

TENNESSEE CITIZENS FOR WILDERNESS PLANNING  
Newsletter No. 131, September 15, 1983\*

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\* TCWP ANNUAL MEETING \*  
\* Oct. 28-30, Fall Creek Falls Group Lodge \*  
\* For a preview of this weekend of fun and learning, \*  
\* see #13D. Detailed program with registration form \*  
\* coming under separate cover. Plan to join us! \*  
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Star in margin means "Action Needed." Don't be overwhelmed -- check the ACTION SUMMARY!

## 1. BIG SOUTH FORK: WE MAKE A FREEDOM-OF-INFORMATION REQUEST

### A. FOI Request

There have, for some time, been pressures to make the government lease oil and gas rights after these are federally acquired -- despite the fact that this acquisition is done for the purpose of protecting natural values of the Big South Fork Natl. River & Recr. Area. TCWP has tried to resist the leasing of federal mineral rights (see NL 125 ¶1) but so many of the deals and decisions are made behind closed doors that it has been hard for us to know just whom to deal with. On July 25, we filed two Freedom-of-Information requests: one with the Secretary of the Army, the other with the Secretary of the Interior. We have received acknowledgement of receipt from both offices, but no actual materials as yet.

### B. Leatherwood construction

The new Leatherwood Ford road and bridge are to be completed mid-November. The improved segment of road is 18 miles long, and a new all-weather bridge has been constructed (the old one will remain for a foot trail). The construction cost \$8.6 million.

## 2. OBED: FUNDING; ACQUISITION STRATEGY

### A. Appropriations: let's try to hold on to the \$1 million in Senate bill!

The Senate failed to pass its Interior Appropriations bill before the summer recess and will presumably tackle the measure in September. Among the many discrepancies between the Land & Water Conservation Fund in the Senate committee bill and the House bill that passed in June (¶9A, this NL) is the Obed item: \$1 million in the former, zero in the latter (NL 130 ¶1A). Since 7 of 9 Tennessee's Representatives (an unparalleled proportion) supported \$1 million in Obed funds in the spring, while the bill was making its way through the House, we are hopeful that their support will extend to the conference committee which will be reconciling House and Senate versions. Several of our Representatives (Duncan, Cooper, Ford) have already informed us that they will do so. Please contact your Representative and urge him to support the Senate version of the bill with respect to the Obed; and contact Senators Baker and Sasser and ask them to stand firm on the \$1 million. Time is of the essence. See p.14 for addresses and phone numbers.

### B. Land acquisition to be handled from Atlanta

In July, TCWP wrote to the Regional Office of the National Park Service (NPS), endorsing the suggestion that land acquisition for the Obed be handled by the Corps, which already has an acquisition staff on the ground in connection with Big S. Fork NRRA implementation (NL 130 ¶1B). It is our understanding that the Corps also wrote to NPS, offering this service.

The Regional Office of NPS has now turned down the suggestion and proposes to handle Obed acquisition out of the Atlanta office, since "the remaining appropriated funds ... will be better spent for land purchases ... than [for] continued overhead expenses of either NPS or Corps field land acquisition personnel." The letter also points out that, on the Obed (in contrast to the BSNRRA), the Corps would have to act as agents of NPS and follow NPS "administrative restrictions as currently exist." This presumably includes waiting for Washington approval of the "Land Protection Plan" (NL 130 ¶1C). We hope the Atlanta office of NPS can indeed handle the land acquisition effectively and will be watching.

## 3. TCWP-PROPOSED TVA WILD AREA IS ONE STEP CLOSER TO IMPLEMENTATION

Some time ago, TCWP informally proposed to TVA that an agency-owned undeveloped tract bordering Watts Bar Reservoir be designated a Small Wild Area. The land is characterized by wooded bluffs dropping into the lake, and, behind them, a series of ridges and deeply cut verdant ravines. Staff of TVA's Natural Heritage Project have been pursuing the idea off and on. In early September, they met with Bill and Lee Russell (for TCWP), staff from other TVA offices, and with representatives of Bowaters Southern Paper Co., which owns a large acreage behind the TVA tract. Bowaters is being most cooperative in allowing a foot trail to be located partly on their property, and refraining from any further timber harvest so as to preserve the aesthetics of the entire complex. At the meeting, TVA representatives explored the methods for getting

the area designated and the existing trail repaired and/or relocated. They want a guarantee that the trail will be maintained subsequently.

As a follow-up to the meeting, we wrote a letter formally reiterating TCWP's request to have the tract designated a TVA Small Wild Area without further delay. We also expressed TCWP's willingness to maintain the trail, and we offered to enter into agreements with TVA and Bowaters to that effect.

#### 4. AROUND THE STATE: PRIVATIZATION AND WATER ISSUES IN THE NEWS

##### A. State attempts to "privatize" a Wildlife Management Area: opposition needed

At the junction of the French Broad and Holston Rivers, close to the City of Knoxville, lies the 350-acre Eastern State Wildlife Management Area. This undeveloped land is used by naturalists, birdwatchers, hunters, and for environmental education programs. It contains a variety of habitats (abandoned fields, rocky ridge, wooded hills, pond, marsh, river shoreline) and supports a wealth of plant and animal life. Recently, the State Office of Real Property Management proposed to sell the area, despite the fact that it represents the only large tract of publicly-owned land near Knoxville.

WHAT YOU CAN DO: Write to Gov. Alexander (State Capitol Bldg., Nashville 37219) and tell him that the public value of this land far outweighs the small one-time financial gain that the state would derive from selling it. Send a copy of your letter to the Knoxville newspapers for the Letters-to-the-Editor column. Send other copies to State Senators Ben Atchley (6324 Bowstring Trail, Knoxville 37920) and Victor Ashe (3709 Kingston Pike, Knoxville 37919), and to State Rep. Buddy Scruggs (P. O. Box 9241, Knoxville 37920). Don't delay: a decision may be made within a month, and, despite what you may have read in the papers, the danger of "privatization" is still very real.

##### B. A temporary (?) halt to the O. R. Turnpike Green "privatization"

Less than 30 days after the General Services Administration's auction of Oak Ridge's beloved "Turnpike Green" (NL 130 ¶11A), the high bid of \$167,000 was rejected by the GSA on the grounds that it did not represent "fair market value." The land is still classified as surplus government land, and GSA will not set a new public sale date until the zoning ("reserved and open space") is changed back to "business." Obviously, a federal agency (GSA) will not be permitted to dictate local zoning, but there is some danger that a developer might try to push for a return to the permissive zoning. -- The GSA rejection of the bid gives local citizens time to work for getting the Turnpike Green removed from the GSA "surplus sale" list. Mrs. Lloyd should be urged to re-pursue her original endeavor to pass a bill that would designate the green as a recreation area. On a broader scale, we need to support the Bumpers-Chaffee Federal Land Retention Act, S.891 (NL 129 ¶9A), which provides for assessment of a tract's public-benefit value before sale can be proposed. (See p. 14 for Mrs. Lloyd's and your Senators addresses.)

##### C. The state's Clean Water initiative

Gov. Alexander has stated that, in the next session of the General Assembly, clean water will be his administration's second priority (after "better schools"). The Safe Growth Team (SGT), accordingly, held a recent briefing of legislative leaders and others in which the following issue areas were presented: water supply and wastewater treatment facility needs, groundwater protection and development, wetlands protection, and soil erosion control (Tennessee has the highest erosion rate in the US). The SGT has two task forces working in the water area: one on wetlands, another on facilities financing. A wetlands inventory for the state is being completed, using SGT and TWRA funds.

##### D. Tennessee Environmental Summit 1983: water theme

The Summit -- this year's Intergroup Conference, organized by TEC -- will be held Sept. 30 - Oct. 2 at the Appalachian Center for Crafts at Smithville. Following addresses by the Commissioner of the Dept. of Health & Environment, there will be workshops on groundwater protection, wetland preservation, free rivers, acid rain, surface mining, legislative changes related to the Clean Water Act, and costs of water programs. Interested persons should call Nashville 322-3304 (workdays) or 298-5154 (evenings) by Sept. 26.

E. James E. Word is the new Commissioner of the Dept. of Health and Environment (formerly Public Health) which now contains the Division of Surface Mining as well as other environmental control activities. Commissioner Word also serves as chairman of the Safe Growth Cabinet Council which oversees the activities of the Safe Growth Team.

F. State sues out-of-state firm on Pigeon River

The Dept. of Health and Environment (DHE) has brought suit against the Champion Intl. Corp. of Canton, North Carolina, for violating water-quality laws. The suit (probably the first of its kind in crossing state lines) alleges that the paper company has damaged aquatic life, recreation, irrigation, and drinking water provided by the Pigeon River, which flows for 26 miles through Tennessee before joining the French Broad. A hearing was to be held in early September to determine whether a temporary injunction would be issued against Champion. The DHE has also asked EPA to arbitrate in the Tennessee - North Carolina dispute.

G. State Recreation Plan

The Tennessee Dept. of Conservation is engaged in a rather major effort to develop a State Recreation Plan (SRP) which apparently will be considerably broader than the earlier SCORP (State Comprehensive Outdoor Recreation Plan). The Department has sponsored 5 regional workshops (of about 25 participants each) to develop a prioritized list of issues to be addressed in the SRP. In addition, a "needs assessment" is being prepared by U.T. Dr. Ruth Neff has been hired as a consultant to research the topics provided by these various inputs. In April 1984, a public meeting will be held to review the results of this research. -- TCWP's views were represented at 2 of the 5 workshops: at Watts Bar by Don Todd, and at Knoxville by Lee Russell.

## 5. STRIPMINING: STATE AND FEDERAL ACTIONS

A. Coal companies sue the State

In mid-July a meeting was held between representatives of the state's Division of Surface Mining (DSM), the federal Office of Surface Mining (OSM), and several citizens groups (including TCWP) to discuss ways in which DSM could correct its earlier poor performance by bringing invalid permits into compliance within the shortest time possible (see NL 130 ¶4A). Perhaps industry got worried that things might be getting tougher, because -- only a week after that meeting -- pressure in the opposite direction was exerted on DSM. This pressure took the form of a lawsuit against DSM by 21 coal companies represented by FACT, their lobbying arm. The suit, filed in Campbell County, charges DSM with arbitrary and capricious action in granting the companies too little time in which to correct deficiencies in their operations. TCWP and SOCM have intervened on the side of the state (see ¶13A, this NL). OSM appears to side with the operators in calling for a 60-day (instead of 45-day) period in which companies must submit missing info on active permits.

B. New DSM procedures on performance bonds

One of the major reclamation problems of the past has been that performance bonds have been consistently set too low, despite studies indicating that the true cost of reclamation is not met (NL 128 ¶5A). DSM staff has now reevaluated bonding criteria, and the average bond/acre will probably be considerably increased. Procedures for forfeiting and collecting performance bonds have also been overhauled. With regard to the 43 active permits that are currently under revision (see ¶5A, above), the review will include reevaluation of the bond. Any additional amounts will have to be posted before the permit is reissued as valid. DSM proposes to have all active permits reissued by December 12.

C. A toll-free hotline has been established by DSM

The number to call is 1, 800, 251-7537.

D. Weakening of federal regs being challenged in court

Practically ever since Sec. Watt took office, OSM has been engaged in a drastic rewriting of the regulations that were formulated under the 1977 Surface Mine Control and Reclamation Act (NL 127 ¶6C). These changes, which are drastically weakening the entire process of stripmine control, are being promulgated in a piecemeal fashion, and, as they appear, groups of them are

being challenged in U.S. District Court in D.C. by three national organizations and four local ones, including SOCM.

## 6. TVA CAPSULES

### A. Coalition formed to impact on the David Freeman replacement

S. David Freeman will leave the TVA Board in May 1984, and many of us are only too well aware that the tenuous progress made by TVA during his term could easily be lost if an insensitive successor were appointed. [For a good summary of the improvements in TVA's environmental record since 1978, see an 8/14/83 speech by Freeman, a copy of which may be ordered from his office.] Freeman's replacement will presumably be named by Pres. Reagan, with the advice of the Tennessee Valley congressional delegation in general, and Sen. Baker in particular. It is hoped that there are potential candidates who are sensitive to environmental and social concerns of the Valley yet are acceptable to those who will make the appointment. An ad hoc "Coalition to Impact on the Upcoming Appointment of a TVA Director" has been formed from 13 organizations (to date), TCWP among them. The coalition has produced a Purpose Statement, listing 8 needs to which the new appointee should be sensitive and responsive. It is felt that these principles deserve more attention at this time than does the naming of individual people. However, the coalition may identify its own candidates at a later time, if the need arises. Coalition representatives have been to Washington to meet with members of the TVA congressional caucus. There will be a coalition meeting in the fall. If you can help with this effort, contact the editor.

### B. Director of TVA's Environmental Quality Staff resigns

On September 2, Dr. Mohamed El-Ashry announced that he would resign the position he has held since 1979, and will join the World Resources Institute in Washington on Oct. 17. The Environmental Quality Staff, which El-Ashry headed at TVA, was initiated by S. David Freeman, and its survival and/or effectiveness may be affected by the nature of the Freeman replacement (see A., above). TVA's General Manager Willis says that TVA's commitment to environmental protection will continue as strong as ever.-- El-Ashry will participate in choosing his own successor.

### C. Natural Resources Office involved in reorganization

As of October 1, TVA's Office of Natural Resources (1,300 employees, headed by Dr. Bill J. Bond) will merge with the Office of Economic and Community Development (240 employees, headed by Richard L. Morgan) to become the Office of Natural Resources and Economic Development. The new Office will be directed by Dr. Bond, and Morgan will report to him. The merger is an economy measure, and, according to General Manager Willis, "will forge a more integrated approach to achieve the conservation and economic development objectives of these two offices." The Office of Natural Resources presently provides guidance and assistance, both inside and outside TVA, on measures to protect and enhance the environment.

### D. TVA supports Acid Rain control legislation

On August 11, TVA issued a "Statement of Principles for Acid Rain Control Legislation -- TVA Views." The statement starts with the premises that "the relationship between SO<sub>2</sub> and NO<sub>x</sub> emissions and serious damage to ecosystems is established; that SO<sub>2</sub> and NO<sub>x</sub> emissions should be reduced in a least-cost manner; and that least-cost methods should recognize and reward conservation measures." TVA supports the enactment of acid rain control legislation, and the agency can meet its fair share of even a 12-million ton reduction at a reasonable cost. TVA has demonstrated that conservation is a least-cost method for achieving compliance with acid-rain legislation, and suggests that utilities be made to finance conservation. -- For the full statement and the accompanying list of assumptions used in developing costs of acid-rain control, write to TVA (400 Commerce Ave, Knoxville, TN 37902).

### E. TVA supports a national program for nonpoint-source water pollution

TVA recently testified before the Senate Committee on Environment and Public Works which is considering amendments to the Water Pollution Control Act. Of the 10 critical water quality problems that exist in the Valley, 7 have nonpoint-source origins. Among these are sediments from denuded lands, agriculture, and surface-mining activities. Nationwide control measures

for this costly type of pollution need to be instituted. Many such control measures are cost effective. TVA believes that a federal system of incentives and disincentives is needed to achieve Clean Water Act goals in this area. The most cost-effective approach is to avoid problems in the first place by proper land-management practices and effective planning mechanisms.

F. TVA to study herbicide and pesticide use

TVA's general manager has approved a recommendation by the Environmental Quality staff to establish a task force to review herbicide and pesticide use within the agency. A task force report will be completed in about five months. TVA uses herbicides to maintain powerline right-of-ways, to control aquatic weeds, and in forest management. Insecticides are used in mosquito control. The staff proposal for creation of the task force states: "for the time being, we do not think that an EPA stamp of approval is entirely sufficient for TVA to use any herbicide or pesticide on the market."

G. Land Between the Lakes support group

The LBL Association, a non-profit group, was formed in late July to promote and extend the activities and usefulness of LBL. Robert L. Herbst, who was elected as Chairman of the group's Board, had served as Asst. Sec. of the Interior for Fish, Wildlife, and Parks during the Carter Administration, and is presently Exec. Director of Trout Unlimited. The LBL Assoc. will enter into a contract with TVA to supplement (rather than supplant) services provided to LBL.

H. Small Wild Areas

See ¶3, this NL

7. WILDERNESS IN THE CHEROKEE AND THE SMOKIES: YOUR HELP NEEDED!

A. Cherokee National Forest: still no bill

Of the 621,531 acres in the Cherokee National Forest, the US Forest Service identified about 134,000 as "roadless" during the RARE-II review. Of this roadless acreage, USFS recommended only 3% (or 0.6% of the Cherokee) as wilderness, and 34% (or, 7% of the Cherokee) for further study. In the latter category, two areas have, so far, been studied by the USFS, and only about 11% of the acreage was recommended for wilderness designation (NL 121 ¶1, NL 122). Conservation groups familiar with the Cherokee believe that about 18% of the Forest qualifies for wilderness designation, and they have transmitted this view to Tennessee's Congressional delegation. Despite the USFS obvious disregard for wilderness in Tennessee, Rep. Duncan has expressed some interest in introducing a bill for the Southern Cherokee. However, he has for several months now been straddling the fence.

\* WHAT YOU CAN DO: (a) Urge Rep. Duncan to introduce his bill for the Southern Cherokee without further delay. (b) Urge Rep. Quillen to introduce a bill for the Northern Cherokee. If you are not in either Duncan's or Quillen's district, write to your own U.S. Rep and send copies to Duncan and Quillen. (c) Urge Senators Baker and Sasser to sponsor a Senate bill.

B. Smokies Wilderness: Gov. Alexander endorses

In mid-July, Gov. Alexander hosted a meeting with conservationists, NPS people, and representatives of our Congressional delegation. At the meeting, he made a clear commitment to support legislation that would designate wilderness in the Smokies. Picking up on an earlier suggestion (NL 130 ¶6B), the governor decided that 1984 was the year for pushing wilderness designation. During that year, the park will celebrate its 50th anniversary, and the Wilderness Act its 20th.

\* WHAT YOU CAN DO: We need strong leadership from both Senators. Sen. Sasser had introduced several Smokies wilderness bills in the past, but Sen. Baker has not yet taken a position. Write to Sen. Baker, with a copy to Sen. Sasser. Write a similar letter to your Representative

8. RIVERS, WETLANDS, AND WATER PROJECTS

A. Ocoee resolution introduced in Senate too

Sen. Sasser has introduced a Senate counterpart to Rep. Duncan's HCR 125 (see NL 130 ¶2B). Rep. Jim Cooper has cosponsored HCR 125. All deserve our thanks. The resolution asks TVA to operate

the Ocoee No. 2 project in such a way as to provide for whitewater recreation for a minimum of 110 days (between April 1 and Oct. 30 of each year), and not to charge user fees for replacement of power. Reconstruction of the flume, which has been underway since 1976, is now virtually complete; in fact, the river will be closed for 3+ weeks starting 9/5/83 while the flume is tested. TVA plans soon to resume hydropower generation -- and thus diversion of the water from its natural riverbed. Co-sponsors for HCR 125 are needed in both Houses (see p.14 for addresses). Although the resolution would not have the effect of law, it would provide TVA with the justification to work out a solution to the current conflict.

B. Paradoxically, a bill that would add rivers to National WSR System must be opposed

An Administration bill (S.1084, McClure) that would add segments of 8 rivers to the National Wild & Scenic Rivers System has so many other disastrous features that river conservation groups have been forced into an opposition role. The most objectionable of these features is a provision that would allow state legislatures by a simple resolution (not even an Act) to remove rivers that had been placed into the Natl WSR System under Sec. 2(a) (ii) (i.e., the Section that presently allows the Secretary of Interior to add a river on request of the governor of a state). The 8 river segments in the Administration bill are all within National Forests, and are all considerably shorter than the segments proposed in the pertinent U.S. Forest Service studies. Our Senators need to know why we oppose S.1084 (see p.14 for addresses) -- In addition to the objectionable Administration bill, five other good WSR bills have been introduced in this session of Congress. They would designate the following rivers as part of the National WSR System: Tuolumne, Lower Delaware, Lower American, Owyhee, and Illinois.

C. Support wetlands protection!

Subcommittees in both Houses have marked up bills (HR.3082/S.1329) that greatly increase funding for wetlands acquisition, and have essentially dropped the Administration's alternative (HR.2268/S.978) that relied mainly on eliminating federal subsidies for harmful activities (but not agricultural subsidies). Wetlands acquisition funds would come from increasing the price of duck hunting stamps, from transferring some LWCF moneys, and possibly from other sources (see NL 130 ¶10B). This bill deserves support in both Houses. Contact your Rep. and both Senators (addresses on p.14 ) to let them know the urgency of protecting wetlands: almost 500,000 acres are lost annually. Wetlands provide wildlife habitat, filter pollutants, restrain floods, and recharge aquifers.

D. Water-projects authorization must include cost sharing requirements

After 6 years during which no omnibus water-project authorization has been enacted, a major bill is now making its way through the 98th Congress. This time, there is an attempt to reform the federal pork-barrel procedures by the introduction of "cost sharing." Cost sharing would require states (or other non-federal interests) to put up some or all of the construction costs of new dams, drainage, or navigation projects, a procedure that is supported by some (though not all) members of the Administration and by environmental groups. Cost sharing would encourage local project proponents to add their own benefit/cost analyses to the federal ones, and would undoubtedly result in the scaling down of expensive projects, or even in the substitution of non-structural alternatives altogether. The bills in the two Houses differ in the effectiveness with which they address the cost-sharing issue, as well as in the number of projects they seek to authorize: over 200 and 110 in the House and Senate bills, respectively. Not only is the House bill, HR.3678 overloaded with projects, it also undercuts the establishment of new standardized costsharing by allowing numerous ad hoc waivers of existing requirements. The Senate bill, S.1739, on the other hand, includes new requirements for non-federal cost sharing, and many of the 110 projects it seeks to authorize have already been fairly definitively studied and have final EIS's. HR.3678 will get to the House floor in October; S.1739 is about to emerge from committee.

WHAT YOU CAN DO: Write your Representative (address on p.14 ) and urge him/her to contact Congr. R. A. Roe, chairman of the Subcommittee on Water Resources, in opposition to the undercutting of cost-sharing provisions and the inclusion of too many projects in HR.3678.

E. The Dam Safety bill provides porkbarrel opportunities

S.672, the Reclamation Safety on Dams Act, would allow construction of new dams in lieu of repairing old ones. This provision needs to be opposed (see p.14 for your Senators' addresses).

When a new dam is really needed, funds for it should be appropriated in the usual way instead, of under the guise of a safety measure. Further, users of water projects should reimburse the government for the costs of the projects whose benefits they receive (see D., above).

#### F. Snail darter to be partially de-listed

The U.S. Fish and Wildlife Service has announced that it will remove the snail darter from the "Endangered" list, but retain it on the Threatened Species list. If a sufficient number of reproducing populations are found in the future, the fish may be removed from the latter list as well.

### 9. PARKLANDS ACQUISITION AND PROTECTION

#### A. Land and Water Conservation Fund (LWCF): two different bills

The Senate Interior Appropriations bill for FY 1984, which emerged from Committee in late July, contains a LWCF appropriation that is somewhat lower than that in the bill which passed the House June 28, but is still much higher than the Administration request

	<u>Total LWCF</u>	<u>NPS portion*</u>
Administration request	65	55
House bill (passed on floor)	242	80.3 <sup>Δ</sup>
Senate bill (reported by committee)	211	68.5

\* National Park Service lands. All figures are in \$ million.

<sup>Δ</sup>In addition, \$54 million for NPS was approved as FY1983 supplemental appropriation

The Senate and House versions are similar only with respect to the amount allotted to the states: about \$75 million in each case. As for the federal portion, the two bills differ not only in total amount but also in the assignment of the money. In the NPS portion, e.g., the House bill has \$25 million for Santa Monica Mtns and zero for Congaree Swamp, while the Senate bill has exactly the reverse. Another of several differences concerns the Obed (see ¶2A, this NL). After the Senate bill passes on the floor, these differences will have to be resolved in conference committee.

#### B. Administration stalls in spending already appropriated LWCF

In FY 1982, NPS obligated only 51% of the appropriated LWCF; by the time FY 1983 was 75% over, less than 33% had been spent. Rep. Seiberling's Public Lands Subcommittee is pressing the Administration to end its delay in the expenditure land acquisition funds. FY 1983 appropriations plus unspent funds from FY 1982 (and earlier) amount to \$114 million for NPS areas. Asst Interior Sec. Arnett recently told the subcommittee that 70% of this amount would be obligated by Sept. 30, although NPS Director Dickenson had earlier testified that almost 100% of the \$114 million would be obligated. Rep. Seiberling has implied that unless the situation is remedied administratively, it may have to be rectified through legislative action. He has asked Sec. Watt to appear before the subcommittee early in October to review Interior's FY 1983 performance with regard to the NPS land acquisition program.

#### C. Parks Protection Act: floor action soon

In early August, the Rules Committee cleared the way for floor action on HR.2379, and a vote may occur in September. This bill, among other things, sets up a consultation process between the Natl. Park System and other federal agencies if the latter proposed an action that would adversely affect a park. (See NL 125 ¶6A, NL 130 ¶7A) Items 10B and 10C in this NL demonstrate why such a process is needed. Contact your U.S. Rep without delay and ask him/her to support HR 2379; then urge your Senators to sponsor a companion bill (See p. 14 for addresses.)

### 10. THREATS TO OUR PARKS AND OTHER USDI LANDS

#### A. Alaska anti-parks bill is out of committee

On August 4, S.49, which was billed as "pro-hunting" by its proponents and "anti-park" by its opponents (see NL 130 ¶7B, NL 127 ¶2), was reported (i.e., released for floor action) by the Senate Energy and Natural Resources Committee. The bill had some of its teeth drawn: (a) it was reported without recommendation -- a very unusual step for a committee to take; and



(b) instead of 12 million acres, 5 million acres would be downgraded from "national-park" to "national-preserve" status. For the deletion of 7 million acres in four park units (Gates of the Arctic, Katmai, Kenai Fjords, Glacier Bay), our thanks should go to Sen. Tsongas. Despite the absence of a committee recommendation, there is still the danger that Sen. Stevens (R., Alaska) might pass S.49 on the floor and might even restore some of the deleted acreage. It is therefore important that you contact your Senators without delay and urge them to oppose S.49. This bill is an attack on the integrity of the National Park System (opening the way for other special interests) and not a pro-hunting bill. Remember: over 90% of Alaska is already open to hunting.

B. Nuclear waste dump next to Canyonlands National Park?

The Gibson Dome site, less than 2 miles from one of our most pristine and beautiful national parks, appears to head the Reagan administration's list of choices for a national nuclear waste dump. This may be gathered from Sec. Watt's utterances about the site (he would even allow the Dept. of Energy to dig test wells within the park itself!) and from the fact that DOE is rushing toward a decision with a speed that virtually rules out public participation. Utah environmentalists warn that the Canyonlands site is especially vulnerable because local opposition is less there than for sites in other states, and DOE may take the path of least resistance. Only a nationwide expression of outrage can save this pristine park. Write to Pres. Reagan (The White House, Wash. DC 20500).

C. Administration proposes dam within Grand Teton National Park

The Jackson Lake Dam, built before the park was established, could burst under pressure, should an earthquake strike the area. Several non-structural means are available to decrease the chance of dam rupture and/or to mitigate against consequences of a rupture, the most effective of these alternatives being to lower the water level in Jackson Lake. Instead, the Bureau of Reclamation has proposed building a new dam, downstream from the existing one. This would inundate significant areas of wildlife habitat in the park, including Oxbow Bend, where park visitors now have their best chance of viewing otters, moose, and eagles. Write your U.S. Rep and Senators (addresses on p.14) and ask them to oppose any funds for a dam in Grand Teton National Park.

D. Administration wants to open National Wildlife Refuges to oil and gas

USDI is reversing a 25-year-old policy (begun under Eisenhower) under which National Wildlife Refuges are closed to mineral leasing. The Department has changed the regulations so as to state that acquired refuges (those that had been bought by the federal government from private owners) are closed to leasing if they were established to protect "all species of wildlife." Since the majority of refuges were set aside with the stated objective of protecting migratory waterfowl, or specific other species, the regulatory change could open about 4 million acres in 200 refuges to oil and gas leasing. Already, 144 lease applications, involving over 600,000 acres on 45 refuges, have been received by the U.S. Fish & Wildlife Service. Four national environmental groups have brought suit against USDI for changing the regs without proper public notice or issuance of an EIS.

In the meantime, USDI has withdrawn both "wildlife-refuge" and "wilderness" status from Alaska's St. Matthews Island so that the Atlantic Richfield Co. can use it as base for oil exploration in the Bering Sea. St. Matthews (which has been a wildlife refuge for 75 years) has one of the richest seabird nesting colonies in the world, and 22 species of marine mammals feed along its shores. USDI is utilizing a "land exchange" provision of the 1980 Alaska Lands Act to justify its action. Atlantic Richfield is giving USDI some scattered parcels of land, which have no wildlife value, in exchange for St. Matthews. Another suit has been filed by various groups to block this latest outrage.

E. Congress versus Watt on coal sales

Congress is trying to resist the Administration's determined efforts to sell major portions of the Nation's coal within a brief period -- at 40x the rate at which coal was leased during the Carter years (NL 130 18A, NL 129 19D). In its FY 1983 Supplemental Appropriations bill, the House included language banning further coal leasing in FY 1983; but efforts to write a similar

provision into the Senate bill failed. The conference committee dropped the House language, but set up an independent commission to study the program and report to the Congress in 6 months. The FY 1984 Interior Appropriation bill, passed by the House in June, also sets up this commission and halts coal leasing until the Congress and USDI have agreed to commission recommendations. As with the FY 1983 Supplemental, the FY 1984 bill on the Senate side fails to include a coal leasing ban; but there may be attempts to add one during the floor vote, which is expected momentarily. In the meantime, 6 weeks ago, the House Interior Committee voted overwhelmingly to bar large-scale federal coal leasing in Montana and North Dakota in an area that contains endangered species. But Sec. Watt has invoked a recent Supreme Court decision that limits Congressional control over administrative actions, and is going ahead with the sale of 540,000,000 tons of coal. Eventually, he plans to put a 300-year supply of coal under lease within the next year or so.

#### F. For political reasons, Watt reverses himself on sale of USDI lands

The "Sagebrush Rebellion," which produced Reagan votes in the West in 1980, found a great proponent in Sec. Watt. His plan to sell federal lands at bargain prices was just what the "Rebels" wanted to hear. A few years' experience has now made a difference. Westerners have begun to realize that federal land sales bring speculators who drive up prices, and that they result in loss of access to recreation lands. Former sagebrush "rebels" have also woken up to the fact that the availability of federal lands for live-stock grazing (at subsidized, low fees) was a pretty good deal for Western ranches. Watt, perceiving the danger that "privatization" might become a political liability in the West, has apparently received White House blessing for pulling U.S. Dept. of Interior lands out from the Administration's public-land sales program. The Federal Property Review Board has given USDI permission to revert to its old land-sale policies. Instead of 35 million acres, about 3.5 million acres of USDI lands are now under consideration for sale. While this is a greatly reduced amount, it is still not negligible.

#### G. What they say about Watt

"Secretary Watt has nothing against trees. He just doesn't like them standing around in crowds." (Sen. Cranston, June 1983) "... Secretary Watt requires a lot of patience. His mischief is so diverse and complex that even the most vigilant citizen tires of pursuing each abuse and finds it difficult to maintain the deserved level of indignation." (Bartle Bull in THE AMICUS JOURNAL, Summer 1983).

### 11. CLEAN AIR, CLEAN WATER: BILLS IN PROGRESS

#### A. How to pay for acid-rain control

With hearings soon to be held, the number of Acid Rain bills is still growing. Last time (NL 130 19B), we brought you a fairly detailed account of the most prominent ones. Yet another bill, about to be introduced by Sen. Durenberger, resembles the Waxman/Sikorski bill (HR.3400) by providing for national sharing of the cost (it is the first Senate bill to do so). It differs from HR.3400 by taxing emissions ( $\text{SO}_2$  as well as  $\text{NO}_x$ ), instead of taxing electricity generation. Pollution reduction would be achieved through installation of control technology.

An OTA (Office of Technology Assessment) staff analysis shows that while a tax on electricity generation is the easiest to implement, a tax on emissions would result in lower utility costs and thus minimize rate increase. The emissions tax "would increase average residential rates by about 2%", but the increase would vary according to state, with a range of 0 to 9%. While 90-95% of  $\text{SO}_2$  comes from utility and industrial sources, a major part of the  $\text{NO}_x$  comes from motor vehicle exhaust. In an emission-tax approach, an annual registration-fee add-on of \$2-3 per car would pay for the  $\text{NO}_x$  part of the acid-rain control. In the Durenberger bill, the  $\text{NO}_x$  tax levied on autos would be collected at the time of sale of new vehicles. The taxing of emissions, rather than of electricity generation, could get around one of the objections Clean Air advocates have to the otherwise fairly acceptable HR.3400: it would take care of industrially contributed air pollutions and not just of utility-generated ones. Regardless of these complexities, give your Rep and Senator a simple message: support stringent acid-rain controls. The Administration's policy on Acid Rain control has not yet been spelled out but may emerge by the end of the month. EPA administrator Ruckelshaus has expressed an interest in injecting

"cost-benefit" factors into the Clean Air Act, as well as in making the Act more "flexible" and "workable." Often, such buzz words are used euphemistically when the objective is a weakening of controls.

- B. Clean Water Act reauthorization: nonpoint-source pollution and wetlands protection are issues  
"Water is the most urgent life-resource issue of the 1980's -- and the next century. Its full impact will affect more people in greater ways than any previous concern" (Peter Berg in ENVIRONMENTAL ACTION, 5/83). The Clean Water Act reauthorization, with important amendments, is moving through the Congress. In the House, Rep. Howard's HR.3282 is considered to be the strongest of the bills that has been introduced. Subcommittee hearings were underway when the Congress recessed. In the Senate, Chafee's S.431 is already out of committee. An amendment on nonpoint-source pollution was expected to be added after the recess. Such runoff (from farm-lands, stripmines, and city streets), which constitutes fully half of America's water pollution, is not addressed adequately in the original 1972 bill. (See ¶6E, this NL, for a TVA statement on nonpoint-source pollution.)-- Another highly important part of the Clean Water Act is Section 404, which protects wetlands through control over dredging and filling. Because the Reagan Administration has been administratively weakening Sec. 404, an amendment to the Act is needed to prevent this type of abuse.
- X WHAT YOU CAN DO: (a) Ask your Representative (address on p.14 ) to co-sponsor HR.3282 and to add nonpoint-source pollution control language to the Clean Water Act. (b) Ask both Senators (address on p. 14 ) to vote for S.431 and to oppose any amendment that would weaken wetland protection, while supporting a strong nonpoint-source pollution amendment.

## 12. POLITICAL DECISIONS

### A. Environmental record of presidential candidates

The League of Conservation Voters on August 1 released a 47-page report on the environmental performance and concerns of the 1984 presidential contenders. Overall conclusion: any one of the six Democrats would be a vast improvement over Pres. Reagan. Sen. Alan Cranston has the most consistently pro-environmental record, but in the past has supported synthetic-fuel development. Vice Pres. Mondale had a good record while in the Senate, played an unclear environmental role as Carter's vice president, and has taken excellent campaign positions. Sen. Gary Hart has done more to influence environmental legislation than any of the others, but occasionally fails to follow through on promises to lead environmental causes. Sen. John Glenn has a good record on clean water, wetlands, and control of toxics, but a mediocre or poor record on some other issues. Sen. Ernest Hollings' performance also has been mixed, being good on coastal wilderness and wildlife protection, but poor on Clean Air and other issues. Gov. Askew was strong on environmental causes while governor of Florida. The report is available for \$5 from LCV (317 Penn. Ave, SE, Wash. DC 20003).

### B. Tennessee's 4th District citizens to explore avenues for political influence

Representatives of a number of organizations that advocate life-oriented and social-justice interests, as well as concerned individuals, are planning to meet Oct. 15 to determine which avenues for political influence should be explored in the 4th District and how to organize. Among the possible avenues are PACs, lobbying, and running candidates in primaries. Both federal and state legislative issues will be addressed. The meeting will be held Saturday, Oct. 15, 1-4 p.m. (Central Time) at the Crossville Public Library on 1st Street. For further info, contact Louise Gorenflo, Rt. 6, Box 526, Crossville, TN 38555.

## 13. TCWP ACTIVITIES

### A. TCWP as intervenor or collaborator

One of the strengths of the environmental movement is coalition building. A given group can take the lead in only a limited number of battles. Moreover, one group does not necessarily agree with another group on every issue. Sometimes groups combine efforts, with one taking the lead; at other times, the combination effort results in formation of a new ad hoc entity with a specialized task or capability. We thought you might be interested in a listing (necessarily incomplete) of TCWP's participatory activities.

- Areas Unsuitable for Surface Mining (Sec. 522) petition affecting Flat Fork Valley: TCWP will be an intervenor on a petition that has already been filed by the Frozen Head State Parks Assoc. (see NL 128 ¶13)
- Lawsuit by FACT vs the Tenn. Dept. of Health & Environment (see this NL, ¶5A): TCWP, along with SOCM, has intervened as defendant. Our case is being handled by LEAF (Legal Environmental Assistance Foundation).
- This year, as often in the past, the Board voted to have TCWP join as full member (\$250) in the support of the Environmental Action Fund, the lobbying arm of Tennessee's environmental movement.
- TCWP is a member of the ad hoc Coalition to Impact on the Upcoming Appointment of a TVA Director (Dave Freeman's replacement) (see this NL ¶6A).
- We have supported various law suits against Columbia Dam and will be contributing toward court cost in the Water Quality Appeal.
- TCWP is a member of the Cherokee National Forest Wilderness Coalition.
- We belong to the Great Smokies Park Wilderness Advocates.
- TCWP is a member organization of the Tennessee Environmental Council.

#### B. Thanks to NEWSLETTER helpers

Writing the NEWSLETTER is a big job, but there are many other jobs involved too in getting this publication to you. As editor, I want to thank some of my many helpers: Charlie Klabunde, who keeps addresses up to date; Reid Gryder, who computerizes the info and prints the labels; Ed Sonder and Fred Sweeton, who take turns organizing the NL-assembly and envelope stuffing sessions; Ed's and Fred's many helpers throughout the year; Holly Gwin, who regularly sends me an important Congressional publication; Anne Smiddy, who does a mammoth typing job; and Eleanor Larson, our printer, who cheerfully accommodates our erratic publication schedule. THANK YOU ALL!

#### C. Scholarship Fund for Molly Johnson

Friends of Tom Johnson's have chosen this idea to memorialize him. "Clearly, Tom's senses of wonder and delight with this good earth live on in Molly; we have chosen to nurture them," writes John Vail. Any contributions should be made payable to "John Vail in Trust for Molly Johnson" and mailed to John at 311 West Walnut St., Johnson City, TN 37601. Your anonymity will be protected, if you request it.

#### D. Come to our Annual Meeting, Oct. 28-30, Fall Creek Falls

See p. 14.

### 14. THINGS TO DO AND THINGS TO READ

- The Tennessee Environmental Summit Conference will be held Sept. 30 - Oct. 2. See ¶4D this NL for details.
- A course in Backpacking and Wilderness Survival is being offered by UT on 5 successive Thursday evenings (starting 9/29/83) for \$50.
- A slide show, "The Impact of Federal Reservoirs," looks at big dam projects in the U.S. \$5 rental from the Environmental Policy Center (317 Penn. Ave, SE, Wash. DC 20003)
- EPA will hold public hearings on Safe Drinking Water Act sections dealing with injection wells. Hearing dates are Oct. 11 and 12 at Nashville, and Oct. 13 at Knoxville. (For details, call EPA at Atlanta, 404, 881-3866)
- "Volunteers for Outdoor America" is an educational conference of the Natl. Volunteer Project, sponsored by the Georgia Conservancy and the Appal. Mtn. Club at Atlanta, Oct. 21-23. (Write Appal. Mtn. Club, 1720 Peachtree Rd, NW, Atlanta, GA 30367)
- An archive of the nation's best journalistic accounts of environmental issues (The Edward J. Meeman Archive) is being set up at the Univ. of Michigan School of Natural Resources. An index by subject will be provided, with 250 articles indexed initially
- "Recent Publications in Natural History" is a quarterly bibliography compiled by the American Museum of Natural History. Each issue will have worldwide coverage under 24 subject headings. Subscriptions at \$10/yr may be ordered from the Museum (RPINH Subscriptions - Library, Central Park West at 79th Street, New York, NY 10024)
- "Flowing Free" is the name of a book as well as of a film. Both cover the subject of how citizens can preserve free-flowing rivers (Amer. Rivers Conservation Council, 323 Penn. Ave, SE, Wash. DC 20003)

15. TCWP CANDIDATES FOR 1984

Submitted by the Nominating Committee: (Lynn Dye Wright, Ken Warren, Reid Gryder)

**PRESIDENT:** William L. (Bill) Russell, Oak Ridge, Geneticist at ORNL; amateur photographer. A TCWP founder, Pres, 1971-73, 1981-83, director 1969-70, 1974-80. Active in formulation and passage of Tennessee Scenic Rivers Act, preservation of Obed, and trying to save Duck River and Little Tennessee.

**VICE PRESIDENT:** Ronald Foresta, Knoxville, Asst. Prof. of Geography at UT, specializing in land-use planning. Has written book on the Green Acres Program used by N. J. to acquire public lands, and (on a fellowship from Resources for the Future) is completing book on the Natl. Park Service.

**TREASURER:** Charlie Klabunde, Oak Ridge, Solid State physicist at ORNL. TCWP Treasurer for 11 years, in charge of membership records. Board member and Past Pres. of SMHC; member of TTA; active in folk dancing. Interested in wilderness preservation.

**SECRETARY:** Ruth Young, Oak Ridge, Secretary at Y-12 Engineering. TCWP Secretary 1967, 1969, 1983; greenbelt trail comm. 1980-. Active hiker, backpacker, and folkdancer. Interested in Northridge Trail, whale protection.

**DIRECTORS:**

Chuck Coutant, Oak Ridge, Senior Research Ecologist at ORNL. TCWP Board 1982, 1983. Past Pres. of Lower Columbia Basin Audubon Chapt, Richland, Wash.; Chm. of coalition opposing Ben Franklin Dam in Wash.; Pres. of Citizens Council for Clinch River Planning (opposed barge terminal); Chairman of EQAB. Interested in preserving undamaged ecosystems.

Miriam Guthrie, Oak Ridge, Masters in Physics, Dir. of Information Center at ORNL. TCWP Board 1982, V.P. 1983; stripmine comm. Past member of City of Oak Ridge Planning Commission; member Sierra Club, SMHC, Wilderness Society. Interested in wilderness preservation.

Eileen Neiler, Oak Ridge, housewife. Member, Arboretum Soc.; wildflower enthusiast; active in Oak Ridge beautification through corner-plot plantings with Green Thumb Garden Club.

Liane (Lee) Russell, Oak Ridge, Geneticist at ORNL. A TCWP founder, V.P. 1966, Pres. 1967-70, Dir. 1971-83; has written TCWP's newsletter 1966-present, and carried out exec. business of TCWP; coordinator of the Big S. Fork Preservation Coalition. Active on stripmine, Obed, Big S. Fork, Duck R. issues, intergroup liaison, politics of environment.

Don Todd, Wartburg, teacher, retired. TCWP board 1971-73, 1978-80, 1983; Vice Pres. 1981-82; Pres. 1974-76. Pres. TTA 1971-72; Chmn., Morgan County Court Comm. on Recr. and Tourism 1975-. Instrumental in securing passage of Tenn. Trails Systems Act, Natl. Wild River status for Obed, control of stripmining, protection for Frozen Head State Natural Area.

**NOMINATING COMMITTEE:**

Jenny Freeman, Knoxville, manager of Woodhills Farm. TCWP Exec. Dir. 1981-82. Tenn. coordinator of Clean Air Coalition 1982-83. Tenn. Toxics Program 1979-82.

Owen Hoffman, Oliver Springs, Envntl. Scientist at ORNL. TCWP Board 1982. Formerly, Ecologist with W. German Inst. for Reactor Safety. Ranger Naturalist for NPS 1966-71.

Bob Kernohan, Oak Ridge, retired physicist. Active for a wide variety of social causes. Reading for the Blind. People-oriented, with large circle of acquaintances.

Ed Sonder, Oak Ridge, Solid State Physicist, ORNL. Handles 50% of all NEWSLETTER mailings for TCWP. Member, SMHC, Sierra Club; active hiker, canoeist.

← Read this !

D. Come to our Annual Meeting, Oct. 28-30, Fall Creek Falls

You will soon receive a separate mailing giving you details about our Annual Meeting weekend at the Fall Creek Falls Group Lodge. At this time, we want to wet your appetite by giving you a preview of this weekend filled with fun and learning. We'll start Friday night with some of Bill Russell's artistic movies of natural areas in Japan. Saturday morning, we'll have three timely and stimulating talks on topics close to our heart (see below). Saturday afternoon, hikes (one easy, one moderate). After dinner, a thought-provoking talk by an Asst. U.S. Attorney. Then slides (bring your best, to share). Sunday, workshops and/or more hikes. Five delicious meals, eaten community style, and two night's lodging will cost \$20, with slight reductions for fewer meals (children under 12 are free). Our Saturday speakers and titles are as follows:

Judith Powers, TVA "TVA's least-known recent initiative: the Natural Areas Program"

Dr. Ruth Neff, TEC Exec. Dir. "Can our State Scenic Rivers program be made to work"

Superintendent Doyle Kline, NPS "Problems and progress in acquiring and managing Obed and Big South Fork lands"

John Williams, Esq, Asst. US Attorney and Pres. EAF "Lobbying is legit"

16. ACTION SUMMARY

¶ No.	Issue	Contact	"Message!" or Action
2A	Obed	US Rep and Sens	"Stand firm on \$1 million appropriation!"
4A	Sale of Wildlife Area	Gov. Alexander with copies to others (see text)	"Keep Eastern State WMA!"
4B	O.R. Turnpike Green	Rep. Lloyd → US Sens →	"Designate Green as public land" "Support Land Retention Act, S.891!"
6	TVA Board appointment	TCWP	Offer help with influencing choice
7A	Cherokee wilderness	Reps. Duncan, Quillen Sens. Baker, Sasser	"Introduce and support wilderness bills!"
7B	Smokies wilderness	Sen. Baker	"Support wilderness bill!"
8A	Ocoee	US Rep	"Co-sponsor HCR.125!"
8B	W&S Rivers amendment	US Senators	"Oppose S.1084!"
8C	Wetlands	US Rep and Sens	"Support HR.3082/S.1329!"
8D	Water projects	Rep. Roe (via your Rep)	"Oppose HR.3678!"
8E	Dam Safety porkbarrel	US Senators	"No <u>new</u> dams in safety bill!"
9C	Parks Protection Act	US Rep and Sens	"Support HR.2379!"
10A	Alaska parks bill	US Senators	"S.49 is antiparks, not pro-hunting!"
10B	Canyon Lands NP	Pres. Reagan	"No nuclear dump next to Park!"
10C	Grand Teton Dam	US Rep and Sens	"No funds for such a dam!"
11A	Clean Air Act	US Rep and Sens	"Support strong acid-rain control!"
11B	Clean Water Act	US Rep and Sens	"Support HR.3282/S.431; add nonpoint-source pollution control!"
13D	TCWP Annual Mtg	TCWP	Tell us you're coming

Senator John Doe  
United States Senate  
Washington, DC 20510

The Hon. John Doe  
U.S. House of Representatives  
Washington, D.C. 20515

Governor Lamar Alexander  
State Capitol  
Nashville, TN 37219

Dear Senator Doe  
Sincerely yours,

Dear Congressman/woman Doe  
Sincerely yours,

Dear Gov. Alexander  
Respectfully yours,

To call, dial Congressional switchboard, 202, 224-3121