

TENNESSEE CITIZENS FOR WILDERNESS PLANNING

Newsletter No. 113, July 9, 1981*

LETTER-WRITING SOCIAL

Tuesday, July 28, 7:30 pm

at Hal and Sal Smith's

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ANNUAL MEETING, Nov. 13-15

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

1. NO. 1 PRIORITY: SAVE THE STRIPMINE ACT

A. We must stop Watt's efforts to gut the Stripmine Act

Please read the enclosed alert by Maureen O'Connell of SOCM (long, colored page), and make it a high priority to follow some or all of her action suggestions. Watt is very cleverly using administrative means to undo a major environmental law that **took** a decade of work to achieve. Among his actions (some of which are detailed in Maureen's alert):

- Termination of 60% of the OSM (Office of Surface Mining) staff positions. Watt and OSM chief Harris are reported to have a hit list of people they consider too dedicated to the Act.
- Abolition of the Inspection and Enforcement Division as a separate entity, and reduction of its staff by 70%, thus leaving only 69 inspectors nationwide.
- Abolition of the 5 Regional Offices and 75% of the district and field offices, and establishment, instead, of 14 state liaison centers, thus (among other things) undoing the law's intent to develop uniformity in national standards.
- Appointment of James Harris, who has fought the law as "unconstitutional," (see B, below) as OSM Chief, charged with implementing the law.
- Re-writing of the entire regulatory program to lessen the environmental protection requirements and reduce citizen input.
- Acceptance of weak settlements in lawsuits brought by industry against USD:1, thus setting precedents for future suits,
- Negotiation and acceptance of weak state programs.

We must not allow the Stripmine Act and OSM to die. In Tennessee, after our experience with the painfully inadequate enforcement efforts by the State (see also C, below), the presence of OSM has been "like a bit of fresh air blowing in."

B. Supreme Court upholds federal law

On June 15, the U.S. Supreme Court unanimously (9:0) upheld the constitutionality of the Surface Mining Control and Reclamation Act of 1977. It also rejected claims that the law violates landowners' right to due process. This Supreme Court action overturns two lower court decisions that had struck down major portions of the Act. Among the many provisions upheld is "restoration of approximate original contour," a requirement that stripminers in Appalachia have tried to abolish, -- It is of interest that both Sec. Watt and OSM Director Harris had fought the federal Act as "unconstitutional" before they joined the Reagan administration.

C. Tennessee's enforcement record

An exhaustive "Study of Tennessee Strip Mine Enforcement" has been published by SOCM (Save Our Cumberland Mountains). The 46-page report covers inspection procedures (inspector performance, training, procedural guidelines, administrative support, etc), bond forfeiture, the Board of Reclamation Review, and wildcatting. This is recommended reading. (Write SOCM, P. O., Box 457, Jacksboro, TN 37757)

2. OBED: WE SUCCEED IN GETTING 1981 ACSQUISITION FUNDS RESTORED !

This good news story comes in two parts: (a) restoration by Congress of a good part of the Land & Water Conservation Fund (LWCF) moneys Mr. Watt had tried to rescind; and (b) inclusion of Obed funds in that portion which was restored.

(a) The Reagan administration had requested a recision of \$250 million from the already appropriated, but as yet unspent, LWCF. (This was part of the much larger: "Supplemental FY1981 Appropriation" package, see NL112 II.) The House denied the Administration's request entirely, while the Senate agreed to rescind \$150 of the 250 million. When the conference committee met in early June, it compromised on a recision of \$90 million, allowing \$160 million (64%) of the already appropriated LWCF to be spent. This \$160 million contains a state share and a federal share, which, in turn, is divided mainly among National Park Service (NPS), Forest Service, and Fish & Wildlife Service.

(b) The question now was how the reduced amount of money would be apportioned among the many projects of the various agencies. The House and Senate Interior Appropriations Committees requested the agencies to submit, for the Congressional Record, lists of projects that represented their priority acquisitions; and USDI and USDA were subsequently advised of

Congressional intent that these priorities be followed. On the NPS list of 28 projects, the Obed is 12th from the top and clearly within the restored fund limit. (The Appalachian Trail, incidentally, tops the list.) Associated with the Obed on that list is \$1.4 million, which represents the originally authorized and appropriated amount, minus what has already been spent (mostly for appraisals, staff, and office expenses).

The next question was: would Sec. Watt really allow the restored funds to be spent? Or would he find administrative ways to continue the freeze on land acquisition? About 2 weeks after the Supplemental Appropriations package passed, the Obed Land Acquisition officer was informed by the NPS Southeast Regional Office that he could proceed with purchases. AND THAT'S SOME VICTORY -- when only 4 months earlier we faced extinction of the entire project!

TCWP's president, Bill Russell, and executive director, Jenny Freeman, made dozens of phone calls to USDI staff and Congressional offices, wrote news releases, got on the media. Among the important communications was our letter to Sen. Baker asking him to transmit a TCWP letter to Sec. Watt. He did so, pointing out the uniqueness of the Obed and adding: "In addition to the interest from Tennessee citizens and organizations, I have been contacted by Governor Lamar Alexander regarding the importance of the Obed River project." Sen. Baker deserves our sincere thanks, as does Sen. Sasser, who worked against LWCF rescission.

And a thank-you to all of you who wrote letters or made phone calls. This includes many residents of Morgan County who were alerted to the problem by Don Todd and by fine radio spots provided by Bob Lantz. "Thank you" to all the organizations which responded to our Obed alert by putting items in their newsletters. And a special thanks the National Parks and Conservation Association in Washington, whose staff took the lead in getting Congress to reject most of the LWCF rescission request.

WHAT YOU CAN DO: Write thank-you notes to Sens. Baker, Sasser and McClure (Senate Office Bldg Wash. DC 20510), to your Rep., and to Congressmen Sidney Yates and Morris Udall (House Office Bldg, Wash DC 20515). Too often these people hear from us only when we're angry.

3. THE BIG SOUTH FORK AUTHORIZATION MUST BE RAISED

A. The Administration requests a reduced plan for the BSFNRRA

The Corps of Engineers has been directed by the Reagan administration to develop a plan for Big S. Fork acquisition and development that will not cost more than the already authorized \$103 million. A Corps draft currently awaiting HQ approval proposes acquiring only about 86% of the authorized acreage, and cutting out a number of developments, such as the lodges, the Rugby bypass, and some of the river access improvements. There would be no change in the authorized boundary, which means that more than 86% could be acquired if land turned out to be cheaper than projected (small chance!), or if the authorization could be raised beyond the present \$103 million ceiling. About 3000 of the roughly 17,000 acres that have been removed from present acquisition plans are within the "gorge-area" portion of the BSFNRRA. It is interesting that a good-sized proportion of the 17,000 acres is land which people have tried in the past to delete from the BSFNRRA project. This includes most of the New River, for which Congressman Duncan had a deletion bill in the works 1½ years ago (NL100 ¶2A), and Tarkiln Ridge, near North Whiteoak Creek, which a couple of Maryville MD's have been wanting to develop into a resort. The former area is being drilled for oil (by the time money becomes again available, maybe the oil will be gone); and the latter will be affected by a stripmine for which an application is pending.

To date, about 56,000 acres have been acquired. The Administration considered rescinding FY 1981 funds, but Sen. Baker prevented this move. Sen. Baker was also able to restore about \$10 million for FY 1982, after the Administration had attempted to zero the Carter request for \$27 million (NL 111 ¶2). Of next year's \$10 million, over one half will be spent for acquisition, the remainder for the Leatherwood project (see B, below) and for planning. Unfortunately, part of the acquisition portion may have to go toward buying expensive coal rights from the Blue Diamond Co.

- * WHAT YOU CAN DO: (a) Thank Sen. Baker for his past and recent support (Senate Office Bldg, Wash. DC 20510). (b) Urge Sen. Baker to raise the authorized funding level, so that all of the land within the authorized boundary can be acquired before it becomes irreversibly damaged. (c) Send a copy of your letter to Col. Lee W. Tucker, Chief, Nashville Distr., Corps of Engineers, P.O. Box 1070, Nashville 37202.

B. _ Leatherwood groundbreaking stimulates local support for the BSFNRRRA

No one would have guessed from the huge cheering crowd in Oneida on June 20, from the bands, and flags, and politicians on the platform, that 14 years ago some people in that area talked about shooting those of us who opposed the Devils Jumps Dam and suggested that the river should be preserved in its natural state. They all love the BSFNRRRA now and talk about it as the "Yellowstone of the East." Groundbreaking for the Leatherwood Bridge project was tangible evidence that something was happening on the project; and even though we may not like money spent on development at a time when land acquisition should have first priority, to the extent that this development rallies local support for the project as a whole, it is a worthwhile move. The construction company, which has opened its offices in Oneida, will first build the new Bandy Creek bridge, then the new Leatherwood Ford Bridge, and finally improve the road on both sides of the river.

TCWP members present at the June 20 groundbreaking were president Bill Russell, vice president Don Todd, secretary Sal Smith, exec. director Jenny Freeman, Hal Smith (formerly chairman of our BSF committee), and Lee Russell, who has for many years been serving as coordinator of the Big S. Fork Coalition. Some of you may not remember our 14-year involvement with this project and the interesting, and ever-changing strategies by which we ended up with one of the biggest preserved areas in the eastern US, where the biggest dam east of the Mississippi would other-wise have been. If you'll send a self-addressed, stamped {180} envelope, we'll mail you a 2-page "History" we prepared for the press in connection with the groundbreaking celebration.

4. _ LET'S MOVE THE SMOKIES WILDERNESS BILL

Thanks are very much in order for Senator Sasser, who, early in June, introduced S.1335 to designate 475,000 acres within the Great Smoky Mtns National Park as wilderness. This bill is essentially the same one Sasser introduced in 1977 (see NL 112 ¶5) at the request of the Great Smokies Park Wilderness Advocates, of which TCWP is a member. Most of the area that would be designated as wilderness (about 91% of the Park) is already managed as such; however, without passage of a law, management is at the whim of this and future administrations. S.1335 would not affect most existing developments, such as the Mt. LeConte Lodge (and 10 acres around it), trail shelters on the A.T., US441 and the spur to Clingmans Dome, Cades Cove and access to it. Part of the bill requires an equitable settlement of the "1943 Agreement" involving Swain County, NC. Sasser's bill has been referred to the subcommittee on Public Lands of the Energy and Natural Resources Committee.

- * WHAT YOU CAN DO: (1) Thank Sen. Sasser (Senate Office Bldg., Wash. DC 20510). (2) Ask Sen. Baker (same address) for help in passing the bill during this Congress. (3) Urge your Representative to support the bill when it comes to the House (House Office Bldg., Wash. DC 20515).

5. _ COLUMBIA DAM: _CORPS INTENDS TO ISSUE 404_ BUT STATE PERMIT IS RE-APPEALED

Assistant Secretary of the Army, William Gianelli, in mid-June informed EPA Administrator, Anne Gorsuch, that the Corps of Engineers intends to issue the 404 Permit needed for completion of Columbia Dam. EPA has until July 9 to renew its water-quality objections; but, in view of the change of direction in EPA, it is unlikely that any objections will be voiced.

The state's water quality certification, which is still a prerequisite for the federal 404 Permit, was, as you will recall, subject of an environmental-group's appeal to the Tennessee Water Quality Control Board. The Board ruled in March that Columbia Dam would not violate water quality standards (NL 112 ¶9); but this decision has now, in turn, been appealed by the Environmental Defense Fund in a suit filed in Chancery Court of Davidson County. To pursue

this second appeal will require more time for Frank Fly and the other attorneys, who haven't even been fully compensated for their past efforts. Your contributions to this cause therefore continue to be needed.

- * WHAT YOU CAN DO: Make check to TCWP, Inc. and mark it Duck River (for address, see bottom of p.1). Also, continue to write to your Representative and both Senators in opposition to this boondoggle (House or Senate Office Bldg, Wash. DC 20515 or 20510). Finally, write to Budget Director David Stockman (OMB, Exec. Office Bldg., Wash, DC 20503), and ask him not to release about \$16 million, which have been impounded pending settlement of the Permit dispute.

6. TVA NEWS

A. New TVA Board member, Dean, replaces Dave Freeman as chairman

TVA's new chairman, Charlie Dean, was nominated by Reagan on Sen. Baker's request. He has worked for the Knoxville Utilities Board since 1959 and became KUB's General Manager in 1977. Dean's confirmation hearings were uneventful, with only 2 of 16 committee members present. Twelve power distributors testified in his support, and he was also endorsed by the TN Valley Public Power Association (which he had chaired). Dean says he will push for completion of all TVA nuclear plants (including those that were deferred). Even though he admits that TVA is over-building, he feels that unneeded capacity can be sold to private utilities. Some people familiar with Dean's personality and past record believe that he will not be a strong or innovative TVA chairman, and that the Freemans may be able to push some of the policies they favor.

B. TVA ordered to reconsider Ocoee decision

One June 9, Judge Frank Wilson of Chattanooga directed TVA "to reconsider its decision on the reconstruction of Ocoee No. 2 in light of [TVA's] obligations under the National Environmental Policy Act." The court order states that the agency must not base its decision on power needs alone, but must, under NEPA, consider other factors as well. However, Judge Wilson did not accede to the plaintiffs' request for an immediate construction halt: he held this request in abeyance for 90 days to allow the TVA board to reconsider the project. TVA's reaction (by now a familiar one) is to have its construction crews work overtime! You may wish to write to the TVA Board (400 Commerce Ave, Knoxville, TN 37902), with a copy to Sen. Baker.

C. TVA focus on development

A recently released "Statement of Corporate Purpose and Direction" outlines TVA's strategies for the 1980s. The agency needs to overcome its pro-environment, anti-industry image, says the Statement, and should focus its effort on economic growth, conserving resources, and capitalizing on the region's energy advantages. The commissioned study took 2 years and cost the taxpayer nearly \$100,000. A more detailed document will be produced by late 1982.

7. THE TENNESSEE-TOMBIGBEE BOONDOGGLE CAN BE STOPPED: PLEASE HELP!

We have a chance to stop Tenn-Tom, and we must try to grab it. In 1980, the effort to cut Tenn-Tom funding was defeated by only a 20-vote margin in the House. Among the 1981 House members are 173 who voted "yes" last year, and 173 who voted "no"; there are 74 new members who have not previously voted on the issue. The Subcommittee on Energy and Water Development of the House Appropriations Committee has started markup on FY 1982 water-projects funding that may total \$2.6 billion. A mid- or late-July vote is expected in the House, and an August or September vote in the Senate. Despite his slashes elsewhere, Reagan has asked for \$65 million more for water projects than was appropriated for 1981. Among the 1982 funds asked for by the Administration are \$202 million(!) for Tenn-Tom.

Proponents of the Waterway argue that slightly more than half the authorized amount has already been spent and that it would be wasteful to stop now. However, the currently authorized amount of \$1.9 billion will leave some 200 miles of the project uncompleted as shown by a recent GAO study: an additional \$1 billion would be needed to widen the Tombigbee River from Demopolis to the Gulf (see NL 112 ¶8E). That is, total cost would be about \$3 billion,

instead of the \$323 million projected by the Corps in 1971. Over \$1.6 billion would be saved if Tenn-Tom were halted now. The GAO study also shows that the claimed project benefits may be grossly overestimated; and, in fact, only 25% of the benefits projected for the 1976-1981 period have materialized.

Here are some other facts: (a) the ditch parallels a perfectly good existing waterway from the Tennessee to the Gulf -- the Mississippi River; it would merely form a minor shortcut. (b) The amount of earth to be excavated is enough to build a 16 ft highway from the earth to the moon (250,000 miles). (c) The earthmoving that has already occurred is disturbing the water table and drying up wells in a multi-county area. (d) Destruction of the Tombigbee River will eliminate one of the richest riverine ecosystems in North America. (e) About 85,000 acres of timberland (and wildlife habitat) and about 20,000 acres of agriculturally productive lands will be lost. (f) The project is being built, and will be maintained, free of charge to its users (barges); not even the fuel tax on inland waterways will be applicable to the Tenn-Tom. (g) Tenn-Tom provides no flood control, hydropower, or irrigation.

- * WHAT YOU CAN DO: Contact your Representative (House Office Bldg., Wash, DC 20510) and express outrage that powerful congressmen in the affected districts should be allowed to pour billions into this ditch, while good programs go begging. You may want to cite some of the above facts. In view of the timetable (see above) you must act soon. If you can't write right away, wire (MAILGRAMS, delivered next day, cost \$3.60 for 50 words).

8. OTHER WATER-PROJECT NEWS

A. Hydro dams will bypass environment safeguards

Very few people are aware of the fact that, when the Administration's omnibus budget substitute was bulldozed through the House by Reagan forces on June 25, one major victim was environmental protection against dams. The substitute contains a provision by which hydro-projects up to 15 megawatt (instead of 5MW, as before) are exempt from environmental-impact reviews. This includes the vast majority of projects: 95% of proposed projects in New England fall into this category. At the same time, investors are racing to build or rebuild hydro facilities, and a 1980 law even provides tax credits for such developments. The number of permit applications for this fiscal year is expected to total 1800 -- 100 times the number filed in 1977. The 15MW exemption may lead to circumvention of the Endangered Species Act, the Clean Water Act, and NEPA (in the case of federal actions). The Federal Energy Regulatory Commission has already proposed a rule to allow just a single generic EIS for exempted facilities, meaning that the specific impacts of individual projects would not be assessed.

B. Water research hard hit by budget cuts

Spending reductions may result in elimination of the Office of Water Research and Technology in the USDI, which administers university-based research programs and state water resources research centers, such as the one located at the Univ. of Tennessee. Another victim may be the Water Resources Council (WRC), which the Administration proposes to replace by the Cabinet Council on Natural Resources and the Environment under Sec. Watt. The present WRC is responsible for establishing the principles and standards for water-resource development.

9. OF INTEREST TO TENNESSEANS

A. 1980 Performance of Tennessee Members of Congress

The League of Conservation Voters has recently compiled a rating based on 23 key votes in 1980 on matters affecting energy and the environment. For comparison, 1979 and 1978 ratings are also listed

	1980	1979	1978		1980	1979	1978
Quillen (R-1)	46	21	35	Boner (D-5)	37	59	-
Duncan (R-2)	35	21	27	Beard (R-6)	27	20	19
Bouquard (D-3)	22	28	-	Jones (D-7)	17	31	23
Gore (D-4)	35	79	58	Ford (D-8)	58	88	61

B. Tennessee has good share of National Recreation Trails

In contrast to National Scenic or Historic Trails, which must be legislated by the Congress,

National Recreation Trails (NRT's) are designated administratively (through the Sec. of the Interior). The recent designation of 4 new NRT's, brings Tennessee's total to 23 out of 574 in the nation. Oak Ridge's North Ridged Trail, developed by TCWP, has been a NRT for several years. The four new ones were developed and are being managed by the Corps of Engineers in conjunction with reservoir lands: two on J. Percey Priest, one on Cordell Hull (near Carthage), and one on Dale Hollow (near Celina).

C. New NPS Regional Director

Tennessee is one of 8 states whose park operations are overseen by the Southeast Regional office of the National Park Service. Robert M. Baker has now succeeded Joe Brown as Director of that office. Baker worked for the California Dept. of Parks and Recreation under then --Gov. Reagan. In 1972 he became regional director of the Bureau of Outdoor Recreation which later became the Heritage Conservation and Conservation Service, now abolished by Sec. Watt. The SE Region encompasses 53 parks and many historic properties.

D. Use of Tennessee's water resources to be studied

The 1981 Tenn. General Assembly appropriated \$25,000 (to be matched by federal funds) for a one-year study on water policy. The study was recommended by a House-Senate committee composed of Reps Bill Carter, Ellis, Tanner, Henry, and Senators Moore, Burleson, Crockett, and White. Issues to be examined include allocation of water as a limited resource, priorities of beneficial use, state-federal relations, condemnation authority etc. The study is to be completed by 6/30/82, and task-force recommendations are due 1/1/83.

10. -- FISCAL 1982 FUNDING FOR PARKLANDS ACQUISITION

(Lest you get confused, our story in 52 on the Land & Water Conservation Fund [LWCF] and Obed concerns funds that had been appropriated earlier for FY 1981. Steps leading to FY 1982 funding are discussed here.)

The House Appropriations Subcommittee on June 11 rejected the Reagan administration's request for a moratorium on land acquisition, and approved \$147.6 million for the LWCF. This is \$231 million less than the FY 1981 appropriation, mainly because the FY 1982 contains no grants to the states. Of the approved amount, \$87.7 million would go to the National Park Service (NPS). There is, however, no Obed money included in this sum, amount authorized in the Obed enabling legislation was already appropriated now work to increase the authorization, but this may have to await contacts elected in the new 4th District.

The subcommittee not only rejected Sec. Watt's acquisition moratorium, but also his request to allow the LWCF fund to be used for park rehabilitation and development. He had proposed \$105 million from the Fund for this purpose. Instead, the committee added \$118 million to other NPS budgets: \$48 and \$70 million, respectively, to the construction and to the maintenance and resource management budgets.

The subcommittee also approved \$18.3 million more than the \$228.4 million requested by Watt for the Fish & Wildlife Service, including an additional \$3.2 million for the endangered species program.

[We have not yet been able to find out whether or not all of the above achievements were wiped away when the Reagan budget substitute was bulldozed through the Congress June 25.]

11. THE ADMINISTRATION'S ONSLAUGHT ON WILDERNESS

A. Reagan administration supports Senate anti-wilderness bill

It is not too late for us to oppose the dangerous Hayakawa-Helms Rare-II Review Act, S.842, which is still in committee. As we informed you last month (NL 112 ¶2), S.842 sets January 1983 and January 1985, respectively, as deadlines for Congress to make decisions on eastern and western RARE-II wilderness recommendations. If Congress does not act by then, the lands may never again be managed to protect their wilderness qualities. It would be very easy for

a few Senators to block legislative action until the deadlines had passed. The bill would also prohibit the USFS from making any further wilderness recommendations. The Reagan administration has thrown its support behind S. 842. It is important that we urge our Senators and Reps to vote

* against this bill, and against any others in Senate or House that would jeopardize our present and future wilderness areas or the review process.

B. Reagan administration attacks wilderness by administrative means

Regional Foresters have been instructed to expedite lease applications for mineral exploration in wilderness areas. Recently issued U.S. Forest Service guidelines call for decisions "as fast as possible since, under the terms of the 1964 Wilderness Act, no further leasing in wilderness areas may occur after 12/31/83 -- Over in USDI's BLM (Bureau of Land Management), study of lands for possible wilderness designation is being delayed. BLM director Burford (**see** NL 112 ¶11D) recently said: "We have to balance the possibility of the existence of strategic minerals and energy in the wilderness area with the wilderness characteristic." But, he said, the minerals studies are being delayed because of lack of experts. -- USDI has revoked the withdrawal (i.e. the protection against mining) of 680,000 acres of federal land in 11 western states, opening these lands to "multiple use." This is just the start: withdrawals of over 50,000,000 acres of western lands made over the course of the past century will also be reviewed for possible revocation. -- In a new interpretation of federal law, the USDI is expected to exempt about 2,500 oil, gas, coal, and mineral leases in "wilderness-study" areas from current environmental controls. This means that the leases can be fully developed, even though this would spoil the wilderness characteristics of the areas.

C. Udall to the rescue in Montana

After the Regional Forester denied, for the second time, an application by Consolidated Georex (headquartered in France) to carry out seismic testing in the Bob Marshall wilderness in Montana, Mo Udall's House Interior Committee voted 23:18 to order the Secretaries of Interior and Agriculture to withdraw three Montana wilderness areas from mineral leasing. The Federal Land Policy and Management Act (FLPMA) of 1976 allows either the House Interior or the Senate Energy Committee to order wilderness withdrawals when an emergency exists, and no further congressional action is required. The emergency in this case was the existence of 343 pending oil and gas leasing applications, and the Georex threat of seismic testing. It was the first use of the FLPMA provision. The three wilderness areas, totaling 1.5 million acres, are the Bob Marshall (the first federally designated wilderness), Lincoln-Sagegoat, and Great Bear. Together, they make up the largest expanse of pristine land in the Lower 48 states. We urge you to express your gratitude to

* Representatives Udall and Seiberling (House Office Bldg., Wash. DC 20515), and to work for their reelection in 1982 (see ¶16, this NL).

D. All that new leasing isn't making more oil

A report released in May by the Energy Action Educational Foundation states: "The major oil companies, not the federal government, have been locking up land." Since 1976, the oil industry has increased its undeveloped acreage by 48,2 million acres, but its developed acreage by only 0,68 million acres. The report claims that the companies are "sitting on" federal land "the size of the State of Texas" in order to cash in on higher oil and gas prices in the future.

See ¶12, this NL for "Sagebrush Rebellion"

12. THE "SAGEBRUSH REBELLION" IS A RIP-OFF

Two related "Sagebrush Rebellion" bills introduced in the U.S. Congress in late May, could result in the loss of up to 546 million acres of our public lands to the states, and eventually to private interests. S. 1245 (Hatch, 15 co-sponsors) and HR. 3655 (Santini, 31 co-sponsors) would allow the 13 states west of the 100th meridian to apply for and receive jurisdiction over about 350 million acres of BLM lands, plus (Hatch bill only) 190 million acres of National Forest lands. The Wildlife Management Institute points out that western states, often because of lack of funds, have done a poor job of managing state lands, and often sell them cheap to private interests. Where state lands are leased for grazing etc., the lessees are often authorized to block public access.

It is significant that "Sagebrush" bills in three states, Idaho, Montana, and Colorado, have been defeated (!) this year, either by the legislature or by veto of the governor. Under the existing system, states actually receive a sizable amount of revenue from BLM, which they are reluctant to lose.

In an effort to show what a "bad neighbor" the federal government's BLM had been, Sec. Watt cited the little town of Tonapah, Nev., which, he said, had tried, without luck, to acquire a small piece of federal land for a school recreation field. However, it turns out that the town had never followed through on its application; so BLM was not to blame. Watt says he just wants the government to be a "good neighbor," and that he will not push massive transfer of land to state ownership. Some environmental groups believe that the Hatch/Santini bills may be used by Watt as "justification" for throwing open the public lands to commercial exploitation in the name of avoiding pressure for their transfer to state (followed by private) ownership.

It has been learned by the National Audubon Society that high USDI officials have asked the U.S. Fish & Wildlife Service to compile a hitlist of wildlife refuges to be abolished or turned over to the states. On the list are at least 5, and possibly 8 refuges in 7 western states, which presently protect the habitat of antelope, elk, bighorn sheep, birds of prey, and a multitude of smaller life forms.

- * WHAT YOU CAN DO: The Administration, Sen. Hatch, and Rep Santini are threatening to tamper with resources that belong to all of us, not to specific states, or to private interests. The "Sagebrush Rebellion" is not a romantic movement but a public rip-off. Write to your Senators and Rep., and send a copy as a letter-to-the-editor to inform others what's going on.

13. DANGEROUS CLEAN-AIR-ACT AMENDMENTS IN THE WORKS

Although authorization for the Clean Air Act expires 9/30/81, it seems increasingly unlikely that amendments can be acted on this year. In the meantime, frightening bills are being introduced or drafted. One is HR.3471, sponsored by Rep. Broyhill (R-NC). It contains over 70 weakening amendments to the Act and would have disastrous effects on health and environmental quality. For example, it would repeal all limits on pollution in areas that still have clean air, (Class-I areas), except National Parks and wildernesses. Even more dangerous, HR.3471 would allow states to reclassify federal lands, including National Parks, out of Class I. Another frightening bill is being drafted by the Reagan administration. Rep. Waxman (D-Cal) recently released a bootleg draft of this bill, which he called "nothing less than a blueprint for the destruction of our clean air laws." Like the Broyhill bill, the administration-proposed amendments would wreck the PSD (prevention of significant deterioration) program and would eliminate deadlines for meeting the standards. The Reagan amendments also eliminate the requirement that new power plants install scrubbers or other control technology, they relax auto-emission controls, and they fail to address the acid-rain problem (in fact, an additional 5,000,000 tons/year of SO₂ would be emitted by industry).

The American public is strongly behind clean air, but congressmen are not hearing from their constituents. A May Harris Poll found that 48% want to keep the Act as is, and 38% want to make it more stringent. A Gallup Poll cited in NEWSWEEK found 55% opposed to relaxing anti-pollution standards for the sake of more energy.

- * WHAT YOU CAN DO: 1. Write to your legislators in both Houses (House or Senate Office Bldg., Wash, DC 20515 or 20510). Sen. Baker, high up in the Senate Environment Committee, is particularly important. Urge that the Act be strengthened, rather than weakened. Deadlines must not be relaxed, the PSD program must be kept intact, and acid rain must be reduced. 2. Write a letter-to-the-editor about the value of clean air.

14. OTHER NATIONAL CAPSULES

A. Barrier Islands could be protected by cutting federal aid

Many of you probably have some personal acquaintance with the barrier islands on the Atlantic

and Gulf coasts (Pawley's Island, Cape Lookout, Florida Keys etc.). About 1.5 million acres of these islands, with a shoreline of 2,700 miles, provide nursery grounds for fish and shell-fish, and have immense value as habitat for other wildlife as well. Though these are unstable land forms, perilous for home building, many kinds of federal aid (e.g., disaster assistance) tend to encourage development that destroy the natural ecology. The Chafee-Evans bill, S.1018/HR.3252 would prohibit new federal financial assistance on about 125 undeveloped barrier islands, but would not affect already developed areas. House hearings were held 6/23 and may continue in September. You may wish to contact your Senators and Representative

* and urge them to co-sponsor S.1018/HR.3252 (Senate and House Office Bldgs, Wash. DC 20510 and 20515, respectively).

B. National Trails bill in House committee

By the time you read this, HR.361 probably will have passed a subcommittee and be ready for action by the full House Interior Committee. This bill would designate 7 new national trails (Including the Natchez Trace from Nashville to Natchez, Miss); and 6 others would be studied for possible later designation. The bill would also authorize \$3 million for acquisition of land to connect segments of the Natchez Trail, as well as \$1.65 million (over 2 years) to be used for making grants up to \$25,000 to volunteer trail groups willing to develop or maintain national trails.

C. CEQ nominees, and Administration attacks on NEPA

The Senate Environment and Public Works Committee recently held hearings on two nominees for the Council on Environmental Quality. A. Alan Hill, nominated to chair the Council, worked in natural resources posts in California during Reagan's terms as governor. W. Ernst Minor, a former staff member of the Republican National Committee, was in EPA's Office of Research and Development from 1972-80. No hearings have yet been held on the third nominee, James MacAvoy, who currently heads Ohio's environmental protection agency, where his actions have drawn sharp criticism from environmental groups. Under the Reagan administration's plan to reduce CEQ's role, the Council's substantive functions may be transferred to other agencies. Thus, Interior Secretary Watt has created a USDI task force for "streamlining" NEPA {Nat'l. Env'tl. Policy Act} procedures; and a primary option being considered is new legislation to remove much of NEPA's authority for requiring environmental impact statements. CEQ, on the other hand, opposes new legislation, and feels that NEPA compliance need only be streamlined by making minor alterations in guidelines, and procedural changes within agencies. A group of environmentalists have agreed to work with CEQ on this endeavor. It will be interesting to **see** how the CEQ nominees stand up to Watt.

D. U.S. Fish & Wildlife Service nominee

President Reagan has nominated his California campaign manager, who has no biological background, to head the U.S. Fish & Wildlife Service.

15. NOW IS THE TIME TO START WORKING FOR GOOD CANDIDATES IN THE 1982 ELECTION

There are several courageous and highly effective members of the Congress who will undoubtedly become targets for defeat by groups that have been trying to get rid of environmental regulations. One prime example is Morris Udall, who recently saved 1.5 million acres of wilderness in Montana against onslaught of mineral leasing (see ¶11C, this NL). Udall has also been a bulwark against tampering with the federal stripmine law, and against Sec. Watt's attacks on the parklands acquisition process. Those of us concerned about protecting the environment will have our work cut out to ensure that he and other excellent legislators are re-elected. A campaign contribution now is worth several times more than a contribution later. Also remember that up to \$100 (per joint return) is deductible for 1981 income-tax purposes. So

* please send a check to the League of Conservation Voters, 317 Pennsylvania Ave, S.E, Washington, DC 20003.

16. WATT AND GORSUCH

A. Watt quotes

Humorist Mark Russell on PBS-TV, 4/15/81: "In the Dept. of Interior, their idea of wilderness is a parking lot without any lines drawn on it."

Columnist Evan Means, the Oak Ridger, 6/23/81: "Observers noted that the Secretary [Watt] spoke of his critics, including the Natl. Wildlife Fed, and the Sierra Club, as special-interest groups, while the Mountain States Legal Foundation, financed largely by Joseph Coors [beer], of which he was president and chief legal officer, is called a public-interest organization."
Nathaniel Reed, Former Assistant Sec. of the Interior, speaking at the Sierra Club's Annual Banquet, 5/2/81: "I am a lifelong Republican, and I am extremely proud of my party's environmental record ... It causes me a great deal of pain to criticize the Administration ... the problem as I see it is that some of [Reagan's] appointees -- and particularly James Watt, the Sec of the Interior -- have broken faith with the Republican Party ... One gets the impression that Watt's excessive zeal may stem from a desire to punish and insult conservationists and the Congress ... We've got to convince the Congress and the President [that] Watt ... is utterly lacking in the vision and judgment necessary to continue as Secretary of the Interior." P.S. to TCWP members: Have you sent in the "Replace Watt" petition we enclosed with the last NL?

B. Gorsuch changes EPA directions

A couple of weeks ago, EPA's new administrator, Anne M. Gorsuch announced her appointees to eight top-level EPA posts: seven of them are attorneys who have represented big corporations {Exxon, Dow, GM, Johns-Manville) that, over the years, have challenged EPA regulations. EPA's enforcement division is being broken up among other divisions and will merely be providing technical assistance to states. EPA regional offices have been directed not to order cleanups of alleged hazardous waste sites without first asking permission from Washington (how's that for de-centralization?)

C. Even oil companies oppose Watt?

Watt's intention to offer 200-300 million acres per year for off-shore leases (as compared to one-tenth of this acreage offered in 1980) has been attacked by the American Petroleum Institute as too ambitious. Oil companies say their resources would be strained. Most of the 16 coastal states which commented on Watt's plan have also objected to some or most of it.

17. TCWP ACTIVITIES

A. Help us plan a good annual meeting

Please fill out the enclosed questionnaire (colored sheet); it does not commit you to anything but will help us greatly with our planning. Our annual meeting will be held the weekend of Nov. 13-15 at Cumberland Mountain State Park near Crossville. We are planning a program that combines information and relaxation, shared with old and new friends. Friday-night arrivals will enjoy slide shows. Saturday morning, we'll have 3-4 talks by experts on topics of current interest to TCWP, and a brief business meeting; Saturday afternoon, outings; Saturday evening, an after-dinner speaker and entertainment (folk dancing and/or movies and slides); Sunday, workshops and/or more outings. Our meal arrangements will be different from those of the past few years in that we'll eat at the Park restaurant, or fix individual meals ourselves if preferred. We have reserved some cabins which hold 8 each, and the Stone Lodge, which hold 16-18. Both types of accommodations have kitchens. For costs of various items, see enclosed questionnaire which we urge you to return. Remember: it won't commit you to anything.

B. T-shirt bargain

To help us dispose of our remaining T shirts (and raise money for TCWP), we are offering them at the greatly reduced price of \$2 each -- 44 to 57% of what we originally sold them for. You may choose your size, but we'll surprise you with the style. Designs are: (a) Photo of girl lying on rock overlooking mountains, with text "Save our Wilderness, Join TCWP;" (b) photo of canoe on Obed, with text "Save our Rivers, Join TCWP;" (c) drawing of the extinct dodo bird "Remember the Dodo, Join TCWP." Backgrounds are white (most), blue, or yellow; print is black, green, or blue. Remember, \$2 will bring you one of these in the size you specify. Fill out the blank and enclose check.

C. TCWP and coalitions

We contributed \$100 in December to TACL (The Tennessee Alliance for Container Legislation)

which continues its efforts for a bottle bill. -- Recently, we became an Associate of the National Parks and Conservation Association, which has led the defense of the Land & Water Conservation Fund (§12, this NL) and has been most helpful on the Obed.

18. ACTION SUMMARY

¶ No.	Issue	Contact	"Message" or Action
1A	Stripmine Act	See SOCM insert	See SOCM insert
2	Obed	Sens. Baker, Sasser, McClure Reps. Yates, Udall, your own	"Thank you!"
3A	Big S. Fork	Sen. Baker	"Thank you, and raise authorized funding level!"
4	Smokies	Sen. Sasser Sen. Baker, your Rep.	"Thank you" "Please help"
5	Duck River	TCWP U.S. Rep, and Sens.	Send check for attorneys "No further funding!"
7	Tenn-Tom	U.S. Rep	"Oppose this boondoggle!"
11A	Wilderness Threat	U.S. Sens. and Rep.	"Oppose anti-wilderness bills!"
11C	Wilderness saved	Reps. Udall, Seiberling	"Thank you!"
12	Sagebrush Rebellion	U.S. Sens. and Reps	"It's a rip-off!"
13	Clean Air	Sen. Baker & others	"Act must not be weakened!"
14A	Barrier Islands	U.S. Sens, and Rep	"Support S.1018/HR.3252!"
15	Campaign	League of Conserv. Voters	Send check to support Udall, etc.
colored page	TCWP Annual Mtg	TCWP	Send in the questionnaire Order T-shirts, too

ANNUAL MEETING; T-SHIRTS; DUES

Please fill out; fold as shown; staple or tape (if there are enclosures); add 18c stamp

Your name (please print) _____

Address: _____ Zip _____

I. TCWP Anneal Meeting Nov. 13-15, 1981. (See ¶17 for particulars)- Please answer questions below.
Answers will not commit you but will help our planning effort.

A. I and others will / / may / / will not / / attend
Remarks:

B. Preferred lodging
/ / "Ultramodern cabin": about \$10/person for whole weekend
/ / "Stone Lodge": about \$6.25/person for whole weekend
/ / Tenting

C. Meal preferences

1. Breakfasts: (Note: the Park restaurant will open for breakfasts only if we show
sufficient demand)
/ / I prefer to fix my own breakfast
/ / I'd rather eat at the restaurant, if possible:
Saturday _____, Sunday _____, both _____

2. Banquet, Saturday night (probably \$3-5 per person)

I and _____ others will probably / / probably not / / attend banquet.

3. Other meals (Note: The Park restaurant will serve lunches for \$3.95, dinners
for \$4.95)

I and _____ others will probably eat at the restaurant for the following meals:

D. Entertainment

1. Do you like to watch slides or movies?
show slides or movies?
2. Are you interested In participating in folk dancing for beginners?
3. Can you play the guitar or other instrument?
4. Would you like to participate in outing(s) / /? lead an outing / /
5. Any other ideas?

II. TCWP T-shirt offer (See ¶17 for details)

Cost is \$2/shirt + 35¢ postage per shirt (except for Oak Ridgers whose shirts will be delivered)
Please send me the following shirts:

Size _____ No. _____ Price (incl. postage, if applicable)

Small

Medium

Large

Extra Lg

Enclose check, and be sure to staple or tape after folding this sheet.

III. Dues

If you have not yet paid your 1981 dues, you'll find a dues form enclosed with this
NEWSLETTER. Fill It out and enclose it, together with your check. Staple or tape.

< Opposite side of this (green) sheet had:

"Lynn Dye Wright, TCWP Treasurer, Rt. 2, 162 B, Kingston, TN 37763 " >