

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

12 . ACTION SUMMARY

No.	Issue	Contact	"Message" or Action
1A	Big S. Fork and Obed acquisitions	Sen.Sasser Other Sens.; Rep.Cooper	"Thanks; and keep working for funds!" "Support Sen.Sasser's effort!"
1B	Obed (Clear Creek Dam)	TCWP	Join Friends of Obed Network and take action
1D	Obed Management Plan	Natl. Park Service	"Add me to mailing list!"
3E	Key upland habitat	Fish & Wildlife Serv.	Help identify valuable areas in Tennessee
4A	Tellico R., Hiwassee R	US Forest Service	Comment on Wild & Scenic River studies
4B	Nolichucky	Sen. Mathews; copies to Rep. Guillen, your Rep.	"Sponsor Nolichucky WSR bill!"
5A	Stripmining	Rep. Coffey	"Thanks for amending primacy resolution!"
7A	Arctic Refuge, coastal plain	US Sens. and Rep.	"Cosponsor S.39/HR.39!"
7B	Bullets in parks?	Sens.Mathews & Sasser	"Support S.21; oppose amendments to allow hunting in Mojave NPI"
7C	Reform of 1872 mining law	Your US Rep. Vice Pres. Gore	"Support HR.322; oppose weakening amdmnts!" "Administration must stop patent plunder!"
7D	Wildlife Refuges	US Sens. and Rep.	"Support S.823/HR.833!"
8A	Endangered Species Act	US Rep. and Sens.	"Support HR.2043/S.921!"
8B	Clean Water Act	US Sens.; copy to Rep.	"Pass strengthened reauthorization bill!"
8C	Wetlands protection	US Rep., copy to cmtee.	"Co-sponsor HR.350; oppose HR.1330!"
8F	Public-land give-aways	Pres. Clinton	"Use all avenues to end these revenue losses!"
10A	Annual Meeting	TCWP	Mark your calendar -- Nov.5-7
10B	TCWP office	TCWP	Help us find cheap computer and printer
10C	Phone tree	TCWP	Volunteer to be a caller.

Senator John Doe
United States Senate
Washington, DC 20510

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

Governor Ned McWherter
State Capitol
Nashville, TN 37219

Dear Senator Doe
Sincerely yours,

Dear Congressman/woman Doe
Sincerely yours,

Dear Gov. McWherter
Respectfully yours,

To call a Representative or Senator, dial Congressional switchboard, (202) 224-3121
To find out about the status of federal bills, call (202) 225-1772 .

1. BIG SOUTH FORK AND OBED

A. *There is still time for you to support acquisition funds*

Although the House Appropriations Bill has already been voted out of committee and contains no acquisition funds for either the Big South Fork National River and Recreation Area or the Obed Wild and Scenic River, there is still a chance for the Senate bill (which has not yet moved). Senator Sasser has committed himself to work for a \$3 million appropriation to acquire some of the lands needed to complete the Big South Fork NRRRA; we don't know what he will try to do for the Obed. If the Senate bill ends up with the appropriations we support, it will then be up to the conference committee whose House members we can attempt to lobby.

WHAT YOU CAN DO: (1) Thank Sen. Sasser for his leadership role in seeking the acquisition appropriations and urge Sen. Mathews (or other senators if you live in another state) to support Sasser on this appropriation. (Address on p.2.) Point out that the appropriations are badly needed to purchase highly scenic and fragile lands that are within the authorized boundaries, but still in private ownership, and threatened with resource degradations such as logging, roads, and residential developments. (2) Thank Rep Jim Cooper (address on p.2) for contacting the chairman of the Interior Appropriations Subcommittee to support BSF NRRRA land-acquisition funds. Ask him to lobby the conference committee, in case the Senate bill ends up containing the appropriation.

B. *Opposition to Clear Creek dam proposal*

The Clear Creek is one of the two major tributaries of the Obed River, and its Morgan County portion is included in the Obed National Wild & Scenic River. A proposal has been made for damming the Clear Creek, above its protected portion, to create a 100-acre reservoir to supply water for the Catoosa Utility District (Newsletter 191 ¶1B; NL192 ¶1B; NL193 ¶2A). An impressive list of arguments against this proposal was included in NL193 ¶2A, and it is still timely for you to follow the action suggestions contained in that Newsletter.

A strategy committee of TCWP members and representatives of other organizations has been formed and is busy gathering information and following up leads. Facts are being collected about the hydrology, ecology, and ownership pattern in and below the proposed reservoir area. One interesting piece of information that has emerged is that the reservoir is proposed to lie smack in the middle of a 5000-acre tract owned by a large Florida corporation that has already subdivided an adjacent tract.

The Friends of the Obed network, which consists of people anxious to do something about this and other Obed issues, has grown and now includes individuals living in several states. We urge interested TCWP members to join the network so as to be able to receive timely action suggestions. A tear-off form is on the last page of this NL.

C. *Otter Creek dam update*

Two years ago, we fought hard against the proposal to impound upper Otter Creek, another important Obed tributary; but after we thought we had succeeded, Farmers Home Administration (the federal funding agency) managed to slip it through while we weren't looking. We did succeed in alerting the state enough to include relatively stringent conditions in the ARAP (Aquatic Resource Alterations Permit).

Just a week ago, following a compliance inspection that revealed a number of violations (particularly with regard to sediment discharge from the construction activity), the state took steps to enforce the permit conditions. The Crab Orchard Utility District has until July 30 to submit a plan and schedule for compliance. The state is empowered to assess penalties up to \$10,000 per day for the violations.

D. *Draft of Obed General Management Plan*

The Southeast Regional Office of the National Park Service is still working on the Draft General Management Plan (NL188 ¶1; NL189 ¶3A; NL190 ¶2B; NL191 ¶1C; NL193 ¶2B). The major issue that now needs to be resolved is the location of the overlook. TCWP members Maureen Cunningham and Bill Russell recently accompanied NPS personnel to scenic Lily Bluff to assess the possibility of developing an overlook that would eliminate the current severe misuse of the area and would protect an endangered plant species.

WHAT YOU CAN DO: Write to, or phone, Patricia Trap (National Park Service, Southeast Regional Office, 75 Spring Street, SW, Atlanta, GA 30303, Phone 404-331-5835) and ask to be placed on the mailing list for any publications or announcements pertaining to the Obed General Management Plan. Eventually, comments from TCWP members will clearly be important. When the NPS draft document is issued, we plan to bring your analysis of it.

E. *New Obed Site Manager named*

The Obed has been without a site manager since May 1, when Don Forester, who had so ably served for the past several years, transferred to the Little River National Preserve in Alabama. Don's successor will be Joe Kelly, who will come on board toward the end of July. Kelly has been working at the Southeast Regional Office of NPS as liaison with

the US Forest Service. Prior to that, he held ranger positions in a few National Park System units. We have not yet met Joe Kelly, but we look forward to working with him.

2. FATE OF BILLS CONSIDERED BY 1993 TENNESSEE LEGISLATURE

A. *Clearcutting on public lands to be studied*

Because of the defeat of HB.155/SB.247, which would have imposed a moratorium on Catoosa WMA clearcutting (NL 193 §3A), and because three other bills (NL 192 §2A) that would have legislated clearcutting prohibitions for various other state lands never even made it into committee, Senator O'Brien introduced a Senate Joint Resolution calling for a clearcutting study. The resolution creates a committee that is called upon "to achieve a better understanding of the practice of clearcutting on public forestland and ... to inform and educate the public about clearcutting."

The study committee will include 4 legislature-committee chairs and 4 private land owners appointed by them, as well as a representative each from TWRA, Dept. of Conservation, Dept. of Agriculture, and UT Forestry Dept. In addition, the Environmental Action Fund (EAF) will have a representative on this study committee.

B. *Sustainable forestry on private lands*

The sustainable-forestry study (SJR.100, Henry, Greer, Crutchfield) remained in the Delayed Bills Committee when the session ended. This resolution addresses incentives to landowners to maintain forest reserves on private lands. EAF supported this study in lieu of a bill that would have required forest operators to use Best Management Practices (BMPs) (see NL 191 §3B for problems with this BMP bill).

C. *Golf courses in state parks*

Our concerns about locating golf courses in state parks are that sensitive lands are likely to be selected as sites, and that water resources would be negatively impacted (pesticides, herbicides, irrigation). Seven separate golf-course bills were introduced this year. Some of them would have relied on funds generated by the bond issues authorized last year that were intended to support buffer-land acquisition for state-park boundary protection and for needed maintenance and improvement of existing state-park facilities. (Even one golf course could absorb this entire fund.) The seven bills were rolled into one which passed without a specific source of funding.

The bill provides for the State Building Commission and the Dept. of Conservation to commission feasibility studies on the profitability of proposed new golf courses, and to enter into joint-venture agreements for construction of new courses at locations determined to be self-supporting. The expectation is that private enterprise will not guarantee financial support for projects that show no prospects for being self-supporting.

D. *To study non-game wildlife funding*

Because the Tennessee Wildlife Resources Agency (TWRA) is funded from the sale of hunting and fishing licenses, there have been some objections to the agency's support of non-game programs (e.g., eagle and osprey restoration). The legislature authorized a study committee that will meet in the fall to examine alternative funding sources for several non-game initiatives that TWRA is proposing. EAF will be represented on this committee.

E. *Olympic event on Ocoee*

A bill (SB 972/HB 1045) was passed that establishes an authority to plan, finance, manage, and operate an Olympic event on the Ocoee (also see §4C, this NL). The Tennessee Scenic Rivers Assoc. may seek representation on this authority.

F. *Subsurface sewage bill passes*

The objective of SB.491 (Greer)/HB.540 (Odom) (a major EAF initiative) was to eliminate "bootleg" subsurface sewage disposal systems that are installed without the approval of the Dept. of Environment & Conservation (DoEC) and have the potential of polluting ground water. The bill requires that a legal subsurface sewage permit application be filed before electricity can be connected to the building site. It faced numerous legislative hurdles and had amendments attached to it that (thanks to EAF efforts) ended up not as weakening as they had been intended. After working on this issue for 3 years, EAF finally got a sewage bill passed!

G. *Two EAF initiatives deferred*

The Citizens' Suit bill (SB.1496, Cohen/HB.1381, Clark), as well as the Pollution Prevention bill -- both of them EAF initiatives -- were deferred until 1994.

Note: for Stripmine primacy resolution, HJR 236 (Rhinehart), see §5A, this NL.

3. PROTECTION OF STATE LANDS

A. *Scenic lands may be added to Pickett State Forest*

In May, TCWP wrote to Commissioner Luna, TN Dept of Environment & Conservation (DoEC), urging the state to acquire about 8,000 acres of Stearns Coal & Lumber Co. lands that abut Pickett State Forest to the west (NL193 ¶4A). It is estimated that the property, including mineral rights, could be purchased for \$1.2 million, well within the sum of parkland acquisition funds available to the state.

Commissioner Luna responded on June 15 and reported that members of his staff, too, have stressed the desirability of, and opportunity for, state acquisition. He pointed out, however, that the land in question does not adjoin Pickett State Park (which is a very small enclave within Pickett State Forest) and that its purchase would therefore have to be classified as a "new park initiative." The funds available to DoEC from the Real Estate Transfer Tax are for acquisitions related to existing parks rather than for new initiatives.

The good news, however, is that the Division of Forestry (now within the Dept. of Agriculture) "is planning to bring this project forward to the DoEC Lands Committee for consideration as an addition to Pickett State Forest."

B. *State will grant permit for Fiery Gizzard dam*

In a letter of July 2, Assistant Commissioner of Environment and Conservation, Wayne Scharber, responds to TCWP's plea that neither the Big Fiery Gizzard Creek nor the even more scenic Sewanee Creek be impounded, and that waters upply for Tracy City be sought elsewhere -- possibly from the existing Ramsey Lake and/or from tapping ground water. Scharber presents arguments against the alternatives we suggested (Ramsey Lake has relatively smaller drainage area; groundwater is expensive and unproven) and implies that the Department (DoEC) will make a decision between Big Fiery Gizzard Creek and Sewanee Creek.

Within less than a week after this letter was written, DoEC stated its intention of issuing a permit for the Big Fiery Gizzard Creek impoundment and held a local meeting to inform Tracy City residents. It appears that Farmers Home Administration (which had proposed to fund the Big Fiery Gizzard Creek dam) has stated they would not fund the Ramsey Lake alternative. We now have 3 weeks (following the announcement) to comment on the content of the permit and will attempt to have the state include effective restrictions. There is some evidence that the controversy over Big Fiery Gizzard (NL189 ¶4A; NL191 ¶3C; NL192 ¶3B; NL193 ¶4B) may have made DoEC more mindful of the need for more

prominently including environmental considerations in evaluating future permit applications.

C. *Dept. of Defense lands in Tennessee*

Large tracts of Department of Defense (DoD) lands in Tennessee have been restricted to human access for many years, a circumstance that has served to protect numerous plant and animal species on these lands. Biological inventories of the DoD tracts -- which total over 142,000 acres in our state -- are now being carried out under the aegis of The Nature Conservancy (TNC).

This program had its inception in 1988, when TNC signed an agreement with DoD to search for and protect rare species and habitats on military installations nationwide. In 1990, Congress established the Legacy Resource Management Program, to promote the identification, study, management, and restoration of important biological and cultural resources on DoD lands. Appropriation for this program grew from \$10 million in FY 1991 to \$50 million in FY 1993.

TNC inventories have been completed, or are in progress, for the following DoD lands in Tennessee: Holston Army Ammunition Plant (Kingsport), Arnold Engineering Air Force Base (Tulahoma), Milan Army Ammunition Plant, and the huge (100,000 acres) Fort Campbell Military Reservation. Work at the Volunteer Army Ammunition Plant (Chattanooga) is about to begin.

D. *Stan Murray Memorial Tract purchased*

In April, The US Forest Service purchased 377 acres on Hump Mountain in the Roan Mountain area, utilizing (in addition to federal appropriations) funds donated to the Southern Appalachian Conservancy in memory of Stan Murray, one of SAHC's founders and its long-term president. The land, which will be designated the Murray Memorial Tract, is scenically spectacular (and visible from the Appalachian Trail) and provides a diversity of habitats.

E. *FWS identifying key upland habitat areas*

The US Fish and Wildlife Service is asking for assistance with identification of critical upland areas in Tennessee. They are looking for areas that are under potential and/or existing threats, as well as for habitats having high fish, wildlife, and/or plant values. Areas that meet the criteria of having "high value for evaluation species" and being "unique and irreplaceable on a national basis or the ecoregion sector" will be nominated for Resource Category 1.



Anyone who can help should call Lee A. Barkley or Jodi Jenkins at 615-528-6481 (Cookeville office of USFWS). Nominations of habitats should be received by August 6.

4. CHEROKEE NATIONAL FOREST

A. Study Tellico and Hiwassee Rivers for possible WSR designation

Studies follow studies. A 1991 study by the Cherokee National Forest determined that the Tellico and Hiwassee Rivers are eligible for further study to determine if they are suitable for inclusion in the National Wild & Scenic River (WSR) System. The Cherokee NF is now soliciting public input (ideas, comments, concerns) into the upcoming study.

The suitability of the following river segments is to be studied. Tellico, 22.8 miles: from headwaters in North Carolina to the Hwy-165 bridge crossing the Tellico near river mile 30; the first 5.8 miles are in NC. Hiwassee, 10.5 miles: Appalachia powerhouse to boundary at Long Island. The study area will include a corridor of land at least 1/4 mile on each side of the main stream of each river. The preliminary study recommended "recreational" classification (the least restrictive three classifications possible under the WSR Act), because of the vicinity of roads to the rivers. About 80% of the study area for the two river segments is publicly owned, and condemnation cannot, therefore, be used in acquiring additional acreage in fee title (the condemnation ceiling under the WSR Act is 50% public ownership); however, the USFS will consider purchasing land from willing seller.

If the new studies result in positive recommendations, it will then require an Act of Congress to add the river segments to the WSR System. WSR designation would prevent dam construction, and would make it the USFS's responsibility to assure that the values for which the rivers were designated are in fact protected.

WHAT YOU CAN DO: By July 30, send comments and suggestions about the upcoming Tellico and/or Hiwassee studies to Cherokee National Forest, P.O. Box 2010, Cleveland, TN 37320, Attn: Wild & Scenic Rivers. Future WSR mailing lists will be limited to those individuals or organizations who provide comments at this time.

B. Protection of the Nolichucky River

While the study process for the Tellico and Hiwassee will take some time, there's another river in the Cherokee National Forest that could be acted on right away. As long as 6 years ago, a USFS study recommended that the beautiful Nolichucky River be included in the National Wild & Scenic Rivers System. To bring about the Congressional action that would accomplish this will require concerted citizen support. Sen. Harlan Mathews has expressed some interest in looking at the matter. His office is currently investigating public sentiment

pro and con, so let him hear from you. Rep. Quillen (in whose district the river lies) may also be receptive.

WHAT YOU CAN DO: Contact Sen. Harlan Mathews (attn: Will Calloway), 505 Dirksen Senate Office Bldg., Washington, DC 20510, Phone 202-224-3345. Send copies of your letter to Rep. Jimmy Quillen and your own US Rep., as well as to Sen. Jim Sasser.

C. Proposed 1996 Summer Olympics in Ocoee gorge

Later this summer, the US Forest Service will publish its Draft EIS on use of the Ocoee River for the proposed 1996 Olympic Whitewater Venue (NL189 §4C; NL190 §5A; NL194 §5C). To get on the mailing list for the DEIS and related material, you must notify the Cherokee National Forest by July 19 (call 815-476-9700). We realize that you are probably reading this announcement too late for the deadline; the copy of the DEIS being requested by TCWP can, however, be made available to you. In your perusal of the DEIS, you should be particularly mindful of the following two issues: (1) does the plan adequately safeguard the Little Frog Wilderness, which lies immediately adjacent to the proposed Olympic site? (2) would the Olympic event generate any new road construction affecting the Cherokee NF (new road corridors or modification of existing ones)?

D. Red-cockaded Woodpecker

In response to TCWP's expressed concern about Red-cockaded Woodpecker habitat, the Cherokee National Forest has assured us that steps are being taken to facilitate the survival of the single remaining bird in the Forest. A 10-acre tract of pine forest is being maintained surrounding the woodpecker's homebase, and two additional sites have been created in the event that other Red-cockaded Woodpeckers might be in the area. Biologists visit the colony at least once a month. While this effort is directed toward maintenance, nothing is so far being done to bring about augmentation. Augmentation priorities for the entire region are established by the USFS Regional Office and the Atlanta office of the US Fish & Wildlife Service. To accomplish augmentation would require habitat restoration, which should bring with it more ecologically sound management of the forest.

5. STRIPMINE NEWS

A. State to study feasibility of regaining primacy

A coal-industry-driven resolution, HJR 236, was introduced near the end of the legislative session,

directing the state to negotiate with the federal Office of Surface Mining (OSM) concerning resumption of primacy (state control) in implementing the federal stripmining law (SMCRA). Tennessee gave up primacy in 1984, when it found enforcement too expensive and ineffective. Coal-mining activities in the state have subsequently been regulated directly by the federal government (OSM). Significantly, HJR 236 was introduced by Rep. Rhinehart, who represents counties in which the stripmining industry has, for the past few years, gotten away with blatant violations of SMCRA (NL192 ¶7A), a situation that OSM, under a new administration in Washington, is now showing signs of wanting to remedy.

Rep. David Coffey, who represents Oak Ridge, received a number of calls from his constituent opposing HJR 236 (thanks, TCWP members!). He managed to amend the resolution so that it no longer requires the state to commence negotiations for resuming primacy, but instead authorizes "a study of the feasibility of the state of Tennessee obtaining primacy for the regulation of surface mining." Another Coffey amendment included the Dept. of Environment and Conservation in the study. Our thanks to Rep. Coffey and to the TCWP members who called him (this is a good demonstration that your voices are heeded).

The session ended with the amended resolution still sitting on the clerk's desk. It is not dead and could reemerge next year.

B. Will OSM improve?

An April report by House Appropriations Committee staff cites 25 cases (including one involving Skyline's mine at Dunlap, TN - see NL191 ¶4C) in which former OSM director Harry Snyder intervened on behalf of coal producers and essentially coerced OSM employees to circumvent regulations governing surface mining (e.g., by calling field agents after working hours with instructions contrary to regulations). The report also documents the systematic diluting, ever since 1980, of the federal mining law by the US Dept of the Interior. This was accomplished through reorganizations and through a weakening of the SMCRA regulations. After 12 years of attrition, reclamation inspectors now account for only 9% of OSM's 1,000 employees, and receive only 6% of the agency's budget.

Snyder left the OSM directorship with the advent of the Clinton Administration in January. A new director has not yet been named, and the agency operates under acting director, Hord Tipton. Tipton appeared before a congressional subcommittee in May to respond to the House Appropriations Committee's report on OSM mismanagement and improprieties during Snyder's tenure. Recently, Tipton notified all field inspectors

"that they have not only the responsibility but an obligation" to enforce surface mining law.

6. TVA CAPSULES

A. Clinton names two Tennesseans to TVA Board

Chairman Marvin Runyon left TVA last year, and succeeding Chairman John Waters (a Reagan appointee) retired in mid-May. President Clinton nominated two Tennesseans to fill the vacancies and join William Kennoy, (a Bush appointee, who hails from Kentucky) on the 3-person TVA Board.

Craven Crowell, 49, chief of staff to Sen. Jim Sasser since 1989, and a former journalist and TVA Vice President for Communications, will assume the chairmanship. Johnny Hayes, 52, Tennessee's Commissioner for Economic and Community Development formerly worked as a fund raiser for Al Gore's campaigns. Environmentalists are hopeful that both appointees share Sasser's and Gore's environmental focus. The nominees were confirmed by the Senate and sworn in on July 14.

TVA has now reached the ripe age of 60. During the past 2-3 decades (except during the relatively brief tenures of Carter appointees David and Richard Freeman, it often looked a lot like just another power company. It needs to reestablish its missions of natural-resource protection, and of energy conservation and efficiency. Confirmation hearings before the Senate Environment and Public Works Committee were held at the end of June.

B. TVA Board acts on chip mills

In February of this year, TVA released its final Environmental Impact Statement on the chip-mill issue. The EIS's preferred alternative was the denial of permits for three chip-mill operations that had asked to build barge terminals along the Tennessee River near South Pittsburg, TN (NL192 ¶6A). A couple of months later, the TVA Board (then consisting of Waters and Kennoy) followed through with its "record of decision," in fact denying all of the permit applications.

Chip-mill operations in that location would have meant the harvesting (mostly clearcutting) of 2 million tons of hardwood trees annually from a 42-county area. The TVA decision does not prevent the companies from building their chip mills nearby, but by effectively denying the access to cheap river transportation, it hopefully makes the harvesting in this area uneconomical. An Alabama State Dock official has now suggested that wood chips could be shipped from the state dock (which already has a permit to ship lumber products) if portable loading equipment were used.

7. PUBLIC LAND ISSUES NATIONWIDE

A. *Administration must nudge Congress to protect the Arctic Refuge*

The 1.5-million-acre coastal plain is the center of wildlife activity (caribou, grizzlies, musk oxen, foxes, and wolves) for the entire Arctic National Wildlife Refuge (ANWR), serves as breeding and staging ground for millions of migratory birds, and represents the last stretch of arctic coastline that is not available to oil and gas leasing. The coastal plain has been eyed greedily by the oil & gas industry, most recently with the Bush Administration's blessings. Can the goal of protecting ANWR now be achieved in a friendlier executive climate? It will require the active support of the Clinton Administration to bring about passage of the bills now pending in Congress. Clinton stated his support for ANWR wilderness designation in his book, *Putting People First*; and Gore, while in the Senate, was a co-sponsor of the wilderness bill.

The ANWR wilderness bills, S.39 (Roth; Baucus) and HR.39 (Lehman) have made considerable -- but not yet sufficient -- progress in both Houses. The House bill, which is captioned the Morris K. Udall Wilderness bill, has 76 cosponsors, and the Senate bill has 24. HR.39 was referred to the House Natural Resources Committee of which Rep. John Duncan, Jr. (2nd Distr. TN) is a member; S.39 is pending in the Senate Environment and Public Works Committee.

WHAT YOU CAN DO -- ON THE ADMINISTRATION FRONT: Urge Secretary Babbitt to send a letter to Congress to (a) rescind the previous Administration's recommendation that ANWR be opened to oil & gas development, and (b) clearly indicate the Clinton Administration's support for wilderness designation for the coastal plain. (Address: The Hon. Bruce Babbitt, US Dept of the Interior, 1849 C Street, NW, Washington, DC 20240).

WHAT YOU CAN DO -- ON THE CONGRESSIONAL FRONT: Write to your senators and representative (addresses on p. 2) and urge them to co-sponsor S.39 and HR.39, respectively. We especially hope that our 2nd-Distr. members will contact Rep. John Duncan, Jr.

B. *California Desert Act: NRA's "bullets in parks" amendment threatens integrity of National Parks*

Tennessee's Sen. Harlan Mathews sits on the Senate Energy and Natural Resources Committee, which is about to vote on the California Desert Protection Act, S.21. The bill would upgrade Death Valley and Joshua Tree National Monuments to

National Park status, create a new Eastern Mojave National Park, and designate 4.4 million acres of wilderness on BLM lands.

The main remaining controversy about this bill (which would protect significant areas of truly stunning land that is home to 2,000 plant and 600 animal species) centers on whether to permit sports hunting in the proposed Mojave National Park. The National Rifle Association is strongly pushing a hunting amendment to S.21. In 1986, the NRA had filed a law suit to allow hunting and trapping in National Parks and Monuments, but fortunately the courts ruled against them. So now the NRA is trying the legislative route, targeting S.21 as a way to gain a foothold for its larger goal -- hunting in all parks.

WHAT YOU CAN DO: (1) Write (or preferably call 202-224-1036) Sen. Harlan Mathews and urge him (a) to SUPPORT the California Desert Protection Act (S.21), especially the establishment of the Mojave National Park, and (b) to OPPOSE any amendment that would allow hunting in the Mojave. (2) Send similar letters to Sen. Sasser and your representative (addresses on p.2).

C. *Mining "Reform" bill is a sham*

The 1872 law governing the mining of gold, silver, and other hard-rock minerals allows miners virtually unlimited access to federal lands without requiring them to restore mine sites or to pay royalties. For as little as \$2.50 an acre, mining companies can "patent" mining claim, making it their private property. For example, a Canadian company is paying only \$5,192 to gain access to \$8,400,000,000-worth of gold in Nevada. The US taxpayer has a further loss: he must pay hundreds of millions of dollars for clean-up of toxic wastes (often cyanide) that get into area streams.

Efforts have been under way for the past few years to reform the 121-year-old law that legalizes these horrendous abuses of, and give-awayson, public lands. Early in this session, comprehensive reform bills were introduced in both the House (HR.322, Rahall, D-WV) and the Senate (S.257, Bumpers, D-Ark). Determined to derail this reform effort, those who have a stake in preserving the status quo introduced a sham, the "landmark Mining Reform (I) Act of 1993," S.775 (Craig, R-ID)/HR.1708 (Orton, R-UT). This industry-backed bill would continue the revenue problems of the 1872 Law and omit environmental reform. Unfortunately, S.775 has already passed the Senate, and we must concentrate on the House to repair some of the damage.

WHAT YOU CAN DO: (1) Rahall's bill, HR.322, is very soon coming up in the House Natural Resources Committee. Write to your representative (or, better yet, call him/her), urging support for

HR.322, and opposition to all weakening amendments. Addresses and phone No. are on p.2.

(2) Write/call Vice Pres. Al Gore (The White House, DC 20500 / 202-456-7125) and tell him the Administration must take action to stop the patent plunder under the 1872 Law, and to ensure that a true reform bill is enacted.

D. **Bills to reform Wildlife Refuge System**

The nation's 91-million-acre wildlife refuge system offers much less of a refuge than most people realize. In over 60% of the refuges, harmful activities (e.g., military exercises, power boating, overgrazing) have been routinely permitted.

S.823 (Graham, D-FL)/HR.833 (Gibbons, D-FL) makes it a major purpose of the refuge system to preserve the biological diversity and abundance of wildlife and habitat that it contains. The bill also requires that decisions on whether to allow secondary uses be based on science rather than politics. The Fish & Wildlife Service (FWS) is required to develop a comprehensive management plan for each individual refuge as well as for the system as a whole. Finally, other federal agencies are given the duty of ensuring that their use of refuge lands does not degrade biological resources.



WHAT YOU CAN DO: Ask your senators and representative to support S.823 and HR.833, respectively. (Address on p.2.)

E. **Canada saves threatened watershed adjoining Glacier Bay**

For years, plans to develop the Windy Craggy Mine have severely threatened Alaska's Glacier Bay National Park and Preserve, and adjacent areas of British Columbia (NL188 ¶8C). Windy Craggy, on a mountain top just 15 miles across the Canadian border, would be the world's largest open-pit copper-gold-silver-cobalt-zinc mine. Huge amounts of exposed acidic strata in the watershed would cause irreparable damage to fragile ecosystems and to salmon fisheries.

In April of last year, Sen. Gore called themine plans "an environmental nightmare waiting to happen," and introduced a resolution requesting the Canadian government to deny approval of the mine. A month ago, Premier Michael Harcourt of British Columbia, effectively did so by designating the 2.5-million-acre Alsek/Tatshenshini watershed a provincial park. Vice President Gore commended Harcourt (and, it seems, Pres. Clinton and Prime Minister Mulroney had discussed the matter in the spring). Windy Craggy officials have vowed to seek several hundred million dollars in compensation for their mining claims.

American Rivers calls the decision "one of the most significant river conservation achievements ever ... which ranks with stopping the dams in the Grand Canyon." Protection of the Alsek/Tatshenshini region links it with adjacent Canadian and U.S. parks (Glacier Bay and Wrangell-St. Elias National Parks, and Canada's Klane National Park Reserve), completing a 22-million-acre wilderness area, the largest protected international area in the world. All of us who worked on this issue should take pride in this significant victory.

F. **"The Wise Use Agenda"**

That's the name of a book that constitutes the official document of the wise-use movement, which is supported by interests that seek to log, mine, graze, and dirt-bike our public lands. Among the "top 25 goals" listed in the Agenda are the following. (a) A public-"education" message to the effect "that the federal deficit can be reduced through prudent development of federal lands." (b) Immediate oil drilling in the Arctic National Wildlife Refuge. (c) Converting old forests to young stands of trees (i.e., clearcutting). (d) Opening "all public lands including wilderness and national parks" to "mineral and energy production." (e) Development of national parks under the direction of "private firms with expertise in people-moving, such as Walt Disney." (f) Removing from endangered-species protection all "non adaptive species ... and species lacking the biological vigor to spread in range."

One "Wise Use" newsletter states that "most environmentalists are anti-God, anti-American and anti-gun," and that "communism ... has been repackaged and called environmentalism."

Heard enough? Keep well informed and prepared to counter the wise-use movement's land abuse policies.

8. OTHER NATIONAL NEWS

A. **Endangered Species Act reauthorization**

The Endangered Species Act (ESA) celebrated its 20th birthday in March and needs to be reauthorized. Of the first 78 species ever listed under the Act (in 1967), 58 are now stable or increasing, 17 are still declining, and 3 have become extinct. This is a moderate success story, but it does not reflect the many species that might have been candidates for listing and which - for lack of funds - failed to be studied, leave alone listed. The Act is clearly in need of strengthening, especially with regard to addressing entire ecosystems and habitats in addition to individual species. A recent GAO report found that no critical habitat was designated

for as many as 84% of the listed threatened or endangered species.

An Endangered Species Reauthorization Act, introduced in May, incorporates many improvements suggested by the Endangered Species Coalition (which consists of about 70 environmental, scientific, and religious organizations). The House bill, HR.2043 (Studds, D-MA; Dingell, D-MI), which now has about 70 co-sponsors, is in the Merchant Marine & Fisheries Committee; the Senate bill, S.921 (Baucus, D-MT; Chafee, R-RI), is in the Environment & Public Works Committee. The major strengthening features of HR.2043/S.921 are: protection of entire ecosystems and habitats; deadlines for developing species recovery plans; incentives for private landowners to protect species; and increased funding for implementation of the Act.

Often, enemies of a legislative initiative use the strategy of pushing a rival bill that sounds OK superficially. This has happened with regard to ESA: Billy Tauzin (D-LA) has introduced ESA "reform" legislation, which, far from strengthening the present Act, actually waters it down very significantly. Tauzin's bill has a fair number of co-sponsors and is, of course supported by all the components of the "Wise Use" movement (see ¶7F, this NL) who claim the ESA takes away land-owner rights and inhibits economic growth.

WHAT YOU CAN DO: Write to your representative and both senators (addresses on p.2) and urge them to become co-sponsors of HR.2043 and S.921, respectively. Part of your message should be that this bill is very different from the Tauzin bill, which they should strenuously oppose.

B. Clean Water Act reauthorization

"The Water Pollution Prevention and Control Act," S.1114, was introduced June 15 by Senators Baucus (D-MT) and Chafee (R-RI). The bill, which would reauthorize the Clean Water Act, tackles some important issues, but is weak on enforcement provisions and silent on wetlands protection (see ¶8C, below). The sponsors plan to re-draft (and, hopefully, strengthen) the bill after the completion of Senate hearings.

In its 21-year history, the Clean Water Act has been quite successful in reducing pollution from sewage and from some industrial activities. Most pollution now comes from non-point sources owing to such activities as logging, agriculture, construction, and mining. Non-point-source pollution in the current Clean Water Act is left to the states, with action mostly voluntary. Groups such as the Farm Bureau, the timber industry, and agribusiness oppose mandatory regulation of non-

point-source pollution, and they have been hard at work trying to weaken the entire Clean Water Act reauthorization process. So far, unfortunately, senators have been hearing only from industry.

WHAT YOU CAN DO: Congress needs to hear from citizens who want the Act strengthened. Contact your senators, with a similar letter to your representative (addresses on p.2), urging them to pass a strong Clean Water Reauthorization during this session. Strict mandatory programs are needed to prevent non-point-source pollution. Section 404 must be strengthened to avoid destruction of wetlands. Finally, enforcement provisions of the law need teeth in them.

C. Wetlands Protection

The Nation has already lost 50% of its wetlands, and is continuing to lose them at a rapid rate. A "bad" and — much later — a "good" wetlands bill were introduced last year and competed for sponsors. This year, the good bill, HR.350 (Edwards, D-CA), was introduced on the first day of the session, and the bad bill, HR.1330 (Hayes, D-LA), followed later.

The Edwards bill adds draining, dredging, flooding, and excavating to the wetlands-destroying activities for which permits are to be required; currently, only filling is covered. The bill establishes a scientific basis for delineation of wetlands (based on a National Academy of Sciences study now in progress), addresses farmers' concerns, and creates tax incentives for wetlands conservation.

The Hayes bill sets up an unscientific definition of wetlands (which would exclude many wetlands from definition) and an unscientific classification scheme that would allow "low" and "medium-value" wetlands to be destroyed, while "high-value" wetlands could be protected only by having the government buy them. It would eliminate EPA's role in the permitting process.

Whichever of these bills gains more political support is likely to be incorporated in the reauthorization of the Clean Water Act now in progress (¶8B, above). Unfortunately, the Edwards bill at this time trails the Hayes bill in the number of co-sponsors, 78 : 103.

WHAT YOU CAN DO: Urge your representative (address on p.2) to co-sponsor HR.350 and oppose HR.1330, citing some of the above information. Send a copy to The Hon. D. Applegate, Chairman, Public Works and Transportation Subcommittee, Rayburn House Office Bldg., Wash., DC 20515. If you want to pay \$6 (billed to your phone or credit card) in order to save the time it would take to write a letter, call 1-800-258-2222 (day or night) and ask for the Wetlands Protection Hotline #1000. One of 15 pre-written messages will be sent in the form of a

letter to your own representative, to chairman Applegate, and to Speaker Foley (all messages are well-written, #4 particularly so).

D. *National Biological Survey*

Secretary Babbitt recently commissioned an inter-agency National Biological Survey, (modeled on the U.S. Geological Survey). "Mapping the ecosystems of the U.S. will show us the types of habitat which are in danger and give us a solid foundation from which to chart the future of all conservation efforts," said Tom Lovejoy, Babbitt's Science Advisor.

This proactive and scientific approach to preserving ecosystems is a major ingredient of Babbitt's philosophy. The Secretary believes it could prevent clashes between economic needs and environmental protection, ending "the false choice debate that has arisen around the enforcement of the Endangered Species Act."

E. *New Head of Park Service and other sub-Cabinet-level appointments*

On May 21, Pres. Clinton named Roger Kennedy to head the National Park Service. Kennedy, who has served as director of the Smithsonian's National Museum of American History for the past 13 years, is a noted historian. He is also a broadcaster of note, having hosted several TV series, including *Roger Kennedy's Rediscovering America*, that seek to guide the public to a new appreciation for American history and culture.

A number of Assistant Secretary positions (directly below the Secretary level) have also been filled. In the Dept of the Interior, these are: (a) George Frampton (formerly president of the Wilderness Society) as Asst Sec. for Fish, Wildlife & Parks; (b) Bob Armstrong (Texas Land Commissioner 1970-82, and aide to Gov. Ann Richards) as Asst Sec. for Land and Mineral Mgmt.; (c) Elizabeth Ann Rieke (formerly director, Arizona Dept. of Water Resources) as Asst Sec. for Water and Science; and (d) Bonnie Cohen (Senior VP, National Trust for Historic Preservation) as Asst Sec. for Policy, Mgmt. & Budget. In the Dept. of Agriculture, the Asst Sec. for Natural Resources (who oversees the Forest Service) is James Lyons, formerly staff assistant for the House Agriculture Committee. In EPA, David Gardiner, formerly legislative director of the Sierra Club, has been named Assistant Administrator for Policy.

F. *GAO outlines revenue opportunities for federal lands*

A recent report by the General Accounting Office (GAO) compiles a catalog of unmet federal obligations in natural resource management. To give one example, the National Park Service has a backlog of \$2.1 billion for road maintenance, sewer

systems, campgrounds, etc., and needs to increase maintenance staff 35% to address the infrastructure deficits (not to mention increases in naturalists, rangers, etc. that are badly needed).

The GAO report also compiles an impressive list of revenue opportunities that could counter these natural-resource management deficits.

- Increase the patent fee for hardrock mining (see 17C, this NL). The government received less than \$4,500 for 20 patents valued between \$14 million and \$48 million.
- Charge royalties for mineral extraction. In 1990 alone, \$12 billion worth of minerals were extracted from federal lands without payments to the government.
- Increase concession fees in parks. In 1989, concessionaires grossed \$14 billion, while the government received only \$35 million.
- Eliminate below-cost timber sales. Even for just 3 of the USFS's 9 regions, this would save \$230 million in 4 years.
- Gradually increase grazing fees to market value. This could generate \$120 million by 1998.

Unfortunately, much of this list represents opportunities that were lost when political pressures forced the Administration to withdraw similar measures from the budget proposal (NL 193 §9A). Separate legislation on other avenues are sorely needed, since inaction is the most costly course of all.



WHAT YOU CAN DO: Write or call the White House (1600 Pennsylvania Ave., Washington, DC 20500; Ph. 202-456-1111 or 456-6224) and tell Pres. Clinton you were disappointed that he gave up budget reforms designed to end public-lands giveaways to special interests. Urge him to take every other avenue possible -- administrative as well as legislative -- to bring about similar reforms, thus moving to end environmental abuse at tax-payer expense. Federal spending includes \$31 billion of anti-environmental subsidies that actually encourage environmental destruction nationwide.

9. OAK RIDGE ISSUES

A. *Worthington Cemetery*

As a result of TCWP's expressed interest in this 29-acre TVA area on the waterfront near Elza Gate Park, there has been much progress toward getting the tract preserved for uses more appropriate than the current trash dumping and 4-wheel-drive-vehicle abuse. In December, the City Council rezoned the parcel from ND-1 (industrial) to G (greenbelt). A mid-June meeting, held on the site, was attended by TVA staff, the City Recreation Director (Josh

Coilins), TCWP members, and representatives of the Worthington heirs (the cemetery occupies a smaller area within the 29-acre tract). Several residents of the Rivers condominium subdivision also attended.

The following matters were resolved. TVA will install a tamper-resistant gate (which is located on City property) and give the key to Worthington heirs. TVA will also post signs that will prohibit certain activities on TVA land. The City will post similar signs on City land. Most important, it was determined that local ordinances are fully applicable even on TVA land, and that city police can therefore patrol the area and/or respond to calls from adjacent residents (in the Rivers Condo area) or from other interested citizens.

These are the first important steps toward lasting improvement of the tract. TCWP plans to assist in developing/promoting the area for environmental education and other natural-area functions.

B. *Haw Ridge Canoe Trail for City's 50th birthday*

July 17 (the day after this NL goes to the printer) is the dedication date for the Haw Ridge Canoe Trail on Melton Hill Reservoir (Clinch River). Development of this 4-mile-loop trail is a TCWP project in commemoration of Oak Ridge's 50th birthday. TCWP has produced a brochure (call Chuck Coutant, 483-5976) with trail description and small map, and will participate with the city in providing signs.

The trail provides a family canoeing opportunity, mostly in a large, shallow backchannel area that is generally left alone by powerboats. Wildlife that may be seen includes herons, ospreys, kingfishers, geese, ducks, and muskrats; and the shoreline is varied, ranging from relatively steep wooded slopes to marshy wetlands.

C. *Greenways Oak Ridge*

TCWP President Jenny Freeman recently wrote to Greenways Oak Ridge supporting their efforts in developing a conceptual report for City Council and offering our assistance in providing guidance, particularly with regard to greenbelts. In clarifying our support, Jenny wrote: "We feel that greenbelts should be included in the development of greenways, but only for certain compatible uses. Non-intensive uses, such as walking trails, would be more compatible with the concept of greenbelts than would a paved bicycle trail."

10. TCWP NEWS

A. *Preview of Annual Meeting, Nov-5-7*

The program for our November 5-7 meeting at Pickett is shaping up to be a highly interesting one. Inspired by the campaigns we have had to wage during the past couple of years against the Otter Creek, Clear Creek, and Fiery Gizzard Creek dam proposals, the program committee (Jenny Freeman, Joan Burns, Dave Adler, Neil McBride, and Jimmy Grotton) chose a theme that will attempt to examine the broad issue of "Protecting our Watersheds." Speakers are now being lined up.

As in past Annual meetings, the program will occupy Saturday morning, and Friday and Saturday evenings. For Saturday afternoon and all day Sunday, we will organize outings in the beautiful Pickett area. We hope very much you will MARK YOUR CALENDAR NOW AND PLAN TO ATTEND.



B. *Can you help TCWP secure computer?*

The computer and printer available in the TCWP office during the past year were kindly lent by Maureen Cunningham, who now needs this equipment elsewhere. We must try to procure -- as cheaply as possible (including second-hand, if advisable) -- a Macintosh computer (SE or higher) and a printer. Do any of you have information that might help us in this endeavor? If so, call Joan Burns, 482-5735 or 481-0286, or Lee Russell, 482-2153 or 574-0860.



C. *News about TCWP members and friends*

Ernie Dickerman, one of TCWP's founding members, now 82 and living in Virginia, has been waging a ceaseless campaign to gain wilderness designation for Virginia's unspoiled areas. Solar, 89,000 acres have been designated, and he is currently working toward getting more added. A Virginia Congressman has called him "the father of wilderness in Virginia." Those of you who can remember that far back will recall that Ernie, then living in Knoxville, was one of the chief engineers of the defeat of the proposed second transmountain road through the Smokies.

TCWP member Richard Davis has for 11 years been running a Save America Campaign at the Oliver Springs Elementary School, of which he is the principal. Annually, the students, their parents, and school staff raise money for the protection of scenic, wild, or historic places. This year, they raised \$314 which was presented to The Nature Conservancy for purchase of rainforest in Panama (added to Darien National Park). This sum was sufficient to protect 10 acres. Collections of earlier years have gone toward protection (by purchase) of land at Roan Mountain, TN, of Sandhill Crane habitat, of Tennessee Coneflower habitat, and for many other worthy causes. The

students learn a lot about each of the causes chosen by the school, and above all, they learn that they can make a difference.

Graham Hawks, executive director of the Tennessee River Gorge Trust, this year received a Chevron Conservation Award for his part in the protection (through public/private partnership) of the 26-mile gorge downstream of Chattanooga.

Liane (Lee) Russell, a TCWP founder and Newsletter editor, received the Marjorie Stoneman Douglas Award, which is presented annually by the National Parks & Conservation Association to "recognize outstanding efforts resulting in protection of a unit or a proposed unit of the National Park System." The units specifically cited were the Big South Fork National River & Recreation Area and the Obed National Wild & Scenic River. In her acceptance speech during a lovely ceremony held at IJAMS on May 19, Lee emphasized the major role played by her husband, Bill in these endeavors, particularly during the early, critical part of the history. The \$5,000 award is being donated to TCWP by Lee.

Lee's work with TCWP also led to her being chosen as one of the 10 "Women of Impact" by the Oak Ridge Branch of the Amer. Assoc. of University Women.

D. *Miscellany*

- At its July 12 meeting, the TCWP Board voted to have TCWP become part of a coalition that will seek to get more involvement in SAMI. SAMI, which includes representatives of the National Park Service, US Forest Service, EPA, and 8 southeastern states was formed last year with the objective of examining air quality issues in the area, particularly those affecting public lands like the Great Smoky Mtns and Shenandoah National Parks. Political support will be required to make the states willing to support AQ requirements that are more stringent than those in the federal Clean Air Act.



- We still need volunteers for our phone tree. Please call Joan Burns, 482-5735 or 481-0286.

E. *We thank our volunteers*

We are grateful to the following people who helped assemble Newsletter 193 on May 17: Dick Ambrose (host), Marion Gaiber, Louise Maikel, Jim and Eileen Cunningham, Helen and Ken Warren, and Charlie Klabunde.

Our gratitude, also, to Chuck Coutant for conceiving of the Haw Ridge Canoe Trail idea and carrying it to fruition. And to Maureen Cunningham

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who, for the past year, has lent her computer and printer to the TCWP office.

Ken and Helen Warren, with pruning shears and paintbrush, have taken care of the North Ridge Trail (NRT) between its east terminus (Endicott Lane) and Highland View School -- a major task for which we thank them sincerely. They are now deferring to Dan Hubbard and Dan Hamilton who have temporarily taken on NRT maintenance as an Eagle Scout project.

11. ACTIVITIES and READING MATTER

- * Sept. 18-19, Tennessee Environmental Congress, Nashville, sponsored by TEC. Speakers will include S. David Freeman (former TVA Chair) and Barry Commoner. Numerous workshops. Contact Jennifer Walker, TEC (1700 Hayes St., Nashville, TN 37203, Ph: 321-5075).
- * Nov. 4-7, Fall River Conference, Washington, DC. Contact the sponsors, American Rivers (202-547-6900).
- * Nov. 5-7, TCWP Annual Meeting, Pickett State Park (see ¶10A, this NL).
- * March 22-24, 1994, Wildlands Conference, Houston, TX. Sponsored by EPA, USFS, Bureau of

Mines, Western Governors' Assoc, and Soc for Ecological Restoration. Contact Bronwyn Weaver, 717-528-7062.

- * *Stream of Conscience: Natural Solutions for Clean Water* is a 15-minute video designed to educate people about runoff issues. Available for \$15 from The Georgia Conservancy (1776 Peachtree St, 400 South Atlanta, GA 30309, Ph. 404-676-2900).
- * *The American Rivers Guide to Wild and Scenic River Designation*, by Kevin Coyle, 59 pp. plus appendices. (\$15.95 + \$2.00 shipping from American Rivers, 801 Pennsylvania Ave, SE, Washington DC 20003, Ph.: 202-547-6900.)
- * *Briefing papers on the Clean Water Act Reauthorization, March 1993*, a 50-page publication, is available from the Clean Water Network, 1350 New York Ave, NW, Suite 300, Washington, DC 20005, Ph.: 202-624-9357.
- * *How Greenways Work: A Handbook on Ecology*, by Jonathan Labaree. Greenways as antidotes to habitat fragmentation, 50 pp. Published by National Park Service and Atlantic Center for the Environment, Ipswich, Mass. (Obtain through regional NPS offices.)
- * *The Green Book: Guide to the 103rd Congress*, by the League of Conservation Voters (LCV), profiles new members as well as incumbents (\$15 from LCV, 1707 L St., NW, Suite 550, Washington, DC 20036).

tear off >

Please check the appropriate box(es) and fill out the information.

As a TCWP member, I would like to participate in the Friends of the Obed Network (no charge)

Name

Address

Phone Home Work FAX

I belong to an organization that would like to participate in the Friends of the Obed Network (\$5 contribution for postage, etc. encouraged, but not essential)

Name of organization

Name of representative who should be contacted

Representative's address

Phone Home Work FAX