

TENNESSEE CITIZENS FOR WILDERNESS PLANNING  
Newsletter No. 145, November 7, 1985\*

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

# 1. OBED: TOO LITTLE FEE-SIMPLE ACQUISITION

## A. Protection weakened by NPS plan to purchase easements in lieu of fee simple

Though some progress has recently been made in the land-acquisition process (NL 144 ¶3A), another problem seems to be emerging: much too much of the land that should have been acquired in fee simple is slated for scenic easements, and easements aren't at all popular with sellers. The reason for this is that the seller signs away almost all of his rights, yet gets less purchase money than he would for fee simple and, on top of this, has to continue paying property taxes to the county. Under the terms of the National Wild & Scenic Rivers Act, the Park Service (NPS) would be allowed to buy 4520 acres in fee, the statutory limitation being 100 acres per river mile in fee, and there being 45.2 miles designated for the Obed system. Yet, under the 1984 Land Protection Plan, LPP (which was a brainchild of Sec. Watt's), NPS is projecting to acquire only about 1583 acres in fee (i.e., one-third of the permitted amount) and about 2084 acres in "less-than-fee" (i.e., easements), for a federal total of 4768 acres. [Total acquisition, including easements, is limited by the Wild & Scenic Rivers Act to 320 acres/mile, so, theoretically, the Obed acreage could total 14,464 acres.] The LPP greatly emasculated the former Land Acquisition Plan, by which lands in the gorge were to be acquired in fee, and only the buffer-strip lands back of the rim were to be easements. NPS at that time wisely realized that management objectives would best be achieved in this manner.

The Land Protection Plan states that "revisions of the plan will be made as necessary to reflect changing conditions." Such revisions are definitely in order now (at a minimum, a return to the original Land Acquisition Plan), because (a) a weakening of the easement restrictions would be totally incompatible with management objectives for the gorge and with the objectives of the Wild & Scenic Rivers Act, and (b) without such a weakening, many owners will refuse to sell easements.

TCWP is communicating this problem to the leadership of NPS, to key members of Congress, and to the National Parks and Conservation Association.

## B. Water-quality protection for Obed and Big S. Fork: a big step forward

The Division of Water Management of the Tenn. Dept. of Health & Environment is to be highly commended for taking the initiative in addressing the complex issue of water-quality protection for the BSFNRR and the Obed WSR. Although both of these areas have federal status, their WQ is vulnerable. Large portions of the watersheds are open to developments such as road building, agriculture, timbering, mining, oil & gas extraction, home building, and industrial discharges. Some of these activities are regulated by State or Federal agencies, while others are not. Betsy Williams of the Water Management Division recently took the lead in organizing a meeting (held Oct. 16) of the representatives of the various agencies involved and of the interested constituency groups. TCWP was represented by Pam Petko-Seus, who reports that one major topic of conversation was WQ damage from active and abandoned stripmines in the watersheds. The sharing of information among the agencies and groups about respective roles, and about problems and approaches, will hopefully establish a process that cannot help but be beneficial to WQ protection and that will raise State and Federal awareness of the value of the resources. We hope that meetings of this type will continue to be held on a regular basis.

## C. Capsules (from Superintendent Vial's talk at TCWP Annual Meeting)

- The deadline has passed for the B&W Oil Co. to appeal denial of its permit application for a gas pipeline crossing of Clear Creek (NL 139 ¶5A, NL 141 ¶5A). The issue is thus dead.
- Three picnic tables with grills and two restrooms are being installed at Nemo Bridge.
- Water sampling is being done by NPS to discover pollution sources.
- NPS is trying to rent space in a former bank building in Wartburg in order to develop a visitor facility.
- NPS hopes to increase interpretive services for the Obed, since a supportive public is the best long-term protection for the resource.

## 2. BIG SOUTH FORK: WRONG PRIORITIES

### A. Needed: less gold-plating of developments, more land protection!

Those of us who visited the Bandy Creek campground development during our Annual Meeting agreed unanimously with earlier reports that it was "gold-plated" (it cost \$6.3 million). The Corps evidently chose to expend huge sums for a luxury development in preference to using some of the money for the acquisition of important, beautiful, and fragile lands within the authorized boundaries of the BSFNNRA. Now that an additional \$53 million are in the offing for another campground and for lodge construction (Bear Creek, Ky), we must urge that further gold-plating be avoided and that some of the money be used for land acquisition. Of particular importance is the "deferred area" lying between upper North Whiteoak Creek and its Laurel Fork, a lovely wild region within which stripmining threatens (estimated cost, \$8 million).

WHAT YOU CAN DO (make this a high priority!): Write to Senators Sasser and Gore and to Congressman Cooper (addresses on p.14) 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. Capsules (including some from Superintendent Vial's talk at our Annual Meeting)

- Representatives of TCWP and the Sierra Club, meeting recently with the Wilderness Society's SE Regional Representative, decided that, among BSFNNRA issues, acquisition of "deferred areas" should have our highest priority. Support for wilderness designation within the BSF Area will require preliminary spade work through local contacts and education, and is thus of less immediate concern.
- The BSFNNRA is being run by NPS on less than 1% of the capital investment. This is not sufficient. There are now 27 employees.
- Scott County is claiming ownership of some roads within the BSFNNRA and, on this basis, objects to their being closed. Some of these roads have never in the past been listed as county roads, or shown on county road maps. Legal title will have to be settled, and some rights may have to be bought by the Corps.
- NPS does not want to take a stand in favor of a wilderness proposal for an area within the BSFNNRA
- The archeological resources of the Area still have not been fully explored. In the interest of preserving these resources, some trails may have to be relocated.
- Wild boars may turn out to be a problem, even though (in contrast to the Smokies) hunting is permitted in the BSFNNRA: Kentucky does not recognize hogs as a game species.

## 3. FROZEN HEAD: IMPORTANT DEVELOPMENTS ON OUR "LANDS UNSUITABLE FOR MINING" PETITION

A potentially dangerous situation was recently averted as a result of the alertness and diligence of our attorney Carol Nickle (Legal Environmental Assistance Foundation) and the quick assistance given by Don Todd. To refresh your memory: on April 16, 1984, the Commissioner of Health & Environment (DHE), responding to a petition by 3 individuals and 3 groups (including TCWP), designated 9 square miles of the Flat Fork watershed as unsuitable for surface coal mining operations under Sec. 522 of the federal Surface Mining Act. The mine operator and land company appealed the decision to the TN Board of Reclamation Review, but this Board ruled that it had no jurisdiction to hear the appeal, since Tennessee had lost primacy. We subsequently expected a similar appeal to be filed with the federal Office of Surface Mining (OSM).

Recently, our attorney got wind of the possibility that OSM might not adopt the original DHE ruling. Had a permit for permission to mine been filed, OSM could, in that case, have granted it, with all of our previous effort and achievement going for naught. Acting quickly, Carol and Don filed a new 522 petition with OSM (speed being of the essence, since a petition must precede a permit application). The petitioners also filed a Motion to Determine Status; asking OSM to recognize, defer to, and uphold the original

"unsuitable for surface mining" determination by the TN Commissioner of Health & Environment. If OSM chooses not to do so, they will have to go to the time-consuming effort of following up on our new 522 petition.

#### 4. MINING PROBLEMS: OIL, GAS, COAL

##### A. Unregulated oil & gas drilling: a major threat to the Cumberlands

A recent front-page article in The Oak Ridger (9/24/85) and a follow-up editorial (10/1/85) did much to bring to light the major and possibly irreparable damages to ground water, surface water, and land caused by unregulated oil and gas drilling in the Cumberland Mountains. Among the conditions described: wells that are insufficiently lined with cement, thus leaking petroleum, salt water, and heavy metals into aquifers; pits (which drillers are required to dig to catch leaks and spills) almost routinely constructed with overflow pipes that empty oil into creeks or onto the unprotected ground; surfactants (detergents) spilling all over the landscape; unburied pipelines that stream through the woods like spaghetti and that frequently leak when they are shot at, driven over, or burst after a freeze; clearcuts on very steep slopes to accommodate pipelines or haulroads.

The Oil and Gas Board has only 5 inspectors to oversee about 10,000 active and inactive wells, and to tackle over 30 new applications per month, and the industry is obviously not self-policing. Fines are laughably low. Permits are issued merely on the basis of an applicant's statement that he'll abide by regulations. During the 1985 legislative session, the Oil & Gas Board supported a bill that would have required a driller to post bond, to submit pre-drilling plans, and to abide by reclamation regs, but industry pressure succeeded in bottling this bill up in committee. In 1986, the Environmental Action Fund will hopefully be able to lobby for similar legislation; TCWP, a member organization, gave this issue a high priority rating (see ¶6A, this NL).

WHAT YOU CAN DO: Contact your state legislators concerning the urgent need for legislation to regulate oil and gas exploration and extraction in Tennessee. (See TCWP's 1985 Political Guide for addresses; or call us.)

##### B. Citizen action needed to get Abandoned Mine Lands (AML) funds for Tennessee

It was a political decision, rather than one founded in law, that is causing the Department of the Interior to withhold AML funds from Tennessee. Although Tennessee lost its right to 50% of AML monies when it gave up primacy, it has not ceased to be eligible for the discretionary portion of the Fund. Our August 5 petition to Interior Secretary Hodel (NL 144 ¶7B) has brought no response. Those of us who attended the TCWP Annual Meeting were confirmed in our belief that something must be done when we saw the slides presented by Annetta Watson: 7000 ft of highwall at the Catoosa Rd site, an exposed ultra-steep slope with toxic leakage at Double Top near the Pickett-Fentress Cy. line, an unstable spoil pile that keeps sliding over the Woodson Gap Road (the only way to and from their homes for 50 people), etc., etc. The Administration's decision to withhold AML funds for Tennessee is punishing the wrong people and ruining the land and the water. All members of the Tennessee Congressional delegation have written to OSM, and so has TVA. TVA has, in fact, offered to be the interim administrator of an AML program (¶7A, this NL). Perhaps some direct citizen pressure may finally force the issue.

WHAT YOU CAN DO: Write to Sec. Donald P. Hodel and to Jed O. Christensen, Acting Director, OSM. Both are at the U.S. Dept. of the Interior, Wash. DC 20240. Send copies of your letters to Senators Sasser and Gore and Congressman Jim Cooper (addresses on p. 14 ).

##### C. Watt's stripmine regs being overturned: round #3

Right from the beginning of his tenure, former Interior Secretary James Watt put a lot of USDI's effort into re-writing the regulations that had been promulgated during the Carter Administration under the terms of the 1977 federal Surface Mining Act. Soon after Watt's hundreds of weakening changes went into effect, they were challenged in court by an environmental coalition. The outcome of this challenge has been a series of decisions over the past year or so by U.S. District Court Judge Thomas Flannerty,

each of them striking down the majority of Watt's perversions of the regulatory program (NL 137 ¶6A, NL 139 ¶3B). The latest (third) round of Flannerty rulings has continued the process: the environmental groups won on about three-fourths of the issues they raised. Watt's versions of regs that the court found to be invalid in this latest ruling include those dealing with petitions to declare lands unsuitable for surface mining, definitions of valid existing rights to mine within federally designated areas, mountain-top removal, notice for exploratory permits, revegetation requirements, definition of an "affected" area, etc.

For TVA's new involvement in mine inspection, see ¶7B.

#### 5. TENNESSEE'S NATURAL AREAS PROGRAM: AN UPDATE

[Based on written summary and talk delivered at TCWP Annual Meeting by Dan Eagar, Director, Div. of Ecological Services, DoC]

- A. Acquisition. Of the \$4 million for acquisition of natural and cultural areas that were appropriated during the past two legislative years, \$400,000 has been spent, with \$250,000 of this going for Natural Areas acquisition. Of 32 sites proposed by the Division of Ecological Services (DES), 3 have been acquired, and there is some movement on 7 others. The reason for this very slow pace is the cumbersomeness of the bureaucratic process that is set in motion after DES lists the candidate Natural Areas: 5 additional steps are required, the most protracted of which is often the approval by the State Building Commission to proceed with survey, appraisal, title research, and acquisition. As a result, collaborative work by The Nature Conservancy and the Southern Appalachian Highlands Conservancy has been a major factor in the few successes that can be chalked up to date.
- B. Funding. The 1986 legislature will hopefully appropriate an additional \$2 million for the acquisition fund. Next year's budget request also includes funding for a full-time Natural Areas Administration (a new position), and for a Natural Areas Management Fund to enable better stewardship of existing and new areas.
- C. Other legislative considerations. The Governor's legislative package will contain an amendment to the Natural Areas Act to designate those areas that have been (and, hopefully, will be) acquired for this purpose as State Natural Areas. Another amendment will allow the Department to enter into agreements with private groups concerning management of certain Natural Areas. Several other amendments would also be highly desirable, e.g., to allow administrative (rather than legislative) designation of Natural Areas on state-owned lands, to expand the registry (see D., below) to include public lands, to streamline the acquisition process, and to dedicate natural areas to the public trust (this would give citizens more recourse through the courts). It will also be important to assure that Natural Areas legislation does not get lost in the shuffle over more visible Administration issues, such as prison reform.
- D. The Natural Areas Registry, established through the original 1971 Act, gives special recognition to private lands that possess unique natural values. During the past year, 12 new areas were added to the Registry, bringing the total to 55. For about half of these, cooperative management agreements have been entered into.
- E. Planning and Policy. The "Natural Areas System Plan" was approved by <sup>the</sup> Department's Policy Committee and is now being printed. The issue statements in the draft have been converted into statements of policy. The Natural Areas Task Force (on which TCWP was represented by Sandra Edwards, and which had considerable input into the drafting of the Plan) has been permanized as a standing Natural Areas Advisory Committee, which will provide oversight, guidance, and support for the Program.

## 6. OTHER STATE NEWS

### A. Environmental Action Fund developing agenda

EAF, the lobbying arm of the Tennessee environmental movement, is currently engaged in choosing priority issues on which to lobby during the 1986 session of the Tennessee General Assembly. A list of the possible topics was presented to the TCWP Board by Paul Somers, our liason person with EAF. The Board voted for the following priority order: (1) a \$2 million appropriation for further acquisition of natural and cultural areas (see ¶ 5, this NL); (2) a bill to regulate the surface environmental effects of oil and gas drilling (see ¶ 4A, this NL) and to require a bond for these operations (such a bill, introduced but not acted upon in 1985, has Administration support); (3) if the Administration or the coal industry push for a bill to return stripmine regulation to the state, an environmentalists' version of such a bill; (4) wetlands acquisition and soil-erosion-control issues.

### B. Governor's Commission on Tennesseans Outdoors

Gov. Alexander, who chairs the President's Commission on Americans Outdoors (NL 114 ¶ 6B, and ¶ 12A, this NL) created the state commission by executive order on Aug. 1. In our last NEWSLETTER (NL 114 ¶ 6C) we described the composition of GCTO and its objectives. Doug Cameron, GCTO's executive director, came to the TCWP Annual Meeting and made a plea for input from the conservation community. Since then, we have heard that billboards, land trusts, and broader community use of schools are emerging as areas of focus. How about more ideas and concerns from our readership? Since TCWP is preparing to have input, you may want to send your ideas to us (address on bottom of p. 1). Much of our input will center on mechanisms to protect additional lands and waters from developments, and on avoiding adverse impacts from recreational use of these lands and from overuse of lands that have already been set aside. If you wish to communicate directly with Tennesseans Outdoors, write 300 Citizens Plaza, 400 Deadrick St., Nashville, TN 37219.

### C. State Forest System Plan

Staff Forester Bob Rochelle, speaking at our Annual Meeting, presented an overview of the State Forest System. The system includes 13 Forests covering 151,018 acres. Five of the Forests contain state parks, and 6 contain wildlife management areas. Some of the acreage consists of poor land bought during the Depression to facilitate resettlement of farmers; other areas were heavily logged by the original owners, then donated to the state. All in all, the forests are now in a much better condition. The compartment planning system used for state forests was copied from national forests. Pickett, e.g., has 12 compartments, each of which is subdivided into stands of usually 25-30 acres. Each year, a 10-year plan is made for one compartment, using a 100-year rotation. Based on information concerning locations of endangered species or archeological sites, and on input from citizens, some compartments may be "taken out of management," i.e., left alone. TCWP's Pickett study (¶ 10F, this NL) hopes to provide informed input for just such decisions.

A copy of the 96-page Tennessee State Forest System Plan, provided by Mr. Rochelle, may be borrowed from TCWP.

### D. Department of Conservation people

- Commissioner Charles A. Howell, III, on Sept. 16, received the prestigious Fellow Award of the National Assoc. of State Outdoor Recreation Liason Officers for his contributions to natural resources conservation.
- Michael Countess has been named DoC director of Planning and Policy Development, succeeding Walter Criley who died during the summer. Mike Countess, an Oak Ridger, joined DoC in 1972 as scenic rivers program administrator, and in 1977 became chief of planning for natural resource areas (state natural-areas, scenic-rivers, and scenic-trails systems). Two years later, he transferred to the Division of Forestry and became forest resource planner.

E. Tennessee River Gorge project

The Nature Conservancy (TNC) is continuing its progress toward protecting this major natural resource (NL 142 ¶3D). Of the 25,000-acre project area, over 14,000 now have some sort of protection: 9800 acres of public lands (TN Div. of Forestry, TWRA, TVA) through management agreements; over 3,000 acres of private lands (4 owners) likewise through management agreements; and 1,100 acres recently donated to TNC by the Cartter Patten family. For more information, call Project Leader Graham G. Hawks, Jr., 615, 266-0314.

Correction: for Cartter Patten family substitute Bowater Paper Co., Inc.

F. Groundwater Protection Policies for the Tennessee Valley and the Nation was the title of a conference convened by Senator Gore on October 19 in Nashville. Gore is Vice-Chairman of the U.S. Congress' Environmental and Energy Study Conference, which is hoping to develop a sound and thoughtful groundwater protection agenda for the Congress. The conference was co-sponsored by TVA. Round-table discussants included staff of state and federal agencies, industry representatives, a mayor, and a spokeswoman for the environmental community (Deborah Vogel, Tenn. Environmental Council).

G. Tennessee's deteriorating water quality is evidenced by a continuing decline in the state's mussel population, recently documented by the U.S. Fish & Wildlife Service. Industrial wastes, construction of dams, and silt and toxic runoff from mines and agricultural lands are the major water-quality problems.

## 7. TVA'S ENVIRONMENTAL PROGRAMS

A. TVA Environmental Constituency meeting revolutionizes the process: a major success

In the past, these annual meetings had been organized by TVA, and the invited representatives of the environmental community came to hear presentations by TVA staff. This year, thanks to Annetta Watson, the approach was totally different. Annetta set up VEN, the Valley Environmental Network, which worked for months prior to the meeting soliciting input from citizens groups and individuals and, based on this input, developing position papers on the three topics that had emerged. These were Abandoned Mine Lands (AML), Air Quality, Solid (and hazardous) Waste. The position papers were available before and during the meeting and were the subject of concurrent workshops during which each group drew up a set of specific and feasible recommendations to the TVA Board. Everyone then assembled to hear the recommendations presented to the Board and the Board's comments.

It was a thoroughly successful approach that obviously pleased both the Board and the environmental-group representatives. The people chiefly responsible for this major success were Annetta Watson (for the citizens) and Martha Ketelle (for the TVA Environmental Quality Staff). They deserve our gratitude! Hopefully, this was only the first of a series of similar conferences; TVA is anxious to continue the VEN and will soon be sending out follow-up questionnaires.

TCWP representatives, Sandra Edwards and Don Todd, both attended the AML workshop. Among that working group's recommendations to the Board were (a) that the TVA Board, together with the Tennessee and Georgia Congressional delegations and VEN representatives, meet with the OSM Acting Director Christensen to discuss options of AML reclamation in the two states (neither of which has primacy), and (b) that TVA could be an effective administrator of an interim AML program until either the state(s) regain primacy, or OSM establishes a permanent program. TVA made public the draft of a letter from Chairman Dean to Interior Sec. Hodel offering such services and expressing the hope that, by working together, the two agencies could arrive at creative solutions to the AML Program dilemma. This letter is a follow-up to an earlier similar communication sent to former Interior Sec. Clark, a communication that was never acknowledged (NL 144 ¶5C).

B. TVA resuming coal-mine monitoring

A year after the 1977 federal Surface Mining Control and Reclamation Act (SMCRA) was

passed, TVA discontinued field inspection of mines that supplied coal for its steam-plants. As of October 1, 1985, these inspections are being resumed, as a result of a study by the TVA Div. of Land & Economic Resources (NL 144 15C) that showed "areas of concern" at 44% of the sites involved in a sample of 273 coal-purchase contracts. In addition to finding lack of (or delays in) reclamation, inadequate silt control, and other environmental problems, TVA inspectors discovered that 23% of the mines that were supposedly supplying the coal were in fact inactive. This means that the operator may be buying from, or be himself engaged in, illegal wildcat operations. TVA coal-purchase contracts contain a stipulation that no coal may be delivered unless it is mined in a legal manner and comes from a TVA-authorized source. TVA (with funds from its power budget) now plans to monitor 20% of its spot purchase contracts and 5% of its (larger) term contracts, and will report violations of SMCRA regs to the proper regulatory authority (OSM, in the case of Tennessee). Contracts will be terminated if a contractor fails to take action. At the Environmental Constituency Meeting (17A, above) it was recommended that the TVA program on contract compliance be enlarged.

C. see p. 13

## 8. COLUMBIA-DAM PROPONENTS COMMISSION B/C STUDIES

The Upper Duck River Development Agency (UDRDA, the group that has been pushing for Columbia Dam at any price), is charging that TVA has a record of underestimating benefits and overestimating costs of the dam. UDRDA therefore commissioned its own benefit/cost study by a local community-college teacher who has arrived at a ratio of 2.3/1.0. (Question: did he use OMB guidelines for his calculations?) In addition, UDRDA is trying to publicize its favorite projected accomplishment of Columbia Dam -- pollution dilution -- through another study, commissioned from an environmental engineering firm. According to this study, augmented water flow and cooler river temperatures downstream from the dam will be needed to take care of (read, "dilute") municipal and industrial pollution entering the Duck R. The alternative, according to this firm, would be expensive waste-water-treatment facilities, whose cost should be counted against the no-dam alternative. Comment: pollution should not be allowed to enter the river, whether or not the dam is completed; in other words, waste-water facilities should be built in any case where pollution sources exist or arise.

\* The TVA recalculation (using OMB guidelines) of the benefit/cost ratio will be released for public comment on November 18. If any of our readership has the kind of expertise that will help TCWP analyze the report, we hope they'll get in touch with us (address and Phone No. at bottom of p. 1). The TVA FY 1986 appropriation just signed into law (17C, this NL) contains no new funding for Columbia Dam, nor is there any language in the bill pertaining to this subject.

During the TVA environmental constituency conference recently held at Nashville (17A, this NL) there was an ad hoc meeting on Columbia Dam. Subsequently, a recommendation was presented to the TVA Board that this dam not be completed. This brought loud applause from all attendees.

## 9. THE CHEROKEE AND OTHER NATIONAL FORESTS

### A. Cherokee wilderness

The Draft Land & Resource Management Plan for the Cherokee National Forest recommended only ca. 19,000 acres in the Northern Cherokee for wilderness designation, and about 3,000 acres in the Southern Cherokee for wilderness study (ca 22,000 acres, in all). According to an October 1 USFS Briefing Paper\* on the revisions that are being made in the Draft Plan in response to public comment, the recommendations in the Final Plan will be for 33,735 acres (it is not clear how this breaks down into Wilderness and Wilderness Study). While this is a big step in the right direction, it still does not come near the 53,641 acres of wilderness (and wilderness study) recommended in the Citizens' Proposal.

\* May be borrowed from TCWP, 21 pp.



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C. see p. 13

## 8. COLUMBIA-DAM PROPONENTS COMMISSION B/C STUDIES

The Upper Duck River Development Agency (UDRDA, the group that has been pushing for Columbia Dam at any price), is charging that TVA has a record of underestimating benefits and overestimating costs of the dam. UDRDA therefore commissioned its own benefit/cost study by a local community-college teacher who has arrived at a ratio of 2.3/1.0. (Question: did he use OMB guidelines for his calculations?) In addition, UDRDA is trying to publicize its favorite projected accomplishment of Columbia Dam -- pollution dilution -- through another study, commissioned from an environmental engineering firm. According to this study, augmented water flow and cooler river temperatures downstream from the dam will be needed to take care of (read, "dilute") municipal and industrial pollution entering the Duck R. The alternative, according to this firm, would be expensive waste-water-treatment facilities, whose cost should be counted against the no-dam alternative. Comment: pollution should not be allowed to enter the river, whether or not the dam is completed; in other words, waste-water facilities should be built in any case where pollution sources exist or arise.

\* The TVA recalculation (using OMB guidelines) of the benefit/cost ratio will be released for public comment on November 18. If any of our readership has the kind of expertise that will help TCWP analyze the report, we hope they'll get in touch with us (address and Phone No. at bottom of p. 1). The TVA FY 1986 appropriation just signed into law (17C, this NL) contains no new funding for Columbia Dam, nor is there any language in the bill pertaining to this subject.

During the TVA environmental constituency conference recently held at Nashville (17A, this NL) there was an ad hoc meeting on Columbia Dam. Subsequently, a recommendation was presented to the TVA Board that this dam not be completed. This brought loud applause from all attendees.

## 9. THE CHEROKEE AND OTHER NATIONAL FORESTS

### A. Cherokee wilderness

The Draft Land & Resource Management Plan for the Cherokee National Forest recommended only ca. 19,000 acres in the Northern Cherokee for wilderness designation, and about 3,000 acres in the Southern Cherokee for wilderness study (ca 22,000 acres, in all). According to an October 1 USFS Briefing Paper\* on the revisions that are being made in the Draft Plan in response to public comment, the recommendations in the Final Plan will be for 33,735 acres (it is not clear how this breaks down into Wilderness and Wilderness Study). While this is a big step in the right direction, it still does not come near the 53,641 acres of wilderness (and wilderness study) recommended in the Citizens' Proposal.

\* May be borrowed from TCWP, 21 pp.

Wilderness designations are made legislatively, rather than administratively, and the key person is always the Congressman in whose district the National Forest lies. In the case of the Northern Cherokee, this is Rep. Jimmy Quillen; he must be made to recognize that there is a substantial constituency supporting the wilderness proposals. That is why we have enclosed for our District-1 members a Petition for which we hope you will gather as many signatures as you can. Return it to the address shown at the bottom of the petition sheet.

#### B. Road construction in national forests

TCWP joined national conservation groups in urging a \$77.4 million cut from the USFS road-construction budget. The Forest Service has, for the past 4 years, vastly overreached its road-construction targets, while neglecting other goals (e.g., protection of wildlife, soil, and water resources). The House bill (HR 3011, passed 7/31/85) in fact cut \$50 million from the USFS' \$196 million road request, but a Senate committee failed to support this (despite efforts by Sen. Sasser and others). Another attempt will be made when the Senate bill comes to the floor (any moment now), but even if an amendment succeeds, it is unlikely that the USFS will lose even as much as 20% from the huge sum it requested.

#### C. Minerals below wilderness lands

During this Administration, it has become quite fashionable to portray environmentalists as stingy hoarders of buried treasure, who would sacrifice US energy independence for wilderness values. Good arguments to the contrary may be found in "Oil & Gas Resources on Public Lands: Wilderness and Wildlife Refuges" published by the National Audubon Soc. (950-3rd Ave, New York, NY 10022; \$4). On the basis of up-to-date resource estimates by USGS, USDI, and the Wilderness Soc., it can be shown that, with current restrictions in place, as much as 94% of all US energy resources could still be tapped.

Both the House and Senate appropriations bills for Interior and related agencies (including Forest Service) maintain the oil and gas leasing ban for Wilderness Study areas (¶11B, this NL).

### 10. TCWP: LOTS OF NEWS

#### A. Result of elections

From an exceptionally fine slate presented by the nominating committee (NL 144 ¶9), the following were selected by vote at the Annual Meeting. They will serve during 1986

PRESIDENT:	Liane (Lee) Russell (Oak Ridge)	DIRECTORS:	*Dick Ambrose (Oak Ridge)
VICE PRES.:	*Lynn Dye Wright (Kingston)		Chuck Coutant (Oak Ridge)
TREASURER:	Charles Klabunde (Oak Ridge)		*Martha Ketelle (Knoxville)
SECRETARY:	Eileen Neiler (Oak Ridge)		Eric Morgan (Cookeville)
			Don Todd (Wartburg)
			Bill Russell, past Pres.(O.R.)

\*Newcomer to the Board

NOMINATING COMMITTEE: Miriam Kertesz (chair), Ron Foresta, Hal Smith

The President-elect expresses her sincere gratitude to those going off the Board -- V.P. Ron Foresta (who'll spend most of next year in Brazil) and Miriam Kertesz (who wants to take one[!] year off) -- and to those who generously offered their services for 1986. She plans to accomplish much of next year's work through active committees, and hopes that members will either volunteer to serve (address at bottom of p. 1) or, if contacted, will not decline.

#### B. New TCWP office

By the end of November, the TCWP office will move to the activities building of the First United Presbyterian Church, 1051 Oak Ridge Turnpike. The move became necessary when the new landlord in our present Jackson Square location requested a 50% increase in rent; and it became possible through the good efforts of Chuck Coutant, who is a member of the

\* church Board. We'll need much help in getting our files and furniture transferred. Volunteers will be greatly appreciated (call 482-2153 or 574-0860).

#### C. Executive Director

After doing a superlative part-time job as TCWP executive director for over a year, Sandra Edwards accepted a full-time position at the Oak Ridge National Lab (where she had worked part-time in the past). Pam Petko-Seus was employed by TCWP on a trial basis for a couple of months preceding the last Board Meeting (10/12/85), at which time she was offered the part-time executive director position for the next 12 months. Pam has a B.S. in Wildlife Biology/Management from the State Univ. of N.Y. and an M.S. in Wildlife Biology from the University of Tennessee. She works part-time at the IJAMS Nature Center in Knoxville.

#### D. EAF positions

The Environmental Action Fund (lobby group for the Tennessee legislature) asked each member organization to submit a priority order of issues that it would like to see action on during the next session. The TCWP Board, meeting during the Annual Meeting, formulated the list covered in ¶6A of this NL. The Board also decided that it could take no position on MRS because the membership is divided on this issue.

#### E. We participate in Walk-a-Thon

This year again, TCWP is co-sponsoring SOCM's Walk in the Country, a 10-mile hike around Norris on November 9. We'll probably have 4 walkers and will get to keep at least 50% of the money pledged on them -- 75% if we beat other co-sponsors in the total amount pledged.

#### F. TCWP's Pickett project

TCWP is engaged in a project to study the scenic, biological, and geological resources of various parts of Pickett State Forest in order to provide informed input into the State Forestry Planning process, with the objective of recommending that certain areas be permanently withdrawn from logging. To help in this study by drawing on the experience of Pickett visitors, Pam Petko-Seus prepared a questionnaire and distributed it at the TCWP and Sierra Club Annual Meetings, both of which were held at Pickett, on successive weekends.

#### G. Annual Meeting report

Despite about a dozen major conflicts on the Oct. 11-13 weekend that kept away much of the old faithful TCWP hardcore (opening concert of the ORCMA season, Appalachian Craft Fair, TTA and TSRA annual meetings, folk-dance festival, Tremont Center envtl. education event, fall-color cruise, etc., etc), we ended up with an excellent turnout: 55 people. It was a younger-than-usual crowd, too, including 4 kids (which could be watched through the windows, playing on the swings, while we listened to talks). In addition to the fine array of speakers announced in the printed program, whose talks are at least partially summarized in this NL (¶1C, 2B, 4B, 5, 6C), we also heard from Doug Cameron on Tennesseans Outdoors (¶6B), Don Todd on Frozen Head (¶3), Arthur Smith on hazardous waste reduction (a symposium is planned for March 4-6), and Tom Peterson on Pickett geology (a slide show). Mack Prichard obliged with several breathtakingly beautiful slide programs after his announced one. The warm weather and superb fall colors made the hikes extra successful: Saturday p.m., one group (led by NPS) went to Bandy Creek then Slave Falls in the BSFNRR, and the other took the Hidden Passage Trail in Pickett; Sunday, one group went to Flint Fork Cove, the other to Slave Falls and beyond. Saturday night, Sandra and Bob Edwards provided a cozy and relaxing wine-and-cheese-and-fruit party. This report would be incomplete if it didn't mention the excellent meals: they were organized by Chuck Coutant, Sally Mirick/Ron Foresta, Lynn Wright/Flossie Cosgrove, and the Deadericks, with lots of other meeting participants helping in food preparation and clean-up. Thanks to one and all for making it a superb meeting!

11. NATIONAL PARKS AND OTHER FEDERALLY PROTECTED AREASA. Land acquisition appropriations

Such funds will be contained in the FY 1986 Interior and Related Agencies Appropriations. The House bill (HR 3011) was passed 7/31/85; a Senate bill was reported 9/24/85 by the Senate Appropriations Committee, but, as far as we know, has not yet come to the floor (if timing gets tight, the bill may be "wrapped" into the next Continuing Resolution). Again this year, the Reagan Administration tried to do away with land acquisition: it proposed a 3-year moratorium and requested only \$15 million for compliance with court orders. Both Houses rejected the moratorium and came up with the figures shown in the table (in million dollars).

Agency	1985	1986		
		Reagan	House	Senate
Natl Park Service	141	11	116*	75*
US Fish & Wildlife Serv.	64	2	46	33
US Forest Service	51	2	30	18
	256	15	192	126

\* includes \$50 million in grants to the states

Although the Congress did a lot better than the Administration, it nevertheless greatly decreased the appropriation below the FY 1985 level (which was already low compared with earlier years). Even the House came up with only 75% of the FY 1985 amount, and unless the Senate figure is amended upward on the floor, the compromise between the two Houses will be even less than the House proposal.

B. Mineral leasing in wilderness

Under the terms of the 1964 Wilderness Act, oil, gas, and mineral development has been barred from existing wilderness since 1984. The bone of contention has been the wilderness study designation. In the Interior and Related Agencies Appropriations bill (111A) both Houses have continued a 3-year-old prohibition on oil, gas, and mineral leasing for wilderness study (candidate) areas (except that slant drilling from existing fields on the outside is permitted). Exploration, on the other hand, is not prohibited, provided the prospecting can be done without harming wilderness characteristics.

C. Canyonlands National Park again threatened by adjacent nuclear dump

The Davis Canyon site adjacent to Canyonlands NP seemed to be off the hook last December when DOE announced that it would test only its 3 top sites (in Nevada, Washington, and Texas) for suitability as a nuclear waste dump. However, the ranking process that led to Utah's 4th-place position had not been submitted for public comment and was unscientific and vulnerable to court challenge. DOE's new ranking methodology (again not submitted for public comment) was prompted by a National Academy of Sciences report. There are indications that, with the new ranking criteria, Davis Canyon may move up into one of the top 3 positions and thus be chosen for further testing. This would mean the drilling of 47 boreholes adjacent to the park (and some, possibly, even within the park), the blasting of two 3000-ft deep shafts near the park, and roads, traffic, and a square mile of buildings within sight and hearing of the park. Conservation groups and Utah's present and former governors are questioning DOE's ranking methods, and are arguing that impact on a national park should be a major argument against the Davis Canyon site.

12. OTHER NATIONAL NEWSA. The President's Commission on Americans Outdoors (PCAO)

(NL 144 16B) met on September 13 and will again meet around December 13, and perhaps 3

more times in 1986. In view of PCAO's short lifespan (through the end of 1986), any group wishing to influence the agenda will have to become significantly involved in the early meetings. Gov. Alexander, PCAO's chairman, has repeatedly emphasized the need to conserve our resources, and the inappropriateness of recreation that would harm these resources. In view of the strong representation on PCOA of commercial National Park Concessioners and of the recreation-equipment industry, Gov. Alexander will need support from conservation groups for his point of view. PCAO has divided into three task forces which will look at (a) recreational demand, (b) the availability and supply of recreational resources and (c) new approaches for meeting recreational needs. (See ¶6B, this NL, for state commission).

#### B. Status of reauthorization bills

- Clean Water Act reauthorization: S 1128/HR8. Senate passed 6/13/85; House passed 7/23/85; conference imminent (key issues: authorization levels and allocation formula). Both bills include programs to control nonpoint source pollution, to protect estuaries, and to limit discharges of toxics. Administration opposes both bills as too costly.
- Endangered Species Act reauthorization: HR 1027/S 725. House passed bill 7/29/85; Senate has not even scheduled full committee markup yet. There is thus still time to contact your Senators and urge them (a) to push for interim protection for species that are under consideration for listing but not yet listed (since 1973, only 429 species have been listed, yet over 2700 are candidates for work to determine eligibility, and over 1000 are recommended for listing); (b) to insist that plants be afforded the same measure of protection as animals (listed plants are protected on federal lands only, not on private lands); (c) to oppose amendments that would weaken the restrictions on hunting threatened grizzly bears.
- Clean Air Act reauthorization. There have been House hearings on separate aspects -- hazardous air pollutant control (HR2576), radon pollution in homes, air-pollution-effects study for forests (HR2963)--but House Energy committee chairman Dingell is unwilling to initiate the overall reauthorization effort. Senate committee plans hearings on acid rain before end of year, since Environment Committee chairman Stafford is unwilling to quit in the face of Administration opposition to acid-rain legislation. Stafford has indicated that he may broaden his bill to include automobile-generated pollutants along with SO<sub>x</sub> in required controls. He will continue to take the "polluter pays" approach.

#### C. Water resource projects

Funding for dams and other water projects is included in the FY 1986 Energy and Water Appropriation, which has just been signed by the President: the Corps gets \$2.82 billion and BuRec (Bureau of Reclamation) gets \$0.78 billion. While there are no funds for starting new projects, the Act permits these agencies to use funds for continuing construction on projects that were new in the FY 1985 supplemental appropriation (NL 143 ¶8B). Work on the 41 new Corps projects cannot begin until an omnibus (project authorization, as opposed to appropriation) bill is enacted that contains local cost-sharing criteria. Failing passage of such a bill by 5/15/86, construction could begin on any project for which the Corps has secured individual cost-sharing agreements.

#### D. Tenn-Tom promises are far from being fulfilled

The Congress failed to listen to environmentalists' arguments that the Tennessee-Tombigbee Waterway would be a losing proposition. Pork-barrel interests won out, and well over \$2 billion was spent to build Tenn-Tom. The Corps of Engineers had predicted that 28 million tons of cargo would travel down the Waterway in the first year alone. That first year has almost gone by, and the cargo actually moving on the Tenn-Tom has amounted to only 1 million tons, i.e., 96% of the promise was not fulfilled. The small size of the locks limits the number of barges in a tow, making travel on the waterway considerably more difficult and more uneconomical than travel on the Mississippi.

### 13. INTERNATIONAL ISSUES

(contributed by Dick Ambrose)

#### A. World Population Control: Do we have a Problem?

Former Senator James Buckley, speaking for the USA at the International Conference on

Population, recently stated that "We reject the notion that we are caught up in a global population crisis." Mr. Buckley was speaking in Mexico City, where 4 million of the city's 16 million sleep in the street; and where Mexico's population is expected to double to 160 million in the next 26 years.

Even with the global "rate" of growth down to 1.7% annually, the expanding population base, now at 4.8 billion, will be 6.3 billion by the year 2000, and over 8 billion 35 years from now. Estimates are that Kenya's population will reach 120 million in 65 years. In 45 years, the population of Bangladesh will triple to 260 million people, "jammed into an area, alternately swept by flood and drought, the size of Wisconsin."

Until 1985, the USA had been the largest financial backer of the International Planned Parenthood Federation (IPPF) and the UN Fund for Population Activities (UNFPA), two of the most important organizations for world population control. This year, the Administration has denied the IPPF its scheduled grant of \$17 million (25% of the IPPF budget) and has frozen \$10 million of the \$46 million US grant to the UNFPA. Congress, however, has increased US funding for international population programs from \$240 million in 1984 to \$290 million in 1985. Several private U.S. foundations are attempting to hold together programs threatened by the cutbacks.

[From "Supply-side Demography," in Science Digest, 11/85]

B. At last: Ecological Awareness at the World Bank

For the first time in its 40-year history, the World Bank expressed environmental concerns in its Annual Report. The Bank invested a record \$800 million last year (about 5 percent of its total lending) in reforestation and other third-world environmental programs. The report warns that the destruction of environmental systems is "assuming massive proportions" in many developing countries, particularly in Africa, where widespread cutting of the vegetation has caused a shortage of firewood for 100 million people. The bank is seeking "a better understanding of the linkages between economic development and environmental degradation." Past attitudes toward environmental problems have been very different. Thus, one of the Bank's biggest loans -- altogether about \$750 million to build roads in NW Brazil -- has resulted in deforestation on an unbelievable scale.

[From "Ecology Warning from World Bank" in The New York Times, 10/20/85]

continued from p. 8 →

7. TVA'S ENVIRONMENTAL PROGRAMS (continued)

C. Funding for non-power programs: it could have been worse

FY 1985 level: \$129.5 million. Reagan proposal for FY 1986: \$38.6M (a 70% cut).

House bill: \$118 M. Senate bill: ca \$100 M.

Compromise bill, sent to Reagan for signature: \$104 M

With about \$9 M carry-over from this year: \$113 M (13% below FY 1985).

It is estimated that, in addition to 84 who have voluntarily retired, about 143 people will be laid off, including 53 from the Office of Natural Resources and Economic Development. That Office will lose two programs that provide technical assistance to communities, and \$3.8 M will be cut from its other programs. Capital projects will be reduced by \$18 M.

14. ACTION SUMMARY

¶ No.	Issue	Contact	"Message!" or Action
2	Big S. Fork	Sens. Sasser, Gore; Rep. Cooper (copy to Corps)	"Urge Corps to acquire 'deferred' lands!"
4A	Oil & gas	State legislators	"Support bill to regulate this activity!"
4B	Abandoned mines	Hodel; Christensen (copies to legislators)	"Tennessee needs AML program!"
6B	Outdoor Recr. Commission	TCWP or GCTO	Contribute input
8	Columbia Dam	TCWP	Help us analyzed the study
9	Cherokee wilderness	Rep. Quillen	Distr-1 residents: send him petition signatures
10A	TCWP	TCWP	Volunteer for 1986 committees
10B	TCWP	TCWP	Help us move office
12B	Endangered species	US Senators	"Include interim protection and plant protection!"

Senator John Doe  
United States Senate  
Washington, DC 20510

Dear Senator Doe  
Sincerely yours,

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

Dear Congressman/woman Doe  
Sincerely yours,

Governor Lamar Alexander  
State Capitol  
Nashville, TN 37219

Dear Gov. Alexander  
Respectfully yours,

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