

TENNESSEE CITIZENS FOR WILDERNESS PLANNING

Newsletter No. 87, June 26, 1978*

1. The hour of truth is here on the Endangered Species Act.	p. 3
2. Tennessee Government folly: placing a prison to destroy a park	p. 5
3. Big S. Fork: President Carter recommends acquisition funds	
A. Money on the way.	p. 5
B. Ceiling to be changed	p. 6
C. Planning.	p. 6
4. Stripmining: federal enforcement efficient; state enforcement a farce	
A. The federal law in action	p. 6
B. The troubled state scene.	p. 7
5. RARE II -- our last chance for forest wilderness -- needs help.	p. 8
6. TVA: The old and the new	
A. The old TVA: Wagner's betrayal on Clean Air settlement	p. 8
B. The new TVA	p. 9
C. Still time to write about the TVA Board nomination(s)	p.10
7. Problems in and around the Smokies	
A. The boar problem in the National Park	p.10
B. Smokies quotes we applaud	p.10
C. Catastrophe threatens at Park borders	p.10
D. Middle Prong threat averted	p.11
8. Alaska: House victory may be wasted if Senate doesn't hurry up	p.11
9. Around the State	
A. State begins to implement Natural Areas Registry.	p.11
B. Overton Park: Sen. Baker's attempt to permit I-40 crossing defeated.	p.12
C. The state legislature: wrap-up	p.12
D. The state legislature: looking to next year.	p.13
E. TCWP at the Wildflower Pilgrimage	p.13
F. Commercial float trips on Ocoee	p.13
10. Water projects in the state and elsewhere	
A. Columbia dam: hearings on 404 permit may be held	p.13
B. Administration's Water Policy is announced.	p.13
C. The Congress goes wild on water spending.	p.14
D. Corps may be proceeding illegally on Tennessee-Tombigbee.	p.14
E. Corps studying waterways F. Small dams as power sources	p.15
11. National capsules	
A. A bill to protect non-game wildlife needs our help.	p.15
B. The Carter Administration's relationship with conservationists.	p.15
C. Environmental education	p.16
D. National TV columnist preaches anti-environmentalism.	p.16
12. Publications of interest.	p.16
13. Calendar.	p. 2

(continued from p. 16)

2

- they last] from CEQ, 722 Jackson Place NW, Wash. DC 20006)
- "Public Relations Primer," in 50 pages offers practical information on everything from how to hold a news conference to how to handle negative publicity. (\$1.95 from the Population Inst., 777 United Nations Plaza, New York, NY 10017)
 - "Toward Clean Water: a Guide to Citizen Action," 328 pages, discusses major provisions of the 1972 Federal Water Pollution Control Act, including a free 12/77 update (8 pages). (\$8, From the Conservation Foundation, 1717 Mass. Ave., NW, Wash. DC 20036. The update alone is \$1).
 - "National Urban Recreation Study," published in February by the Heritage Conserv. & Recr. Service and the National Park Service. (Write Dr. James Berryhill, HCRS, S.E. Region, 148 International Blvd., Atlanta 30303.)
 - "An Annotated Bibliography on River Recreation," by Anderson, Leatherberry, and Lime, includes 355 references published between 1968 and 1977 and grouped under 9 headings. (Order from North Central Forest Experiment Station, 1992 Folwell Ave., St. Paul, MN 55108.)
 - The April issue of the "EPA Journal" (vol. 4, No. 4) takes a look at the environmental movement, with profiles of the major national membership organizations, articles by some of their leaders, and arguments for public participation. (\$1 from Office of Public Awareness, A-107, EPA, 401 M St. SW, Washington, DC 20406.)
 - "How to Control Garden Pests Without Killing Almost Everything Else," by Helga and William Olkowski, explains how to use "sensible" natural pest controls. 14 pp. (\$1.50 from the Rachel Carson Trust, 8940 Jones Mill Road, Wash. DC 20015.)
 - Various interesting EPA publications are available from John Boykin, Environmental Constituency Core, Office of Public Awareness, EPA, A-107, 401 M Street SW, Wash. DC 20460.
 - "The Consumer Information Series," is based on questions directed to DOE by public-interest groups and individuals. About 6 publications to date, each one ca. a dozen pages. (Write Editor, "Consumer Briefing Summary," USDOE, 736 Jackson Place NW, Wash. DC 20585.)
 - Many books of environmental interest are available at very low cost from Overstock Book Co., 120 Secatogue Ave., Farmingdale, NY 11735. E.g., "Damming the West," originally \$7.95, sells for 60¢.
 - "Compost Science/Land Utilization" is a journal that specializes in recycling wastes on land. (\$15 annually from Box 351, Emmaus, PA 18049.)

13. CALENDAR

- July 21-23 - Southeastern Trail- Festival, workshops, trips, barbecue. (Write Tom Lamb, Vulcan Trail Assoc., P.O. Box 31104, Birmingham, AL 35222.)
- Aug. 19-20 - TVCC Canoe School, French Borad. (Write Tony Crabrett, 305 Dunlap Ave., Chattanooga, TN 37412)
- Sept. 1-4 - Multiclub Meet (Appalachian Trail Clubs), Roan Mountain State Park. (Contact Tenn. Eastman Recr. Club)
- Sept. 21-24 - Southeast Trails Conf., Cumberland Falls. (Call Evan Means, Oak Ridge 483-5555).
- Oct. 13 -15 TCWP Annual Meeting, Pickett State Park. Mark your calendar now.

→ Please write your letters-of-the-month (Nos. 1 and 2) ←
Also, see stars in margin

*Letter-of-the-
month, No. 1*

1. THE HOUR OF TRUTH IS HERE ON THE ENDANGERED SPECIES ACT

* YOU are needed to spread the truth about Tellico and the Endangered Species Act. Congress must be made to base its decision on reality, instead of on the misinformation that is now rampant. See p. 4

You have undoubtedly been exposed to dozens of newspaper articles, editorials, and TV items on Tellico Dam since the Supreme Court ruling of June 15 (only 2 months after the April 18 hearing) that the Endangered Species Act "admits of no exception" and that work on the Tellico Dam which endangers the Snail Darter must therefore stop. This NEWSLETTER will not re-hash what you've already absorbed from the media, but will try to present to you the pertinent arguments that can and MUST be used (and used VERY SOON) to counteract the massive and ill-informed onslaught on the Endangered Species Act. The media have not been exactly unbiased. For example, excellent testimony presented to the Congress on June 20 by 13 representatives (including TCWP's Bill Russell) of groups that oppose altering the law was made available to all area newspapers, but was carried by only one. Important facts brought out in these testimonies are ignored by area editorial writers. And the TV coverage dwelt on the recent Madisonville meeting (where people screamed for the dam), but spent barely any time on the subsequent Cherokee meeting (where people earnestly suggested excellent alternate developments). The average American understands Tellico in terms of an insignificant minnow holding up a significant \$100+ million hydroelectric project -- just another case of selfish environmentalists who care more about fish than about people's jobs and electric power needs. Maybe you'd understand it this way too if you got all your information from the media!

A. Status in the Congress.

The Congressional "backlash" to the Supreme Court decision comes at a time when the Endangered Species Act is particularly vulnerable because it is up for routine re-authorization. In the Senate, Baker and Culver authored an amendment, which has passed the Environment & Public Works Committee, whereby a seven-member panel of high-ranking government officials would act on a case-by-case basis with regard to projects halted by the Endangered Species Act (ESA). Floor action on this amendment could come soon. In the House, the reauthorization bill had left Committee unscathed quite some months ago, so Rep. Beard focussed his attack elsewhere, threatening to "filibuster" the Dept. of Interior appropriation by attaching 682 amendments. He subsequently withdrew these in return for the promise of an "open rule" on the ESA re-authorization bill. The House leadership also acceded to his demand that the bill would be sent to the Rules Committee within 5 days. So, in the House, too, things could happen in a big hurry, though probably not before the 4th-of-July recess. The reason Rep. Beard, riding high on the current hysteria, wants to act fast will become apparent from B, below.

B. The TVA position

For years, TVA had arrogantly refused to take cognizance of the Endangered Species Act. Virtually up to the time of his retirement, Wagner would not even agree to discuss the matter with the Dept. of the Interior. But things have suddenly changed under the new Chairman Dave Freeman, who has established a working cooperation with USDI Asst. Secretary Robert Herbst. The two agencies are meeting at least weekly, and have agreed that the Tellico project should be redesigned in a manner that gives high priority to the human needs of the region, while remaining within the constraints of applicable law. Both agencies will study a full range of options, something TVA had not done publicly before (although there are accusations -- see ¶6A -- that a 1977 staff study of alternatives was withheld from Chmn. Wagner by General Manager Lynn Seeber). The TVA-USDI alternatives will be presented to the Congress by August 10. Is Rep. Beard afraid the study may reveal that the alternatives are better than closing the dam? (see C6, below).

C. Arguments for preserving the Endangered Species Act unchanged

1. The Act is not inflexible: out of almost 5000 cases of possible conflict, including 200 serious ones, all but 3 have been settled by administrative negotiation. Of three that have gone to court, two were quickly settled. It's not the Act that's inflexible, but the old TVA.

over

2. Examples of TVA's intransigence: TVA ignored a governor's opposition (Gov. Dunn), ignored NEPA until hauled into court, kept building and spending millions after the Snail Darter was discovered, refused discussions with USDI.
3. Only a relatively small part of the \$119 million is "sunk" into the concrete. Most of the other expenses are recoverable (e.g., land acquisition) or already beneficial (e.g., roads, bridges, wages). Anyway, just because lots of money has been spent on the wrong medicine doesn't mean one should continue and kill the patient!
4. The reservoir is economically unsound. A recent GAO study showed that TVA used improper means (such as counting the same benefit twice) to arrive at a "favorable" benefit/cost ratio.
5. The dam would destroy not only the Snail Darter, but some of the best agricultural land in the country (land which in cultivation could produce \$50 million/year income), sacred Cherokee ancestral homes and graves, archeological sites of value, and an unsurpassed trout fishery that, in 17 miles, is equivalent to 500 miles of Cherokee Forest mountain streams.
6. The economic benefits of not closing the dam may exceed those of flooding the area (see also 5, above). A recently completed study by the U.T. School of Architecture found that the free-flowing river alternative was superior to the impoundment alternative with respect to agriculture, historic-cultural, public education, and research and development. The new TVA is already moving to bring some of the project benefits (an airport, development of Ft. Loudon Park, etc.) to area residents who have been pushed out and duped by the old TVA.
7. While the Baker-Culver amendment appears, at first glance, reasonable, it would have the effect of reducing pressure on the agencies to resolve potential conflicts by negotiation as they have so successfully done to date (see 1, above).
8. We like this quote from the Tellico court brief: "Along the way it is true that a lot of species have falled off [Noah's] Ark, some have even been unknowingly crowded off by man himself; never before, however, has any species been intentionally thrown overboard." And it's not just the Snail Darter: the same could happen to other species. Case in point: the endangered manatee is "in the way" of Florida utility development, and representatives of the power company were seen lobbying for a weakening of the ESA.
9. From the testimony of the International Indian Treaty Council: "I have seen Griffin Bell ... make fun of this little fish, and I would like to ask why it is considered so humorously insignificant. Because it is little, or because it is a fish? It is this incredible arrogance towards other life that has caused such destruction in this country ..." (There's more, and it's all beautiful.)

D. What you can do (and please do it, as No. 1 priority)

Without delay, write to your Congressperson (House Office Bldg, DC 20515) and to both your Senators (Senate Office Bldg., DC 20510). They must understand the facts and base their decision on reality, not on misinformation. Tell them not to take any action on the ESA until they have seen the TVA-USDI study of alternatives which is due by August 10. They should also read the GAO and the U.T. studies. Tell them the Act works: there's no need to mess with it. (You should find plenty of material in the above list for your letter which needn't be long -- just one or two of the points will do.) Be sure to send a copy of your letter(s) to your local paper, requesting that it be published in the letters-to-the-editor column. And educate your friends, co-workers -- in fact anybody who so far has been exposed only to the media.


Letter-of-The-month, No. 1

*Letter-of
The-month, No. 2*

2. TENNESSEE GOVERNMENT FOLLY: PLACING A PRISON TO DESTROY A PARK

What do you think of a state government that needlessly destroys its own resources and investments? The regional prison, which had so much trouble in Morristown and elsewhere, is about to find a home in Morgan County, following a County Court vote to the effect that it welcomed such an institution. But with the huge quantity of state land available in that county, where of all places do you suppose the state chose to build, but right at the entrance to Frozen Head State Park in the lovely Flat Fork valley! Frozen Head State Park rivals the Smokies in its attractiveness for those who love mountains and deep valleys, clean tumbling creeks and wildflowers. It is only a half-hour drive from Oak Ridge, and less than an hour from Knoxville. The view up the pastoral Flat Fork Valley toward the high peaks of the park (the only peaks in the Cumberlands without stripmine scars) is one of the loveliest in the eastern U.S. This view is now to be despoiled with huge building complexes, asphalt parking lots, and roads -- if our governor has his way. Your help is urgent (see below).

Until very recently, the Department of Corrections had not even once talked to the Dept. of Conservation in its process of selecting a site. Only under pressure of publicity (the Morgan Cy. News repeatedly; also a TCWP news release published prominently in the Knoxville News-Sentinel) and TCWP letters to Senators and Rep. Lloyd did the two Departments finally get together for a site visit -- very quietly and allowing no public input. On that occasion, the Commissioner of Conservation apparently caved in to what seems to be a Blanton directive to the effect that Corrections can put its prison wherever it wants. The Commissioner of Corrections claims that there is "no local opposition" to this move. The facts or otherwise: (a) the Frozen Head State Park Assoc. has been formed in Morgan Cy. to protest this particular location; (b) the Morgan County News has had a number of articles and columns pointing out the folly of the state plan; (c) about 100 people met in Wartburg a couple of weeks ago, and all were against the prison location, except for a group of Petros guards and relatives despatched to the meeting by the Corrections Department; (d) innumerable letters have been sent by County people to the Commissioner of Corrections, and all have been ignored. Furthermore, the Commissioner's statement that all opposition is from outside, in addition to being incorrect, also ignores the fact that this is a state issue: we are talking about a state park, not a County park.

 What you can do: (1) Write to C. Murray Henderson, Commissioner, Tenn. Dept. of Corrections (11th Floor, First American Center, Nashville 37219). Point out the folly of the Flat Fork Valley location. Tell him there is lots of other state land in Morgan County for a regional prison -- specifically some good flat land at the foot of Lone Mtn, off U.S. 27, just as close to Wartburg as is the Flat Fork Valley. (2) Send a copy to Governor Blanton (State Capitol, Nashville 37219). (3) Send a copy to your paper's letters-to-the-editor column. (4) Join the Frozen Head State Park Assoc. (free) by calling its secretary, Verdine Wilson, Joyner 324-4613, or Don Todd, Wartburg 346-3113.

3. BIG SOUTH FORK: PRES. CARTER RECOMMENDS ACQUISITION FUNDS

A. Money may be on the way

Among the new water project "starts" recommended by Pres. Carter to the Congress on June 9 (see also #10B) was the Big South Fork National River & Recreation Area (BSFNRRRA). The President's budget recommendation, which included total funding, should make it much easier for interested legislators to include substantial BSFNRRRA acquisition funds in this year's Public Works Appropriations bill. When that bill (minus the BSFNRRRA) came up in the House on June 15, Congr. Miller offered an amendment substituting the Administration's "new starts," (including the BSFNRRRA), with their full funding, in lieu of the committee bill's new starts. The amendment was defeated because Congress didn't want its own boondoggles deleted, and because full funding isn't popular (it shows up how expensive some projects really are). However, Chairman Beville then introduced a

over

substitute amendment that includes both sets of new starts, with fiscal-year funding only. We have heard a rumor that the BSFNRRRA got \$20 million, but have not verified this. Meanwhile, in the Senate Appropriations Committee, the BSFNRRRA interests are being watched by Senators Sasser and Huddleston (Ky), and these senators hope to include \$20 million in the Senate bill when it comes to markup this week. If this happens, implementation of the project will finally be on the way and we'll have lots of thanks to give -- to Senators Baker, Cooper (in retirement) for the authorization; and to the President and Senators Sasser, Huddleston, and Baker for the appropriation.

B. Authorized ceiling to be changed

Through a staff error, the language concerning the BSFNRRRA spending limit in the authorizing legislation does not allow the usual flexibility to take care of inflation. While it is too late to repair this error in the Senate Water Resources bill (which has already passed), something can still be done in the companion bill in the House, following which the new language can then be adopted by the conference committee. We approached Congresswoman Lloyd's office on this subject last week, and while the Congresswoman herself was out of town, her staff indicated that she was favorably inclined to the matter and would take care of it in the Water Resource Subcommittee markup. We'll inform you of the outcome.

C. Planning for the BSFNRRRA

As had been expected, the master-planning contract for the BSFNRRRA was last month awarded by the Corps to the Nashville firm of Miller, Wihry, and Lee to the tune of almost \$1 million. -- As we reported earlier (NL 85, ¶4B), the planning process includes a study of alternatives for the abandoned O & W rail bed along North Whiteoak and Pine Creeks. In our statement commenting on this study, we strongly objected to a road (motorized vehicle) alternative, and opposed the railroad restoration on the grounds that it was very expensive at a time when funds are scarce and land acquisition must come first. We keep hearing rumors that our testimony was the only one to this effect; but we know for a fact that this is not the case, since we have seen the statement by the East Tenn. Development District which makes points very similar to ours. Please express your opinion to the Corps (Col. R. Tener, District Engineer, Corps of Engineers, P. O. Box 1070, Nashville 37202). We hope you can at least oppose the road alternative which would bring noise and stench into some of the best gorges.

4. STRIPMINING: FEDERAL ENFORCEMENT EFFICIENT; STATE ENFORCEMENT A FARCE

A. The Federal law in action

(i) Industry must comply. The federal law requires existing stripmines to be in compliance by 5/4/78. As a delaying tactic, 220 coal companies filed suit in U.S. District Court. In early May the judge told these companies that if they could not comply they could not strip.

(ii) Important steps in establishing the permanent program: preliminary draft reports available as of 6/2/78 (in our Region II, call Herbie Johnson, Knoxville 588-5396 for copy); public meetings on drafts, late June; Federal Register publication of proposed drafts in August, followed by 60-day comment period; permanent program due November.

(iii) The appointment of Harriet B. Marple as Chief of the Division of Enforcement, Office of Surface Mining (OSM) was announced June 21. Ms. Marple (Radcliffe and Harvard), who has an extensive background in environmental law, comes to OSM from EPA. In her new position she will be responsible for policy and regulation development, evaluation of enforcement, and penalty assessment programs. Her Division reports to Dick Hall (former NRDC attorney who has represented TCWP), the OSM Asst. Director for Inspection & Enforcement.

(iv) Title III of the 1977 Stripmine Act provides for federal funding for one institute in each state for "mining and mineral research having due regard for the protection and conservation of the environment." OSM has just released proposed regs for this financial-support program. Applications for assistance should be filed by 8/15/78. (For more info, contact Dr. David Maneval, OSM, USDI, Wash. DC 20240; (202) 343-4264).

(v) Orphan mine reclamation begins. Under the federal law, operators pay 35¢/ton for stripped coal and 15¢/ton for deepmined coal into the Orphan Mine Reclamation Fund for a restoration program estimated to cost \$9 billion over 15 years. The USDA has announced plans for spending the first \$5 million to renew agricultural productivity and reduce stream sedimentation.

(vi) More OSM jobs are available. The following openings have been announced: Regional Director (location, Charleston, W.Va.) GS-16, closing date for applications 7/6/78; five Assistant Regional Directors for Abandoned Mine Lands (5 locations, incl. Knoxville) GS-15, closing date 7/16/78; Congressional Liaison Officer (D.C.) GS-14, closing date 7/10/78; Land Use Planner (D.C.) GS-14, closing date 7/12/78. Contact the editor for particulars.

B. The troubled state scene

(i) Illegal mining on Smith Creek in Catoosa WMA was shut down by OSM as a result of a citizen complaint made by TCWP executive director Bill Chandler, and Knoxville News-Sentinel outdoor writer Sam Venable. Under the federal law, OSM has 15 days following a citizen complaint to make an inspection, and the citizen can accompany the inspectors if he/she wishes (or can remain anonymous). The illegal mine was labelled by inspectors as "the worst possible example of violations of the Federal Mining laws." Among other things, spoil had been pushed into a 700-foot (!) length of the creek, the haul road went through a stream, the operators had no state permit of any sort. The operators were ordered to finish reclamation by July 13. Failure to comply carries a fine of \$750 per day. While pages could be written about this operation, three points should specifically be made: (a) This case demonstrated very clearly why we need Federal control (see also iii, below). The state, for almost a year, failed to shut down this destructive mine, despite the facts that it was on state land, and that the operator had no permits and had violated almost every state law. Bill Chandler was most impressed by the competence and conscientiousness of the OSM staff. (b) While FACT, the industry lobby group claims to abhor wildcat operations, they have not provided information about wild-catters -- in spite of their opportunities for observing them. (c) Any citizen can make a complaint about bad mining to OSM and remain anonymous if he/she wishes.

(ii) Savage Gulf may be threatened by a mining company with an exceedingly poor record (even by state standards). There may be a public hearing. Anyone interested in helping should call Doug Cameron, Sewanee Env'tl. Group (598-0565) or the SOCM office (562-6247).

(iii) The state of Tennessee is not fit to enforce the federal stripmine law, claims SOCM, and item B(i), above, seems to bear this out. [Explanation: Under the 1977 Federal law, we are presently in the Interim Program during which the State continues to issue permits, although the Federal interim requirements, as well as state requirements, must be enforced. If the State wants to retain regulatory authority during the Final Program, it must submit a plan for this by April 1979. OSM then has 6 months to determine if the State is qualified, and to approve or disapprove the State's plan.] FACT (the stripmine lobby) admits to having "helped" draft a letter signed by Lt. Gov. Wilder, House Speaker McWherter, Sen. Albright, and Rep. Watson to OSM Director Walter Heine, asking that the state be allowed to enforce the new Federal regulations. It was said to be in response to the SOCM-ETRC document that showed the failure of state enforcement (NL 86, ¶10B). More evidence of the state's nonfitness has recently come to light. Seven of 17 of the Div. of Surface Mining's "front-line personnel" (including almost half the DSM inspection force) have resigned in the past 3 months because they get no support from their superiors. One staffer who resigned has copies of about 50 reports and cease-orders he issued that were never acted on. No one should accuse SOCM of being a bunch of hotheads: even the staid Tennessee Conservation League adopted a resolution at its recent annual meeting which states that DSM "is not enforcing current laws and regulations governing surface mining" and asks for 7 specific measures to improve enforcement, plus 6 ways in which to strengthen the state law. If you have any feelings on state vs. federal enforcement of the federal law, write Mr. Walter N. Heine, Director, Office of Surface Mining, U.S. Dept. of the Interior, Wash. DC 20240.

(iv) Mining through streams comes up again. As a legacy of last year's AMAX case, the Tennessee Water Quality Board asked the WQDivision staff to draft a definition of "stream." The staff tried (though most states have no such definition), but the Board rejected their draft. The Board then ordered that the state adopt OSM's interim regulation for when "mining through streams" could be allowed. It so happens this is among the weakest parts of the federal regs; the state abandoned its right to be more stringent!

5. RARE II -- OUR LAST CHANCE FOR FOREST WILDERNESS -- URGENTLY NEEDS YOUR HELP

Remember this: areas that are not recommended for either wilderness or further study by the current RARE-II review process are immediately subject to clearcutting, road-building, and other activities that will render them unqualified for wilderness designation. As of now, it looks as if the Forest Service (USFS) is biasing the process in this direction.

We have earlier (NL 84, ¶2A) outlined the steps of the RARE-II process. In summary, they are: (1) inventory, completed 11/18/77; (2) USFS evaluation in the form of a draft EIS; (3) public comments at a series of hearings; (4) recommendations to Congress in the form of a final EIS. It is step 2 that is now completed, and it is bad. The draft EIS contains a national statement, with 10 alternatives for determining the fate of an area; and 20 geographic supplements with specific info on individual roadless areas. Both the Wilderness Soc. and the national Sierra Club have charged that the process has been undermined by a well-financed industry effort (see also NL 84, ¶2A), and that the quality of the program is being sacrificed to meet unrealistically tight deadlines. Here in Tennessee, some of us who have talked to local civic clubs about RARE II have found that these groups had earlier been fed lies by wilderness opponents to the effect that areas would be literally locked up.

We must be ready to participate in the hearings (step 3) when they come later this summer or fall. The anti-wilderness groups, nurtured on misinformation, will certainly be well represented. The 17 RARE II areas in Tennessee include the really outstanding resources of the Cherokee National Forest and must be saved. What you can do: Contact Will Skelton (4522 Alta Vista Way, Knoxville; 546-2800 office) and tell him that you are a TCWP volunteer willing to help with the RARE II hearings, either with oral or written testimony. He will provide you with all the needed info.

6. TVA: THE OLD AND THE NEW

A. The old TVA: Wagner's betrayal on Clean Air settlement marks his exit

Most of you know that former Chairman Wagner's last action on the Board was a refusal to sign the Clean Air consent decree. You may not, however, be aware of the extent of his betrayal. The out-of-court settlement had been fully worked out by TVA and plaintiffs (the citizens groups, of which TCWP is one, EPA, and the states of Alabama and Kentucky), and Wagner as well as Jenkins had been briefed on it in March. General Manager Seeber and TVA staff (including the lawyers who would have to represent TVA if this case were to go to court) recommended acceptance of the settlement, pointing out that it would save TVA money to do so. (Continuing defiance of the law would cost TVA at least \$260 million in fines, and would make the agency liable for mandatory penalties for each day of noncompliance after 7/1/79.) Jenkins resigned from the Board on May 5, complaining that "prerogatives of the TVA Board are being taken away by ... other agencies" [he meant EPA]. About a week later, Wagner let it be known that he would sign the consent decree, provided plaintiffs agreed to removal of a provision that would establish a citizens' implementation committee. Since it was by then just days before the end of Wagner's term, our attorneys spent a frantic weekend trying to contact all of their clients, and assembled as many of us as they could for an evening meeting on Mother's Day (TCWP was represented by Bill Chandler, Bill and Lee Russell). Since the implementation committee is at the heart of the citizen participation provisions, it was a sacrifice to give it up, but the groups reluctantly agreed to do so.

Mr. Wagner was therefore expected to sign the consent decree the next morning. Two days went by, however, and finally, after his last board meeting on May 17, he announced his refusal. Wagner thus went out (a) substituting his personal judgement for that of the TVA staff, (b) betraying those in TVA who had transmitted his condition for settlement to the plaintiffs, (c) betraying the plaintiffs who had anguished over accepting this condition, and (d) defying the law of the land. Plaintiffs have not pressed for speedy court action, because they are hoping that the TVA Board members to be nominated will join Chairman Freeman in approving the out-of-court consent decree. Wagner's action has greatly delayed final compliance -- possibly by a year. In the meantime, Dave Freeman is moving toward compliance as fast as he can on the basis of certain expense items Wagner agreed to before retiring. TVA experts have calculated that full compliance with EPA air-quality standards will increase retail power rates, at a maximum, by 9% in 1983, and by less thereafter. This is a far cry from the immediate 25% increase projected by Jenkins in his resignation message. It must also be remembered that not cleaning up the air carries with it tremendous costs in health care and materials damage.

The "old" TVA may have had more internal problems than we knew about. Peter Krenkel, TVA's director of environmental planning until fired last fall, recently made a number of charges which were published by the Nashville Banner of 4/5/78. Among other things, he claims that General Manager Lynn Seeber withheld from Wagner the fact that TVA was restudying the cost-effectiveness of Tellico Dam. According to Krenkel, Seeber also ordered a speedup in the dam construction when the Tellico case went to court.

B. The new TVA

Seeber is gone as of 4/3; Jenkins is gone as of 5/5; Wagner is gone as of 5/18. The new Chairman, S. David Freeman, cannot make major policy decisions until he gets another Board member, but let's look at some of the imaginative initiatives he has already taken (see also ¶1 on Tellico Dam).

He believes strongly in involving Valley residents in the evolution of TVA policies. To initiate this process, he has appointed a 6-person Citizens Advisory Group and asked them to come up with suggestions in August. One member of this group who may be known to some of you is Neil McBride, director of Rural Legal Services (and formerly of East Tenn. Research Corp.). Freeman is also setting up toll-free lines by which TVA can be reached, is creating the office of a TVA ombudsman, and has promised to hold Board meetings around the Valley.

Under Freeman's leadership, TVA has ordered an update of its rivers plan for the purpose of identifying stretches that should be preserved and of initiating liaison with other federal and state agencies to accomplish this. [Transmit your general or specific ideas on this subject to Mr. Freeman.] -- When the Administration's Water Policy was announced, Freeman applauded the emphasis on "nonstructural flood control measures, such as flood-plain zoning, which TVA has pioneered, and water conservation, a program TVA is already actively planning." No new river dam projects are being planned by TVA.

Freeman is working to revive TVA's agricultural program, which was among the agency's basic missions but has lately been nearly forgotten. The agricultural community will be brought into the agency's planning process. -- On Freeman's initiative, TVA staff are studying the feasibility of a pilot project for electric-powered railroads (Cincinnati-to-Atlanta). -- Freeman met with Oak Ridge citizens, City Council members, and county officials on 6/13/78 to discuss the coal-barge-terminal controversy. He promised that TVA would restudy the question of whether a terminal is needed on Melton Hill Reservoir in the first place; and, if so, whether the location can be changed from the presently proposed disastrous one. He earned himself much local admiration by his handling of the matter.

The TCL (Tenn. Cons. League) Board recently commended Freeman for the "new spirit of vision and commitment to conservation" that he has brought to TVA. We have no doubt that more and more people in the Valley would strongly endorse this statement.

over

C. Still time to write about the TVA Board nomination(s)

Although there had been many rumors to the effect that one of the two slots on the TVA Board would be filled during the first half of June, this has not happened. However, even if, by the time you receive this, one nomination has already been made, you can still have input into the other. As you know, TCWP has strongly supported Dr. Jack Gibbons (some of whose qualifications are outlined in past NEWSLETTERS, most recently NL 86, #2). Two weeks ago, it was learned that Sen. Ted Kennedy had written to the President endorsing Jack, whose work in connection with the Office of Technology Assessment he had come to admire. (Kennedy chairs the Senate committee that oversees OTA.) Representatives of 14 area groups, including TCWP, met with White House officials 6 weeks ago and recommended Jack Gibbons; Pat Gish, Ky., a nationally known authority on rural housing, and managing editor of the Mountain Eagle; and Dr. Ruth Neff, Nashville biologist, who has been the intelligent and energetic executive director of the Tennessee Environmental Council since 1971.

WHAT YOU CAN DO: Write to Pres. Carter (The White House, Wash. DC 20500) and tell him Dave Freeman needs Board members who can help him make TVA once again be an agency of vision, honesty, and compassion. Gibbons, Gish, Neff - any two would be great!

7. PROBLEMS IN AND AROUND THE SMOKIES

A. The boar problem in the National Park

Wild boars were introduced from Europe to North Carolina about 1913 and invaded the Smokies in the late 1940's. Since then, the boar population in the Park has grown from zero to more than 2000, and boars have invaded over 75% of the park area. National Park Service (NPS) efforts to kill the invading hogs were halted last fall as a result of protests by N.C. hunters who like the Park to provide the breeding reservoir for the overflow of hogs they hunt. Late in April, the NPS approved an interim management plan to allow hogs to be (a) trapped and turned over to adjacent states if they want them, (b) killed for research purposes, and (c) killed if they get into fragile areas where they damage important plant communities (including those in the beech gaps along the crest) or animal species. (Note: sows have even been seen killing fawns). Meanwhile, research is continuing into the best methods of hog control, and a committee (which includes TCWP member Bob Farmer) is studying the Park's management program. Pressures are growing to stop studying and start acting to allow the Park to fulfill its role as sanctuary for native plants and animals. The latest request to kill the hogs as fast as possible comes from the Great Smoky Mountains Conservation Assoc.

B. Smokies quotes we applaud

Boyd Evison, Superintendent of the Gt. Smoky Mtns. Natl. Park, wrote this in a letter to "The Mountain Visitor" (a Gatlinburg newspaper). "... much of what is most valuable about the Great Smoky Mountains is beyond measure; and there are those who feel that what can't be measured, and priced, should give way to things that, somehow, pay. But perhaps the one percent of America held for you in National Parks has values as absolute as freedom, or the well-being of loved ones ... The good of the Park's wildness is as immeasurable as joy. Feel joy in its wildness; and treasure and protect it, that its benefits may go on forever."

C. Catastrophe threatens at Park borders

J. D. Lee, president of Tennessee's Constitutional Convention, owns 200 acres adjacent to the Park near Townsend, which he plans to turn into "Smokyworld and the Smokies." This will feature, among other things, 21-story twin towers, carnival amusements, and 100 acres of parking lot. It is thought likely that this development would turn the Little River -- presently the most pristine stream left in the Blue Ridge drainage system -- into a storm sewer, to say nothing of the siltation that would occur during construction. The National Park Service has stated "It seems likely that ride operations, participants' voices, (and) motor vehicles will contribute largely to noises which are incompatible with park visitor uses of the backcountry (by those) seeking solitude and freedom from the effects of industrial man's technology." Blount County has no zoning restrictions. Those opposed to the development are trying to get the County to adopt a

land-use plan, traditionally an unpopular topic. If you want information on how to help, contact ABC (Alternatives for Blount County), P. O. Box 1694, Maryville, TN 37801.

D. Middle Prong threat averted

Save the Middle Prong (STMP), which opposed the plan by which Gatlinburg would have pumped 1 million gallons daily from the Middle Prong (in another watershed) by means of a plant constructed at Pittman Center (see NL 86, ¶15), appears to have won a victory. A compromise solution calls for Gatlinburg to buy water from Pigeon Forge, which, in turn, will buy water from Sevierville if Gatlinburg's demands increase. STMP is working for a County-wide water system as a long-term solution.

8. ALASKA: HOUSE VICTORY MAY BE WASTED IF SENATE DOESN'T HURRY UP

Legislation to protect a significant portion of America's last great (and exceedingly fragile) wilderness is probably the most important national conservation measure of this year. About 5 weeks ago, the House overwhelmingly (277:31) passed H.R. 39 with no weakening amendments. This bill would protect about 100 million acres in a variety of designations (see NL 86, ¶11A), yet leave three-fourths of Alaska's vast acreage (including the richest mineral deposits) still open for exploitation. Special thanks go to the Congressional leaders who championed the bill, the many conservation groups who worked hard for it, the Carter Administration which lobbied effectively for it, and, here in Tennessee, to Congressman Jimmy Quillen. As an influential member of the Rules Committee, Quillen was credited by the bill's chief sponsor, Morris Udall, with supporting the measure in the face of a concerted effort of the opposition which had targeted the Rules Committee as their last hope for killing the historic bill. We hope you will express your appreciation to Congressman Quillen (102 Cannon House Office Bldg, Wash. DC 20515).

All may be lost, however, if the Senate does not act before the end of the year, since the House bill cannot be carried over into the next session. After much prodding, the Senate Energy and Natural Resources Committee finally scheduled markup of S.1500 to begin June 21. Although Sen. Durkin planned to submit an amendment which would substitute the original H.R. 39, a strong bill, it is likely that what comes out of committee will not only reduce acreage but also permit some drilling, exploration, and transportation on refuges and park lands. The big problem, however, is time for Congressional action. Alaska's senators (Gravel and Stevens) have threatened a filibuster if the committee product is anything like H.R. 39. Two other senators are the key to the success of the Alaska effort: Henry Jackson, Chairman of the Energy Committee that's doing the markup; and Robert Byrd, Senate majority leader, who must schedule floor action, and who is likely to shy away from a filibuster so late in the session. What you can do: (a) Write to Senators Jackson and Byrd asking them to expedite committee and floor action this year. Stress their responsibility as national leaders on this national conservation challenge of the century. (b) If your senator is on the Energy Committee (Tennessee senators are not) ask him to support the Alaska Coalition's bill. For up-to-date reports on the progress of this bill call the Alaska Hot Line, (202)547-5550, or the Alaska Coalition, (202)543-3663.

9. AROUND THE STATE

A. State begins to implement Natural Areas Registry.

The Tennessee Natural Areas Preservation Act of 1971 (TCA 11-1712) contains a provision -- included specifically on the suggestion of TCWP -- whereby natural areas in private ownership can be registered and, to some extent, protected. This provision is now at last going to be implemented, and the Department of Conservation has asked for comments on its draft proposal for criteria, process, and organization. The Registry is proposed to include all pockets of virgin landscape, representative stands of all plant community types, habitats for rare plants and animals, areas containing special geological, scenic,

over

or other natural features. A preregistry will be established from nominations received to document special characteristics of the areas. At the discretion of the Commissioner, the owner of a qualifying area will then be asked to consider registration. Registration involves the following: (a) The owner signs an agreement to refrain from activities that would damage the natural significance of the site (with specifics to be listed). This involves no loss of ownership rights. The owner receives a certificate. (b) The owner or a volunteer reports on the condition of the area once a year. (c) Registered areas automatically receive additional DOT, NPDES, Surface Mining Permit, etc., review protection. (d) Under the terms of the Agricultural, Forest, and Open Space Act of 1976 (see NL 74 ¶7A), the Dept. can recommend areas in the Natural Areas preregistry or registry for inclusion as "open space" for local land-use plans, or to the State Planning Office; and the owner can then apply for tax relief. (Note that "open-space" classification requires a 3-acre minimum, but natural-area registry does not.) Any TCWP member who may wish to review the draft proposal and/or is interested in serving on the Scientific Advisory Committee should contact the editor. You may also start thinking about areas to nominate.

B. Overton Park: Sen. Baker's attempt to permit I-40 crossing is defeated

Tennessee has the dubious honor of providing landmark cases for excuses to amend basic environmental law on the argument that a project must be finished without alteration -- no matter how bad -- just because it's nearly finished (see Tellico, ¶1). Section 4(f) of the 1966 Highway Act, which prohibits use of parkland for federal road projects unless there is no prudent or feasible alternative, was assailed by Sen. Baker's attempt to exempt the I-40 routing through Overton Park in Memphis. Gov. Blanton personally testified before the Transportation Subcommittee of the Senate Committee on Environment and Public Works to support the Baker amendment. TCWP joined in oral testimony (presented by Howard Vogel) at the same hearing, and sent wires to most members of the full committee opposing any weakening in the Act. On May 11, the committee defeated Baker's amendment, and the Senator sees little hope of succeeding on the floor. The Carter Administration, through Transportation Secretary Brock Evans, has steadfastly maintained its opposition to traversing the Park, except by way of a fully hidden tunnel. Baker is now quoted in the Memphis papers as looking for a way in which Overton Park could be crossed (on the surface) "without federal funds."

C. The state legislature: wrap-up

It was a relatively uneventful year for environmental issues in the Tenn. General Assembly. Here's a capsule summary.

(i) Stripmining and coal: A bill which authorizes the Commissioner of Conservation to administer the federal law, and which deletes some reclamation requirements, was signed by the governor (see also ¶4B, this NL). A bill to study the coal industry (Nolan, R. Baird) failed in House committee and got stuck in Senate committee. A bill to increase coal severance tax (R. Baird) twice failed in senate committee and was stuck in House committee. Government reorganization, which would have greatly weakened the water quality portion of stripmine regulation, got bottled up in the calendar committees of both Houses.

(ii) Natural areas, scenic rivers and trails: The Conservation Dept. got what funds it asked for, but it asked for very little, having virtually abandoned the key portion of these programs, namely land acquisition. No funds were appropriated for the Natural Areas master plan. The Dept. of Conservation's Information and Education Division (which includes the Heritage Program) received less funding this year than last.

(iii) Bottle bill: several bills were introduced but stayed in committee.

(iv) Energy conservation and miscellaneous: A bill establishing a conservation code for new building construction (M. Murphy) was passed, as was a bill to develop and implement energy efficiency standards (Bissell). -- A bill making it a misdemeanor to cut trees along interstate highways (Albright) passed, with the only "no" votes being in the House (Burnett, Clark, Hurley, Stafford, Webb, Wolfe, Wood).

D. The state legislature: looking to next year

X The Tennessee Environmental Action Fund (on whose Executive Committee TCWP is represented) is establishing a platform to be addressed by candidates for public office. EAF will have a fund-raising event in the fall. -- Here are some legislative races involving environmentally conscious candidates that you may want to watch: Sen. Ray Baird is running for re-election, as is Rep. Chris Cawood. TCWP member Peggy Meier of Oak Ridge is running for the seat vacated by Keith Bissell. TCWP has sent a questionnaire to candidates who are competing in the August primary. We shall inform you on the returns.

E. TCWP has booth at Annual Wildflower Pilgrimage

We had a lovely booth, with photographic exhibits and captions on our major activities -- stripmine control, Obed, Big S. Fork, Smokies, state scenic rivers, Northridge Trail, etc. -- newsletters, brochures, various pamphlets, and T-shirts for sale. In spite of all this effort, it was pretty much of a flop. The registrants looked mostly at the plants in the center of the hall, and little at the booths around the periphery. And we didn't have enough volunteers to man the booth during peak hours. The money we took in on T-shirts didn't even half pay for booth rental. Thanks to Jessy Dempster and Bill Chandler for manning the booth, Betsy Williams and Bill Chandler for transporting the exhibit, and Lee Russell for producing it. [Humorous sideline: a lady on the Pilgrimage organizing committee objected to our booth as containing offensive material. She was referring to the T-shirt "Remember the Dodo," and pronouncing it "doo-doo".]

F. Commercial float trips on Ocoee

Guided raft trips for the Ocoee (a southern tributary of the Hiwassee) are being offered by Sunburst Wilderness Adventure, Ocoee, TN 37361 (615, 338-8388). There are 2 trips per day, and the rate is \$15/person or \$12/person for groups of 10 on weekdays.

10. WATER PROJECTS IN THE STATE AND ELSEWHERE

A. Columbia Dam: hearings on 404 permit may be held; we submit water-quality complaint

As you may remember from the TCWP Action Call of 3/21/78, TVA has applied to the Corps for a permit, under Sec. 404 of the Federal Water Pollution Control Act, for dumping "fill material" into the Duck River in connection with dam construction. By the April 9 deadline, the Corps had received about 260 letters from TCWP members and others. Virtually all letters requested a public hearing on the 404-permit request, and wanted the hearing to be in Nashville. The U.S. Fish and Wildlife Service was to have submitted its statement by May 20. [In the meantime, a delegation of seven from the Maury County Chamber of Commerce went to visit the Corps in Nashville to protest against any dam-delaying proceedings, and were apparently told what the requirements of the law are. The C of C newsletter then asked its members to write to the Corps and request that any hearings be held in Columbia, and to write to Congressmen asking for changes in any laws that could hold up dam construction.] TVA will have a chance to respond to all letters and statements received by the Corps, and the Corps will subsequently make a decision on whether and where to hold a hearing.

Should TVA be granted a 404 permit, there is still a possibility that the State will not be able to certify it. This may be the result of an action by TCWP, TSRA, and EDF, who have filed an official complaint with the Tenn. Div. of Water Qual. Control, charging that the building of Columbia dam has violated Tennessee's Water Quality laws by polluting the Duck River and destroying its use as habitat for indigenous species, including several threatened and endangered ones. If, after a 90-day investigation, the state concurs with the citizen complaint, it must refuse to certify TVA's permit. The State may also seek an injunction.

B. Administration's Water Policy is announced

President Carter's new Water Policy was announced on June 6, and, while it is not nearly all it could have been (see below), it is supported by the Coalition for Water Project Review, an alliance of 24 national conservation and environmental groups with 4.5 million

over

members. The new Policy is the outcome of last year's presidential directive to the Water Resources Council, OMB, and CEQ to recommend reforms for existing Federal water policy. These recommendations: (a) add water conservation as a specific component of both economic and environmental objectives (conservation is usually cheaper than development of additional supplies); (b) require that a nonstructural plan be considered as one alternative whenever a structural water project is planned; (c) calculate benefits and costs using more stringent analyses (e.g., none of the double counting that has distinguished projects such as the Little-T and Duck dams); (d) require an independent review of agency proposals, this function to be lodged in the Water Resource Council and to be carried out by a professional staff before construction starts; (e) give priority for presidential approval to projects with higher benefit/cost ratios and fewer adverse environmental consequences (USDI has more power to determine if a project is environmentally sound). The policy contains a legislative proposal for cost sharing: states would contribute 10% for projects with vendible outputs (hydro power, or water supply), with a share of the revenue going back to the state; and 5% for projects without vendible outputs. Presently, the states pay 20% of the cost of nonstructural flood-control measures (e.g., easements). The President will try for a similar cost-sharing requirement for structural flood-control measures.

There are a number of ways in which this new Policy could have been more of a reform. Thus, the policy does not touch the ridiculously low interest rates under which "costs" are calculated; water conservation is not addressed strongly enough with respect to irrigation, and the price of irrigation water to agri-business is ridiculously cheap; and -- most important of all -- the new policy does not cover projects for which money is currently being appropriated (see ¶10C), i.e., these worst of all projects have been given unjustified life by a "grandfather" clause. Many of the groups who have access to White House sources feel that Vice President Mondale was responsible for weakening the Policy in order to appease western governors. However, all in all, the Coalition applauds the Policy and is doing battle with the Congress to support Pres. Carter on this issue. If the President is serious about reform, he will veto the current water-projects appropriation (¶10C).

Three days following announcement of the general policy, the White House released a list of the specific "new starts" it is recommending, among them the Big S. Fork National River and Recreation Area (see ¶3).

C. The Congress goes wild on water spending

The water-project portion of the Public Works Appropriation bill, which passed the House on June 16, is a mockery of the new Water Policy and of fiscal restraint in general. You may recall that in last year's compromise, the Congress zero-budgeted 9 of about 30 projects on Carter's "hit-list." This year, it funded eight of these to the tune of \$564 million (i.e., betraying the compromise), in addition to all the other ongoing projects. The House Appropriations Committee added 41 new starts, about half of which would not have qualified had the new Policy already been in effect. These new starts, while costing "only" \$65 million in 1979, actually commit the Congress to an eventual total of over \$1,300,000,000. An amendment to give full funding was introduced in the hope that if the true fiscal magnitude of this bill were apparent, not just environmentalists would oppose it. It failed, as did amendments to delete projects from last year's hit list and Congress' "new starts." However, the count was 142:234, indicating that, if the President were to veto the bill (as he said he would), his veto could very probably be sustained.

D. Corps may be proceeding illegally on Tennessee-Tombigbee

Much damning information has been unearthed in the course of pre-trial preparations for the suit by environmental groups (represented by EDF) and the L & N Railroad aimed at stopping the monstrous (\$1,300,000,000) Tennessee-Tombigbee Waterway. Here are a few samples. (a) At the channel width of 170 ft (200 ft maximum) authorized by Congress, the project would not pay, because it would not accommodate large-sized tows. The Corps'

calculations of benefit are based on a 300-ft width; and, according to EDF and L & N attorneys, a decision was made to "proceed illegally" to build the 300-foot channel. (b) Cost overruns of about \$400,000,000 are being hidden to lessen the "emotional impact" on Congress. (c) A GAO (General Accounting Office) study that showed the Corps' calculations of benefit/cost ratios to be "inaccurate" and "misleading" was probably suppressed, following hints by Sen. Stennis. Stennis has been chairman of the Public Works Appropriations subcommittee and chairman of the Armed Services Committee. The Tenn-Tom project would require excavation of dirt sufficient to fill six railroad trains stretching from New York to Los Angeles. The clout behind this boondoggle derives from the fact that the Congressional seniority system had all along elevated legislators from the Tenn-Tom region (Miss., Ala.) to positions of seniority. E.g., with Rep. Tom Bevill of Ala. chairing the Public Works Appropriations Subcommittee, the Tenn-Tom is currently funded with 3 times as much money as all the New England states combined receive for water resources.

E. Corps of Engineers studying the Nation's waterways

A three-year study of the Nation's current waterway system and its ability to meet future transportation needs is being carried out by the Corps, the U.S. Coast Guard, and the Maritime Administration. The first report, this December, will describe the existing system. Future needs, analyses of alternative changes, and recommendations to Congress will receive attention by Sept. 1980, when the study ends.

F. Small dams studied as potential power sources

Although hydropower, which is presently generating 69,000 megawatts, has doubled since 1960, it is now producing a smaller share (15%) of the Nation's electricity than it did in the mid-1930's (30%). An Administration study has recently identified 47,000 small dams which, if fitted with generating equipment, could produce 12% of the national total. The Dept. of Energy (DOE) has chosen 57 proposals (from a total of 224 submitted) to evaluate existing dams, and will fund studies to determine the feasibility of installing generators. None of these projects is in Tennessee. -- We find nothing wrong with utilizing existing dams, but we are worried about another part of the recent effort, one which identified undeveloped small-dam sites for possible future construction. And here we'd thought Tellico and Columbia were our last dam fights!

11. NATIONAL CAPSULES

A. Bill to protect non-game wildlife needs our help

Senators Baker and Sasser were among 24 sponsors of a bill (S.1140) to protect nongame wildlife. The legislation, which passed the Senate May 24, would authorize expenditures of up to \$100 million over the next three years to "assure the continued existence of nongame fish and wildlife..." by means of "research, census, law enforcement, habitat acquisition" and other measures. It differs from the Endangered Species Act by providing for the means of protecting wildlife habitat. To assure the continued existence of the program (after the three years authorized by the Senate bill) will require a source of funding. An excise tax on outdoor recreational gear (analogous to the taxes and fees imposed on hunters and fishermen) has been proposed for introduction in the House, which must originate all tax legislation. The bill would provide 90% federal matching funds for state non-game programs for 10 years, after which the federal match would drop to 75%.

What you can do: To support a permanent program of habitat protection for non-game species, write your Congressman in support of H.R. 10255, the non-game wildlife management bill, and voice your support for an excise tax on outdoor gear to continue the program. (House Office Bldg., Wash. DC 20515). TCWP, through Holly Gwin, was the first -- and may be the only -- public interest group in Tennessee to have voiced support for this legislation. So write a letter today! (Contributed by Bill Chandler).

B. The Carter Administration's relationship with conservationists

The President has been holding occasional meetings at the White House with representatives of national conservation groups to discuss such items as the national water policy, Alaska, endangered species, and energy policy. Several of the groups have reported in their newsletters that they continue to be impressed with the President's personal concern for

environmental values. They are worried, however, by the apparent efforts of key administration officials to limit the partnership between the President and the environmental community. Among these officials are Vice President Mondale on water policy (see ¶10B), Sec. Schlesinger on energy, and special advisor Robert Strauss, who has recently attacked environmental regulations as inflation triggers.

Most of the assessments agree that the Carter administration is a vast improvement over all recent ones. All those appointed to top environmental posts have strong environmental credentials, e.g., Cecil Andrus (USDI), Doug Costle (EPA), Charles Warren (CEQ), and Richard Frank (NOAA). Most second-level appointments are also good, with over 20 people from the environmental movement now in key posts. Administration officials are an important source of support in lobbying Congress for environmentally sound measures.

C. Environmental education

(i) Industry is invading the classroom, according to a well-documented article in Environmental Action (May 20, 1978). Not only are they promoting products (e.g., free athletic equipment to the school in exchange for box tops collected by students), but they're subtly selling ideology by contributing classroom materials on environmental science, energy, nutrition, etc. An example: the Ford Motor Co.'s booklet "The Clean Air Quest" points to the Great Smoky Mountains as "natural pollutants" in an attempt "to view the air pollution problem in perspective." Naturally, schools on pinched budgets welcome free curriculum aids, but these need not be one-sided. The article publishes addresses of government agencies and public-interest groups that teachers can contact for lists of free materials untainted by industry bias.

(ii) The Administration has established the President's Environmental Youth Awards for school or camp projects, such as recycling, composting, political action for the environment, research, etc. For information, write U.S. Environmental Protection Agency (A107), 401 M St., SW, Wash. DC 20460.

D. National TV columnist preaches anti-environmentalism

Paul Harvey, who has a national TV column that is carried on some regular news programs of several stations, has made some pronouncements about the "worthless" snail darter and how some 50 species a year die off anyway. One of our correspondents reports that Paul Harvey has been consistently and rabidly anti-environment. "I am . . . asking for reprints [of this letter] in every environmental publication in the United States," he writes (we didn't have room to print it all). "Herein I ask that all concerned tune in Mr. Harvey and boycott those who sponsor him."

12. PUBLICATIONS OF INTEREST

- "Where to Write" is an up-to-date compilation of environmental (and other sympathetic) groups, federal agencies, important congressional committees (giving jurisdictions and listing members). (From Environmental Action, 1346 Connecticut Ave., NW., Suite 731, DC 20036).
- "Jobs and Energy" soundly refutes the argument that environmental protection prevents energy development and destroys jobs. (\$2 from Environmentalists For Full Employment, 1101 Vermont Ave. NW, #305, Wash. DC 20005).
- "Notes on Public Interest Resources" is a 4-page bibliographic listing on subjects of fund-raising, media access, citizen initiatives, etc. (from Commission for the Advancement of Public Interest Organizations, 1875 Connecticut Ave. NW, Suite 1013, DC 20009).
- "In Memory of Land and People" is a documentary film on the effects of stripmining, mostly in Appalachia. Running time, 50 min. (Write Bob Gates, Omnificent Systems, 111 Virginia St. E, Charleston, W. Va. 25301).
- "Critical Environmental Areas in Tennessee. III. Wetlands in West Tennessee". (From Tenn. State Planning Office, Natural Resources Sect., 660 Capitol Hill Bldg, Nashville, 37219)
- "Solar Energy, Progress and Promise." Council on Environmental Quality report, which prompted a White House review to develop a solar strategy for the Administration, estimates solar could supply 25% of our energy needs by the year 2000. (\$2.30, Stock No. 041-911-00036-0 from the U.S. Govt. Printing Office, Wash. DC 20402; or free [while