

TENNESSEE CITIZENS FOR WILDERNESS PLANNING

Newsletter No. 100, March 6, 1980*

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Check the ACTION SUMMARY -- take action on
issues that concern you most!

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Star in margin means "Action Needed." Don't be overwhelmed -- check the ACTION SUMMARY!

1. OBED

A. Progress on "Lands Unsuitable for Mining" status

The Obed watershed is a prime example of lands that should be declared "unsuitable for surface mining" under the provisions of Sec. 522 of the 1977 Federal Surface Mining Act. In NL99 #4 we reported in some detail on our efforts to elicit a fully informed response from the U.S. Dept. of the Interior to a question from the State of Tenn. on how to handle a specific application to stripmine in the watershed. Following Tom Johnson's presentation of a great deal of documentation to USDI, the Department advised the State that the Obed Wild & Scenic River is a "public park" under Sec. 522, and that the State must therefore determine if the proposed mining operation would have an adverse effect on the river. If so, the State must then obtain the approval of the National Park Service (NPS) before a permit could be issued. The State was, further, advised that it does, under Sec 522, have the authority to deny permits during the initial regulatory program.

Subsequently, the State determined that "surface mining within the watershed which drains to the Obed National Wild & Scenic River may be detrimental to the public park which exists there ..." and provided detailed factors on which this determination was based. The Commissioner of Conservation requested a meeting with NPS and TWRA. Following the meeting, NPS wrote that it "cannot, in good conscience, approve this operation," and cited several reasons.

B. Will TWRA permit minerals extraction in Catoosa?

After all the effort we put in to prevent mining in the Obed watershed and our apparent success (WLA), it was most discouraging to read in a Sam Venable article that the Tennessee Wildlife Resources Agency is considering allowing oil and gas drilling and coal mining in the 80,000-acre Catoosa Wildlife Management Area (every bit of which drains into the Obed or Emory) in order to raise revenue for the Agency. The article implies that TWRA's executive director Gary Myers thinks the minerals extraction could be done without environmental impact, and would like to see nongame expenses paid for by funds other than those raised through sportsmen. An alternative to minerals exploitation of Catoosa would be a request to the General Assembly for a direct appropriation.

* WHAT YOU CAN DO: Write to Mr. Myers and tell him what you think about allowing minerals extraction in the Catoosa Wildlife Management Area. (TWRA, P.O. Box 40747, Nashville, TN 37204)

C. Progress on appraisals

The problem of minerals acquisition may be on the way to being solved. As you may recall, NPS had been advised in May 1979 that acquisition of coal interests within the river corridor could be so expensive that perhaps only two tracts altogether could be acquired with available funds. At that point, NPS considered purchasing surface rights only, and allowing extraction from outside the boundary of the minerals beneath this surface. Our strenuous objections to this proposal led NPS to re-evaluate the situation by contracting for the expert advice of a mining engineer. The study of the probability and location of mineral resources was completed in November, and environmental considerations were identified. As a result, NPS now believes that the acquisition problem will not be as great as originally thought.

About 3 weeks ago, NPS contracted with a Mr. Donan to carry out minerals appraisals for individual tracts. Bids for carrying out the surface appraisal are being opened this week, and Mrs. Turzai, who knows the local problems, will be involved in selecting bidders (not necessarily the lowest ones). Two surface appraisers may be chosen to work simultaneously and thus speed the process. Negotiations with landowners could start late in May. As we notified you in our recent Action Call (80A), a meeting will be held Tuesday, March 18, 7-9 p.m., at the Wartburg Courthouse, to acquaint the public with the acquisition plan. We urge you to

* re-read our mailing and respond as requested.

2. BIG SOUTH FORK

A. A Duncan sneak attack is averted

We have a tale to tell of danger averted. On January 17, shortly before Congress returned from its Christmas recess, we learned that, about a month, earlier, Congressman Duncan had quietly introduced a bill (HR 6051), intended as an amendment to the then pending Water Resources Development Act HR 4788 (see ¶9A), which would have deleted a major portion of the New River segment of the Big South Fork National River & Recreation Area (BSFNRRRA), namely 2700 acres including 5½ river miles. This was apparently done at the urging of a landowner who has an oilfield in that area. The bill sounded innocuous enough (something like "substitute map No. ___ for map No. ___") and had been drafted at Duncan's request by the Corps of Engineers. Yet it wasn't the Corps that informed us of this possible threat. And a bad threat it was, not only because this New River segment is beautiful and important for the purpose of controlling water quality upstream, but, even more so, because removal of any segment could immediately set a terrible precedent for the mutilation of the BSFNRRRA.

Since the Congress was planning to take up HR 4788 four days hence, the danger was imminent, and we spent these four days (and a couple more) on the phone making dozens of strategic calls. We won't bore you with the many details, but you might be amused by some of the threads that wove the rescue line. We called Rick Herod, Sen. Baker's aide with whom we had worked years ago to draft the legislation that authorized the BSFNRRRA. Rick had recently left Washington, but not so recently as not to know that Baker's office knew nothing about the Duncan Bill. Col. Tener, District Engineer, Nashville District of the Corps, also had never heard of the bill, even though someone in the Corps had drafted it at Duncan's request. Tener subsequently prepared a position statement for the Chief of Engineers and the Corps' legislative liaison office on the harmful impact of Duncan's bill. Doyle Kline, the NPS Superintendent of the BSFNRRRA, submitted comments to the NPS Regional Office in Atlanta, which turned out to be most useful when Congressional staff later contacted NPS. Our calls to Bill Chandler, who now works for EPC (¶12) were most valuable in alerting key environmental contacts in Washington. Particularly helpful was Dave Conrad of the American Rivers Conservation Council who had the idea of working with House Interior subcommittee staff people to seek joint or sequential committee referral as a means of at least slowing Duncan's bill. ("So, Duncan's trying to pull off another Tellico!" was a remark we got from one or two of these staff people.) Dave also sat through all the days of debate on HR 4788 to make sure Duncan's amendment didn't get sneaked in when no one was watching. Most encouraging were our calls to other members of the Tennessee congressional delegation. Rep. Bouquard's aide promised the Congresswoman would stand up to Duncan on the floor, if needed. Rep. Gore's office similarly expressed opposition, and so did Rep. Boner (contacted by Bob Brandt). Tom Johnson got many Knox County friends to call Duncan's office. It didn't take long before Duncan's aide said he didn't know who started all this fuss, and why there were so many calls from constituents -- the Congressman had no intention of pushing the bill!

While this little episode took a fair chunk of time out of our busy lives, we hope that it has served to show to all and sundry that there's a lot of sentiment out there for keeping the BSFNRRRA inviolate in the future.

B. The coal-washing threat

Please refer to NL 99 ¶1 for background on the Stearns Mining Co. coal preparation plant near the BSFNRRRA. This plant would annually generate 200,000 tons of toxic-leaching spoil, which would eventually cover 600 acres of land. EPA is still evaluating whether the proposed plant would have "a significant impact on the quality of the human environment and therefore warrant an in-depth review of its potential environmental impact." EPA has stated that citizen input will be considered in arriving at a decision. Therefore, please be sure to write soon to Amy Mills, EIS Project Officer, U.S. Environmental Protection Agency, Region IV, 345 Courtland Street, Atlanta, Georgia 30308.

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3. TENNESSEE'S WORST DAMS

A. Columbia

About \$17 million of past appropriations for Columbia Dam were deferred from FY1979 (when they were unusable because TVA lacked a "404" permit) into FY1980 (when, we hope, they will also be unusable). TVA therefore did not ask for any new Columbia Dam funding for FY1981. Sen. Sasser, however, says that he will try to get some FY1981 funds after all. This is the same Senator Sasser who, two weeks ago, called cost overruns on government construction projects and purchases "shocking."

As we reported in NL 99 (¶2A), Attorneys Frank Fly and Joe Caleb filed a petition on behalf of several organizations (including TCWP), asking the Water Quality Board to overrule Commissioner Fowinkle's "401" certification for Columbia Dam. (You may recall that Fowinkle based his ruling only on discharges from the dam, ignoring the generally conceded water-quality problems with the reservoir itself). The Board was supposed to hear the case some time next week (with TVA expected to intervene), but it now seems possible that Commissioner Fowinkle may deny us this opportunity. As for the 404 permit: we understand the Corps has received so much mail that it will take them until the end of March to come to a decision.

B. Tellico

The earth barriers separating Fort Loudon and Tellico Reservoirs were breached January 19, but it will take another 3 months, or so, until the channel is complete. Meanwhile, the Little Tennessee's waters are spilling over Tellico Dam. The Cherokees' lawsuit -- originally filed in Knoxville Oct. 12, and dismissed by Judge Taylor Nov. 2 -- was heard by the U.S. Sixth Circuit Court of Appeals at Cincinnati on Feb. 14. A ruling is not expected until April. If it goes against them, the Cherokees will take their case (denial of First Amendment rights) to the Supreme Court.

According to some archeologists, the Cherokee burial grounds would be at least partly recoverable if the reservoir is drained within the next couple of years. Ironically, of the \$20.7 supplemental Tellico Reservoir appropriation that may be in the works for FY 1980, TVA plans to spend \$0.3 million on Chota "restoration," and \$0.6 million to construct a "living" Cherokee village.

4. STRIPMINE NEWS

A. State moves toward compliance with the federal law

On Feb. 29, three days before the deadline, Tennessee submitted to the U.S. Office of Surface Mining (OSM) the program which the State hopes will be in compliance with the 1977 Federal stripmine law. This program corresponds in most respects to the state bill that is still pending in the General Assembly (see below). Tennessee has until June 15 to submit any changes that might result from the legislative action. By September 3, 1980, the Secretary of the Interior must approve (or disapprove) the State program. Public review meetings will be held in the first week in April, and hearings on the revised plan will take place in mid-July. Call OSM (Knoxville 637-8060) for particulars.

The state bills emerged from the Senate Energy and the House Conservation Committees on 2/20 and 2/26, respectively, and are presently in the respective finance committees. Senator Albright beat back efforts to include a provision for confiscation of wildcatters' equipment, but a confiscation provision was included in the House version of the bill by Rep. Tommy Burnett. The provision for a 5-year permit was changed to 3 years in both bills (we had advocated 1 year). Both bills increase the membership of the Board of Reclamation review from 5 to 7; since 2 of the original 5 must be from the mining industry, the increase in members will add breadth to the Board. The Senate bill sets minimum bond at \$1500 per acre (we would have preferred \$5000), while the House bill states that bond is to be set, as a minimum, at the amount needed to restore the land, as determined by a third party. The procedures for declaring lands unsuitable for surface mining follow the provisions of the federal Act. Altogether, therefore, the bill may emerge from the legislature in better shape than it was in after Senator Albright's committee had its first go at it.

It should be noted that, in spite of the fact that the Governor's office has actively sought to get a state program approved, it has recommended an 8% reduction in operating costs for the Division of Surface Mining in the 1981 budget. (The State's Abandoned Land Fund, derived from forfeited bonds, is going up only 1%). State administration of the new law will be financed by an increase in the severance tax, according to industry wishes, rather than through higher permit fees, as would have been preferable to coal-county residents who would rather see any increase in severance tax turned back to the respective counties to pay for needed services.

B. Federal law still threatened in Congress

As you may recall, the Senate last year passed S.1403, a bill that would dismember the 1977 federal stripmine control law. So far, Congressman Udall has held off any attempts to move this bill in his Subcommittee on Energy and the Environment, but conservationists are worried that pressure from coal-district representatives and the industry lobby could either force him to yield or result in some devious tactics, such as creation of a new committee to consider the bill. It is therefore very timely for you to contact your Representative (The Hon. _____, U.S. House of Representatives, Washington, D.C. 20515) and urge him/her to oppose the Senate bill, S.1403. S.1403 attacks the law on 3 levels: (a) it greatly postpones full implementation of the Act; (b) it exempts states from meeting federal regulations (they would have to meet only the much more general language of the law itself); and (c) it eliminates compliance with regard to reclamation of federal lands until after state plans take effect. Please write your Rep today to tell him/her how important it is for us in Appalachia to maintain the hard fought for protection of the 1977 Act. Oppose S.1403!

C. The Federal Act under attack in the courts

As we reported earlier (NL 99 13A), U.S. District Judge Glen Williams of Virginia recently ruled portions of the 1977 Surface Mining Act "unconstitutional," and on 1/3/80 issued an order which would substantially prevent OSM from enforcing federal law in the state of Virginia. The Dept. of the Interior appealed Judge Williams' ruling to the Supreme Court and, shortly, thereafter, filed an affidavit asking Judge Williams to stay his own order pending outcome of the Supreme Court appeal. The OSM affidavit showed that, if the ruling were to stand, this would cause "irreparable harm to the environment..." The Judge denied the government's request on 1/21/80. On 2/26/80, however, Chief Justice Burger acted to stay the Judge's ruling, pending hearing of the USDI appeal, which will probably come up before the Supreme Court in October of this year. Thus, OSM can now resume its enforcement activities in the state of Virginia at least until October -- and hopefully beyond.

5. WILL TENNESSEE BEAR A DISPROPORTIONATE ENERGY BURDEN?

Will Tennessee be exploited for oil shale? become a guinea pig for synthetic fuels? Shale oil production needs lots of water; thus, a plant producing 50,000 barrels/day uses 10,000 acre-feet of water per year. Because the Appalachian region has lots more water than the West, the relatively low-grade Chattanooga Shale is now being eyed for possible development. This type of shale is, further, a potential source of uranium as well as of crude oil. Therefore, be on the lookout. Surface mining for shale is not regulated by the 1977 Surface Mining and Reclamation Control Act.

Another threat comes from a state bill, SB 2335 (Crouch), which would create a state Energy Mobilization Board to speed coal liquefaction and gasification plants. Anyone planning such a project could apply to get it designated as a priority energy project (PEP). A Board decision to grant PEP status could not be challenged in the courts, while a decision to deny PEP status could be challenged. PEP status would pressure agencies into taking action without adequate technical review. If you don't want Tennessee to become a sacrifice area for unproven and environmentally damaging energy technology, contact your state legislator to oppose SB 2335.

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6. STATE CAPSULES

A. The Scenic Rivers bill escapes yet another threat

For several years in a row, after the Tennessee Scenic Rivers Act was passed in 1968, bills were introduced to delete portions of the system. Some of them were unfortunately passed (Buffalo, Harpeth). We thought things had quieted down. But this year, another effort, apparently pushed by Sen. Burks of Monterey, was made to remove the Roaring River-Spring Creek-Blackburn Fork triplet. TCWP executive director, Tom Johnson, called all members of the appropriate Senate committee. The bill, SB 1862/HB 1885 fortunately also met Administration opposition and will probably be withdrawn. While we are most grateful for this administration effort, we are still waiting for positive action on the State Scenic Rivers front. Only about 1% of the proposed Capital Improvement Budget pertains to rivers, namely a \$31,000 item for Hatchie River access. No more has been said about the educational effort we proposed, which probably would serve to avert future attacks on the system. *Ask for it! (Comm. Ann Tuck, Tenn. Dept. of Cons., 2611 West End Ave, Nashville, TN 37203)*

B. The bottle bill may be dead for this session

The bottle bill last week failed to clear the Senate Commerce & Labor Committee. Voting YES were Blank, Rucker, Koella; NO, Cutrer, Hicks, Ortwein; PASS, Gillock, Longley, Davis. The committee's vote was strongly affected by a letter from Governor Alexander, re-affirming that he would not sign either the Bottle bill or the Litter Tax bill. (The latter is in the Senate Calendar Committee, only Hicks having voted against it in the Commerce Committee.) Since there were only 3 NO votes in the Commerce Committee, the bottle bill could theoretically be reconsidered after the Committee completes all other business, but it appears likely that Gov. Alexander's position has effectively killed the measure for this session. In the House, both the Bottle bill and the Litter Tax bill (see NL 99 ¶5 for comparison) are in Calendar committee. A letter from House Speaker McWherter to Lynn Dye states: "... you may or may not know that I own an interest in an Anheuser-Busch distributorship ... I do not plan to sponsor or oppose any [deposit] legislation since I feel that I do have a conflict." Incidentally, C-FACT, the bottle industry lobby, has hired the services of a well-known Nashville public-relations firm to gain support for the Litter Tax bill.

C. Overton Park: is the battle over?

Mayor Chandler of Memphis has proposed to connect the two stubs of I-40 east and west of Overton Park by one-way routes north and south of the park. Trucks would be diverted to I-240, north of the city. The car route around Overton involves a series of elevated roadways, and for this reason is not too attractive to some neighborhood organizations which, however, applaud the sparing of the park itself. Chandler's proposal was stimulated by a federal incentive: by eliminating the route through the park, Memphis would become eligible for \$220 million for transportation projects of all sorts, including public transportation.

D. The Department of Conservation's Division of Educational Services would be sadly mutilated through elimination of the magazine "Tennessee Conservationist" if the Governor's 1981 budget goes through unchanged. The proposed budget for this Division is 44% below 1980 level. Some concerned legislators, at the request of conservationists, may attempt to restore these funds. In the meanwhile, please consider subscribing to the magazine to keep it alive. Most of you will find a card enclosed. Why not send \$5 (for 1 year; \$9 for 2, \$13 for 3) to the Tenn. Conservationist (4711 Trousdale Drive, Nashville 37219) and keep conservation education alive in our state! The first 2000 new subscribers will get an 8 x 10 color print by wildlife artist Allen Hughes.

E. Tennessee trails have not fared quite as badly as rivers in the Governor's 1981 budget.

Slightly over 5% of the Capital Improvements Budget, or \$155,000 goes for 5 trails. -- Terry Bonham is the new State Trails Administrator; former Administrator, Harry Williamson, has been given broader responsibilities.

F. Tennessee's Environmental Action Fund is again active in 1980 with TCWP as one of 8 participating organizations. Paul Somers is our representative on EAF. EAF uses a registered lobbyist, Frank Fly, who, with the assistance of executive director Rosemary Conrad (269-9777), works to supply legislators with reliable and accurate information.

7. TVA NEWS

A. The Clean Air settlement under attack by politicians

How will Judge Wiseman rule on the Consent Decree? All briefs have been in for a while, but political attacks on the decree continue. Sen. Jim Sasser (to whom Judge Wiseman owes his appointment) is particularly vocal harping on the estimated cost of the agreement (\$6 billion through the year 2013, or roughly only 5% of expected revenues), and on other matters. TCWP executive director Tom Johnson wrote an excellent letter, on behalf of the plaintiff organizations, rebutting Sasser. Another line of attack on the consent decree has come from Tennessee's Lieutenant Governor Wilder. Knoxville Journal reporter Ernie Beazley discovered that Wilder has been attempting to influence the Commonwealth of Kentucky to reject the consent decree. Together with utility officials, he visited then-Governor Carroll in November, and, more recently, went to see the Speaker of the Kentucky House. -- Who is paying for the attacks on the consent decree? The intervenors have already spent close to \$90,000 in legal fees; and, if the consent decree is not approved and the case has to go to trial, legal fees will mount even higher. The people who are indirectly funding this are electric power consumers, paying through their electric bills.

Here's a little tidbit to illustrate the great need for controlling emissions from TVA power plants. Rainfall samples from the Smokies (at Elkmont) had a pH of 5.3 in 1955. By 1979, pH had fallen to 3.41 - 4.41, i.e., extremely acid (neutral is pH 7).

B. The TVA River Access Program

On March 6, the TVA Board will be asked to authorize \$3 million to acquire about 250 access sites, 2-5 acres in size, on 40 Tennessee Valley streams in order to increase recreational opportunities. By the end of FY1981, ^{the first} 34 sites will be purchased. In some cases, the access sites will be turned over to federal, state, or local agencies to complete programs undertaken by these agencies.

8. ALASKA

A. Your help needed to get a bill to the floor in time

Alaska's Senators Stevens and Gravel are trying for a repeat performance of 1978, when they forced debate of the Alaska bill into the final hours of the session, so that we ended up without a bill. On Feb. 7, when passing an agreement on how much debate there was to be on the bill (in order to avert another Gravel filibuster), the Senate agreed to the Alaskans' request to delay floor action until after July 21. There is, however, no guarantee that the bill will come up then. In a press conference, the Alaska Senators expressed their hope that a worsening in the energy situation by late summer or fall would help them further to weaken the already weak Senate Energy Committee version (HR 39), then probably stop a bill from coming out of conference committee before the session ends.

WHAT YOU CAN DO: Tell your Senators that the Alaska bill deserves full and fair consideration, which it cannot get in a last-minute rush, and that a prompt settlement is in the best interest of the nation and the state of Alaska. Sen. Baker is very important as Senate Minority Leader; and Sen. Sasser should be urged to contact Senate Majority Leader Byrd (Sen. _____, Senate Office Bldg., Washington, DC 20510). We hope these Senators will (a) speed the bill to the floor, and (b) support the Tsongas-Roth amendment which will be offered as a substitute for the bad committee bill.

B. Secretary Andrus deserves our thanks

Four days after the Senate agreed to the dangerous delay in considering the Alaska bill, Sec. Cecil Andrus withdrew 40 million acres of Alaska public land from development and placed them in 12 Natl. Wildlife Refuges and 4 BLM Natural Resource Areas. The designation will remain in place for 20 years unless Congress acts to change it. As you may recall, Pres. Carter acted late in 1978 to protect 56 million acres in Alaska by creating national monuments. Sec. Andrus' action thus brings to 96 million acres the area protected by the Carter Administration. The Secretary deserves our sincere thanks, and we hope you will write to him. (The Hon. Cecil B. Andrus, Secretary, U.S. Dept. of The Interior, Wash. DC 20240).

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9. WATER PROBLEMS: WE GET PORKBARRELS WHEN WE SHOULD BE PRESERVING QUALITY AND QUANTITY

A. Monstrous water-project authorization passes House

Totally ignoring the Administration's position, The House on Feb. 5 passed the granddaddy of all porkbarrels, HR 4788, The Water Resources Development Act (formerly called Omnibus Rivers & Harbors bill). The bill authorizes over 200 projects (dams, channelizations, etc.) with a stated price tag of \$4.4 billion, but a real cost of probably even more than that. Among the 283 who voted for this monster were all 8 of Tennessee's Representatives, and even such good guys as Udall, and people like Rep. Jack Kemp, author of a widely publicized bill to slash Federal spending by one-third. Rep. Bob Edgar worked hard -- and in vain -- to kill 78 extra-bad projects and save \$1.6 billion. However, Edgar's forcing of extended debate on the issues convinced 127 Congressmen to vote against the measure and may help to convince the President to veto the bill, as he has indicated he will do unless the Senate version (S.703) corrects the damage done in the House. The only good feature of the House bill is that it contains deauthorizations for a number of projects including the Dickey-Lincoln Dam in Maine. In view of Senator Muskie's support for this dam, it will take some doing to retain this deauthorization in the final bill.

X WHAT YOU CAN DO: Remind your Senators that cutting out pork-barrel projects is an excellent way to save money (Senate Office Bldg., Wash. DC 20510)

B. The President's water policy

In 1978, Pres. Carter laid down a new water policy with tougher standards for water project authorization, and directives for water conservation and nonstructural alternatives to dams. As we have seen, the policy was light-years ahead of Congress. In 1977, the Congress ignored Carter's hit list of 18 projects and got away with it -- he failed to veto the bill. In 1978, however, he did not back down in his opposition to the public works appropriations bill, and his veto was sustained. That year, the authorization bill, too, was killed. The year 1979 went the other way: he signed the disastrous appropriations bill (which, among other things contained Rep. Duncan's Tellico exemption -- see NL96 ¶1). What will happen in 1980? Will he indeed veto the pork-barrel Rivers & Harbors authorization as he has indicated (see ¶9A)? The President's 1981 budget for water projects is down from the 1980 level, and contains no funds for new construction. Among continuing projects, the Tenn-Tom would receive a big chunk, \$209 million. Carter is asking Congress for \$3 million for studies on expanding hydro-electric output at *existing* sites.

The Administration is moving ahead with some of Carter's water policy initiatives that can be accomplished without Congressional approval. Thus, the Water Resources Council has issued drafts of two sets of procedures prepared to comply with the President's directive to improve water project planning and evaluation.

C. Water problems are a paramount national issue for the 1980's

That's the discouraging finding of the recently released 10th Annual CEQ Report (see also ¶11D). Ground water contamination is on the increase, partly due to improper disposal of industrial wastes. -- Water tables, particularly in the West are dropping at frightening rates, and CEQ Chairman Gus Speth blames Congress for funding pork-barrel water projects without regard for their impact on regional water supplies. -- Toxic chemicals have rendered fish inedible in several lakes and rivers; 4,000,000 acres of commercial shellfish waters in the U.S. have been closed. -- Acid rain has made many lakes, particularly in the northeastern US lethal to aquatic life.

10. NATIONAL FOREST WILDERNESS

A. The Foley anti-wilderness bill keeps moving

X This monstrous bill now has 53 co-sponsors, two of them Tennessee Congressmen: John Duncan and Ed Jones. If you have not already responded to our recently mailed Action Call (#80A), please do so today! Impress upon your legislators that our national forests are federal lands owned by all of us -- not tree farms owned by the timber companies.

B. National Forest Wilderness areas to be linked by new trail

Wilderness recreationists have released a plan for establishing the 238-mile long Benton MacKaye National Recreation Trail from Springer Mountain, Georgia to Davenport Gap in the Gt. Smoky Mtns. Natl. Park. The trail would link the Cohutta and Joyce Kilmer/Slickrock Creek Wildernesses with the Big Frog and Citico Creek Wilderness Study Areas and two national forest roadless areas. When completed, the trail will be jointly managed by the USFS and NPS. If you would like to help with the trail or want more info contact Randy Snodgrass (3110 Maple Drive, NE, Atlanta, GA 30305). A scouting party is planned for 4/5/80.

C. Recent TCWP testimonies concerning the Forest Service

TCWP has submitted written comments on (a) the proposed management plan for the Gee Creek Wilderness, and (b) the Resources Conservation Act. If you want a copy, send a stamped self-addressed envelope to Tom Johnson, Environment Center, South Stadium Hall, U.T. Knoxville 37916.

11. NATIONAL CAPSULES

A. Wilderness on BLM lands?

The Bureau of Land Management has eliminated from further consideration about 2/3 of the acreage studied in its preliminary wilderness review. This leaves about 57 million acres still under "intensive inventory." In the spring, BLM will release a draft recommendation for a further cut. Lands retained will be designated as Wilderness Study Areas, and this means that they must be managed as wilderness until Congress decides whether or not to include them in the national wilderness system.

B. The Nongame Wildlife bill

Money to protect and manage game habitat is raised by the states through fees and taxes imposed on hunters and fishermen under the terms of the Pittman-Robertson Act. Efforts were underway to raise funds for the protection of nongame wildlife through the imposition of an 11% excise tax on birdseed and feeders. Such a provision was originally included in the Senate version of the Fish & Wildlife Conservation bill (S.2181); but a subcommittee recently dropped the tax, partly because of objections from the industry, and substituted provisions for a study on *how* to raise money. Apart from that, the Senate bill will in general resemble the House version (HR 3292), passed last year, in being a measure to encourage the states to develop plans for nongame wildlife protection. Only modest funding (from general revenues) will be available for this purpose: \$19 million spread over 3 years in the House bill, \$50 million over 4 years in the current Senate version.

C. The Energy Mobilization Board issue is still in conference, with conflict over the waiver issue not yet resolved (NL 99 ¶9).

D. The 10th Annual CEQ Report, released 2/19/80 finds that the nation's water, and the resources associated with it, are in trouble. (For more on this finding, see ¶9C.) Among other major environmental problems identified in the report are loss of farmland to developments, widespread soil erosion, CO₂ buildup in the atmosphere, and hazardous waste disposal. On the other hand, the President's Council on Environmental Quality finds that there has been some overall improvement in air quality, though 25 urban areas still register in the "unhealthful" range more than 10% of the time. The following cost figures are of interest. In 1978, the nation spent \$120 per person, a total of \$26.9 billion (or 1.3% of the GNP), to comply with pollution-control laws and environmental quality control programs. Benefits, however, more than offset this expenditure, totalling \$21.4 billion from improved air quality alone. An additional \$12.3 billion/year will result when Clean Water Act requirements are fully met.

E. The President and the environmental movement

Pres. Carter hosted key environmental leaders at the White House on Feb. 29 in an effort to mend fences splintered over his energy program. Media observers report that most of the leaders believe Carter should be reelected because he has shown more environmental concern than other leading candidates, has taken strong stands on many major issues (e.g., Alaska

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water projects, stripmine law), and has filled many key administrative positions with people who have excellent credentials with the environmental movement. The Energy Mobilization Board and the synthetic fuels program are the major areas of disagreement, though Carter's proposals are somewhat less objectionable than some of the measures now in the works in Congress.

12. NEWS ABOUT TCWP FRIENDS

- Bill Chandler has taken a full-time position with the Environmental Policy Center and Institute as Project Director for Energy Conservation. Having a real friend of TCWP's so close to where the action is is going to be mighty useful (and has already helped, see ¶2A).
- Dean Rivkin will be presented TCL's Air Conservationist of the Year Award on March 8. Actually, it's been many years now that Dean has been heavily involved in the struggle to make TVA comply with the nation's air pollution control laws. As many of you know, Dean is one of two attorneys representing 11 citizens groups (including TCWP) in the hard-fought effort to get a consent decree worked out and signed (see ¶7A). We are glad that this award will make more people aware of how much in the public interest this kind of public-interest law is!
- Jenny Freeman, TCWP's past (1979) vice president, is now working as the Tri-Cities coordinator for the Tennessee Toxics program. TTP hopes to provide Tennessee citizens with the motivation, information, and skills to participate in decisions involving toxic chemicals. The project is funded by an EPA grant to TEC (Tenn. Environmental Council), which subcontracted with TCWP and the Chattanooga Group of the Sierra Club.

13. APRIL 22 IS EARTH DAY 1980

In the decade since the first Earth Day, public awareness sparked on April 22, 1970, has continued to grow. Many important laws have been passed; a major environmental movement has grown up; the general public has awakened to the needs for protecting rare resources; energy conservation and recycling have become accepted concepts. The main concern of Earth Day '80 is to bring attention to the continuing need for efforts to improve the environmental quality of this planet and to protect its resources. Earth Day '80 should also be an effort to develop ties with other movements that are striving to improve the quality of community life. If you have any dealings with youth organizations, civic clubs, church groups, etc. get them to put on an Earth Day activity.

An Earth Day Organizer's Kit is available, free, from the Environmental Action Foundation (724 Dupont Circle Bldg., Wash. DC 20036) for any of you interested in organizing events on or around April 22. The kit contains event ideas in the areas of electric utilities, solid and hazardous waste, water quality, toxic substances, etc. Also included are media tips; listings of where to get free films, posters, etc; idea sheets for teachers and church groups; and more.

14. PUBLICATIONS AND ACTIVITIES OF INTEREST

- The American Wilderness Alliance, a non-profit conservation organization, sponsors a large assortment of wilderness trips to get more people excited about and involved in efforts to preserve our remaining wild places. On the 1980 agenda are winter wilderness experience, water trips (raft, dory, canoe, sailing), backpacking, hiking with packstock, combination trips, etc. Write Amer. Wilderness Alliance, 4260 East Evans Ave, Suite 8, Denver, Col. 80222.
- "National Outlook" is an action bulletin mailed by the Natl. Audubon Soc. (1511 K Street NW, Wash. DC 20005) when there is urgent need for citizen action. You can get on the mailing list at no charge, but if you send \$1, you will also receive "Guide for Citizen Action."
- New procedures for evaluating costs and benefits of water resources projects became effective 1/14/80. A copy can be obtained from the U.S. Water Resources Council. 2120 L Street, NW, Suite 800, Wash. D.C. 20037.

- "Can Organizations Change? Environmental Protection, Citizen Participation, and the Corps of Engineers," by Daniel A. Mazmanian and Jeanne Nienaber, The Brookings Institution, Washington, 1979, 220 pp. The Corps' new public participation policy does not necessarily mean that the agency has lost its love for major construction projects.
- "Assessing Impacts of Development on Fish and Wildlife" is Vol. III, No. 1 of Habitat Preservation News, The Bulletin of the U.S. Fish & Wildlife Service (Office of Biological Services, USF & WS, USDI, Wash. DC 20240).
- "Disappearing Farmlands" may be of interest to those of us who are concerned over the fact that every day twelve more square miles (7680 acres) of U.S. farmlands are converted to non-agricultural purposes. Single copies free from Agricultural Lands Project, Natl. Assoc. of Counties Research Foundation (1735 New York Ave NW, Wash. DC 20006).
- The "State of the Environment" is the subject of the latest EPA Journal Reprint (Vol. 6, No. 1, Jan. 1980, 34 pp.). You can order this number from Public information office, EPA, Wash., DC 20460).
- The January issue of The Energy Consumer features Alcohol Fuels, 40 pp. (Order from Office of Consumer Affairs, DOE, Wash. DC 20585).
- An extensive recent report on bottomland hardwood habitat loss, prepared by the US Fish & Wildlife Service, may be borrowed by calling the editor.

15. CALENDAR

* March 18 - Public meeting on Obed land acquisition plan, Wartburg courthouse, 7-9 p.m. Important you be there to make statements in favor of project (see TCWP Action Call 80A).

Hearings on TVA electric rate reform (see NL99 ¶11A) For info, call toll free 1-800-362-9250.

March 18 - Knoxville: West Tower, Plaza Level, 400 Commerce Avenue

March 25 - Nashville: Tenn. State Univ., Downtown Campus, 10th and Charlotte, Room 358.

April 1 - Chattanooga: Central YMCA, Room 239A, 301 W. Sixth St.

March 28-30 - Fifth Annual Dam-Fighters Conference, Wash. DC, sponsored by Amer. Rivers Conserv. Council, EPC, River Conservation Fund. \$75 for 2 nights' lodging, meals, registration. Combine attendance at this conference with testimony at Appropriations Comm. hearings (3/24-4/3). For info call Brent Blackwelder, EPC, 202, 547-6500.

March 28-29 - Energy in Agriculture Conference, Pikeville, Tenn. Contact Louise Gorenflo, Alternative Energy Farm Project, Crossville 615, 788-2736.

March 29,30 - TTA-sponsored overnight hike in the Big South Fork Area. Meet at Pickett State Park office, 8 a.m. CST, March 29. Probable route: Down Laurel Fork of Station Camp Cr., camp on BSF, up Station Camp Valley, out through Twin Arches.

April 5 - Scouting party for planned Benton Mackaye Trail (see ¶10B). Call Randy Snodgrass, Atlanta, 404, 262-1357.

April 17 - Big Business Day, to mark the 1980s as the decade to correct the abuses of Big Business. (Write Big Business Day, 1346 Conn. Ave NW, Rm 411, Wash. DC 20036).

April 22 - Earth Day '80 (see ¶13).

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April 26 - Earth Day Festival, 10-5, Chattanooga Nature Center, Garden Rd, Chattanooga. Groups and individuals are invited to exhibit or present slide shows or other programs, Call 821-1160.

* May 10 - TCWP presents Dr. Richard Curry, U.S. Dept. of the Interior. Keep the evening clear and watch for further announcements.

May 15-18 - Fontana Conservation Roundup. Call Bob Sloan, Fontana Village Resort, N.C. 704, 498-2211.

June 13-14 - Conference on "Rural Conservation: Protecting Our Farms and Villages," Capital Hilton, Wash. DC. For info, contact Sam N. Stokes, National Trust for Historic Preservation (1600 H Street NW, Wash. DC 20006); the Natl. Assoc. of Conservation Districts is co-sponsor.

16. ACTION SUMMARY

¶ No.	Issue	Contact	Message or Action
1B	Catoosa WMA and Obed	Gary Myers, TWRA exec. dir.	"Do not permit minerals extraction in Catoosa!"
1C	Obed	See Action Call 80A	Attend meeting March 18
2B	Big S. Fork	EPA	"Do not permit coal-prep plant!"
4B	Fed. stripmine law	U.S. Rep	"Do <u>not</u> weaken the 1977 Act!"
5	State Energy Mobilization Board	State Sen. and Rep.	"Oppose SB 2335!"
6A	State Scenic Rivers Program	Comm. Ann Tuck	"Initiate education program for state rivers!"
6D	Tennessee Conservationist		Subscribe to the magazine
8A	Alaska	U.S. Senators	"Get bill to the floor; support Tsongas-Roth!"
8B	Alaska	Sec. Andrus	"Thank you!"
9A	Water projects	U.S. Senators	"Cutting pork barrels saves money!"
10A	Wilderness	see Action Call 80A	"Defeat the Foley bill!"
13	Earth Day	Other organizations	Organize an Earth Day program
-	TCWP	TCWP Treasurer	Pay your dues

Have you paid your 1980 dues?

Late bulletin: Write to Sen. Sasser to support funding for
Appalachian Trail acquisition