

## TENNESSEE CITIZENS FOR WILDERNESS PLANNING

Newsletter No. 92, January 15, 1979\*

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Note!

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are summarized  
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# 1. THE LITTLE T IS NOW IN THE HANDS OF THE ENDANGERED SPECIES COMMITTEE

Under the terms of the Endangered Species Act (ESA) amendments passed in October (see NL91 ¶2), a 7-member cabinet-level committee has until February 8 to decide that the Tellico Dam project should not be exempt from the requirements of the ESA. (By law, it cannot be exempted if there are alternatives.) The dam is automatically exempted should the committee fail to act within this timeframe. This, however, is unlikely to happen since hearings were arranged for Jan. 8, and a committee meeting has been scheduled for January 23.

Gov. Blanton sent Pres. Carter 5 suggestions for the "citizen" slot on the committee — the only one not specified by the law (the others being various cabinet-level officials). One of these was former Congressman Joe Evins, who has spent most of his life advocating dams! But there were also some good names, e.g., Ruth Neff. A couple of TCWP leaders were consulted in the selection process and spent quite a bit of time gathering information. The President's choice finally fell on Bill Willis, a Nashville attorney and member of the Tenn. Wildlife Resources Commission. He is said to be a person of impeccable integrity, not swayed by political pressures. No one knows how he stands on Tellico Dam.

TVA's final report on alternatives for the project, issued Dec. 11, narrowed the choice from 4 to 2 options: (a) completing the project as originally planned, and (b) developing the river and surrounding lands without creating a reservoir. Another change from the Aug. 10 draft was calculation of the annual economic benefits from trout fishing in the free-flowing river -- \$4.32 million gross under ideal conditions, or \$1.4 million net on the average.

At the January-8 hearing, the majority of the 60+ people who testified were opposed to the dam. Among TCWP members testifying were Bill Russell (for the Little-T River Alliance), Bill Chandler, Lynn Dye, Jack Gibbons, and Doris Gove. There were some excellent points made. E.g., reservoirs are only temporary, get dirty, and silt up in 40-100 years, while the recreational potential of a free-flowing river continues indefinitely (Etnier); the Tellico reservoir would be especially vulnerable to millfoil and probably hydrilla (Amundson); TVA expands its power base by the equivalent of the Tellico project about once every week, illustrating how ridiculously negligible would be the electric-power contribution of the dam project (Gibbons). Congressman Duncan led the pro-dam witnesses, including retired TVA bigshots, and read a letter signed by Tennessee's entire Congressional delegation, and one by Sen. Baker saying that exemption was the will of Congress (if so, why go through the 7-man process)?

Many believe that the committee cannot help but refuse to exempt the dam, since reasonable alternatives have been amply demonstrated. As Bill Russell and Bill Chandler pointed out in their testimonies, it is not just the TVA report which has come up with alternatives, but two independent studies commissioned by Congress: the GAO study and a U.T. School of Architecture study. However, what happens after the committee acts? Many fear that there may be attempts at Congressional exemption initiated by Tennessee's Reps and/or Senators.

What you can do: Now, write to your Congressperson and Senators and tell them that at least 3 studies have shown reasonable alternatives to the dam. Economic development (e.g., through farm-related industry, could be greater with a free-flowing river than with a dam. (Only recently, in fact, TVA Chairman Dave Freeman called prime farmland "our most endangered species".)

Two Little-T footnotes: (1) A Snail Darter Recovery Team, created by USDI, will review scientific data and recommend a course of action to keep the species alive. Members of the team are Harold Hurst and Price Wilkins, TWRA; Dick Fitz and Gary Hickman, TVA; Drs. W. Starnes and David Etnier, U.T.; and Hal Boles, USF&WS. (2) TVA has nominated the entire area that would be flooded as an "archeological district." It contains 285


identified archeological and historical sites, but less than 10% of these have been explored. Tennessee's chief Historic Preservation Officer, H. L. Harper, recently stated that this "does not constitute adequate mitigation" under the terms of the National Historic Preservation Act.

## 2. FOREST SERVICE RARE-II RECOMMENDATIONS FOR TENNESSEE ARE A DISASTER. YOUR HELP NEEDED

The RARE-II recommendations for the Cherokee National Forest were released to Congress on January 4, 1979. The results were terribly disappointing and destroyed any hope that the Forest Service was moderating its previous anti-wilderness position. Presently, 1.3% of the Cherokee are designated wilderness; the RARE-II recommendations would add only a paltry 0.6%, for a total of 1.9%. Tennessee has the dubious honor of receiving the lowest wilderness recommendation of any state in the Southeast (N.C. did 20 times as well).

In the course of the RARE-II process for the Cherokee NF, 21 areas, containing 135,779 acres and admitted by the USFS to be of wilderness quality, were being considered for wilderness recommendation. Of these 21, only one was actually recommended for wilderness in the final Environmental Impact Statement issued on January 4. This one is Bald River Gorge, which contains only 3,887 acres -- or 0.6% of the total Cherokee acreage -- and is physically unsuited for non-wilderness uses anyway because of its steep terrain. Fifteen RARE-II areas (constituting 69% of the RARE-II acreage) were designated "non-wilderness," thus opening them up to almost immediate development and timbering. In the "non-wilderness" category were some of the most outstanding areas in the Cherokee: Rogers Ridge, Big Laurel Branch, Pond Mt. Addition, Jennings Creek, Unaka Mountain, and Upper Bald River. On the brighter side, if there was one, was the recommendation of "future planning status" for 6 areas: Citico Creek, Big Frog Mtn., Big Frog Addition, Little Frog Mtn., Pond Mtn., and Flint Mill. This is not as big-hearted as it seems, because the first two of these (56% of the "future planning" acreage) were already wilderness study areas under the terms of the Eastern Wilderness Act of 1974. Besides, how far do you suppose the USFS can be trusted in a wilderness-study situation?

With only 0.6% of the Cherokee's acreage recommended for new wilderness, and with the best of the Cherokee's de facto wilderness now actually opened to development via "non-wilderness" designation, it is sickening to read a recent Scripps-Howard editorial that starts "When both sides in a dispute complain ... the proposal is close to being a just one." Both sides complaining isn't even true for Tennessee, where Mayor Hall of Madisonville, who generated most of the form letters against wilderness (NL 91, 19), termed the Cherokee NF announcement "a tremendous victory." However, Pres. Carter and the Congress, who must act on the USFS recommendations, may believe editorials like this unless we tell them otherwise.


 What you can do: TODAY send letters to your Representative and to both Senators Baker and Sasser (House and Senate Office Bldg., respectively; Wash. DC 20515 or 21510). Copies should go to Pres. Jimmy Carter (The White House, DC 20500), and if possible to Gov. Lamar Alexander (State Capitol, Nashville TN 37219). Tell them: (1) The USFS RARE-II recommendations would provide protection for only 3887 of the Cherokee's 621,000 acres, or 0.6%. Counting our existing wilderness, less than 2% of the Cherokee would be wilderness. (2) Certain RARE-II areas, designated "non-wilderness" by the USFS, are in immediate danger of clearcutting. Accordingly, ask them to introduce and support legislation protecting through "wilderness study" status for at least five years these areas: Rogers Ridge, Big Laurel Branch, Pond Mountain Addition, Unaka Mountain, Jennings Creek, and Upper Bald River, and the Sullivan County portion of Flint Mill, together with additions proposed by the Cherokee National Forest Wilderness Coalition to Big Laurel, Unaka, and Jennings Creek. (3) Ask them to introduce and support legislation protecting as "wilderness" the following areas which the Forest Service placed in the "future-planning" category, but which have already received enough planning (1½ years' worth): Pond Mountain, Flint Mill, Citico

over


Creek, Big Frog Mountain, Big Frog Addition, and Little Frog Mountain. Wilderness legislation should, of course, also include the one area recommended by the Forest Service for wilderness, Bald River Gorge.

[Based on material submitted by Will Skelton. For further information, contact Will Skelton in Knoxville (546-2800 work, 584-5653 home); Kirk Johnson in Chattanooga (892-0115, ext. 3116 work, 892-6609 home); Donald Shaffer in Tri-Cities (928-4854); and Frank Chapman in Tellico Plains (295-2484).]

### 3. THE PRISON AT FROZEN HEAD PARK: WE CAN STILL STOP IT!

Although construction has started on the new prison located almost at the entrance to Frozen Head State Park, Governor Blanton will be gone soon, and so will Corrections Commissioner Henderson. Hopefully it'll be a new ballgame with a new administration.  WRITE A POSTCARD TODAY to Gov. Lamar Alexander (State Capitol, Nashville, TN 37219) pointing out that it is surely foolish to destroy one state resource with another. Ask him to build the prison elsewhere and leave one of our most beautiful state parks alone! Get your friends to write too.


### 4. OAK RIDGE AIRPORT PLAN THREATENS U.T. ARBORETUM AND FORESTRY EXPERIMENTS

Regardless of whether you think Oak Ridge needs an airport within City limits for the convenience of industrial types, and regardless of whether you even live in Oak Ridge, you must surely think it a foolish waste of resources to scalp a ridgetop right in the middle of a hardwood forestry research area, containing long-established research plots, in order to build a jet-length runway. Right next-door is the Arboretum, with its official Recreation Trail, presently a haven of peace for the people of the city. The Oak Ridge City Council, apparently with the blessing of DOE, is doing its best to pressure U.T. into giving up the property so the airport can be built. They're even arranging an audience with Governor-elect Alexander. TCWP has written to U.T. President Ed Boling, urging him to hold firm.  YOU SHOULD DO THE SAME. Send a copy to Gov. Lamar Alexander (State Capitol Bldg., Nashville, TN 37219), and another (for publication) to the editor, The Oak Ridger, Tyrone Road, Oak Ridge 37830. If you live in O.R., call or write your Councilperson and propose a referendum, if necessary.

### 5. ALASKA: BRAVO PRES. CARTER! NOW CONGRESS MUST FOLLOW THROUGH

President Carter gave America a marvellous Christmas present: protection for 106 million acres of Alaska lands which otherwise would have been open to immediate development when interim protection under the 1971 Native Claims Settlement Act was scheduled to expire Dec. 17 (the Congress having failed to act). The areas may be summarized as follows:

Type of area	Authority	Acres	Protection
17 National Monuments	Antiquities Act	56 million	permanent
12 Wildlife Refuges	BLM Organic Act, Sec. 204(c)	39 million	20 years
National Forest	" " " Sec. 204(b)	11 million	2 years
Various	" " " Sec. 204(e)	20 million	3 years

The first three items represent the President's action of Dec. 1; the last, Sec. Andrus' withdrawal of Nov. 16. Entire ecosystems and complete watersheds are included. Yet 2/3 of the state remains open to development and exploitation, and the state of Alaska still gets its 103-million-acre share of federal lands -- so there should be no complaints.  PLEASE THANK PRES. CARTER for this greatest of conservation actions (The White House, DC 20500)

The Congress now has "an unhampered opportunity to act." And act it must, because, as you can see, some of the protections are only temporary. The Wildlife Refuge protection still requires hearings and an EIS, and some important areas, e.g. Wild and Scenic rivers, are not protected. The Alaska Coalition hopes that this year will see final passage of the most comprehensive balanced land-use legislation of the century.

Representative Udall will again introduce Alaska legislation in Congress; the bill will again be called HR 39. Details are still being formulated, but it is expected that HR 39 will afford approximately the same degree of protection that was proposed in S. 1500-Am. 2176: about 110-115 million acres in parks, refuges and wild and scenic rivers. The bill, of course, runs the risk of being modified by committees that do not include any Tennessee legislators. However, Tennessee's James Quillen, who, last year, was a co-sponsor of HR 39, is on the important Rules Committee. It is essential that his constituents ask him to continue his high level of support in the 96th Congress. In the Senate, Senator Henry Jackson (D-Washington) has indicated that the Alaska Lands issue will be the number-one priority of his Energy and Natural Resources Committee.

What you can do: (1) Urge your Representatives (House Office Bldg., DC 20515) and your Senators (Senate Office Bldg., DC 20510) to co-sponsor the strongest possible Alaska Lands bill this year, and to withstand pressures from commercial interests for weakening modifications of Pres. Carter's actions. (2) We need key contacts to meet with Reps. Al Gore, Robin Beard, and Ed Jones. (3) Offer your help to the Tenn. Alaska Coalition (Andy Butler, 234 Highland Ave., Oak Ridge 37830, Ph. 615, 482-1336 or 574-1269 or Steve Konkell, 105 Porter Rd, O.R., 483-1254 or 574-5184). (4) Don't forget to thank Pres. Carter (see above).

#### 6. THE TELlico PLAINS-ROBBINSVILLE-ROAD DISASTER ESCALATES\*

The early stages of construction for this road, which would traverse one of the loveliest and wildest parts of the Cherokee National Forest, have brought disastrous environmental results, partly because of the acid-producing rock formations being traversed. As we have reported (NL 91 110B), TCWP requested a supplemental EIS in August. Not only did we fail to get a positive response, but the Federal Highway Administration received an additional \$3 million to continue construction on the 2½ miles remaining in Tennessee. This segment would traverse the *virgin forest* of the Falls Branch Scenic Area and proceed to Beech Gap at the N.C. stateline. The \$3 million, incidentally, would be sufficient only for road cuts and grading, and would not begin to pay for a proposed 700 ft bridge in the Scenic Area.

TCWP strongly feels that the following requirements have not been met, and is considering a lawsuit, if necessary.

1. It has not yet been shown that mitigation will really work to prevent the severe stream pollution caused by the acid-rock problem.
2. A supplemental EIS must be prepared to include: (a) a biological survey and consultation with the USF&WS concerning the rare, endangered, and unusual species known to exist in the area; (b) a geological survey for the remainder of the road's route, especially with respect to the quantity of pyritic rock to be dealt with; (c) a new benefit/cost analysis which takes account of the new extra costs (such as the bridge, burial of pyritic rock, liming, etc.) and deals with the negative impacts on the Cherokee NF and with social impacts on affected communities.
3. Conflicts have not been resolved with the Eastern Wilderness Act of 1974, which -- by establishing the Citico Wilderness Study Area -- offers protection to this portion of the Cherokee NF until 1980 when the USFS makes its recommendation to the Congress.
4. Discharge permits must be obtained under terms of federal Water Pollution laws.
5. Under Sec. 4(f) of the DOT Act, it must be shown that the selected route is the only prudent and feasible alternative. The analysis must include a fair evaluation of the "no-build" alternative.

It is probable that the Tennessee Wildlife Resources Agency will become an important ally in our efforts. TCWP members Paul Somers, Bill Chandler, and Bill Russell have had contact with TWRA and TWRC.

\* Please go see for yourself what's involved. You'll find an announcement of the hike we're organizing in the area on p. 15 of this Newsletter.

## 7. OBED: DEVELOPMENT PRESSURES; NPS DOCUMENTS

### A. More pressures of adverse development

The development threats continue. Catoosa Canyons, near Adams Bridge, recently held a land-sale auction for recreation-home lots. Rumors have it that it wasn't too successful. -- Probably more of a threat is the constant stripmine pressure in the watershed. As we have reported (NL 91 14A), TCWP, SOCM, NPS, and TVA all suggested that a task force of directly concerned agencies and organizations be created to take actions to preserve water quality in the Obed, and that Commissioners Fowinkle (Health) and Allison (Conservation) take the lead in this effort. On Nov. 24, Dr. Fowinkle wrote to Commissioner Allison to state that his department (which includes the Water Quality Control Div.) would "be glad to participate in the task force charged with preparing a plan to protect the Obed River Watershed." He stresses planning and agency coordination in relation to "proposed mining activities in the area." As far as we know the task force has not yet been constituted.

Calcan Coal, Inc. has applied for an NPDES permit to strip on a tributary of the Clear Creek, and NPS has told the WQC Division that, if it cannot guarantee that the operation will not adversely impact on Clear Creek, the application should be denied, especially so since Clear Creek is critical habitat for species on the endangered list. TCWP's request for denial of an NPDES permit to Site Developers was not granted, and neither did we succeed with our subsequent "complaint". We have now been told that our next recourse is to appeal to the Water Quality Control Board by January 27.

### B. Three Park Service documents

On Nov. 27, TCWP submitted comments on 3 recent NPS documents on the Obed: the Statement for Management (8/29/78); the Addendum to the Final EIS (10/16/78); and the Development Plan and Stream Classification (8/78). In general, NPS shows appreciation of the natural values and fragile nature of the resource. Among its expressed objectives are those of limiting development and use, and of working with other agencies to diminish pressures from outside the Area. Our chief complaint with respect to Obed implementation is that NPS is not acquiring sufficient acreage to protect the resource (see also NL 91, 14B). -- Another area of concern is that NPS tends to view the River Area too much in terms of its recreational aspects and not enough in terms of its unique natural attributes and ecological values. Various specific examples of this are cited in our commentary. -- We were pleased to see that NPS had altered its stance on some issues as a result of our earlier comments on document drafts. E.g., they have abandoned the proposal for a visitor center in Crossville, are planning to place the trail back of the gorge rim, and will probably limit 2 motorized accesses to administrative use (more pressure may be necessary on this last point). You can get the NPS documents from Supt. Doyle Kline, P.O. Box 477, Oneida, TN 37841. If you want a copy of TCWP's comments, send a self-addressed, stamped envelope to the editor.

## 8. BIG SOUTH FORK NATIONAL RIVER & RECREATION AREA: PLANS AND THREATS

### A. Off-road vehicles

\* The firm which has been contracted to prepare the Master Plan for the BSNRRA is now conducting an off-road vehicle (ORV) study. Should ORV's be permitted in the Area? and if so, what types of usage should be allowed? You may get a copy of the questionnaire that's being used to obtain public input by calling Nashville 615, 298-5403. Please send your comments by 1/31/79 to Joe Gaines; Miller, Wihry and Lee, Inc.; 2147 Belcourt Ave., Nashville, TN 37212.

B. Stripmining operations are a constant problem for the BSFNRRA. At least three operations (Boutain, Bud Coal Co., and Winningham) for which permits are presently being sought are <sup>very close</sup> (from 1 to 3 miles from the boundary of the Area) and would drain into Area streams. NPS has pointed out that, in addition to other impacts, several species of threatened or endangered flora and fauna could be affected.

C. Needs of surrounding areas

The \$25,000 grant from the Economic Devt. Adm. to the East Tenn. Devt District, ETDD (see NL 91, ¶1), matched by \$8333 of ETDD funds, is being used to organize a committee of local public officials and representatives of federal and state agencies that have specific functions in the area. The outcome will be a "Preliminary Needs Report" for facilities and services that the counties will require as a result of BSFNRRA-related visitation. The committee has already organized a trip to Sevier County to learn from the Gatlinburg experience. <sup>The</sup> They carried away the message that it is essential to institute formal mechanisms for proper planning and control of anticipated growth.

9. THE TENNESSEE ENVIRONMENT: POLITICAL OUTLOOK

There are always many unknowns in an administration change-over, but the Blanton regime has shown so many insensitivities on the conservation front (e.g., with respect to the prison at Frozen Head, and the terrible record on stripmine-law enforcement) that environmentalists can't help but look with hope to the Alexander administration. During the campaign, Lamar Alexander's brochure "On the Issues" stated: "Wildcat strip miners are out-laws ... What we need is a Governor who will enforce the law strictly and fairly, who will say to wildcatters they won't be tolerated, and who will tell state inspectors he will back them up."

A. Commissioner of Conservation

One very encouraging sign is that the man tapped by Alexander to help in the selection of a Commissioner of Conservation, attorney Ed E. Williams III of Johnson City (former vice chairman of the Conservation Commission), has been in frequent touch with us and with other conservation groups to get our reaction to several candidates, as well as suggestions for additional ones. On January 12, Ann Tuck was announced to be the Governor-elect's choice. On the same day, we talked to Mr. Williams and learned that either the Deputy or Assistant Commissioner would be a person with well-known conservation credentials. Mrs. Tuck, active in Republican politics, served as Assistant Conservation Commissioner during the Dunn administration. Mr. Williams also promised to arrange a meeting soon between representatives of the environmental community and Mrs. Tuck; and, if possible, with Governor Alexander as well.--Eugene Fowinkle will be retained as Commissioner of Health. It is to be hoped that the Water Quality Control Division, in his Dept., will be more shielded from stripmine-industry pressures than it has been during the Blanton administration.

B. The legislature. We sustained some grievous losses in the General Assembly, particularly Sen. Ray Baird and Rep. Chris Cawood, who over the years had aggressively fought against the evils of stripmining and for the protection of rivers and natural areas. However, the man who beat Baird, Buzz Elkins, has been supportive of environmental legislation in the past and, we hope, will take an aggressive part in the future. There was also some encouragement to be gleaned from the lists of those who will not be returning, foremost among them Rep. Hugh Dixon who once stated that environmentalists had never done an honest day's work in their lives but were hellbent on destroying other people's job opportunities.

C. Environmental Action Fund 1979. The TCWP Board on Dec. 4 voted to join EAF again in 1979 as one of 7 member organizations. Brad Neff and Paul Somers represented TCWP at the EAF meeting during which platform was established. The following issues were given top priority: beverage-container-deposit legislation; an enlarged budget for acquisition of scenic rivers, trails, natural areas; strengthening, and broadening, the Tennessee Surface Mining Act; and strengthening state laws for management of hazardous materials. Other areas in which

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certain types of legislation will be supported are water and air quality, the non-game program of TWRA, energy conservation, and land use. Frank Fly will again serve as EAF's registered lobbyist, assisted by Ann Luckado. They will report on their activities to member organizations.

# 10. THE TENNESSEE SCENE

- A. State administration of the NPDES program will be examined at a hearing on February 6 (see Calendar). In December 1977, EPA approved Tennessee's request to administer the National Pollutant Discharge Elimination System, and the Tenn. Division of Water Quality Control has been issuing NPDES permits ever since. Our special interest has been in their stripmine discharge permits (see, e.g., ¶7A, this NL). The upcoming hearing, requested by EPA, will be conducted to ascertain the status of administration of the program, with emphasis on the availability and utilization of manpower.
- B. A beverage-container-deposit law for Tennessee is a possibility, but *only* if the strong pressures from the container industry can be overcome. A legislative Litter Study Committee under Sen. Carl Moore and Rep. Donald Hood has held hearings in Kingsport (Nov.), Nashville (Dec.), and Jackson (Jan.). The packaging and container industries were strongly represented and seem to be throwing their weight behind a "litter tax" to be levied on several materials (in addition to containers) that could end up as litter. The tax would be used to pay for litter pickup, mostly along highways. Note that such a tax would not reduce the volume of solid waste or the depletion of energy and resources used in making containers. Nationwide, for example, re-use of containers could save 29,000,000 barrels of oil, 575,000 tons of aluminum, 1,600,000 tons of steel, 6,000,000 tons of glass. In Oregon, the first state to pass deposit legislation, there was a net gain in jobs: while some were lost in container manufacture, *more* were created by the recycling process.   
 \* What you can do: Write today to your state representative and senator (State Capitol, Nashville TN 37219) and tell them why we need deposit legislation -- not a litter tax. Send copies to the chairmen of the Joint Litter Committee, Sen. Carl Moore and Rep. Donald Hood (309 and 209 War Memorial Bldg., Nashville 37219).
- C. Amnicola Marsh in Chattanooga is a remnant wetland habitat with 200 species of vertebrates, including some that are endangered or threatened. Last year, the U.S. Fish and Wildlife Service put it as top priority under the Non-Migratory Wildlife Habitat Acquisition Program, but someone in Washington is sitting on it, and, in the meantime, the area is threatened with development.   
 \* What you can do: Write to Mr. Lynn Greenwalt (Director, U.S. Fish & Wildlife Service, USDI, Washington, DC 20240) and ask why no further action has been taken.
- D. Pittman Center, the Sevier County town on the Middle Prong of the Little Pigeon River, is being nominated for the list of National Historical Places. Such a listing would bring a measure of protection to the Middle Prong and should be supported by writing to the Secretary of the Interior, Cecil Andrus (USDI, DC 20240).
- E. The railroad right-of-way for the Harriman & NE was acquired by the State; and the Dept. of Conservation plans to develop it for use as a foot trail. Some Morgan County residents are unhappy because the right-of-way is being used by motorcycles. Some title suits may be filed.
- F. The Savage Gulf Natural Area was enlarged in June by the addition of 2 tracts totalling 1100 acres. Presently, there are 10,000 acres in Savage Gulf and the Great Stone Door Envtl Education Area. The state hopes to acquire another 3000 acres in the future. Approx. 45 miles of hiking trail have been built at Savage. Hearings on the Savage Master Plan will be held Jan. 18 in Monteagle and Jan. 24 in Nashville (see Calendar).
- G. Highlands of the Roan. A fund-raising effort is underway to permit acquisition. This area, on the Tennessee-N.C. state line, and accessible from Carvers Gap, boasts several peaks over 5800 ft (the highest, 6189 ft). Solicitations began Dec. 1 to raise \$1,000,000 from firms, foundations, and individuals. Purchase of a limited edition print (\$25) helps the fundraising effort. (For more information, write to O. Taylor Pickard, Sec., Southern Appalachian Highlands Conservancy, P.O. Box 3356, Kingsport, TN 37664.)



H. Three land purchases in the state have been made possible through the assistance of the Nature Conservancy (TNC). They are Taylor Hollow, 173 acres in Summer County on the Highland Rim (bought Oct. 1978); the Black-Crowned Night Heron rookery (managed by TWRA), 5 acres on the Cumberland R. in Nashville; and an addition to the Radnor Lake Natural Area. Federal matching grants were available for the last two. Since the Conservancy's Project Revolving Fund was used for these purchases, the loan must be repaid by the Tennessee Chapter. Send donations (earmarked for one or more of these parcels) to TNC, 1720 West End Ave., Suite 600, Nashville 37203.

## 11. OF RIVERS AND DAMS

### A. TVA studying alternatives to Columbia Dam

While dam construction is held up as a result of the "404" permit situation (NL 91, ¶3), TVA is apparently subjecting the dam project to a review procedure that considers alternatives. Alternatives include the presently projected high dam (54-mile impoundment), a lower dam (43-mile impoundment), no dam, and various combinations with the upper (Normandy Reservoir) stretch. Various uses (e.g., agriculture, industry, recreation) are being studied, but the only one we've heard about is recreation. The Dept. of Conservation and several conservation groups (not including TCWP) were hurriedly involved in a planning session in December. TCWP is on record from earlier occasions in its opinion (and documentation) that TVA, in the past, has grossly overestimated reservoir recreation (which it projected way into the future) and has grossly underestimated river recreation (which it based on then-current use only). Obviously, the no-dam alternative is the one we support. Send your comments to Harry Lewis, Recreation Branch, TVA, Norris TN 37828.

### B. Tennessee-Tombigbee Canal

Bids will be opened Feb. 22 for the largest single portion of the Tenn-Tom (40 miles of excavation) in spite of a lawsuit by EDF, the L&N Railroad and others to block the project. All sorts of "dirt" is now coming to the surface. A General Accounting Office audit which found serious faults with the cost-estimating procedure was shelved in response to complaints by the powerful Senator from Mississippi, John Stennis. The Army Audit Agency found that the Corps deliberately presented falsely low costs to decrease "the emotional impact" on Congress. As now designed, the project is quite different from the form in which it was authorized -- much wider and deeper, and, of course, more expensive. The Congress was not informed of this, and no supplemental EIS was filed. The 232-mile Tenn-Tom would be a much bigger earth-moving project than the Panama Canal. Cost is estimated at \$2,000,000,000, more than 6 times what the Corps told Congress it would cost. About \$300,000,000 has been spent, mostly for engineering, land acquisition, and administration. -- We draw your attention to a fine article by James Nathan Miller in the Sept. 1978 *Readers Digest*, entitled "Trickery on the Tenn-Tom." Former Congressman Joe L. Evins "answered" this in the *Tennessean* of 12/7/78, p. 1B. Someone should answer him.

C. Water resource boondoggles are still with us -- the 12 biggest "turkeys" still remaining, even after the President won his veto fight, would cost the taxpayer \$28 billion -- but...)

D. Water Resource Policy reform is underway. Following announcement of the Carter Administration's new water policy in June 1978 (NL 87, ¶10A), federal agencies went to work and have now established 19 task forces to implement the reforms. The task forces submitted draft work plans in October to Guy Martin, Asst. Sec. for Land & Water Resources for USDI. Among the topics covered are conservation, pricing, protection of groundwater tables, improvement of stream flows, protection of wetlands, discouragement of developments unsuited for flood-plains, cost sharing by states, principles and standards (including revision of benefit/cost procedures). Several national conservation groups have jointly hired a coordinator to keep some task forces informed of the conservation community's views (Tom Tomasello, 1412-16th St. NW, Wash. DC 20036, Ph. 202, 797-6800).

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## 12. TVA STOPS BEING A POLLUTER AND DOES OTHER GOOD THINGS

### A. The air-quality settlement is signed

As you surely know by now, the TVA Board (at last with a quorum) on Dec. 14 agreed to the signing of the out-of-court settlement on air-quality compliance. Thus ends TVA's dubious honor of being the nation's worst sulfur dioxide polluter (TVA produced 52% of the South's, and 14% of the nation's SO<sub>2</sub>). By 1983, the various measures that have been agreed to will reduce pollution by 900,000 tons of SO<sub>2</sub> and 85,000 tons of fly ash annually. They will cost about \$450 million a year in the 1980's, but the resulting maximum year-to-year increase in electric rates will be less than 3% since the measures take effect gradually. In any case, TVA's legal and technical staffs concluded that the cost would be higher if the compliance measures were decided in the courts instead of through the out-of-court settlement. (Compare with this former Chmn. Wagner's statement that he'd prefer to have the courts set the cost of compliance!) Further, the increase in electric rates must be balanced against the savings in health costs, and in crops and materials damages that will result from the cleaner air.

One less publicized aspect of the settlement is that it establishes a citizens' "Implementation Committee" which will review TVA's progress in meeting milestones. It is only fitting that this new precedent for citizen participation in environmental protection comes about as a result of the citizen action in bringing the suit in the first place. (Most of the media reports forgot that, at the start, it was not a case of TVA vs. EPA: our citizens' groups were only later joined by EPA.)

The following deserve extra special thanks. (a) TVA chairman Dave Freeman, for bringing about a dramatic reversal in TVA's stance and thus breaking a long-standing stalemate. (a) Attorney Dean Rivkin (in Knoxville) and Dick Ayres (with NRDC), who did a brilliant as well as a backbreaking job (for practically no compensation), and who stayed in constant touch with their citizens'-group clients. We're happy that the settlement provides for their reimbursement. (c) EPA's Traina, Durning, and others, who provided strong support. (d) The representatives of the citizens' groups, including TCWP's Bill Chandler, who gave freely of their time.

### B. Stream-access sites will be purchased under TVA's Scenic Riverway Program to benefit canoeists, rafters, and fishermen. The proposed eight sites range from 1 to 2 acres and are located on 5 rivers, as follows: Clinch (miles 296, 279.5, and 225); N. Fork of Holston (mile 85.5); Powell (miles 95.1 and 103.2); Toccoa (mile 83.9) and Little River (mile 22). Facilities will include a put-in, parking, and toilets.

### C. A water-quality survey in the Tennessee River drainage basin has come up with some rather disturbing findings (see ¶17, this NL for listing of reports), e.g., excessive amounts of mercury and of DDT in the upper Holston and in Huntsville Spring Br., respectively. In both cases, levels in fish are a great multiple of the FDA limit for edible fish. Another problem exists at several dams (including Tim's Ford, Norris, Douglas) where low-oxygen water from the bottom of the reservoir is released part of the year and makes most fish survival impossible (another item never included in the cost of dams!). Several other kinds of pollution, e.g. coal-mine run-off, are also a problem in the Valley. TVA is now discussing with EPA possible new programs to correct the individual problems.

### D. A new General Manager for TVA. Leon Ring feels that TVA is the only agency or utility that has the ability to show that cheap power can also be clean power. He has bachelor's degrees in math and physics, a master's in aeronautical engineering (Notre Dame) and a Ph.D. in the same subject (Cornell). Before joining TVA, he was vice pres. of ARO (Tulahoma), a company concerned with magnetohydrodynamic generation of electricity.

### E. Solar power is receiving increasing emphasis by TVA. Francis P. Koster, the new chief of the Solar Applications Staff, comes to TVA from the Univ. of Massachusetts, where his specialization was in energy policy, and especially in renewable energy sources. -- The solar experiment in Memphis (NL 91, ¶7) is part of a program to make solar water

heating affordable to the average power consumer. This use of solar could reduce peak-hour demands, when power is most expensive. The Memphis experiment is also designed to spur local small business development.

F. Energy conservation. The TVA Board recently approved a program to offer energy audits and loans to commercial and industrial users of TVA power in order to help eliminate energy waste. The goal is to cut 5.6 billion kwh/year by 1988, and to reduce the projected need for peak generating capacity at that time by 1,000,000 kw. TVA's conservation program is headed by Robert Hemphill (NL 91, ¶7).

### 13. STRIPMINE CAPSULES

#### A. State level

- A new head of the Division of Surface Mining (Tenn. Dept. of Conserv.) went to work Dec. 2. He is C. C. McCall, 42, a native of Tennessee who has administered surface-mine reclamation efforts in Colorado, Montana, and Kentucky.
- Governor-elect Lamar Alexander, during the campaign, indicated that he would not tolerate wildcatting (see ¶9, this NL).
- Tennessee is seeking a \$1.8 million grant from OSM (federal Office of Surface Mining) for enforcement of federal regs.
- The original Feb. 3 deadline for states to submit their programs to OSM for approval has been extended until Aug. 3.
- A bill that would bring Tennessee's stripmine law in compliance with federal law will be part of the administration package submitted to the General Assembly. Even if it passes in a form acceptable to OSM, Tennessee will still have to demonstrate that it has the staff and other capabilities for enforcing the law. If the Tennessee plan is not approved, an OSM-enforced federal program will be in effect.
- Surface Mining Director McCall issued a cease order to a Campbell Cy wildcat operator, Douglas Coal Co., who has no known address. Through OSM intervention, this case has now become the first cease order for Tennessee to be heard in a federal court under the 1977 federal Act.

#### B. Federal level

- The White House Council of Economic Advisors (CEA) has commented on OSM's proposed regulations and has called some of them inflationary since they would increase the price of coal. OSM disputes this claim (which echoes the industry propaganda) and estimates that the regs will add only 50¢ per ton of coal, and less than 1% to the cost of coal-generated electricity.
- In order to give time (until Jan. 22) for public comment on the CEA input, OSM has delayed publication of final regs, originally scheduled for mid-January -- but not nearly as long as industry *wanted* them delayed. The final EIS will come out at the end of January, followed by the final regs in February.
- Renewed debate is expected in the new Congress, when some states will team up with the coal industry in an effort to reopen the law for amendments. FACT (the Tennessee stripmine lobby) has already seen Sen. Baker, and Reps. Beard, Quillen, and Duncan to complain about OSM. It is not too early for you to tell your Congressperson and Senators that the federal law is badly needed and that OSM is doing a fine job.
- A suit filed by eastern Kentucky coal-landowners who oppose "return to approximate original contour" was dismissed by a federal judge who stated that (a) administrative remedies had not been exhausted, and (b) the group did not qualify as a class of citizens for purposes of a class-action suit.
- TVA chairman Dave Freeman recently took the unprecedented step of asking SOCM for a stripmine tour. According to SOCM's report, Freeman was shocked by what he saw, but believes the federal Act will take care of problems in the future. He agreed that no TVA contract should be awarded to operators with a history of law violation. His SOCM guides tried to change his mind about "small" operators -- for whom TVA was apparently considering assistance -- pointing out that it is small operators who do most of the damage. -- TVA's Jim Curry recently told a meeting of wildlife biologists that they should avail them-

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selves of this period of rule formulation (see ¶13A, above, for state-law revisions) to take aggressive action for wildlife in the stripmine-law implementation. They should concern themselves with cover plants used in reclamation, with land configurations after mining, and with modifications of the regs in order to achieve wildlife benefits.

--OSM has job openings for Asst. Director, Inspection & Enforcement (GS 13/14), Asst. Dir., Management and Budget (GS 12/13), and others.

#### 14. NATIONAL CAPSULES

How did environmentalists fare in the elections? Of 24 candidates supported by the League of Women Voters, 14 were elected, with environmental issues playing a big part in some of the races. However, painful losses were sustained in the Senate where Senators Clark, Haskell, and McIntyre, all with fine records, were replaced by conservatives not expected to be sympathetic to environmental concerns. Environmental Action's Dirty Dozen campaign succeeded in only 2 of the 12 races. Altogether, not a good election for the environment, but not a disaster either.

Recent voting records. Although there are almost two more years to go before the next election, you may wish to keep box scores on Tennessee's legislators:

<u>Vote</u>	<u>Quillen</u>	<u>Duncan</u>	<u>Lloyd</u>	<u>Gore</u>	<u>Beard</u>	<u>Jones</u>	<u>Ford</u>
Endangered Species Act amendment 10/14/78	-	-	-	-	-	-	-
Water Projects veto 10/5/78	-	-	-	-	-	-	+
Exemption of USDI from doing comprehensive EIS 10/78	-	-	-	-	-	-	+

+ = vote in the environmental interest

- = vote not in the environmental interest

Porpoise killing by tuna fishermen has sharply declined, mostly as a result of efforts by the Environmental Defense Fund. Five years ago, the annual porpoise kill was 250,000; for 1978, following implementation of new fishing techniques, the estimate is 12,000. But even 12,000 is 12,000 too many!

New laws affect bicycles. President Carter (who rides a bike around Camp David) recently signed the Surface Transportation Assistance Act, which, among other things, authorizes \$80,000,000 in exclusive funding for bikeway construction over the next 4 years. Further, the National Energy Act contains a provision to develop a comprehensive program to exploit the bicycle's transportation potential in energy conservation. Finally, bicycle activists may take advantage of those provisions of the Clean Air Act amendments of 1977, that require the states to revise their State Implementation Plans so as to include strategies for attaining air pollution standards. Bicyclists can urge the states to include bicycle programs in the transportation component of the SIP. For more info contact EPA's Bicycle Coordinator for the SE, Ron McHenry, EPA Region IV, 245 Courtland Street, Atlanta, GA 30308, Ph. 404, 881-3043 (or, FTS 8-257-3043).

#### 15. TCWP FINANCIAL ITEMS

Our end-of-the-year appeal for donations has so far brought in 31 responses for a total of \$665. We want to thank all donors for their generosity and remind the rest of you that there was nothing magic about the end of the year: donations are still welcome in 1979 (and still tax-exempt)! An earlier mailing to dues-delinquent members brought 42 responses (and \$360). Both mailings also netted dozens of address corrections and, unfortunately, "addressee unknown" returns. Bulk mailing of newsletters does not allow us to keep up

\* with address changes, so please let us know when you move. You will soon receive a dues billing for 1979. Please respond promptly to save us the money and effort of re-billing.

The Board voted at its Dec. 4 meeting to contribute \$50 to the Tennessee Alaska Coalition, and \$200 to the Environmental Action Fund. It also voted to enter into a lawsuit in the Tellico Plain-Robbinsville Road case, if necessary. All these are extra expenses, in addition to our routine ones of staff salaries, printing, postage, phone etc. So, as you can see, our appeals for dues and contributions have a very real basis.

#### 16. PEOPLE WE KNOW: JOBS, AWARDS

Boyd Evison in November moved to Washington to become Assistant Director of Park Operations for the National Park Service. Tennessee conservationists are glad to have a friend in this important job, although they will miss him greatly in the Smokies. His successor as Superintendent of the Great Smoky Mtns National Park, Merrill David Beal, is, however, no stranger to conservationists who remember him as a friend when he was assistant superintendent from 1969 to 1972. He has spent the years since then as associate director of the NPS's Midwest Region. Prior to 1969, Dave Beal was an NPS naturalist in the Grand Canyon, about which he has written and illustrated a book.

Rima Farmer, wife of TCWP's former vice president Bob Farmer, in July became one of three Regional Field Representatives of the Appalachian Trail Conference. Rima is in charge of the southern region and will work with local hiking clubs, landowners, national park and forest officials to help the ATC to respond to local issues and problems. You can reach her at Drawer F, Norris, TN 37828, Ph. 615, 494-7908. Many of you remember that Rima was the key person in organizing the Tenn. Chapter of The Nature Conservancy.

Jack Gibbons, director of the UT Environment Center, was recently appointed to the Energy Research Advisory Board of the Dept. of Energy. The Board advises Sec. Schlesinger on specific energy systems and related research programs and on R & D policy matters in areas of long-range planning.

Alex J. Duris, a co-founder and present executive director of the Upper French Broad Defense Assoc., which so effectively squelched the French Broad dam project several years ago, has been awarded the New River Award by the Conservation Council of North Carolina for his continued involvement in environmental issues. It's a well-deserved honor!

#### 17. PUBLICATIONS OF INTEREST

- "The End of the Wilderness: The Future of our National Forest" is NRDC Newsletter vol. 7, issue 5. It is also part of a series on timber management policies researched by Tom Barlow. One of the other four is titled "The Forest Service is underselling the private tree farmer ... and this hurts farmer income." (The entire series may be obtained for \$1 from NRDC, 917 - 15th St., NW, Washington, DC 20005.)
- "New Faces in the Legislature," contains profiles of 27 new (and former) legislators in Tennessee's 91st General Assembly. \$6.00.
  - "Bank and Financial Ties of Legislators" 50¢
  - "How to Research your Legislator" 35¢
  - "How a Bill is Passed (State Legislature)" 25¢
 Any or all the above may be obtained from Verna Fausey, Public Interest Research, 1900 Rosewood Ave., Apt. D-8, Nashville, TN 37212.
- "Where the Water Isn't Clean Anymore: A Survey of Water Quality in the Tennessee Valley" and "Improving Water Quality in the Tennessee Valley: New Opportunities for EPA and TVA," are two reports by TVA's Division of Environmental Planning that identify 17 "critical" and 28 "major" water quality problems in the Valley. The former of these reports, prepared for the public, is available from Information Services, Div. of Environmental Planning, TVA, 201-401 Bldg., Chattanooga, TN 37401.

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- IMPACT is a new monthly publication by TVA's Division of Environmental Planning. On the basis of its first issue, we can recommend it to you. Free from Information Services, Div. of Env'tl. Planning, TVA, 401 Bldg., Chattanooga, TN 37401.
- "The Health Effects of Air Pollution," is a review of over 400 studies -- experimental and epidemiological. Compiled by the American Thoracic Society, 48 pp. (Available from Amer. Lung Assoc., 1740 Broadway, New York, NY 10019; or from your local lung association).
- The "National Wetlands Newsletter" provides information on progress and problems. 12 issues annually (\$25 from Environmental Law Inst., Suite 600, 1346 Connecticut Ave. NW, Washington, DC 20036).
- "Nuclear Waste Management" was the title of recent DOE public meetings. Arguments are summarized in DOE's Consumer Briefing Summary #8. (Order from DOE Office of Consumer Affairs, Washington, DC 20585.)
- "The Great Adventure," a report on ten June 1978 hearings on Solar Energy, prepared for DOE and published Oct. 1978. More than 3000 people provided testimony for these hearings. (\$5.25 from NTIS, U.S. Dept. of Commerce, 5285 Port Royal Road, Springfield, VA 22161.
- "Environmental Ethics," is a new interdisciplinary journal dedicated to the philosophical aspects of environmental problems. Quarterly. (Dept of Philosophy, Univ. of New Mexico, Albuquerque, NM 87131. \$15 annual; \$5, single issue.)

#### 18. EXPEDITIONS, WORKSHOPS, AND OTHER HAPPENINGS

- "Foraging Workshops." Spend a weekend in middle Tennessee -- share the beauty and useful knowledge of trees, edible wild plants, and medicinal herbs. Bring camping gear and food. \$18 per adult, \$2 per child. Weekends start March 31; April 7, 14, 28; May 5, 26. (Write Steven Taylor, Rt. #1, Whippoorwill Holler, Dowlletown, TN 37059.)
- The Student Conservation Assoc. (P.O. Box 550, Charleston, NH 03603, Phone 603, 826-5206) will be filling 700 volunteer positions in national parks and forests. The high school program, ages 16-18, is for 3-4 years; the college program, for 8-12 weeks. Deadline for info requests is 2/1/79; for applications, 3/1/79.
- "Expedition Education" is a National Audubon Society-sponsored special environmental education program that can serve as an accredited portion of any college, high school, or graduate school curriculum. The outdoor courses of various length (full year, semester, summer, or 3-week) offer real-life encounters within the framework of an expedition community. (Write Audubon Expedition Institute, 950-3rd Ave., New York NY 10022.)
- "EARTHWATCH Research Expeditions" provide an opportunity for volunteers to join professional scientists on field trips, worldwide, and assist in the collection of data. Participants pay their own way to and from the field site. (Write EARTHWATCH, 10 Juniper Road, Box 127, Belmont, MD 02178.)
- For information on snakebite, bee stings and other animal poisons, call (405) 271-5454, the Poison Control Center, Oklahoma City, open 24 hrs every day. It keeps an *Anti-venin Index*, provides phone numbers of doctors who are experts on venomous bites, will help locate antivenin, etc.
- "Rural Preservation" is the topic of a conference to be held April 20-21 at Annapolis, Md. Subjects to be discussed are rural planning and zoning, conservation and historic districts, farmland retention, rural housing, the use of legal tools to control development, how to organize a rural preservation effort. For information write Samuel N. Stokes, National Trust for Historic Preservation, 740 Jackson Place, NW, Washington, DC 20006.

#### 19. CALENDAR

- Jan. 24 - Hearing on the Savage Gulf Master Plan. 7 p.m. CST, Cheekwood Botanical Gardens, Nashville. (Call Paul Somers, Nashville 741-3852 or 373-4374.)
- Jan. 31 - Deadline for comments on ORV's in Big S. Fork NRR (see #8).
- Feb. 6 - EPA hearing on Tennessee's administration of the NPDES permit system (see #10A). Beginning 10 a.m. CST, Univ. of Tennessee at Nashville, Main Auditorium.

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Feb. 17. TCWP hike to proposed sites for Tellico Plains-Robbinsville road. Starts 10 a.m. EST at Indian Boundary Campground (see p.15)  
Apr. 20,21 - Conference on Rural Preservation (see ¶17)  
May 5-8 - National Assoc. of Environmental Education, Blacksburg, VA. (Write P.O. Box 560931, Miami, FL 33156.)

TCWP HIKE, CHEROKEE NATIONAL FOREST, FEB. 17

Find out for yourself what damage would be caused by the Tellico Plains-Robbinsville Road extension. Meet Indian Boundary Campground, Cherokee NF at 10 a.m., Saturday, Feb. 17. (Approach via Madisonville and Tellico Plains). Hike starts at trailhead, follows along the South Fork to Grassy Branch (one of the streams damaged by the road cut), and continues to THE road. About 10 miles round-trip over rugged but beautiful terrain. Call the following for info, for carpooling, or for hike confirmation in uncertain weather: Lynn Dye, Oak Ridge 483-8729; or Doris Gove, Knoxville 584-1784.

ACTION PRIORITIES SUMMARY

Lest you get overwhelmed with all the issues, here's a little table that will help you see what needs doing.

NL	Issue and message	People to write to				
		U.S. Rep.	U.S. Sen.	Pres.	Gov.	Other
1.	Little T -- there are alternatives to Tellico Dam	✓	✓			
2.	RARE-II, Cherokee NF -- more wilderness needed	✓	✓	copy	copy	
3.	Prison at Frozen Head -- build it elsewhere!				✓	
4.	Airport at O.R. Arboretum -- NO!				copy	U.T. Pres. Boling; councilpersons
5.	Alaska -- strong bill needed	✓	✓	thanks		
8A.	Big S. Fork -- no ORV's!					Miller, Wihry & Lee
10B.	Bottle bill -- pass one, <u>not</u> a litter tax					State legislators
10C.	Amnicola Marsh - buy					USF&WS
11A.	Columbia Dam -- river alternative is best					TVA
13B.	Stripmine law & OSM -- do not weaken!	✓	✓			
6.	<u>Also:</u> go on the hike,					you
15.	pay dues, donate					

