

TENNESSEE CITIZENS FOR WILDERNESS PLANNING
Newsletter No. 140, February 15, 1985*

CONTENTS

The Tennessee legislature is in session and will be considering three issues of particular interest to TCWP members:

- Funding for natural areas acquisition
 - Rare plant protection legislation
 - Soil erosion study
- see also p. 6

THESE ARE LIKELY TO GO BY THE WAYSIDE UNLESS THE ENVIRONMENTAL COMMUNITY MAKES A MAJOR EFFORT TO LET LEGISLATORS KNOW THAT WIDESPREAD SUPPORT EXISTS. Please take the time to write several letters right away. The session is short and we do not know when committee action will be scheduled.

In addition, vital decisions are upcoming that will affect the Cherokee National Forest for the next 15 years. Our voices must be counted and we CAN make a difference.

1. FUNDING FOR NATURAL AREAS ACQUISITION

Governor Alexander has included in his budget \$2 million for Natural and Cultural Areas Acquisition. Because the budget and taxes are a big issue this year, this item will be very vulnerable to elimination unless significant support is demonstrated.

A similar appropriation was approved last year. The item description reads as follows: "Special Fund for the acquisition of property rights for the protection and conservation of natural, historic, geologic, and archaeological areas and special feature areas of scenic rivers and trails."

TCWP's interest, of course, centers on preservation of sites with natural, scenic or geologic significance. We were, in large part, responsible for writing and promoting the Tennessee Natural Areas Act which was passed in 1971. A statement of purpose is included in the Act: "The general assembly finds that in the countryside of Tennessee there are areas possessing scenic, scientific including biological, geological and/or recreational values and which are in prospect and peril of being destroyed or substantially diminished by actions such as dumping of refuse, commercialization, construction, changing of population densities or similar actions, there being either no regulations by the state or local governments or regulations which are inadequate or so poorly enforced as not to yield adequate protection to such areas. It is the intention of the general assembly to provide protection for such areas."

Two classes of natural area were established by the Act: (1) Scenic-recreational areas and (2) Natural-scientific areas. The Act directs the Department of Conservation to identify significant areas each year, to recommend them to the legislature for designation, and to proceed with acquisition and protection of designated sites. Between 1973 and 1984, 29 natural areas totaling 56,360 acres were designated. Of that total, the state actually acquired about 12,200 acres at 9 of the sites, using money from state appropriations (\$2.8 million) and from the federal Land and Water Conservation Fund, TVA, and private donations (another \$5.2 million). About 80% of the acreage is associated with Savage Gulf. Most of the purchases were made in the early years of the program. The average expenditure for the five-year period from 1979 to 1984 was only about \$19,000 annually.

In 1984, Governor Alexander sought to address this oversight by including the \$2 million item for natural (and cultural) areas acquisition in his budget. He recognized that such purchases are in the long-term interest of the citizens of Tennessee and that these purchases must be made while the areas still exist. The legislature retained the item. Much of the money, however, has not yet been spent, a fact that is likely to be used by those opposing further funding. It should be stressed that the failure to spend the money within the year is not due to a lack of significant, well-documented areas in need of protection. Sites have been selected,

and efforts are being made to complete purchases, but the involved bureaucratic processes has slowed the action.

The chance to obtain large tracts is probably gone. Opportunities now are to preserve smaller sites that have managed to escape development. Many of these sites harbor native plants and animals (including endangered and threatened species) that cannot coexist with man. The state Ecological Services Division has an extensive data base that is used to help identify such sites. A multi-agency Protection Planning Committee (to which TCWP has been nominated for membership) has established a list of over 50 sites in need of protection. Evaluation and ranking of the sites is updated each year.

Acquired natural areas are needed to help preserve nature's genetic diversity. They also provide enjoyment to visitors and resource areas to scientists. They enhance Tennessee's reputation for natural beauty and demonstrate our commitment to preserve the features of our state that attract people to visit and to come here to live. (Savage Gulf received over 500,000 visits in fiscal 1982-83.)

X WHAT YOU CAN DO:

- (1) Urge your State Senator and Representative to support the \$2 million appropriation. Stress that many worthy areas have been identified and that if purchases are not made soon, valuable sites could be lost to us forever.
- (2) In addition, the following distribution of copies will be very helpful (see Legislative Directory for addresses). (a) Send copies of your letter to your Senator to: Governor Alexander; Commissioner of Conservation, Charles A. Howell, III; Chairman of the Senate Energy and Natural Resources Committee, Frank Lashlee; Chairman of the Senate Finance, Ways and Means Committee, Douglas Henry, Jr.
(b) Send copies of your letter to your Representative to: Chairman of the House Conservation and Environment Committee, I. V. Hillis; Chairman of the House Finance, Ways and Means Committee, John T. Bragg (Note: We understand there may be strong pressures on Bragg to oppose this funding.)

2. THE RARE PLANT PROTECTION AND CONSERVATION ACT OF 1985

Tennessee is blessed with many rare species of plants including the endangered Tennessee cone-flower which is found nowhere else in the world in the wild. Protecting these species helps to maintain nature's genetic diversity. Rare plants add to the richness of our lives and the lives of our children.

Senate bill 440 (Jim Lewis)/House bill 651 (Steve Cobb)

This bill will not entail large expenditures of state funds. Its major provisions are as follows.

- (a) To authorize the Department of Conservation to investigate the status of rare plants throughout Tennessee, to gather information about them, and to formulate and update lists of endangered and threatened species of plants. There is provision for public input.
- (b) To prohibit the taking of endangered plants from any lands without the consent of the owner.
- (c) To create a system of licenses (free) for nursery farmers. The nursery farmer may purchase only 10 plants of any endangered species each year and must keep a record of their source. There are no restrictions on his growing endangered plants from seed or by vegetative propagation.
- (d) To establish conservation programs and utilize existing programs to conserve rare plants.
- (e) To authorize the Commissioners of Conservation and Agriculture to enter into agreements designed to conserve rare plants, and to promulgate regulations to implement the Act.
- (f) To establish penalties for violating the provisions of the Act or of a license granted under the Act.

- (g) The bill does not limit the right of property owners to take plants from their own lands, but no individual may sell more than ten plants of an endangered species in a year.

Two strengthening amendments have been suggested: (i) To require transporters to be responsible for demonstrating that any endangered plants were obtained legally. (ii) To expand the coverage of the "taking provision" (see b, above) to cover threatened as well as endangered species. A "threatened" plant is one that "appears likely, within the foreseeable future, to become endangered throughout all or a significant portion of its range in Tennessee." An "endangered" plant is one "whose continued existence as a viable component of the state's flora is determined by the Commissioner of Conservation to be in jeopardy."

* WHAT YOU CAN DO:

Write to your State Representative and Senator supporting the bill and, if you choose, the strengthening amendments. Send a copy of one of your letters to the following (see enclosed Legislative Directory): (a) Governor Lamar Alexander; (b) Commissioner of Conservation, Charles A. Howell, III; (c) Commissioner of Agriculture, William H. Walker, III, (Ellington Agriculture Center, P. O. Box 40627, Nashville, TN 37204); (d) Chairman of the Senate Energy and Natural Resources Committee, Frank Lashlee (copy of your letter to your Senator); (e) Chairman of the House Conservation and Environment Committee, I. V. Hillis (copy of your letter to your Representative).

3. SOIL EROSION CONTROL

A Soil Erosion and Wetlands Study Committee was created last year when the legislature passed a resolution written by the Environmental Action Fund and sponsored by Representative Dan Byrd. Soil erosion is a serious problem, particularly in West Tennessee, which has one of the highest rates of top-soil loss in the nation. Not only is productive land lost, but waterways are polluted and choked with sediment.

The Study Committee has been analyzing the problems and plans to make recommendations about how best to address them. The group meets this week to decide whether to suggest any legislation for this year. They are also expected to ask the legislature to reauthorize their existence for another year.

* WHAT TO DO: Write to the following legislators (with a copy of one of the letters to your State Representative and Senator) stating that you feel the work of the Committee is important and that more time must be allowed for them to develop good recommendations: (a) Representative I. V. Hillis, Chairman of the House Conservation and Environment Committee; (b) Representative Dan R. Byrd, sponsor of the original resolution creating the Committee; (c) Representative Ned Ray McWherter, Speaker of the House. See enclosed Political Guide for addresses.

4. OTHER ITEMS BEFORE THE STATE LEGISLATURE

A. Reclamation for lands disturbed by oil and gas drilling

Senate Bill 95 (Carl Koella, Jr., Tom Garland)/House Bill 303 (Shirley Duer)

This bill, written and introduced by the Dept. of Conservation, would amend current state law to require that an oil and gas operator submit reclamation plans for the surface to be disturbed as part of a permit application. Bond would be set to cover the cost of reclaiming the disturbance as well as the cost of plugging in case of abandonment. The bill is very general, leaving specifics to be written into regulations, but is an important step toward addressing the environmental damage (often severe) that accompanies oil and gas drilling.

The bill has one major weakness. Under current law there is a minimum bond requirement of \$2000/well (or a blanket \$10,000 per operator per pool) to cover just the cost of plugging a well that is abandoned. The new bill sets no minimum bond, even though the intent is to provide the state with funds not only to plug abandoned wells but also to reclaim abandoned sites. Provision for a minimum bond (well in excess of \$2000/well) should be added to the bill to act as a guideline to those establishing actual bonds.

* WHAT TO DO: The bill is scheduled for consideration in the Senate Energy and Natural Resources Committee on February 27. If your Senator is a member of that committee (see enclosed Legislative Directory), please write in support of the bill and suggest the amendment.

B. Surface Mine Control

* The state's Surface Mine Control Bill (NL 139, ¶3D) has not been introduced yet, and there is reasonable doubt that it will be. The Environmental Action Fund (of which TCWP is a member) has introduced an "environmentalists' bill" (SB 588, Riley Darnell/HB 285, Mike Murphy) to have ready for action, but there are no plans to push this unless the state moves first. The EAF bill is very similar to the state bill but contains several provisions the state did not see fit to adopt. Watch the news. If any action occurs on this front, support the EAF bill.

5. WILDERNESS IN THE SOUTHERN CHEROKEE N.F.: MARCH 18 HEARING WILL BE DECISIVE

* If you thought we could rest on our laurels after the Tennessee Wilderness Act was signed (NL 139 ¶6A), think again! The two areas that were designated as Wilderness Study Areas (WSA) -- Big Frog Mountain addition (3457 acres) and Little Frog Mountain (4800 acres) -- are up for grabs. In fact, the U.S. Forest Service's (USFS) recently released draft Plan (see ¶6) recommends non-wilderness status for the Little Frog WSA. The only public hearing on this matter will be held March 18, at Cleveland, TN. It is important that you attend or at least write a letter (info below). TCWP will, of course, be writing too, but the USFS counts individual comments. We must (a) change their mind about Little Frog WSA, and (b) uphold them in their wilderness recommendation for the Big Frog WSA.

All you need to say at the hearing or in your letter is that you urge the USFS to recommend both areas (name them!) for wilderness designation. Any details you can add will, of course, be appropriate. Little Frog WSA, located near the Ocoee River put-in, contains highly scenic coves, creeks, and ridges, and is traversed by excellent hiking trails. Big Frog WSA, an addition to the existing Big Frog Mtn. Wilderness will round out a natural unit, protecting an area from the lower valleys to the high summit. For further details, call Will Skelton, Knoxville, 523-2272 (H) or 546-2800 (W).

Hearing particulars: March 18, 1985, 7:00 p.m., Forest Supervisor's Office, 2800 N. Ocoee St., Cleveland. Letters should go to Forest Supervisor, Cherokee National Forest, P. O. Box 2010, Cleveland, TN 37311.

6. YOUR COMMENTS NEEDED BY 4/25/85 ON PLAN THAT WILL GOVERN CHEROKEE N.F. FOR 15 YEARS

The Draft Land and Resource Management Plan and EIS for the Cherokee National Forest was released January 16. This is our last chance to have an input into what happens to Tennessee's only national forest in the next 15 years. You may request a copy of the drafts (address below), which contain an incredible amount of data and excellent maps. Your comments may be addressed to any or all of the following issues.

- A. Wilderness. There is at present no designated wilderness in the northern Cherokee, and the fate of 2 WSA's in the southern Cherokee has not yet been decided (see ¶5). Urge support for the Citizens' Wilderness Proposal for the following areas: Unaka Mtn, with additions, Rogers Ridge, Pond Mtn. and Pond Mtn. Addition, Jennings Creek with Buckeye Falls Addition, Flint Mill, Big Laurel Branch, Little Frog Mtn. WSA, and Big Frog Mtn. WSA. The last two are in the southern Cherokee (¶5), the other 7 in the northern.
- B. Off-Road Vehicles. Support the USFS in their policy that closes roads and trails to ORVs unless specifically declared open.
- C. Black Bear Habitat. Urge the USFS to plan for large roadless tracts that benefit black bear populations.
- D. Trails. Urge the USFS to police its hiking trails against ORVs and to maintain tree corridors along trails.
- E. Timber Harvesting. Cutting should never be accelerated beyond a sustained-yield basis. We must also oppose USFS plans for massive conversion of existing hardwood forests to pine tree-farms. This would violate the multiple-use concept that is supposed to govern our national forests.

* Deadline for comments: April 25, 1985.

Address: Forest Supervisor, Cherokee National Forest, P. O. Box 2010, Cleveland, TN 37311. Your comments need not be extensive; they can address one or all of the above issues, or any others you can think of.

7. TCWP ACTS FAST AND SUCCESSFULLY TO PREVENT GREENBELT SALE

We had two days' notice to react to an agenda item for the February 4 City Council meeting. Council was being asked to hear a request for private purchase of 60 acres of city-owned greenbelt. This included the entire "bulge" in one of the two places where there is a widening in the narrowish strip of northern greenbelt. Quite apart from any bad features of this particular proposal, we felt that it was the precedent of selling greenbelt that was to be avoided if the City's natural areas were to be protected against gradual dismantling. Thanks to our earlier effort, the City charter now contains a provision that a public hearing must be held before greenbelt land can be sold. In a letter delivered to each Council member, TCWP urged that Council refuse to accept the proposal in the first place, thus making the hearing superfluous. Despite the fact that we had less than two days in which to reach them, quite a few of our members called or wrote to Councilors and/or attended the Council meeting. At this meeting, the request (which would routinely have been referred to staff) was, in fact, turned down outright by a vote of 9:1. Pitt cast the only negative vote; Holt was absent; Brown, whose wife was the real-estate agent handling the purchase request, abstained. The others deserve our thanks.

8. ACTION SUMMARY

OVER

# No.	Issue	Contact	"Message!" or Action
1	Natural Areas acquisition	State Rep and Sen.; copies to others (p.2)	"Support the \$2 million appropriation!"
2	Rare plant protection	State Rep and Sen.; copies to others (p.3)	"Support HB 440/SB 651, with strengthening amendments!"
3	Soil erosion control	Reps. Hillis, Byrd, McWherter	"Extend life of Soil Erosion & Wetlands Study Committee!"
4A	Oil & gas reclamation	State Senator	"Strengthen & support SB 95/HB 303!"
4B	Stripmine control	(State Rep, Sen.)	If state introduces a bill, support the EAF bill
5	Cherokee Wilderness	Forest Supervisor	"Recommend wilderness designation for Little Frog and Big Frog WSA's!"
6	Cherokee Plan	Forest Supervisor	Send comments on issues in this NL
7	Oak Ridge greenbelt	City Council member	"Thanks for refusing sale!"

With this issue of the TCWP NEWSLETTER, we enclose our annual Political Guide. Our thanks to Sandra Edwards and Paul Somers for preparing this. -- Please keep the Guide in an accessible place for use all year.

*Editor: Liane B. Russell, 130 Tabor Road, Oak Ridge, TN 37830. Ph. 615, 482-2153

Items 1 - 4 of this NEWSLETTER were contributed by Sandra Edwards.

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

Information received after the rest of the NEWSLETTER had gone to press

9. ANOTHER IMPORTANT STATE BILL NEEDS YOUR SUPPORT

The NATURAL RESOURCES TRUST FUND ACT, HB 714 (Chiles, Duer, Hillis, Cobb, U. A. Moore)
SB 760 (Burleson)

This Administration bill, strongly supported by Conservation Commissioner Howell, directs that any revenue from sale of state-owned minerals (oil, gas, coal, and others) and certain other state-owned properties would not go into the the general fund (operating dollars), but would instead go into a Natural Resources Trust Fund (NRTF). The NRTF itself would not be expended, but the interest and other income from it would be used for acquisition of lands and waters, development of outdoor recreation facilities and other capital projects for the conservation of air, land and water, and for acquisition and preservation of historic and archeological properties. The uses would thus be similar and supplemental to those of the Federal Land & Water Conservation Fund. Seven other states have similar laws.

The NRTF concept has many excellent features:

- (a) It recognizes that state-owned land and minerals are capital assets to be held in trust for the future; if their sale becomes necessary, the revenue should also be recognized as a capital asset to be held in trust.
- (b) It would act as a deterrent to the indiscriminate sale of state-owned land and the mining of state-owned minerals, since revenues could not be used to "balance the budget," etc.

We can see only one questionable feature in the bill, and that is that proceeds from the disposal of state-owned timber are excluded from the NRTF [Sec. 5(b)(8)]. While timber, generically speaking, is a renewable resource, many forest ecosystems are non-renewable to all intents and purposes (e.g., the replacement of a mixed mesophytic forest by a pine monoculture).

Except for this one feature, we can recommend your strong support of a NRTF

WHAT YOU CAN DO:

- a. Inform your state senator and representative on how you feel about HB714/SB760;
- b. Send a copy of your letter to the letters-to-the-editor column of your newspaper;
- c. Inform any other organization you may belong to about this bill. Additional info is available from Comm. Howell (see enclosed Political Guide).

REMEMBER, IF WE WANT GOOD ENVIRONMENTAL MEASURES TO PASS IN THE STATE LEGISLATURE, WE (Tennessee's environmentalists) ARE THE ONLY CONSTITUENCY. IF WE DON'T SUPPORT THESE BILLS, NOBODY ELSE WILL!

January 24, 1985

CANYONLANDS DECLARED SUITABLE FOR NUCLEAR DUMP

Despite recent news reports that sites next to Canyonlands National Park are no longer in the running for a nuclear waste dump—don't be fooled. The Park remains in serious jeopardy.

BACKGROUND: Two sites next to Canyonlands National Park are among several under study by the Department of Energy (DOE) as candidates for our nation's first high-level nuclear waste dump.

On December 19, DOE released **draft** decision documents and environmental assessments which nominated 5 sites as final candidates for a nuclear dump. From these 5, DOE tentatively selected 3 "preferred sites" for the next major step in choosing a dumpsite—a massive drilling and testing program called "site characterization."

Neither of the Canyonlands sites were selected for "site characterization" in this **draft** decision. But DOE did nominate the **Davis Canyon site, less than a mile from the Park boundary**, as one of the 5 finalists. Since these were only draft decisions, DOE could easily change its mind over the public comment period and name Davis Canyon one of the 3 final preferred sites for extensive drilling and testing.

Furthermore, DOE declared **both** Davis Canyon and Lavender Canyon (the second Canyonlands site, only 2½ miles from the Park boundary) as "suitable" for a nuclear dump.

WRITE NOW and oppose any further consideration of the Canyonlands sites for a nuclear dump.

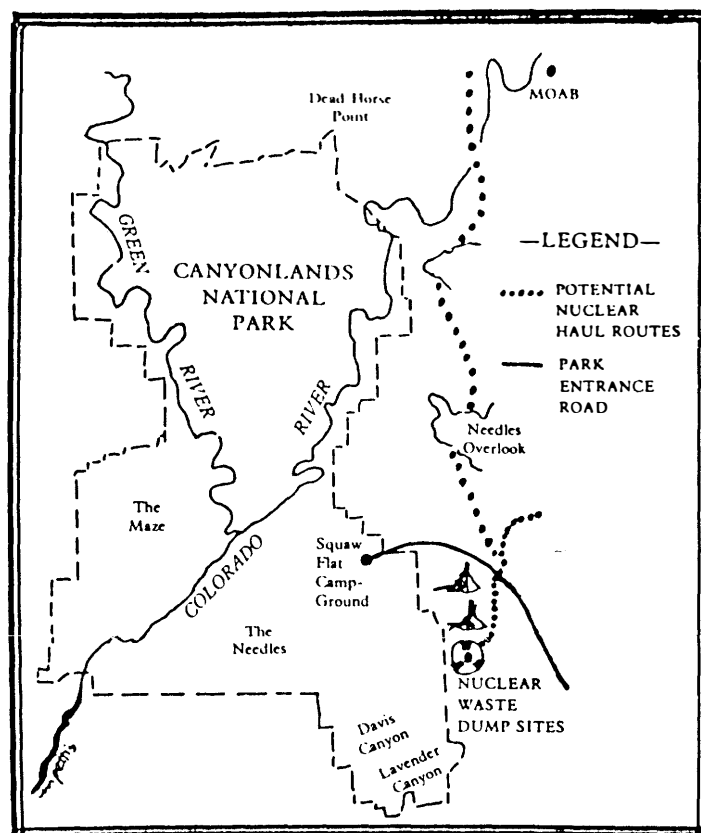
DOE's decision that sites so close to a national park are "suitable" for a nuclear dump is outrageous! **Widespread public opposition is essential** to discourage DOE from changing its mind and naming Davis Canyon as one of the 3 finalist sites for the extensive drilling and testing of site characterization.

A Nuclear Dump at Canyonlands—What Would It Mean?

- A **nuclear dump** will be a huge, mile-square industrial complex. Located less than a mile from the Park boundary, 2 miles from the Park entrance road, and only 8 miles from the main Park campground, it would include:

 - 5 huge, crane-like structures to lower waste and equipment into the ground, one as high as 220 feet;
 - a sprawling complex of buildings, warehouses, and storage facilities for packaging and remote handling of highly radioactive wastes;
 - a railroad switching yard, truck loading depot, and storage yard for "suspect" radioactive rail cars and trucks;
 - a 50-acre, 35-foot high pile of excavated salt;
 - two 20,000 gallon holding tanks for liquid radioactive wastes, and holding pools for salt runoff and contaminated water;
 - a steam plant and cooling towers;
 - new high voltage powerlines, natural gas and water pipelines paralleling the new railroad and truck routes;
 - a firehouse, medical treatment center, guardhouse, visitor center, parking lots and more...
 - the entire complex will be fenced and floodlit for maximum security and around-the-clock operation.
 - monolithic, pyramid shaped markers will be erected when the dump is closed to warn future generations away.
- A **nuclear-haul railroad and/or highway** will be carved across the wild, scenic benchlands along the Park's eastern boundary, or blasted into the Canyonlands Basin across the Park entrance road. Railroad construction will require blasting tunnels under 2 scenic viewpoints overlooking the Park, building a bridge over the Colorado River and an overpass for the park entrance road.

475 trucks or 105 rail cars hauling nuclear waste and salt will rumble past the Park every week—a total of 580,000 truck or 134,000 rail shipments during the dump's lifetime (20-30 years). 750 commuter cars will travel the Park entrance road daily to the dumpsite.
- A **massive drilling and testing program** called "site characterization" will take place at each of DOE's 3 final preferred sites. Site characterization at Canyonlands would mean **blasting** two 20-30 foot wide and 3000-foot deep mine shafts, **drilling** at least 47 deep boreholes and 740 shallow boreholes, **excavating** hundreds of thousands of cubic yards of rock and salt, seismic work, road building, heavy trucking operations—all along the Park's eastern boundary. DOE has even admitted that **drilling in the Park** may be necessary.



Dramatic, Unavoidable Impacts

Major impacts from testing, construction and operation of a nuclear dump are obvious, dramatic and unavoidable. Yet DOE refuses to admit the serious conflicts with the Park. The environmental assessment for the Davis Canyon site concludes, "There are no significant adverse impacts that cannot be avoided or mitigated." (EA6-43)

Some major impacts include:

Noise: An immense timeless silence pervades Canyonlands National Park. The encompassing solitude and remoteness are grounded in the absence of man-made noise. But past experience indicates that the clamor of heavy machinery, pounding of drill rigs and rumble of trains will reach deep into the Park, shattering the Park's healing silence. In 1980, visitors in Canyonlands remote backcountry complained about noise from a single DOE drill rig 12 miles distant.

Yet DOE concludes that "noise impacts to Canyonlands National Park are not expected to be significant." (EA5-89) According to DOE, **only 1.2 percent** of annual Park visitors will be "highly annoyed" by the sounds of blasting, drilling and heavy machinery during construction. And during dump operation, "this worst-case figure drops to essentially zero." (EA5-89)

Visual Aesthetics: The visual impacts of a nuke dump will be unavoidable. Every visitor on the Park entrance road will confront the sight of a huge industrial complex and railroad where now stretches open sage desert and beautifully eroded sandstone cliffs. Visitors to major Canyonlands viewpoints and remote backcountry areas will have a line-of-site view of daily rail operations.

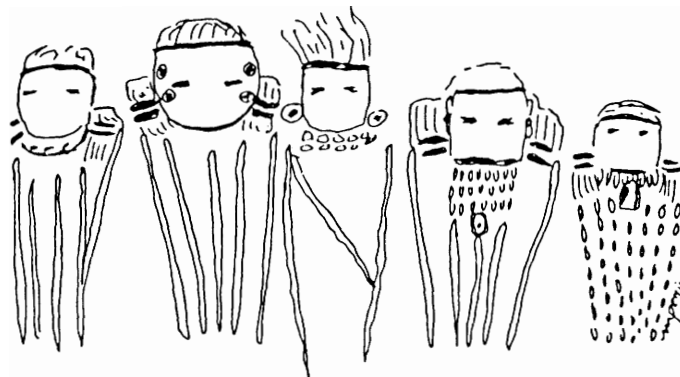
Floodlights from the dump's 24-hour operation will light the night sky, creating an industrial aura over the Park and obscuring the campers' ability to see stars. Even DOE admits that "sky glow from facility illumination will have the potential to affect significantly large numbers of visitors." But DOE dismisses daytime visual impact as "minimal, affecting only a few observers in hard-to-reach areas." (EA5-68)

Visitor Experience: In a State of Utah survey, 89 percent of respondents at Canyonlands said they would be less likely to re-visit the Park if a nuclear dump was sited next to it. Yet DOE maintains that only "1.2 percent of annual park visitors would avoid the park" during construction. (EA5-81) DOE dismisses impacts on Canyonlands wilderness experience, saying "only a small percentage of (annual park visitors) go for the single purpose of isolation and communion with nature. Most... seek social interaction with other campers, and have a preference for activities associated with urban environments and developed facilities." (EA5-90)

DOE concludes that a nuke dump will not adversely affect Canyonlands visitors, saying that "properly controlled industrial facilities (adjacent or near to national parks) are accepted by the majority of the public and the facilities do not keep the vast majority from a rewarding leisure experience." (EA5-90)

Archeology: The Utah State Historic Preservation Office estimates that more than 1500 irreplaceable archeological ruins, including ancient Anasazi Indian dwellings, unique solar observation sites, and mystical 1000 year old rock art panels could be adversely affected by nuke dump development. Accidental damage as well as vandalism and pot hunting will undoubtedly increase as more than 1750 construction workers and 1500 nuke dump operators explore the area.

Yet DOE maintains that impacts to cultural resources are acceptable because DOE is committed to "avoiding or removing" threatened cultural resources.



WHAT YOU CAN DO:

Write Now!!

Comments due to DOE by March 20, 1985

Maximize your effort! Send copies to the Secretary of Interior, your Senators and Representatives, and the Governor of Utah. (Addresses below.)

Make these points:

- Oppose **any** further consideration of the Canyonlands sites, for testing or dump development.
- Challenge DOE's conclusion that these sites are "suitable." Cite the obvious, unavoidable and **unacceptable** impacts to Canyonlands National Park.
- Object to DOE's dismissal of noise and visual impacts as "insignificant" because "only a small number of visitors in remote, hard-to-reach areas will be affected." Emphasize that DOE has no meaningful basis for these outrageous conclusions.

Addresses:

US Dept. of Energy, Comment-EA, 1000 Independence Ave., SW, Washington DC 20585

US Secretary of the Interior, Interior Bldg., C St. at 18 & 19, NW, Washington DC 20240

Senator _____, Senate Office Building, Washington DC 20510

Representative _____, House Office Building, Washington DC 20515

Governor Norm Bangerter, State Capitol, Salt Lake City, Utah 84111

For a copy of the Davis or Lavender Canyon Environmental Assessment, call 800-858-1600.

ALERT**NATURAL AREAS FUNDING IN JEOPARDY OF BECOMING A VICTIM OF PARTISAN POLITICS**

A clipping from the Nashville Banner is included to give some feel for the way in which House Speaker Ned Ray McWherter has chosen to attack the appropriation for Natural and Cultural Areas in Governor Alexander's proposed budget. Because of the leadership role he plays (and because he aspires to be our next governor), he needs to hear from all of us, letting him know that his position is not appreciated. He needs to understand the following points:

- That last year's appropriation (\$2 million) was the first of any significant size since 1979.
- That last year's appropriation and the one for this year are to be spent to buy land to protect rare animals and natural communities, unique geologic formations, and historic and archaeological sites, as well as rare plants.
- That such sites are disappearing rapidly as the pressures of development and a growing population infringe on them. They must be protected soon, or they will be lost forever.
- That we owe it to future generations to preserve genetic diversity, natural features of special beauty, and links with the past.
- That there are Tennesseans who believe, even in times of tight budgets, that we cannot spend only for the present - that we cannot be so selfish as to "use it all up now."
- That we need leaders who are farsighted enough to understand that portions of our environment need and deserve protection now.

It is **very important** that everyone receiving this alert write immediately (a card or a letter) to Mr. McWherter letting him know that there is support for the \$2 million appropriation for Natural and Cultural Areas acquisition in the 1985-86 budget. You might raise some of the points mentioned above. If you are a Democrat, you might mention that fact too.

The last TCWP newsletter (# 140) contained background information you might find useful. In summary, Governor Alexander has included in his budget for 1985-86 a \$2 million appropriation for the acquisition of Natural **and** Cultural Areas. A similar appropriation was contained in last year's budget and was OK'd by the legislature (including Mr. McWherter). TCWP has a special interest in Natural Areas, having been instrumental in passage of the state Natural Areas Act in 1971. Between 1973 and 1984, the state acquired about 12,000 acres at nine state Natural Areas, using money from state appropriations (\$2.8 million) and from the Federal Land and Water Conservation Fund, TVA, and private donations (another \$5.2 million). Most of the purchases were made in the early years of the program. The average expenditure for the five-year period from 1979 to 1984 was only about \$19,000 annually. Although all of last year's appropriation has not been spent, sites have been selected and efforts are being made to complete purchases.

Please note two points:

Although politicians are speaking of this appropriation as a rare plant bill, that is not what it is (although some of the land purchased will contain rare plants). Do not confuse it with the Rare Plant Protection Act which is described in TCWP newsletter #140 and has to do with such things as regulating the sale of rare plants.

The Natural Resources Trust Fund Act (also described in NL #140), if passed, could eventually provide funds for the purchase of Natural and Cultural Areas. However, it will be years before the fund will be large enough to produce a significant amount of interest (only the interest could be spent). Meanwhile, we cannot afford to wait and take the chance of losing some of our most special sites forever.

Please write to: The Honorable Ned Ray McWherter
19 Legislative Plaza
Nashville, TN 37219

Dear Mr. McWherter,

(over)

You can get lots of extra mileage out of your letter by sending copies to your State Representative and Senator (call your County Election Commission for names). Send the copies, or separate letters, even if you have written before. Such letters will encourage Republicans to be faithful to Governor Alexander and Democrats to stand up to McWherter.

The Honorable _____
Legislative Plaza/War Memorial Bldg.
Nashville, TN 37219

Dear Senator _____,
Dear Mr. _____,

As you will see from the clipping, Representatives James M. Henry of Kingston and Ed Murray of Winchester are in particular need of hearing from their constituents.

THANK YOU FOR YOUR HELP!!!

IF WE ALL PITCH IN, WE MAY YET SAVE THE FUNDING

A little demagogy

Nashville Banner

Speaker backed rare plant bill

House Speaker Ned Ray McWherter voted for a bill last year that led to expenditures to save rare plants, but he waited until this pre-election year to start spending the fertilizer.

The speaker now says he doesn't understand the priorities of those who allocate money to save the plants while more important programs are phased out.

Demagoguing with McWherter on the plant issue is Rep. Ed Murray, D-Winchester, who also was among the 92 state representatives who OK'd the appropriation on May 22, 1984.

"I say let Alabama have it," Murray said of the Alabama snowwreath, one of the endangered plants on plots of land the state will buy as part of a \$2 million natural and cultural preservation program this year.

Granted, there are many arguments which can be made against spending money for plants. Politically, it sounds awful.

But Gov. Lamar Alexander has made conservation programs one of his pet projects, including clean water efforts and preservation of rare plants and animals. A total of \$2 million was set aside in the current state budget for acquiring unique pieces of property.

"These lands can include anything from historical battlefields to fossil beds to grounds that hold rare plants. State Conservation Commissioner Charles Howell



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told McWherter and other members of the state Building Commission last week that once an endangered species of plant is gone, it's gone forever.

Another \$2 million is set aside in the 1985-86 state budget for similar acquisitions.

Although the outlay for unique land purchases was part of the huge state appropriations bill, there was no effort by the governor or others to hide the purpose of the \$2 million. Page 46 of the 1984-85 state budget document shows a \$2 million capital outlay for "natural and cultural heritage area acquisition."

A further explanation of the natural heritage program is on page 282 of the budget, mentioning that it deals with "rare plants, animals, natural communities and geologic formations."

Why, then, are our legislative leaders so shocked to learn of these expenditures? If the House vote on the appropriations bill was the wrong time to question the expenditure, there certainly

were plenty of opportunities before that time.

Even more amazing to me were comments made about this topic by Rep. Jim Henry, R-Kingston, during Les Jameson's WLAC radio talk show on Tuesday.

"I agree with Speaker McWherter," the House minority leader and state GOP chairman declared about the expenditures for rare plants. "These are not the priorities the Legislature should be following."

You failed to mention, Rep. Henry, that you sponsored the appropriations bill that contained the expenditures and brought this about.

action alert

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