex Duris, Rt. #2, Box 520, Hendersonville, NC 28739).
- "Tennessee State Scenic Rivers Program" is a brochure recently issued by the Tenn. Dept. of Conservation (2611 West End Ave., Nashville, TN 37203). It gives a brief history of the Act, lists the three stream classifications and the river segments included in each, and promotes the involvement of local citizens through citizen advisory committees to be formed for each Scenic River project.
- "Proceedings: River Recreation, Management & Research Symposium, Minneapolis, January 1977." Contains text of 55 individual presentations, and summaries of 9 workshops. (Single copies free from USDA, Forest Service, North Central Forest Expt. Station, 1992 Folwell Ave., St. Paul, Minn. 55108).
- Most of the July "National Geographic" is devoted to the National Wild & Scenic Rivers System, featuring a general article, separate accounts of 6 rivers, and an insert map sheet (overall, plus each river separately, including the Obed).
- "Financing of the Tennessee General Assembly," an analysis of Who gave? How much? Who got what? Loopholes-Answers-How to improve (\$5.00 at your bookstore, or send \$5.25 to Common Cause, P. O. Box 15781, Nashville 37215.)
- "Environmental Aspects of Coal Production in the Appalachian Region," Appal. Resources Project, U.T., Progress Report through May 31, 1977. Includes reports on hydrological and biological impacts of stripmining in East Tenn. watersheds.
- "Environmental Law" is a monthly journal, edited by students of the Lewis & Clark Law School, that contains topical articles by academicians, attorneys, and students on issues involved in the growing relationship between the law and the environment (\$8 annually from Environmental Law, 10015 S.W. Terwilliger Blvd., Portland, Oregon 97219).

- "Canoeing" is a comprehensive instruction book published by the Red Cross (\$3.95 from your local chapter, or order stock No. 321125 from the Amer. Natl. Red Cross, Washington, DC 20006).
- "Camping in the National Park System." Over 400 campgrounds in 99 park areas are listed (70¢ from U.S. Govt. Printing Office, DC 20402. Ask for stock No. 024-005-00668-1).
- "Water Quality Management Plan for the Holston River Basin," Feb. 1977. (Order from Tennessee Div. of Water Quality Control, 621 Cordell Hull Bldg, Nashville, TN 37219). This completes the 13 plans to be prepared by the WQCD. Several TCWP members testified at Kingsport hearings held in connection with this plan.
- "The National Energy Plan: Summary of Public Participation." Soon after his inauguration, Pres. Carter launched an effort to seek public comment on a national energy plan. The approaches used were: (a) a Fed.-Register and direct-mailing request (28,000 responses); (b) 10 regional town meetings conducted by FEA (800 oral comments); (c) 21 small White House conferences with various groups. This publication summarizes the public views expressed through these various avenues.

#### 16. CALENDAR

- \* Today - Take action on at least two of the items starred in the margin
- Aug. 6 - Nantahala float trip and canoe-raffle sale, arranged by TCWP fund-raising committee. Meet at 8 a.m., King's parking lot, Oak Ridge. (For details, call Martha Ketelle, 483-5366.)
- Aug. 7 - SOCM picnic, Cove Lake State Park, 1-6 p.m. (Call Jacksboro 562-3396.)
- Aug. 13 - TTA bike trip, Cades Cove Bicycle Trail. (Contact Grimes Slaughter, Oak Ridge 483-5859.)
- Aug. 13-14, 21, Sept. 17-18 - SMHC hikes. (Contact Ken Warren, Oak Ridge 482-2145.)
- Aug. 20 - Deadline for receipt of testimony for Water Resources Council's National Water Policy hearing (see ¶12).
- Aug. 20-21 - Shining Rocks Wilderness backpack, Sierra Club. (Call Ken McDonald, Knoxville 966-8645.)
- Sept. 3-4 - Annual Hiwassee River Canoe and Kayak Competition. (For entry form(s) write by 8/24/77 to Frank Parker, 2314 Brookhaven Circle, Chattanooga, TN 37421.)
- Sept. 8-10 - Fourth National Trails Symposium, Lake Junaluska, N.C. The main theme is Trails Legislation and Funding. Several tours and field trips are also planned. (For further info, write Dr. Doris B. Hammett, 104 Broadview Rd, Waynesville NC 28786, or Bureau of Outdoor Recreation, SE Region, 148 Cain St., Atlanta GA 30303. For registration write P.O. Box 367, Lake Junaluska, NC 28745. Registration fee \$20 before 8/15/77, \$25 thereafter.)
- Sept. 15 - Deadline for submitting written testimony on behalf of wilderness in Cherokee National Forest (see ¶15).
- Sept. 17 - TTA hike at Cumberland Falls, Ky. (Contact David Stidham, 276-38th Ave. N, Nashville 37209; 298-5735.)
- Oct. 21-23 - TCWP Annual Meeting (see ¶13).

Order your raffle tickets  
and T-shirts TODAY!  
(see colored sheet)

