

TENNESSEE CITIZENS FOR WILDERNESS PLANNING  
Newsletter No. 144, September 17, 1985\*

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ACTION SUMMARY

No.	Issue	Contact	"Message!" or Action
2A	Big S. Fork	Sens. Sasser, Gore Rep. Cooper	"Urge Corps to acquire North Whiteoak Creek 'deferred' area!"
3A	Obed	Sen.Sasser;Rep.Cooper	"Thanks for help re acquisition!"
4	Columbia Dam	US Sens. and Rep. TVA	"Saturn plant does not need dam!" Submit comment for report
6H	Natural Areas	Dept. of Conservation	Nominate areas for acquisition
7B	Abandoned Mines	US Sens. and Rep	"Urge OSM to operate AML program in Tennessee!"
8B	Endangered species	Sen. Stafford	"Add strengthening amendments"

Senator John Doe  
United States Senate  
Washington, DC 20510

The Hon. John Doe  
U.S. House of Representatives  
Washington, DC 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

\* Editor: Liane B. (Lee) Russell, 130 Tabor Road, Oak Ridge, TN 37830. Ph. 615, 482-2153  
Star in margin means "Action Needed." Don't be overwhelmed -- check the ACTION SUMMARY!

## 1. CHEROKEE NATIONAL FOREST: PREVIEW OF CHANGES IN LAND AND RESOURCE MANAGEMENT PLAN

As a result of the large number of comments it received on its Draft Land & Resource Management Plan for the 625,000-acre Cherokee NF, the Forest Service (USFS) is making substantive changes in this Plan (NL 143 ¶3A). The bulk of the comments strongly objected to the great increases in timbering and associated roadbuilding, and to the paucity of wilderness recommendations. On September 5, the USFS announced that the revisions being made in the Plan will make it resemble one of the alternatives already described in the Draft (Alternative #4), and that, because of this, no formal comment period will be established when the Plan is finalized in January 1986. The following are among the revisions. (1) Timber harvest: the 50-year projection is 2/3 of that originally formulated (i.e., a doubling -- instead of tripling -- of the current levels, if we interpret this correctly). For the first 10 years, at any rate, timber harvest volumes will be the same as under current management. (2) Land suitable for timber harvesting: 60% in the revision, as opposed to 80% in the Draft Plan. In any one year, less than 1% of the "suitable" areas will be cut in small pockets (that translates into about 200,000 acres in 50 years). Although there was much concern expressed in the comments about the proposed cutting of cove hardwood areas, the USFS does not give them any special consideration: 59% suitable for harvesting (as compared to 60% overall). (3) Road construction: reduced from Draft projection, in parallel with reduction in projected timber harvest. (4) Wilderness: new areas will be added to the USFS recommendations (only the Congress can make the actual designations). In addition, new "scenic areas" (for non-motorized "semi-primitive" recreation) will be created. (5) Fish and wildlife: road closure policies will be tailored to accommodate black bear habitat; the increases in stream mileage managed for native brook trout will be continued.

The USFS also responds to the criticism that it has lost money on timber sales in the Cherokee NF. In the past, they say, this has been due to the policy of concentrating sales in the low-quality stands left from earlier indiscriminate logging and burning. In the future, not only will higher quality stands be timbered, but the accounting system will be revised -- All in all, the USFS has shown that it is sensitive to public input (especially input as well documented as some of that submitted on the Cherokee Draft), and that it is willing to come at least partway toward accommodating the citizens and the legislators (Sen. Sasser, see NL 141 ¶C) who took the trouble to write.

TCWP recently wrote to Sen. Sasser, a member of the Senate Appropriations Committee, urging a cut of \$77.4 million from the USFS' nationwide road construction budget. For the past 4 years, the USFS has annually vastly overreached its road-construction targets, while greatly neglecting goals in other important areas, such as protection of wildlife, soil, and water resources and trail building. From the money saved, we urged that \$5 million be used for repair and construction of foot trails.

## 2. BIG SOUTH FORK: DEVELOPMENT VERSUS LAND PROTECTION

### A. Lodges and deferred lands

Currently, the Corps of Engineers is certainly pushing development and neglecting land protection. A Corps request for a \$53 million appropriation to construct two lodges (at Rugby and Blue Heron) is before the Congress (as part of the public works appropriations) and will very probably be approved. The Bandy Creek campground development (see ¶2B) has been labeled "gold plated" by some who have seen it. By contrast, for several fragile and threatened areas within the authorized boundary of the BSFNRRA, land acquisition has been "deferred" for lack of funds, and the Corps is exerting no pressure for remedying this lack. One especially important "deferred area" is that between the upper North Whiteoak Creek and its Laurel Fork, a beautiful wild region within which stripmining threatens. This area is way down on the Corps' priority list -- #7. Why? By making its buildings and other developments a little less luxurious, the Corps could probably save enough money to acquire the North Whiteoak lands (which certainly should be upgraded from #7 priority!). Alternatively, the Corps should make a specific request for funds, just as it did for the lodges.

WHAT YOU CAN DO: Write to Senators Sasser and Gore and to Congressman Cooper (addresses on p. 1) and urge them to contact the Corps on this matter. Send a copy to

Col. W. Kirkpatrick, District Engineer, Nashville District, US Army Corps of Engineers,  
P.O. Box 1070, Nashville, TN 37202)

B. Other Big South Fork NRRA developments

Various construction projects are in progress at Blue Heron in Kentucky, a site that will tell the story of the coal-mining community that flourished during the early part of the century. The final 4.4-mile section of the road, from ridge top to tippie, will be closed for construction until January 1987. Other Blue Heron developments presently underway include a campground (to be completed April 1986) and two scenic overlooks with access roads (to be completed August 1986). -- The major recreation site within the Tennessee portion of the BSFNRR, Bandy Creek, is slated to open in about a month. A great deal of erosional silt entered the river during the Bandy Creek construction. We need to urge the Corps of Engineers to keep erosion under control during the Blue Heron construction.

See ¶7B for abandoned mines in the BSFNRR.

3. OBED LAND ACQUISITION BEGINNING TO MOVE

A. Attempts to get the acquisition process speeded up; it moves

In July, TCWP wrote to key members of the Tennessee Congressional delegation asking them to urge the U.S. Dept. of the Interior to speed up the land acquisition process for the Obed WSR so that this great resource could be finally protected. Although the Obed was included in the original National Wild & Scenic Rivers Act of 1968 as a study river, and the lower half was designated as a National WSR in 1976 (9 years ago), only about one-fourth of the authorized acreage had been acquired by early August 1985. Funding is no impediment, since TCWP was successful both in 1983 and 1984 in obtaining additional Obed appropriations under the Land & Water Conservation Fund. Holdups have been the result of Sec. Watt's anti-acquisition philosophy and its ingenious translations (e.g., the Land Protection Plan diversion), and of just plain administrative foot dragging. In response to our letter, Sen. Sasser wrote to NPS Director Mott asking that Obed land acquisition be accelerated. Rep. Jim Cooper expressed his willingness to work with us to speed acquisition. Both deserve our gratitude.

Recently, we heard the good news that NPS has just acquired all acreages of the largest landowner within the corridor (Plateau Properties) -- the culmination of negotiations that have been in progress for years. This means that the NPS holdings are now more than half as large again than they were before: they went from 1235 to 1949 acres. In addition, 317 acres of the Obed WSR are protected by the Catoosa Wildlife Management Area. Almost 3000 acres still need to be acquired, however, so we hope the NPS does not rest on its laurels.

B. TCWP files formal complaint about pollution at Lavender

The major erosional damage caused by construction of a new Lavender Bridge has been a matter of great concern to us for some time (NL 141 ¶5B; NL 143 ¶1B). The bridge is being constructed across White Creek, only 4 miles above where it joins Clear Creek within the boundaries of the Obed National Wild & Scenic River. Our earlier letter (4/5/85) to the Commissioner of Transportation brought a response, but little if any improvement in the situation. On August 19, we filed a formal complaint (under Sect. 69-3-118 T.C.A.) with the Commissioner of Health & Environment. We reported on the findings of a TCWP Board member who had inspected the site on July 31 and had noted that no silt-retaining structure had been built -- an inadequate number of hay bales, inadequately located, being unable to prevent heavy erosion from entering the river. White Creek, once a beautiful, clear stream, now has 4-12 inches of mud deposited in it at many locations, leading down to the Clear Creek confluence.

The Obed WSR has no watershed protection beyond what the state can provide. We are most disturbed that a state agency (DOT) is actually polluting this watershed. The Dept. of

Health & Environment must respond to our formal complaint within 90 days, describing the action they will take. If we consider this action insufficient, we can request a hearing before the Water Quality Control Board.


#### 4. COLUMBIA DAM IS NOT NEEDED FOR THE SATURN PLANT

The draft report on the new Columbia Dam benefit/cost study (NL 142 ¶1; NL 143 Action Alert) has been delayed, presumably because the General Motors Saturn plant is now being considered as a factor in the calculations. Local dam supporters are doing their best to make politicians believe that the new water needs for the area can only be met if the project is completed. This is patently untrue, as the following considerations will show.

(1) The Saturn plant will require 3 to 5 million gallons of water per day for its operation. The Duck River without Columbia Dam supplies 90 million gallons per day to the Columbia water treatment plant intake. This flow is sustained even through the driest seasons because of water releases from the Normandy Reservoir.

(2) The Harpeth Valley Utility District (HVUD), which takes its water from the virtually unlimited supply of the Cumberland River, has offered to supply the Saturn plant. Harpeth Valley's water intake gets a minimum of 8.6 billion gallons/day, i.e. almost 2000 times as much water as the Saturn plant requires. In addition, HVUD points out that the cost of treating the Cumberland River water would be much lower than that for the Duck River, which has an algae problem now, and would have an even greater problem if the Columbia Dam were built. In fact, the Columbia Power & Water System would require a minimum of \$18 million to upgrade its treatment plant, etc.; this expense is additional to the \$160 needed to complete Columbia Dam.

(3) GM made the decision to invest in the Spring Hill plant without the existence of Columbia Dam or the assurance that it would be built. Obviously, the dam was not considered important to the decision. Even if TVA had all the money in the world (which it does not -- see ¶5A), and even if the mussel transplant program were a success (which it isn't), the dam could not be completed until 1991, too late to do the Saturn plant any good.

Local supporters of Columbia Dam requested a meeting with TVA Board Chairman Chili Dean, presumably to try to influence the writing of the benefit/cost draft report. At present, it seems unlikely (a) that TVA will take a position in the report, (b) that the report will be out before the Congressional conference committee acts on the TVA FY 1986 budget (see ¶5A). It is highly improbable that there would be an add-on to this budget earmarked for Columbia Dam; the worst-case scenario would be for this committee to direct that funds be taken from other TVA programs to pay for the project. TVA would like this as little as the rest of us.  WHAT YOU CAN DO: (a) Write to your U.S. Representative and both Senators (addresses on p. 1), letting them know how you feel about Columbia and why the Saturn plant should not be used as an argument for the dam. (b) Write to John L. Furgurson Columbia Project Manager, TVA (143 Evans Bldg, Knoxville, TN 37902) and ask that your comment be printed as part of the final report to OMB. Consult the Columbia Dam Action Alert we sent out with NL 143 (write us for replacement if you've lost yours).

#### 5. TVA NEWS

##### A. Non-power budget outlook

As of this writing, the conference committee has not come to a decision on TVA's non-power appropriation for FY 1986. The Senate bill includes ca. \$100 million, the House bill \$118 million. Assuming the final figure to be half-way between, this will represent a roughly 20% reduction from the FY 1985 level. (President Reagan had requested a 70% reduction!) The greatest reduction in force is planned for the Office of Natural Resources and Economic Development.

##### B. TVA Environmental Constituency Meeting to be held October 18 in Nashville

Environmental Constituency meetings were instituted when S. David Freeman was Chairman of the TVA Board, and they have been held at roughly yearly intervals since then. In the spring of 1985, several environmental groups formed the Valley Environmental Network, which, under the

leadership of Annetta Watson, has developed white papers to provide the basis for the program of the upcoming Constituency Meeting. It is hoped that the white papers and the meeting itself will provide the TVA Board with a statement of how the environmental community views the magnitude of selected problems (air quality, solid and hazardous waste, abandoned mine lands) and what role it thinks TVA should play in resolving the problems. If you have not received an invitation but are anxious to attend, call Annetta Watson (435-0797, evenings) or Martha Ketelle, TVA (632-6686).

#### C. TVA and stripmining

- (1) Last fall, TVA wrote to then-Secretary of the Interior Clark, urging him to restore an Abandoned Mine Lands program for Tennessee (see also ¶7B) and offering TVA services for interim management. The letter was not even acknowledged.
- (2) The TVA Division of Land and Economic Resources has recommended to the Board that the agency reinstitute inspection of stripmines that supply coal for TVA steamplants. The recommendation was prompted by a recent study of 273 coal purchase contracts involving 113 mines in 11 states. At least one-quarter of the mines were found to have severe environmental problems (worse in Kentucky and Tennessee than elsewhere), and operators were not in compliance with the federal law. TVA discontinued its own field inspections a year after that law was passed in 1977. Resumption of TVA inspections would be accomplished via personal shifts rather than new hires.

### 6. AROUND THE STATE: LOTS OF NEWS

#### A. Scenic Rivers recommendations finalized

The Tennessee Scenic Rivers Task Force, which met 5 times since its formation in October 1984, presented its recommendations to DoC Commissioner Howell on August 7. The group was very diverse, encompassing people who had been active in deleting the Collins from the State Scenic Rivers System along with those who were strong supporters of the System and instrumental in its inception. Therefore, the chairperson of the Task Force, Ann Tidwell, deserves great credit for having arrived at consensus. TCWP President, Bill Russell, and Board member, Don Todd, served on the Task Force.

The following items were recommended.

- (1) A statewide River Advisory Council, to monitor the program and generate support for it. In addition, a local River Council should be appointed for each designated scenic river.
- (2) A statewide river conservation policy (to be formulated by the Advisory Council) that promotes the benefits of sound river conservation planning.
- (3) A statewide rivers inventory, needed to set priorities for rivers protection.
- (4) An education program, aimed at DoC personnel, local land owners, and river users.
- (5) Increases in scenic rivers budget and staff, and upgrading of the program's status within the Department.
- (6) Preparation of a report on the status of rivers included in the System.
- (7) Summarizing of laws that provide some protection for rivers and their corridors.
- (8) Technical assistance to riparian landowners to promote sound conservation practices.
- (9) Implementation of a model scenic river. The thrust of implementation should be conservation and protection, rather than recreation.

#### B. Our governor heads national outdoors commission

We brought you the news on July 17 (NL 143 ¶5E), but the official appointment was not made until August 14: Gov. Lamar Alexander is chairman of the 13-member Commission on American Outdoors. (This is a successor to the Outdoor Recreation and Resources Review Commission, which issued its report in 1962). According to Alexander, the Commission will "look ahead for a generation and answer two questions: (1) what will Americans want to do outdoors? (2) what will it take to make sure they have a place to do it?" Alexander, who often hikes in the Smokies and has floated rivers across the country, said "Most Americans couldn't survive very well without access to the outdoors." Former State Senator Victor Ashe is executive director of the new Commission, which has been directed

to issue its report by Dec. 31, 1986. Because Alexander and Patrick Noonan (formerly with Nature Conservancy) are the only two members who advocate basic resource protection (the rest of the Commission being weighted with equipment manufacturers, parks concessionaires, and representatives of programmed recreation), there is some worry about the outcome of the study.

C. State outdoors commission created by governor

An Executive Order of August 1 created the Governor's Commission on Tennesseans Outdoors, which is attached administratively to the Dept. of Conservation. It has been charged with answering the same questions for Tennessee that the national commission is asking for all of the USA (see ¶6B, above). Among the specific information to be gathered is an inventory of appropriate places for outdoor recreation, the effects of various concerns on supply and demand, and the funding for recreation needs. The state commission is headed by Ann Tidwell, who chaired the scenic rivers task force (see ¶6A), is past president of TSRA, and chairs the Water Quality Control Board. It has 21 members, including: the state Senate and House majority and minority leaders; the TN. Commissioner of Conservation and the exec. director of the TN Wildlife Resources Agency; the superintendent of the Gt. Smoky Mtns NP and the supervisor of the Cherokee NF; TVA's Cultural Resources Program manager; several citizens associated with outdoor recreation groups or businesses; and at least two active in preservation of wilderness or natural areas, one of these being Will Skelton. Executive director is Doug Cameron of Sewanee.

D. National Guard Training Center (Spencer Range): update

The Army Corps of Engineers is conducting the Real Estate Assessment for the National Guard's proposed Spencer Range, a 114,000-acre military training center between Fall Creek Falls and Savage Gulf (NL 139 ¶ 1, NL 141 ¶ 2, ¶ 143 ¶ 5A). Corps representatives recently accepted an invitation by SOCM to meet with residents of the area to answer questions. The roughly 150 people who attended the meeting learned the following.

- (a) There would be no in-lieu-of-tax payments to the counties involved, since the government would be taking the land for military, rather than civilian, purposes. The counties would thus lose a major portion of their revenues, normally derived from property taxes.
- (b) Mineral rights (except in the firing range) would stay in the hands of current owners, i.e., stripmining could presumably continue.
- (c) The town of Piney would become a little civilian island in a sea of maneuvers.
- (d) Helicopters would be flying over the area itself and over adjacent areas where aviation leases may be obtained; some of these flights would be 50 ft or less above the ground.
- (e) The project would employ only 150 people on a permanent basis (National Guard Gen. Wallace had said 1000).
- (f) No public input will be possible into the real-estate study. The Corps will turn its report over to the Tennessee National Guard (TARNG) at the end of September. The Environmental Assessment, to be written by TARNG, is expected 6 months later and may or may not recommend that a full EIS (Environmental Impact Study) be carried out.

E. Dale Hollow Management Plan being further revised

Following the major outcry against the Dale Hollow Natural Resource Management Plan, and particularly against the proposed clearcutting (NL 139 ¶9B; TCWP comments summarized in NL 141 ¶4C), the Corps of Engineers created a multidisciplinary Advisory Committee which met in mid-May to discuss issues to be addressed in a Plan revision (NL 142 ¶3A). The Committee met again on July 16 to review the recommendations that had resulted from the May workshops. Large attendance at this latest meeting indicates that concern about the timber-harvest issue has not abated. However, several revisions appear more acceptable than the original plan. For example: no cutting within 1/4 mile of major recreational areas or, if greater, within line of sight (the latter definition to be refined); 100-year (instead of 80-year) cutting cycles; protection and enhancement of rare- and endangered-species habitat (will this include plants?); and establishment of small areas in which different timber management practices (selective vs clear cutting) would be demonstrated for 5 years before any further timbering was done. The Corps is now involved in a second re-write which will be presented to the Advisory Committee in late September, prior to the report's release in October.

F. Cleaning up the waters of Tennessee

Tennessee has 19,200 miles of streams and rivers, 675,000 acres of lakes and reservoirs, and 700,000 acres of wetlands. According to a recent report by the Dept. of Health & Environment about the period between 1972 and 1982, the water quality was improved in 13% of the river miles and 2.2% of the lake and reservoir acreage; it was degraded in 0.5 and 6.9% of these two types of waters, respectively. The bulk of the state's waters showed no change in quality during the 10-year period, despite a 15% growth in population.

Among the worst current pollution problems are those from nonpoint sources. Tennessee has the highest statewide average erosion rate in the nation: 14 tons/acre of cropland annually (100 tons in West Tennessee). Silt and acid runoff from surface mining has impacted over 800 miles of streams. Tennessee wetlands are disappearing at the rate of 10,000 acres per year.

The Select Committee on Clean Water, convened in 1983 at the request of Gov. Alexander, has made a number of recommendations that were approved by the governor and the 93rd and 94th General Assemblies. Many of these concern wastewater treatment. Others provide added staff for aquifer and ground-water protection, water quality enforcement, and regulation of oil and gas drilling and sand and gravel dredging. Several address the erosion problem by increasing technical assistance to farmers, reclamation of eroded areas (including provision of tree cover), and conversion of certain cropland to permanent cover.

On August 28, the governors of Tennessee and Virginia announced a cooperative plan for cleaning up the Clinch and Powell Rivers. The primary source of pollution is coal-mine runoff. Oil and gas exploration, municipal waste, and toxic chemicals also have adverse impacts on the rivers. A report on specific sources of pollution will be delivered to both governors in January. The plan is to improve water quality by stricter enforcement of existing laws.

G. EAF achievements merit continuing support

The Environmental Action Fund, EAF, is the lobbying arm of the Tennessee environmental movement. It is encouraging to take a look at this year's outcomes of environmental matters that came before the state legislature in terms of the role played by EAF. In identifying the issue in the table, below, we quote our headline for stories covered in earlier Newsletters.

<u>Issue</u>	<u>Reference</u>	<u>EAF action</u>
"Rare Plants Protection bill passes!"	NL 141 ¶3B	Extensive negotiation and lobbying over a two-year period
"Natural Resources Trust Fund passes"	NL 141 ¶3C	
"No new state stripmine bill this year"	NL 141 ¶3D	Drafted and introduced citizens bill, stronger than administration bill; but issue was not debated in 1985
"The \$2 million [natural areas] appropriation is passed"	NL 142 ¶2A	Lobbyist was able to mute controversy about this funding
Extending life of Soil Erosion and Wetlands Study Committee	NL 140 ¶3	Skillful last-minute lobbying led to passage of authorizing resolution during 2-day legislative session in June

<u>Issue</u>	<u>Reference</u>	<u>EAF action</u>
Dept. of Agriculture funding for erosion control	-	An EAF-drafted resolution, passed in 1984, created the committee (item above) that supported this funding

On Sept. 27, EAF is hosting a fund-raising party in Nashville. Nearby TCWP members have received invitations; but anyone who hopes the work will continue can send a contribution (EAF, P. O. Box 22421, Nashville, TN 37202).

H. State Natural Areas: addition made; suggestions sought

The existing 2500-acre state natural area on Bays Mountain (near Kingsport) was recently enlarged through the addition of 700 acres in Laurel Run Gorge. Other acquisitions are planned, making this the third largest natural area, surpassed in size only by Savage Gulf and Reelfoot Lake.

In early October, the Dept. of Conservation will be reviewing a list of potential natural areas for state acquisition and is soliciting nominations. Areas should contain significant species habitats and communities, unique geologic features, and/or scenic areas. Potential Natural Area Nomination Forms are available from Larry Smith, Natural Areas Coordinator (Tenn. Dept. of Conservation, 701 Broadway, Nashville, TN 37203), to whom completed forms should be returned by October 7.

J. Planned pine beetle control strategy will affect Tennessee

Future methods for controlling the Southern Pine Beetle in 14 states (including Tennessee) are being studied by the U.S. Forest Service. The last serious beetle infestation in our state occurred in 1976. The USFS, which expects to release a draft Environmental Impact Statement on the subject in November and the final EIS by February 1986, is seeking public comment to help determine which issues involved in beetle control should get the most in-depth study. One of these issues is wilderness: should beetle control be attempted there, and, if so, how? Information on the study can be obtained from Regional Forester, USFS, 1720 Peachtree Rd, NW, Atlanta, GA 30367. Comments should be sent to the same address.

7. STRIPMINE CAPSULES

Also see ¶5C

A. Frozen Head "Lands Unsuitable" litigation: update

Almost 1½ years have passed since the Commissioner of Health & Environment, responding to our petition, declared the 9 square miles of the Flat Fork watershed (adjacent to Frozen Head State Natural Area) as unsuitable for surface coal mining operations under Sec. 522 of the federal Surface Mining Act. The subsequent appeal of this decision by the mine operator and land company was heard before the State Board of Reclamation Review on April 17, 1985. This Board accepted the State Attorney General's opinion that it lost jurisdiction in the case when the State lost primacy (NL 141 ¶7). The appeal, however, continues to be pending before the federal Office of Surface Mining, and our attorney, Carol Nickle of LEAF (Legal Environmental Assistance Foundation), has had conversations with OSM concerning procedural questions. As long as the status quo continues, the area remains protected against coal surface mining, but industry may bring the case to life again any time.

B. We petition for Abandoned Mine Lands Funds

TCWP, along with 7 other groups, on August 5 submitted a petition to Interior Secretary Donald Hodel, requesting the establishment and funding of a Federal Abandoned Mine Land (AML) Program in Tennessee. As we pointed out earlier (NL 143 ¶6A), Tennessee, though it lost its right to 50% of AML monies when it gave up primacy, should still be eligible for that portion of the Fund (40%) that is under the discretion of the Secretary. [Operators pay 35¢/ton and 15¢/ton for surface- and deep-mined coal, respectively, into the AML Fund. Each state with primacy is automatically entitled to 50% of the money collected within it.



Another 40% goes into the Secretary's discretionary fund, expenditures from which by law shall be geographically allocated so as to "reflect both the area from which the revenue was derived as well as the national program needs for the funds."]

OSM has the discretion to operate a federal AML program in the state for reclamation of Priority-I or -II sites. During primacy, Tennessee, identified at least 30 Priority-II sites, totalling about 1000 acres, to be reclaimed during 1984-1986. (Several sites are within the Big South Fork NRRA, and TCWP has written to Sec. Hodel about these.) The AML Reclamation Fund Apportionment for FY84-FY92, released by OSM on 1/25/84, shows Tennessee entitled to \$16.7 million in Secretarial-share monies (i.e., OSM found a need for reclamation in our state). Our petition asks that Tennessee not be made to "continue to suffer the consequences of past abuse of the land."

The filing of the petition received press coverage and has aroused some interest of members of our Congressional delegation. If we can get the delegation behind us, we may succeed in attracting some of the discretionary funds. A letter from you to your U.S. Rep and Senators will greatly help in this regard (address on p. 1).

#### C. Mining proposal threatens Fall Creek Falls

An application for renewal of a permit to mine coal just 350 feet outside the Fall Creek Falls State Park boundary is before OSM. What makes this operation particularly undesirable is that it is located only 100 ft from Cane Creek, upstream from where this river enters the park. If permitted, the mining would continue for many years. The Dept. of Conservation has urged that the permit be denied under provisions of Sec. 522 of the federal Surface Mining Act, but, to date, OSM is merely requesting the operator to submit proposals for mitigating measures.

#### D. Pressure and negotiations lead to improvements in permits

Soon after the federal OSM took over the Tennessee program, it issued surface mining permits to operators who had not obtained their NPDES (water pollution discharge) permits from the State and might, in fact, not have been eligible for the latter. LEAF, on behalf of 3 environmental groups, expressed an intent to sue. This pressure and the subsequent negotiation process have now led to a Memorandum of Understanding between the State and OSM to coordinate issuance of surface-mining permits with NPDES permits. The threatened suit will therefore not be filed.

### 8. THE FEDERAL SCENE

#### A. More on the new Park Service Chief and his new boss

While the new National Park Service (NPS) director, William Penn Mott, continues to generate news that please environmentalists (see below), the recent appointment of his boss was greeted with misgivings. William P. Horn, who recently became Assistant Interior Secretary for Fish, Wildlife, and Parks, not too long ago served as deputy undersecretary to James Watt. In that capacity, he tried to engineer an Alaska lands swap that would have resulted in giving a wildlife refuge away to an oil company. Earlier, as an aide to Alaska Rep. Don Young, he routinely sided with developers and opposed conservationists.

NPS Director Mott recently endorsed the idea of protecting the greater Yellowstone ecosystem rather than only those lands that lie within park boundaries. Pressures from the surrounding areas (e.g., geothermal exploration, degradation of wildlife habitat) are having serious impacts on the "ecological island" which is the park. Mott's enthusiasm and love for the parks has lifted the morale of NPS personnel which had dropped to dangerously low levels during the Watt → Clark tenure.

#### B. Endangered Species Act reauthorization

On July 29, the House passed HR 1027 by voice vote. This provides for a 3-year reauthorization of the Endangered Species Act with only minor changes (controversial issues having

\* been avoided). Funding for FY1986 is frozen at the FY1985 level, but moderate increases are allowed for the subsequent two years. The Senate bill, S725, which would extend the Act for 5 years, has to date not even been marked up by committee. The bill's sponsor, Sen. Chafee, has argued against changes in the present law, but there are pressures on the committee to weaken existing restrictions on the sports hunting of grizzly bears and wolves. To oppose such weakening amendments, write to Senator Robert T. Stafford, Chairman, Committee on Environment and Public Works (U.S. Senate, Wash. DC 20510). Support amendments that would strengthen protection for plants, "candidate species," and peregrine falcons (presently, the sale of captive-bred peregrines is allowed, and provides cover for illegally captured wild falcons).

C. More on species extinction (from the Sierra Club Legal Defense Fund's August Newsletter).

Harvard Prof. E. O. Wilson projects that by the late 1980s, the globe's extinction rate could reach one species per hour. CEQ estimates that 15-20% of the earth's species may have become extinct by the year 2000. Extinction in its natural course (without man's intervention) is slow enough to allow for the refilling of niches vacated by the old species and for a realignment of ecological balance. Today, the struggle to preserve endangered species is most often a struggle to preserve their habitat in the face of human activity. Fortunately, the precedent has been set, in law, that adversely altering the habitat upon which an endangered species depends is tantamount to killing individuals of that species. Useful arguments can be made for preserving species because of their possible future value to man. But the value of a species is not dependent upon the perception of *homo sapiens* -- rather, a species' value is intrinsic. Each species is as worthy of sovereignty, respect, and survival as our own.

D. Clean Water Act reauthorization

Since our last report (NL 143 18D), the House voted 340: 83 on July 23 to pass HR.8, essentially as approved by committee. Conference committee action was postponed until September. One key difference between HR.8 and S.1128 (which was passed June 13) involves the length of pollution permit terms -- 10 and 5 years, respectively. Environmental groups favor the latter. There is some fear that Pres. Reagan may veto the bill because it increases funding levels for water cleanup.

E. Clean Air efforts

It is unlikely that any major action on Clean Air Act reauthorization will occur before next spring. The Senate Environment Committee is holding hearings in late summer and fall, with acid rain and toxics as the main topics. In the House, the Toxic Release Control Act, HR 2576 (Waxman, Wirth, Florio), which was meant to replace an existing section of the Clean Air Act, ran into stiff opposition during June hearings. A bill that deserves our support, S 1426 (Humphrey)/HR 2900 (Conte) would amend the Clean Air Act to prohibit utilities from using tall stacks as a substitute for pollution controls. This bill was drafted in response to EPA's new "tall stacks" regulations, which ignore the provisions of the Clean Air Act and fail to address actual pollution increases that would result from tall stacks. -- Acid rain note (close to home): Deformed small-mouth bass in Lake Chatuge, North Georgia, have reached frequencies of 11-17%. Tissue analyses by TVA and USFWS have ruled out certain chemical causes of the deformations and strongly point the finger at acid rain.

F. Synthetic Fuels Corp. trying to distribute largesse before being scuttled

On July 31, the House voted 312:111 to effectively abolish the Synthetic Fuels Corporation. The SFC was created by Congress in 1980 to hand out \$15 billion in subsidies for synfuel projects. Of the \$7.9 billion that remain, the House rescinded all but \$0.5 billion and planned to transfer the latter amount to DOE for a limited synfuels research program. Senate supporters of the SFC (primarily Sens. McClure and Johnston) subsequently vowed to bottle up any legislation that would directly abolish the Corporation. Realizing that they had about 3 months left before any Congressional action on their fate was finalized, SFC officials meanwhile decided to give away as much of the Corporation's money as they could agree on. Up to four projects are being considered for guaranteed loans and price supports amounting to \$2-4 billion. Critics refer to these projects as losers.

9. TCWP CANDIDATES FOR 1986

Submitted by the Nominating Committee: (Lynn Wright, Richard Raridon)

PRESIDENT: Liane (Lee) Russell, Oak Ridge, geneticist at ORNL. A TCWP founder, V.P. 1966, Pres. 1967-1970, dir. 1971-1985; Newsletter editor 1966-present. Instrumental in authorization and implementation of BSFNRRRA and Obed WSR. Also active on stripmine, wilderness, dam issues.

VICE PRESIDENT: Lynn Wright, Kingston, ecologist at ORNL, TCWP member 1975-present. Sec. 1976-78, Pres. 1979-80, Treas. 1981, Interested in wilderness and water-quality issues. Wants to increase visibility and membership of TCWP.

TREASURER: Charlie Klabunde, Oak Ridge, physicist at ORNL. TCWP Treasurer for 12 years, in charge of membership records. Past Pres. of SMHC; member of TTA; active folk dancer.

SECRETARY: Eileen Neiler, Oak Ridge, housewife. TCWP Secretary 1984-85. Active in Girl Scout movement and in Oak Ridge beautification. Member, Arboretum Soc.; wildflower enthusiast.

DIRECTORS: (5)

Richard Ambrose, Oak Ridge, Zoologist/Ecologist with Science Applications International Corporation. TCWP member of 16 years. Concerned about destruction of natural habitats. Believer in public information and political action to accomplish goals. Interested in sailing, backpacking, hiking, and photography.

Chuck Coutant, Oak Ridge, Senior Research Ecologist at ORNL, TCWP board 1982-1985. President of Citizens Council for Clinch River Planning; Chairman of EQAB. Interested in preserving undamaged ecosystems.

Owen Hoffman, Oliver Springs, Environmental Scientist, TCWP board 1981-83. Member of Sierra Club and National Park and Conservation Association. Strong interest in preserving natural areas. Has conducted hikes for TCWP.

Martha Ketelle, Knoxville, Assistant to Director for Environmental Quality at TVA, TCWP member for 12 years. Professional career has provided 8 years experience in areas of environmental policy and legislation on a national and local level. Concerned about rivers and water quality issues.

Eric Morgan, Cookeville, Assoc. Professor of Biol., Tenn. Tech. Univ., TCWP Board 1984-85. Has done WQ analyses and biological monitoring in Smokies, Cherokee, Duck R., Ocoee, etc.

Dick Roop, Clinton, Ecologist at ORNL (Energy Division) doing environmental impact assessment work. "I believe that the U.S. military budget is a major obstacle blocking many of our environmental goals, and I would like to see TCWP devote a small effort toward reducing the greatest environmental threat of all - nuclear annihilation."

Don Todd, Wartburg, teacher, retired. TCWP board 1971-73, 1978-80, 1983-84; V.P. 1981-82; Pres. 1974-76. Pres. TTA 1971-72. Played major role in initiating the Tenn. Trails Systems Act, and obtaining National Wild River status for the Obed. He recently received the Gulf Oil award primarily for his work in having the area adjacent to Frozen Head State Park designated unsuitable for stripmining.

NOMINATING COMMITTEE: (3)

Miriam Guthrie, Oak Ridge, physicist, Dir. of Info Center at ORNL. TCWP Board 1982, 1984-85; V.P. 1983; has helped organize TCWP annual meetings. Past member O.R. Planning commission.

(continued)

Ronald Foresta, Knoxville, Asst. Prof. of Geography at UT. specializing in land-use planning.  
Author of books on land protection and on the Natl. Park Service. TCWP board 1984, V.P. 1985.

Hal Smith, Oak Ridge, Physicist, Member TCWP since its inception, Has served as Treasurer, Vice President, and board member. Generally interested in protecting the environment of TN. Particularly interested in the Big South Fork area.

#### 10. THINGS TO DO AND THINGS TO READ

- "TCWP Profile," is a 2-page summary of TCWP's history, areas of activity, achievements, special services. For copy, send self-addressed, stamped (22¢) envelope to TCWP, 130 Tabor Rd, Oak Ridge, TN 37830
- An Elderhostel program will be held at the Tremont Environmental Education Center in the Smokies, Dec. 15-21, 1985. Courses to be offered are "Bears, Boars, and More," "Smokies past," and "Exploring Nature with Children." Other programs follow in 1986. Anyone interested in learning more about this nationwide program for people over 60 should write ELDERHOSTEL, 80 Boylston St., Suite 400, Boston, MA 02116
- Backpacking and Wilderness Survival is Course #861395 to be offered by the U.T. Div. of Continuing Education. Five sessions, separated by 2 wks, start Sept. 23. Instructor, Joel Zachry; fee, \$50. For info, call 974-6688.
- "An Environmental Agenda for the Future," by 10 leaders of America's foremost environmental organizations, addresses issues such as protected land systems, public lands, energy strategies, water resources, etc., and recommends integrated, corrective action. Published 1985 by Agenda Press, 3rd Floor, 645 Pennsylvania Ave, SE, Wash. DC 20003.
- "National Parks: Air Quality and Acid Rain Damage," contains important committee testimony and selected news articles. "Acid Rain Packet," includes a summary of acid rain legislation, testimony, articles. Each for \$5 from National Clean Air Coalition, 530-7th Street, SE, Wash. DC 20003.
- "Promised Land: Adventures and Encounters in Wild America," by Michael Frome, presents moving stories of individuals fighting to preserve nature, and explores the magnetism that draws people, transformed by their love of the environment, to wild America. (\$18.95, published by Wm. Morrow & Co., Inc. 105 Madison Ave, New York, NY 10016).
- Natural Areas Journal, published quarterly by the Natural Areas Assoc., (320 S. Third St., Rockford, IL 61108) facilitates the flow of information between people who actively care about natural areas issues. Dues (including journal subscription) are \$10.
- "The Audubon Wildlife Report 1985," is a 650-page field guide to government natural resource agencies. The Fish & Wildlife Service receives special attention, and programs as well as agencies are explored. (\$16.50 from Wildlife Report, Natl. Audubon Soc., 950 Third Ave, New York, NY 10022). Will be published annually.
- "An Ecological Perspective on Flood Mitigation," by G. Richard Marzolf, is recommended by Alex Duris. Write: Coop. Extension Service, USDA, Clemson Univ., Clemson, SC 29631
- A symposium on Freshwater Wetlands and Wildlife will be held March 24-27, 1986 at Charleston, SC. Participants will come from the scientific community, private industry, and regulatory agencies. Write Savannah River Ecology Lab, Drawer E, Aiken, SC 29802.
- Research into the characteristics and usefulness of wetland ecosystems has been published in 3 volumes, edited by Katherine Carter Ewel and Howard T. Odum. (University Presses of Florida, 15 NW 15th Street, Gainesville, Florida 32603).

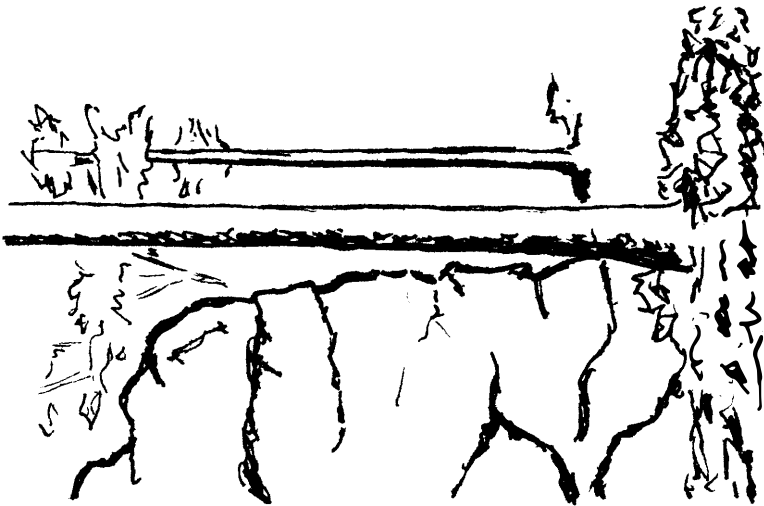
ERRATUM: In NL 142 dates in top right-hand corners of odd-numbered pages should read 6/3/85 (not 3/3/85)

Come to TCWP's weekend at Pickett!  
(announcement enclosed)

Fall Weekend at Pickett

Oct. 11 - 13, 1985

TCWP  
Annual Meeting



Join us at one of Tennessee's most scenic parks for a weekend that combines fun, learning, and companionship.

In addition to informative talks by distinguished speakers, the program includes several outings, slide and movie shows, and relaxing times around the fireplace.

Comfortable accommodations and tasty meals are available at a very reasonable cost.

Bring your family and interested friends!

Registration Form

Please return your registration form and check not later than October 4 to  
T C W P, 130 Tabor Road, Oak Ridge, TN 37830

FEES: The amounts below are per adult and child over 12  
Children aged 8-12 half price; under 8, free

Friday evening to Sunday noon (2 nights, 4 meals, 1 snack)	\$27.00
Saturday morning to Sunday noon (1 night, 3 meals, 1 snack)	\$18.50
Saturday only (2 meals)	\$11.00

Name(s) . . . . . Expected arrival day & time . . . . .

Address . . . . . Expected departure. . . . .

. . . . . (Zip) . . . . .

Phone: Home . . . . . Work . . . . .

Number in party: adults and children over 12 . . . . . Children 8-12 . . . . .

Children under 8 . . . . .

Do you plan to stay in a bunkhouse? . . . . .

Do you plan to bring slides to show Saturday night? . . . . .

a guitar or other instrument? . . . . .

Total amount enclosed . . . . . Please attach check or money order (staple or tape)

Let us know addresses of others who should receive this announcement

PROGRAM: TCWP 1985 ANNUAL MEETING

October 11 (Friday)

- \*7:00 - 9:00 p.m. Registration in the group-lodge dining hall
- 8:15 p.m. "Trekking and rafting in Nepal" (movies and slides)

October 12 (Saturday)

- 7:00 a.m. Breakfast in the dining hall
- 8:30 a.m. FOREST PLANNING FOR TENNESSEE  
Bob Rochelle, Staff Forester in charge of Forest Planning,  
Div. of Forestry, Tenn. Dept. of Conservation  
*(TCWP has a special interest in protecting certain  
ecologically valuable areas within state forests, and  
has embarked on a Pickett study project)*
- 9:15 a.m. ABANDONED MINE LANDS IN THE TENNESSEE VALLEY: STATUS  
AND CURRENT CITIZEN ACTION  
Annetta Watson, Chair, SOCM Stripmine Committee  
*(With Tennessee's loss of primacy for stripmine  
regulation, the problem of orphan-mine reclamation  
has become especially acute)*
- 10:00 a.m. Tea and coffee break
- 10:15 a.m. TENNESSEE'S NATURAL AREAS PROGRAM: AN UPDATE  
Dan Eagar, Director, Division of Ecological Services,  
Tennessee Department of Conservation  
*(During the past 2 years, TCWP has helped secure  
millions for the Natural Areas program. We'll  
hear about progress and planning by the State)*
- 11:00 a.m. OBED AND BIG SOUTH FORK: PROGRESS AND PROBLEMS  
Charles Vial, Superintendant, Big S. Fork NRR and OBED WSR  
*(TCWP was instrumental in getting these two river  
systems protected through federal legislation, and  
is working to speed up implementation, avert threats)*
- 11:45 a.m. Lunch

\* Note that Pickett is on Central Time

- 12:45 p.m. Outings: (a) Slave Falls, BSFNRRA, 3 mi RT, easy to moderate.  
This hike will be led by a BSFNRRA ranger  
(b) Longer hike in Pickett on which some of us will  
gather information for the TCWP Pickett project  
(c) Preview of Bandy Creek Recreation Area  
(official opening the following week)
- 6:00 p.m. Board meeting (1985 and 1986 members)
- 7:00 p.m. Dinner
- 8:00 p.m. TCWP business meeting. Elections, financial report
- 8:30 p.m. Slide-show by Mack Prichard, Dept. of Conservation: "Preserving  
Tennessee's Natural Heritage"  
Slide and movie shows: bring your favorites

October 13 (Sunday)

- 7:00 a.m. Breakfast
- 8:30 a.m. Camp cleanup
- 9:00 a.m. Workshops and/or hikes
- 11:30 a.m. Snack

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SLEEPING ARRANGEMENTS: The Pickett group camp has 6 comfortable bunkhouses, each with two 12-bunk rooms (with washbasins) and sitting room with fireplace. Bathhouses (showers, toilets) are close by. The bunks have good mattresses. Bring your own bed linens, blankets or sleeping bags, pillows, towel, soap. Families can stay together in the same bunkhouse.

MEALS: All meals on Saturday and breakfast on Sunday will be served in the large dining hall. We'll have snacks for a Sunday lunch you can pack for a hike or eat in the dining hall. If you plan to come early on Friday, eat before you arrive, or cook your own meal in the camp kitchen. Pickett does not have a restaurant. Registrants will be asked to help with a few kitchen or clean-up chores.

DIRECTIONS: Pickett State Park is northeast of Jamestown on Highway 154. The Group Camp is one mile beyond the Park office, on the right. Take Highway 27 north through Wartburg, left on 52, right on 127, right on 154. Faster (but maybe longer) route: I-40 to Jamestown exit, 127 north, right on 154. Estimated driving time: 2 h from Oak Ridge.

FOR MORE INFORMATION: Call Lee Russell 482-2153 (H), 574-0860 (W)

RETURN REGISTRATION FORM BY OCTOBER 4