

TENNESSEE CITIZENS for WILDERNESS PLANNING

Newsletter No. 195

September 29, 1993



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12. ACTION SUMMARY

¶No.	Issue	Contact	"Message!" or Action
1A	BSFNRRRA appropriation	Sen.Sasser; Rep Cooper	"Thanks for your help with acquisition funds!"
1C	BSFNRRRA roads & trails	NPS	Express your views on Plan.
2A	Clear Creek dam	Heinz Mueller, EPA	"Require FmHA to do full-scale EISI"
3	Chip mills	Corps of Engrs Sen. Mathews; Reps Cooper & Lloyd Sen. Sasser Newspaper	"Off-site impacts must be considered!" "Urge Corps to deny application!" "Thanks for contacting Corps!" Send letter to editor.
6B	Nolichucky River	Sen Mathews	"Pursue Nolichucky W SR designation!"
7	Ancient Forest Plan	Pres. Clinton Your US Rep & Sens	"Plan is step in right direction but needs specific improvements!"[See ¶7] "Oppose attempts to override environmental laws!"
8A	Biodiversity bill	Your US Rep	"Co-sponsor HR.1164!"
8B	Grazing fees	Sen. Sasser Sen. Mathews	"Thanks for supporting the raise!" "We are disappointed by your Vote!"
10A	TCWP Annual Meeting	TCWP	Send pre-registration form

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 .

Continued from Page 12

- *The Essential Guide to Hiking in the United States*, by Charles Cook, lists every major "best" or recommended hiking trail for all 50 states; includes all national and state parks, forests, and preserves. Each listing is accompanied by local resource info, e.g., where to find maps or books for the area. (\$18.95 from Michael Kesend Publishing, Ltd., New York 212-249-5150.)
- *Ecological Integrity and the Management of Ecosystems*, edited by S. Woodley, G. Francis, and J. Kay, 1993 (220 pp., \$55 plus \$4.95 shipping from St. Lucie Press, 407-274-9906.)
- Falcon Press, P.O.Box 1718, Helena, MT 59624, 1-800-582-2665, publishes Wildlife Viewing Guides for each of several states, Falcon Guides, publications by several major conservation groups, and other matters of interest to conservationists. Write for catalog.

1. BIG SOUTH FORK NEWS

A. *BSF acquisition funds one step closer*

In our special Action Call of August 6, we informed you that the Senate Appropriations Committee bill contained \$3 million in acquisition funds for the Big South Fork National River and Recreation Area (BSFNRRRA). In early September, the full Senate passed this bill, keeping the BSFNRRRA acquisition funds at \$3M. Currently, House and Senate versions of the bill are being "reconciled" in conference committee, with much give-and-take going on to keep to the overall spending ceiling. Because the House bill contains no money for the BSFNRRRA, Congressman Jim Cooper's staff is lobbying House conferees to accept the Senate version regarding BSFNRRRA. A decision may have been made by the time you receive this NL. We hope very much you will thank Sen. Sasser and Rep. Cooper for their efforts (addresses on p. 2).

B. *Permit denied for proposed Clear Fork dam*

In mid-July, the Fentress County Utility District applied to the Corps of Engineers for a Section 404 permit (under the Federal Clean Water Act) to construct a water-supply reservoir on the North Prong of the Clear Fork River. TCWP wrote in strong opposition to this proposal, citing potential direct impacts on the BSFNRRRA. Of the two major stems of the Big South Fork -- the Clear Fork and the New River -- the former is clean and serves to dilute the heavily polluted contribution of the latter. Any negative water-quality impacts of the proposed project (e.g., from disturbance of a coal seam, or from siltation) would thus be particularly intolerable. We also expressed concern about reductions in downstream flow, as well as about changes in the natural flow pattern, which could have negative impacts on the fauna and flora that form an integral part of the system. Finally, the need for the project had not been demonstrated, inasmuch as the capacity of the present Jamestown reservoir is more than sufficient to supply the entire county.

We were overjoyed when on August 16 the Tennessee Department of Environment & Conservation (DoEC) denied a Sect. 401 state certification (which is the prerequisite for a Sect. 404 permit). DoEC made a case that the project would diminish the contribution by the Clear Fork of high-quality water essential for the Big South Fork system. Unique, diverse aquatic life supported by the Clear Fork would be negatively impacted by obstructions to movement, as well as by elimination of the natural variations in stream flow. Of

particular concern is the Cumberland Elktote Mussel, which occurs on the site and is proposed for listing under the federal Endangered Species Act; it is already listed as a threatened species by the state. In addition to Sect. 401 of the Clean Water Act, DoEC also cited as reason for permit denial a Tennessee law (TCA 69-3-108) which prohibits the Commissioner from issuing a permit for any activity that would result in a condition of pollution. The Utility Distr. is preparing to appeal DoEC's decision to the Water Quality Control Board.

C. *BSFNRRRA trail plan needs your comments*


TCWP recently commented on the BSFNRRRA's thorough and clearly presented Draft Road and Trail Management Plan (RTMP). The enabling legislation that authorized the BSFNRRRA bans roads in the "gorge area" (below the rim of the main river and all tributaries), but sets no restrictions on roads in the "adjacent area" (the remainder of the BSFNRRRA), and no restrictions on trails anywhere in the Park. The plateau area is honeycombed with old logging roads, and certain prior usages and ownership patterns create many complexities for the planners. The draft RTMP addresses about 300 miles of roads, and lists over 130 existing and proposed trails.

TCWP's major recommendation was to limit this huge network as much as possible, not only with regard to total developed mileage, but also with respect to intensity of use. Unless this is done, there will be no feeling of remoteness or solitude left in any part of the BSFNRRRA. We made a particularly strong case for leaving some major portions of the gorge area -- both along the Big S. Fork itself and along tributaries -- without any trails at all. Although the enabling legislation does not forbid the presence of hiking, horse, or bicycle trails in these locations, the intent of the Act was to manage the gorge areas in a manner similar to designated wilderness. Wildernesses should have substantial segments free of trails.

TCWP also recommended severe limitation of multiple trail use (horses, hikers, bikes), and urged NPS to make a major effort to stop the illegal use of the gorge area by all-terrain vehicles. NPS is considering the designation of two special areas for ATV use -- north of Yamacraw on the west side of the river, and in the Hurricane Ridge area; we urged that only the former of these be so designated -- the latter is too close to Honey Creek, etc.

A subject of very major concern to TCWP is the fate of the O&W right-of-way along the Pine Creek, Big S. Fork, and North Whiteoak Creek. In

years past, we have repeatedly gone on record opposing motorized use of this former railbed. We were therefore pleased to learn that NPS has accepted a 1991 Corps report recommending use of the right-of-way for bicycles. In commenting on the RTMP, we strongly urge NPS to implement this plan without further delay, and not to continue allowing multiple use. The latter means motorized vehicles that intrude on the feelings of solitude and remoteness and that are damaging to the terrain along the North Whiteoak Creek, especially where rivers are being forded. An obstacle that needs to be resolved as soon as possible is Scott County's claim to ownership of the right-of-way.

 The comment deadline has been extended to October 31. There is an URGENT NEED FOR YOU TO SEND COMMENTS, especially from the point of view of a hiker; other users (horse riders, ATV owners, etc.) are already being heard from in large numbers. We particularly encourage you to express your views on stopping motorized use of the O&W railbed. Send comments to Jeanne Richardson (Roads & Trails Coordinator, BSNRRA, Rt. 3, Box 401, Oneida, TN 37841), who will send you a copy of the report if you need it (call 615-569-9778). If you want a copy of TCWP's comments, send a self-addressed, stamped (29¢) envelope to the address on the bottom of p. 1 of this NL.

D. **Brewster Bridge reconstruction**

Brewster Bridge carries Highway 52 across the Clear Fork River within the BSNRRA. Efforts have been under way for two decades to get Highway 52 re-routed so that it would bypass the Rugby Historic District, located east of the river crossing. The Tennessee Dept. of Transportation (TDOT) has designated Brewster Bridge reconstruction as phase-1 of this re-routing process. A public meeting was held in July on TDOT's proposed preliminary design. The new bridge would be a very high one, located downstream from the present one.

In commenting on TDOT's bridge proposal, TCWP made the following two points. (1) Construction of a new high bridge is justifiably as part of the Rugby bypass. Unless this bypass becomes a concrete plan with a clear deadline, we would consider simple replacement of the existing bridge just upstream from its present location to be a viable alternative. (2) The plans for the new high bridge entail the taking of almost 250 acres of National Park Service land on the west side of Clear Fork. TDOT should instead skirt federal land as much as possible, and should mitigate any

unavoidable losses by donating equivalent amounts of land to the BSNRRA.

E. **March for Parks money goes to BSNRRA**

Earlier this year, TCWP organized its second March for Parks. Money raised for this May 1 event finally amounted to \$1,010, which was contributed by us to the BSNRRA for water-quality and/or trail-interpretation needs. The park has decided to direct the full amount of our donation towards the printing of a self-guiding brochure for the Middle Creek Nature Trail. The Oneida School Summer Science Enrichment class researched the material for this brochure and wrote a draft, which is currently being edited by the NPS staff. Printing of the brochure will be done locally. Thanks to all of you who contributed to the March for Parks effort!

2. IMPOUNDMENTS IN THE OBED SYSTEM

A. **Struggle against the Clear Creek dam proposal continues**

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, upstream from its protected portion, to create a 100-acre reservoir to supply water for the Catoosa Utility District. The project would be funded by federal money through the Farmers' Home Administration (NL191 §1B; NL192 §1B; NL193 §2A; NL194 §1B).

An impressive list of arguments against the Clear Creek dam proposal was included in NL193 §2A. One major concern is the cumulative nature of the water theft that is being perpetrated against the Obed system. Over the past few years, several dozen impoundments of over 10 acres have been constructed in the watershed; the very large lake that will be created by the 90ft-high Otter Creek dam (§2B, below) is just the latest.

In late July, several of us and local NPS and TWRA staff met with Owen Williams, Chief of the Park Service's Water Rights Branch. We learned that the courts have established that when the US sets aside an area of which water is an integral part (e.g., a national park or national wild & scenic river), the water characteristic of the area is assumed to be set aside also, i.e., it belongs to the USA. Prior cases that have gone to court have been in the western states, and therefore certain differences between eastern and western water laws. A staff person from the Water Rights

Branch is being dedicated to helping local NPS staff assemble data on what the average flow in the Obed system was at the time Congress set it aside as a National Wild & Scenic River. This information could provide the basis for a court case.

It has recently become apparent that the driving force behind the Clear Creek dam proposal may be the profit motive of a large Florida-based development corporation that owns the lake site and thousands of adjacent acres, and which has already begun the process of lot development. Should we allow federal dollars to be expended to help a private developer make a bundle of money while destroying a federal resource -- the Obed Wild & Scenic River?



WHAT YOU CAN DO: Write to Mr. Heinz Mueller (Chief, Environmental Policy Section, Environmental Protection Agency, Region IV, 345 Courtland Street, NE, Atlanta, GA 30365) and urge EPA to mandate the writing of a full Environmental Impact Statement on the proposal. Such an EIS must include examination of the claimed needs for the project, an evaluation of alternatives, and a study of possible impacts on water quality, water quantity, ecology, endangered species, and recreationsuses.

B. Otter Creek dam update

A large impoundment on upper Otter Creek, another important Obed tributary, is in progress (two years ago, we almost managed to stop this -- NL194 ¶1C). A ground-breaking ceremony for the water-treatment plant was held on Sept. 23, and a major part of the excavation for the huge (90ft-high) dam has been completed.

As we had anticipated, a coal seam was in fact exposed by the excavation, but it is being sealed off with clay and concrete. Downstream sediment has been reduced by a settling pond. These are examples of mitigation efforts that resulted as a consequence of the many questions that had been raised about the proposal by TCWP and others. No violations of the permit conditions have been identified to date. A major turning point came when an engineering contractor with a very bad track record (on another Otter Creek dam) was replaced by a firm of better repute.

3. CHIP MILLS TRY THE BACKWAY

Earlier this year, the TVA Board denied three applications for permits to develop barge terminals for the use of chip mills. The denial was based on an Environmental Impact Statement which found that the

action would have "substantial, cumulative localized impacts and the risk of significant harvest-related impacts" (NL192 ¶6A, NL194 ¶6B). The off-site damages identified in the EIS were, in fact, horrendous, because they involved intensive timbering of hardwoods within a large radius. Thus, just the three mills that had applied for the permits would require 2 million tons of hardwood *annually* from a 42-county area.

While we were still basking in the sunshine of TVA's decision to deny permits, chip mill operators began major efforts to circumvent the ruling and get in by the backway. Approaches include disguising the proposed use of facilities for which new permit applications are being made, and working through the Corps of Engineers, which shares jurisdiction over the Tennessee River system and has sole jurisdiction over the Cumberland River system.

We have earlier related the story of one such attempt in which an existing port authority on the Cumberland River applied for a permit to construct a covered conveyor; this conveyor would have removed chips from an upland chipmill to the barges (NL192 ¶6C). Another example is that of an Alabama State official, who suggested that wood chips could be shipped from the state dock at Bridgeport (which already holds a permit to ship lumber products) by using portable loading equipment (NL194 ¶6B). Applications have now been filed for altogether 6 Tennessee and 3 Alabama sites for new or modified barge terminals.

The issue is not the building of chipmills (which we cannot stop), but the access to river shipping -- the factor that makes mills profitable; without such access (which requires a permit) most mills would not be built. Our major effort now must be to keep the Corps of Engineers from granting permits either for new terminals, or for uses of existing ports that could be subverted to serve chipmill interests. One such use is the loading of "waste" wood chips produced by existing lumber companies. The ploy is to put such a permit in place, since no distinction would subsequently be made among origins of the chips.

[P.S. The Champion Paper Co. is buying large tracts of forest land in the New River area of East Tennessee and surroundings. So far, there appears to be no attempt to secure river-shipping facilities. Would the wood be trucked to Champion's paper plant in NC?]



WHAT YOU CAN DO:

- (1) Contact the Corps of Engineers (HQ US Army Corps of Engineers, Attn. CECW-OR, 20 Massachusetts Ave., NW, Washington, DC 20314-1000) and remind them that they participated in the study that led to TVA's Environmental Impact Statement, a study which found that devastating off-site impacts would result from granting river access for wood-chip shipping. The Corps **MUST** consider off-

site impacts in deciding whether to grant or modify river-access permits. Not to do so would undoubtedly be a violation of NEPA; a law suit along these lines is, in fact, a high probability.

- (2) Contact the following members of Congress: Sen. Mathews, Reps. Cooper and Lloyd (Cooper and Lloyd have excellent records of earlier opposition to the three TVA chipmill permits which were the subject of TVA's EIS). Ask them to urge the Corps to deny the new wave of applications. Sincerely thank Sen. Sasser, who has already contacted the Corps and has promised to continue monitoring the matter. (All addresses are on p.2.)
- (3) Write a letter to your newspaper describing the threat from chip mills (see, e.g., NL188 ¶2) and, perhaps, reproducing a copy of your letter to the Corps.

4. DAM PROPOSALS FOR FIERY GIZZARD – AND NOW WHITES CREEK TOO!

A. *Appeal of Fiery Gizzard dam permit*

In mid-July, the Department of Environment and Conservation stated its intention of issuing a permit to impound Big Fiery Gizzard Creek at Tracy City. TCWP had for some time been making the case that a water supply for Tracy City should be sought elsewhere -- possibly from the existing Ramsey Lake and/or from tapping ground water (NL189 ¶4A; NL191 ¶3C; NL192 ¶3B; NL193 ¶4B; NL194 ¶3B). However, the Farmers' Home Administration (which proposes to fund the Big Fiery Gizzard Creek dam) had stated that they would not fund the Ramsey Lake alternative. Following the DoEC's proposal to issue a permit for the Big Fiery Gizzard impoundment, TCWP enumerated a list of stringent conditions that we wanted to see incorporated in the permit.

Subsequently, we have become participants in a process, to appeal the permit. This process, spearheaded by attorney Joe McCaleb, will involve filing a complaint with DoEC's Commissioner Luna, then appealing the matter to the Water Quality Control Board. The TCWP board voted unanimously to participate in the payment of expenses entailed by these actions. Joe is contributing his time.

B. *Dam and dye plant proposed for Whites Creek tributary (Rhca County)*

Whites Creek rises in the Cumberland near Grassy Cove and comes down the Walden Ridge escarpment to empty into the Whites Creek embayment of Watts Bar Reservoir, about 4 miles south of Rockwood. (Some of you have been on the Whites Creek Trail, maintained by TCWP on TVA

land, which overlooks this embayment). Noted for its beautiful scenery and for water that is clear even after flood conditions (because so much of the watershed is well forested).. Whites Creek is a great favorite of paddlers and of fishermen.

We have now learned that SSM Industries, Inc., owned by a Spring City resident, is planning to impound a Whites Creek tributary to provide a water source (? pollution dilution?) for a textile-dyeing mill. A lot of facts are not yet very clear, but right now it looks as if the dam, 30-50 feet high, would impound a 50-acre lake on Little Laurel Branch on the escarpment, which flows into Laurel Creek -- the last major tributary to join Whites Creek before it enters the embayment of Watts Bar. There are also reports that a large acreage would be cleared to provide fuel for power generation for the plant.

TCWP plans to inform itself carefully about the proposal and about the governmental agencies that might be involved in issuing permits and regulating activities. We should appreciate hearing from any of you who have a special interest in working on this issue



5. SMOKIES

A. *Smokies wilderness and the Swain County settlement*

For decades now, resolution of the so-called 1943 Agreement has frustrated attempts to designate wilderness within the Great Smoky Mtns. National Park. The Agreement dates from the impoundment of Fontana Reservoir, which caused a road to be flooded, and brought a government promise to build a new road. Even though there is now a very good road from Bryson City to Fontana on the south shore of the reservoir, and Swain County has often expressed its willingness to accept a cash settlement for the 1943 Agreement, the "northshore" road has become a political football. In particular, Sen. Jesse Helms (R, NC) has demanded that this road be built as part of any settlement. If completed, the road would exclude 44,000 acres from wilderness designation.

In May, the Swain County Commissioners wrote to Interior Secretary Babbitt, stating that "if the road cannot be built, the Department of the Interior should assist us in obtaining a cash settlement [\$24 million] to compensate us for the loss of the road." The commissioners also request an agreement from the National Park Service (NPS) to continue

providing cemetery access to families whose relatives are buried in the Park.

The conservation community will endorse these requests by the Swain County Commissioners, except for a statement by the latter that they "will not support wilderness designation as part of any settlement." The conservation groups believe that the best resolution of the controversy is one bill which simultaneously makes a cash settlement and designates the areas of wilderness previously recommended by NPS. Each side has a good chance to block any bill that contains only one of these provisions. It is hoped that Secretary Babbitt will pursue the suggestion of a two-prong bill.

It is expected that both Tennessee senators would support such a compromise bill; Sen. Sasser's pro-wilderness position has long been known to us, and Sen. Mathews recently also expressed support for wilderness. Both NC senators would probably oppose it.

B. Delay in removal of Elkmont cabins

When the Gt. Smoky Mtns National Park was being established in the 1930s, several summer-cabin owners at Elkmont got the government to buy the structures and give the former owners leases until 1952. Since then, there have been two 20-year extensions of the leases, but a 1980 agreement specifically stated that the leaseholders would not seek any extension beyond December 31, 1992. Further, the provisions of the GSMNP General Management Plan, issued in 1982, call for removal of the structures and restoration of the area to its natural state.

As a consequence of the past cabin-lease arrangements, several influential individuals and families received, free of charge, a 60-year occupancy within a national park that belongs to all the people of the US. Yet even now, several of these people are resisting return of the area to a natural state; they are waging a campaign for preservation of the structures and for leasing of the community to a concessionaire. In 1978-79, NPS had evaluated the cabins (most of which were built in the 1930s) and found them to have no historical significance; however, recent pressures have caused NPS to undertake yet another study which, so far, has resulted only in an internal working document. In the meantime, the Tennessee Historical Commission arranged for the State Review Board to hold hearings to determine whether specific cabins should be nominated to the National Register of Historic Places.

To restore the buildings to a structurally sound form would cost the Park Service \$12 million (plus \$3 M for an adequate sewage system) — money that is simply not available. Even more important, the structures could not be left in place without an amendment to the 1982 GSMNP General Management Plan — an excellent document (arrived at after much public review) that no one wants to alter. It is anticipated that if the current reviews result in any of the cabins being registered, NPS will initiate a de-registration process as provided for in the National Historic Preservation Act.

C. Citizen input into SAMI

As we all know (NL186 ¶3B), the Smokies suffer severely from air-quality deterioration. Gt. Smoky Mountains and Shenandoah National Parks are, in fact, the two most polluted parks in the USA. Nearby national forests are also having major problems. Air pollution diminishes visibility, kills vegetation, and destroys stream habitats.

Representatives of the National Park Service, Forest Service, and EPA are meeting to discuss regional air-quality issues. Decision-making committees are being set up, but the bulk of their membership will probably consist of officials from 8 Southern Appalachian states. Unfortunately, experience has shown that it is the state regulators who are most resistant to limiting the industrial activities that create the conditions of air pollution.

About 20 citizens groups have now joined in a multi-state coalition named Southern Appalachian Mountain Initiative (SAMI), organized initially by the Southern Environmental Law Center and the National Parks & Conservation Association. Group representatives recently met in Asheville to look into ways to achieve citizen involvement in critical SAMI committees, to implement an education effort for informing the public about the region's air-quality problems, and to build a broad base of public support for action. Patrice Cole has agreed to be TCWP's SAMI representative.

D. Wolves and hogs

The bad news. During the summer, there have been at least three deaths (one adult and at least two pups) among the red wolves that had been released in the Gt. Smoky Mtns National Park. It is estimated that about a dozen wolves, in two groups, are still living in the Park.

The good news. Efforts to reduce the number of exotic wild hogs in the Park have been successful.

About 6,200 of these animals have been removed during the past 5 years.

6. CHEROKEE CAPSULES

A. Management of Joyce Kilmer - Slickrock Wilderness

The Joyce Kilmer - Slickrock Wilderness is shared by two national forests: the Cherokee in Tennessee and the Nantahala in North Carolina. Responsibility for managing the entire wilderness has been assigned to the latter. The Forest Service states that the wilderness guidelines of the Nantahala and Pisgah Forest Land Resource Management Plan are compatible with those of the Cherokee (which have been developed by the "Limits of Acceptable Change" process), but that the terminology is different. The Cherokee NF is holding an Open House to explain the differences. This will take place November 1, 7:00 p.m., at the Tellico Ranger District Office, Tellico Plains. For further information, call 615-253-2520 (Tom Copping) or 476-9700 (John Romanowski).

B. Cherokee NF rivers

- While major portions of the French Broad flow through the Cherokee National Forest, much of the land along the river is privately owned and subject to development. The Trust for Public Land and the U.S. Forest Service recently teamed up to acquire a 342-acre tract with over half a mile of river frontage.
- Some years ago, the Nolichucky was recommended for National Wild & Scenic River status, but no Congressional action was taken. In response to recent correspondence from TCWP, Sen. Harlan Mathews wrote that he had been in touch with the Forest Service regarding this matter and that he will "look into the potential recommendation of the Nolichucky as a Wild & Scenic River." You may wish to thank him and urge him to pursue this matter (Sen. Harlan Mathews, attn.: Will Calloway, 505 Dirksen Senate Office Bldg., Washington, DC 20510). Send copies of your letter to Rep. Jimmy Quillen and your own US Rep., as well as to Sen. Jim Sasser.

7. CLINTON'S ANCIENT-FOREST PLAN NEEDS STRENGTHENING

[Currently, this is our most important national issue, and we hope you will take action.]

On July 1, Pres. Clinton announced the broad outline of his plan for the ancient forests of the American Northwest. The President had to walk a tight-rope between claims of economic disaster and dire environmental consequences of different proposals. To his credit, the plan that emerged will end many of the bankrupt forest practices of the Reagan and Bush administrations. Unfortunately, the plan does not provide lasting, inviolate protection for the less-than-10% of our ancient forests that still remain.

The following are the major features of the President's plan, and the modifications proposed by ancient-forest advocates.

- 7.1 million acres of forests would be placed into two reserve systems (riparian and "old-growth"). In these reserves, most forms of commercial logging would be prohibited, but two types would be permitted: (a) "thinning" of younger trees, and (b) "salvaging" of trees deemed to be biologically dead. Conservationists claim that the Forest Service often labels healthy trees as "dying" so as to meet timber-sale quotas. Yet more important: even dead and decaying trees are essential elements of the ecosystem. WE SHOULD URGE designation of at least 10 million acres (including all "roadless" forests) as reserves, and the prohibition of logging of any kind within these reserves.
- Under the Plan, a maximum of 1.2 billion board feet could be logged annually in "owl forests." Even though this is considerably below the earlier 5 billion board feet (which the courts have found illegal), it is still too high, and WE SHOULD URGE a maximum of less than 1 billion board feet logged annually.
- The degree of probability that the spotted owl and marbled murrelet would survive is high under the Plan, but viability is estimated to be only 70% for salmon. This decision seems strange in view of the fact that salmon fisheries provide more jobs than the region's timber industry. WE SHOULD URGE high enough viability for fish and for the ancient forest ecosystem to guarantee their survival.
- The Plan takes no immediate steps to protect the magnificent forests on the east side of the Cascades, where some of the heaviest logging continues, but calls only for a scientific study. WE SHOULD URGE immediate protection.
- The following are good features of the Plan: (a) it is largely (though not strictly) based on science and is only partly the result of political pressure; (b) it provides \$1.2 billion to assist timber-dependent communities, creating more jobs than will be lost due to reduction in logging; (c) it eliminates tax breaks that encourage raw-log exports; (d) it contains no

language that allows overriding or suspension of environmental laws.

The President's plan was submitted August 1 as a Draft Environmental Impact Statement to a federal judge (William Dwyer) who, last year, had ordered the administration (then under Bush) to come up with a plan showing how proposed timber sales would not jeopardize the northern spotted owl and 32 other species dependent on the ancient forest ecosystem. We have until October 28 to comment on the plan, which can then be revised by the Administration in accordance with the comments, prior to being submitted to Judge Dwyer for his final decision.

* WHAT YOU CAN DO:

- (1) Write to Pres. Clinton (The White House, 1600 Pennsylvania Ave., NW, Washington, DC 20500), praising parts of the plan that you find positive and that will help end the failed policies of the past. Point out, however, that the plan needs to be improved to ensure survival of four remaining 10% of ancient forests. Specifically cite the suggested improvements enumerated above, and urge him to stand firm on all the good points (especially the stand against overriding environmental laws). It is important that you send copies to the following:
 - (a) James Lyons, Asst Secretary for Natural Resources and Environment, USDA, Room 2173 North Bldg., Washington, DC 20250;
 - (b) Kathleen McGinty, Director, Office of Environmental Policy, Room 350, Old Executive Office Bldg., Washington DC 20501;
 - (c) The Interagency SEIS Team, PO Box 3623, Portland, OR 97208-3623.
- (2) Write to your representative and Senators (addresses on p. 2) and urge them to oppose any attempt to override environmental laws, a ploy that might (once again) be tried by Oregon and Washington legislators in order to circumvent current court restraints on Northwest logging.

B. OTHER NATIONAL NEWS

A. Biodiversity bill needs co-sponsors

HR.1164 (Bryant, D-TX), the Forest Biodiversity and Clearcutting Prohibition Act, would: (a) make the maintaining of NATIVE forest diversity a main priority of forest management agencies; (b) prevent the construction of logging roads in approximately 60 million acres of presently roadless areas, as defined in RARE II; (c) ban clearcutting and "even-age" logging on all federal lands, but allow selection logging on federally designated timber lands (except those

that have a higher level of protection, e.g., national parks, wilderness areas); (d) reactivate the Committee of Scientists that provides scientific advice to the Sec. of Agriculture on biodiversity and on logging systems.

HR.1164 currently has 66 co-sponsors of both parties, but, sadly, none of them is from Tennessee. Write to your representative supporting HR.1164, and invite him/her to become a co-sponsor of this bill (address on p.2). For a free copy of the bill, call 202-225-3456 (House Document Office).

B. Grazing-fee hike squashed again

Presently, ranchers pay the government just \$1.86/month to graze a cow and calf, or to graze five sheep. With 280,000,000 acres of public rangelands involved, this give-away costs the taxpayer \$52 million per year, plus the costs incurred for destruction of vegetation, for erosion, and for pollution of streams.

A gradual increase in grazing fees was one of Pres. Clinton's excellent intentions for ending public-land give-aways. This intention came to naught when western senators threatened to torpedo the Administration's entire economic package (NL193 19A). At the time, the President promised to pursue the same measures (pertaining to grazing, hard-rock mining, and timber sales) by means of separate legislative and/or administrative measures.

After holding a series of public meetings in the West, Sec. Babbitt announced in mid-August that the animal-unit fee would be increased from the present \$1.86/month to \$4.28/month over the course of 3 years. Even the final amount would be considerably less than the fees ranchers presently have to pay for leasing private rangelands, namely between \$5.53/month (Arizona) and \$14.83/month (Nebraska). Despite this, and even though only 10% of western ranchers use public lands for livestock grazing, ranching organizations immediately vowed to fight the Administration's planned fee increase.

Now, it seems, they got their way. Western senators attached (and passed 59:40) an amendment to the Interior Appropriations bill that blocks the government from spending money to implement the grazing-fee increase and to exert stricter environmental controls on federal rangelands. Proponents of the amendment, led by Sen. Pete Domenici (R-NM) asserted that the fee increase needed to be enacted by Congress instead of being set by executive order; however, the current

formula for calculating grazing fees was also established by executive order.

The Tennessee senators split on the vote. Sen. Mathews voted not to increase grazing fees and needs to be told of our displeasure about his position. Sen. Sasser opposed the amendment and deserves our thanks. We hope you'll drop each senator a note.

C. Land & Water Conservation Fund

The Administration's FY94 budget request for the LWCF, which supports land acquisition for the National Park Service and US Forest Service, was \$213 million, only about 75% of the FY93 level. The House bill provided a modest boost to \$223 M (we do not yet have figures for the Senate or conference bills). S.721, introduced by Sen. Bennett Johnson (D, LA) would pump \$1 billion per year for 5 years into the LWCF, but these increases would have to come out of other Interior funding and were therefore opposed by the Administration.

D. National Biological Survey: just a reshuffling?

As a result of Congressional budget cutting, the National Biological Survey (NBS), earlier commissioned by Sec. Babbitt to provide a proactive and scientific approach to preserving ecosystems (NL194 §8D), may end up robbing resources from other USDI agencies. Thus, 85% of the FY94 start-up funds for the NBS are to come from the base budget of the US Fish & Wildlife Service, which will also contribute about 1500 scientists and technicians. NPS and BLM will also supply some personnel. Critics have charged that the net effect of the NBS may be to detach scientists from field programs, thus reducing their impact on management decisions.

E. New agency appointments and new Congressional assignments

Some Department of the Interior positions to add to the list we reported in NL194 §8E are as follows. (a) The new Director of the US Fish & Wildlife Service (FWS) is Mollie Beattie, a graduate of the Univ. of Vermont and of the Kennedy School of Government, and former Deputy Sec. of Vermont's Agency of Natural Resources. She is the first woman to serve in this job. FWS manages the Endangered Species Program and administers the nation's 487 national wildlife refuges. (b) Deputy Director of FWS is Ken Smith who was environmental policy advisor to Bill Clinton when he was governor of Arkansas, and before that served as Program Coordinator for the Nature Conservancy in Little Rock. (c) Claudia Schechter, formerly deputy director of the League

of Conservation Voters, is Special Assistant to Secretary Babbitt. (d) Incidentally, George Frampton, nominated some time ago as Assistant Secretary for Fish, Wildlife & Parks (NL192 §8F), weathered his confirmation hearings despite opposition due to his having been president of the Wilderness Society. (e) The Office of Surface Mining still operates under acting director, Hord Tipton. Local coal-field residents and conservation groups are pushing for the nomination of Bruce Boyens, formerly OSM's head of enforcement for Tennessee, but he is vigorously opposed by the coal industry.

Rafe Pomerance, former board Chair for the League of Conservation Voters, now serves in the State Department as Deputy Assistant Secretary for Environment, Health & Natural Resources.

Sen. Harlan Mathews was named to the Senate Committee on Commerce, Science, and Transportation. The committee deals with legislation on consumer affairs, tourism, surface and air transportation, science, technology, and space.

F. The Mississippi floods of 1993

This year's floods in the Mississippi system are a demonstration of the disastrous effects of trying to "improve" the nation's natural plumbing system. There is clear evidence to show that if or equivalent amounts of flood discharges the crests have become increasingly higher during the century or so for which records have been kept. "Since 1837, the channel has lost about a third of its volume, so now, during a flood on the man-modified Mississippi, the stages are higher for a given discharge." (Science, 1975, 189:4204.) Navigation works and levees have reduced the natural scouring out by the river (i.e., holding capacity); flood-controlling wetlands have been drained; biologically rich waterways have been "straightened out." Human populations, lulled into a false security by the man-made structural "controls," have moved into natural floodplains and become vulnerable.

On August 25, the White House, to their great credit, directed the Corps of Engineers and 6 other agencies to examine non-structural alternatives, "such as wetland restoration and designation of overflow areas." Environmental groups have questioned why little or nothing is appropriated for watershed planning while a great deal of money is being spent on navigation (thus, the Corps is embarking on a \$4.8 billion navigation-improvement program). The Corps would like to do the planning and system-reevaluation itself, but

others are urging independent, outside evaluation of Mississippi River management.

As Brent Blackwelder (Friends of the Earth has stated, "... this persistent working against nature rather than in harmony with it ends up punishing taxpayers twice: First we have to pay for doing the damage, then we have to pay for fixing it."

The flooding caused not only losses of human property and lives, but also brought about much environmental damage. Perhaps most serious was the clogging of wetlands with silt, and the displacement of wildlife. Even prior to the floods, Iowa, Illinois, and Missouri had each lost, 85-89% their wetlands. With much of the remaining wetlands now destroyed, remnant wildlife populations have virtually nowhere to go.

9. OAK RIDGE ISSUES

A. North Ridge Trail

A draft list of criteria for trail maintenance will be sent by us to the City, inasmuch as volunteers who are not TCWP members (e.g., Eagle Scouts, NL194 ¶10E) occasionally work on maintaining trail segments.

Ken and Helen Warren, TCWP representatives on the North Ridge Trail, have noted a real problem with 4-wheel drives and ATVs on the trail section west of Illinois. Tracks from such vehicles have, in fact, made it difficult to identify the actual trail.

B. Haw Ridge Canoe Trail

The July 17 dedication float on the Haw Ridge Canoe Trail on Melton Hill Reservoir (Clinch River) attracted a large number of participants, who rated it as highly successful. Development of this 4-mile-loop trail is a TCWP project for Oak Ridge's 50th birthday. TCWP has produced a brochure (call Chuck Coutant, 483-5976) with trail description and small map. We hope to collaborate with the City Recreation & Parks Dept. in erecting a sign and a box for (or display of) the trail guide at the put-in place, as well as canoe-access signs at Edgemoor Rd. Eventually, the trail itself will be marked with unobtrusive signs.

C. Meeting with City staff

TCWP is arranging a meeting with Josh Collins, director of the Recreation & Parks Dept., to discuss the North Ridge and Haw Ridge Trails, especially with regard to the matters described in ¶9A and 9B, above. Another subject for discussion will be the Cedar Barrens, for which Maureen

Cunningham is identifying unique characteristics and sensitive species.

D. Greenways actions

On Sept. 20, Council, voting 7-0, ratified the Greenways Task Force recommendation that a "pedestrian-oriented greenways system would have lasting value and benefit to the community, and that such a system should be established in the city." Two landowners (on Wiltshire Drive) expressed concern about trail routes going through their land and urged that such situations should be handled on a voluntary basis. They were assured that the Task Force was not proposing the use of eminent domain. Council acceptance of the Task Force recommendations was simply a process to get the ball rolling. An *Oak Ridge* editorial called for the following additional actions: inclusion of a greenways plan in the city's Comprehensive Plan; use of the greenways plan in evaluating new development proposals; budgeting of city staff for these purposes; finding champions for the greenways network in the community.

10. TCWP NEWS

A. Annual Meeting program looks great (Nov. 5-7)

A succession of struggles during the past couple of years -- against the Otter Creek dam, Clear Creek, Fiery Gizzard Creek, Clear Fork, and now Whites Creek dam proposals -- have awakened our realization that watershed protection in Tennessee must become one of our main themes, and one that probably requires a broad-scale approach. The subject of our Annual Meeting, "Tennessee Watersheds -- Threats and Opportunities," should start us in that direction.

The organizing committee (Jenny Freeman, Joan Burns, Neil McBride, Dave Adler, and Jimmy Groton) have assembled a fine cast of speakers from federal and state agencies and from conservation groups. You should all have received our recent special mailing giving the preliminary program and information about accommodations at Pickett State Park. Those of you who have never been to Pickett can get glowing accounts from anybody who has ever been there about the beauty of the area and the fine trails. The organizers have included outings on Saturday afternoon and Sunday, and social functions Friday and Saturday nights in the program. They have made a special effort to keep costs to participants low, especially for folks who want to bring their families. If, despite this, you cannot afford to come but would

like to attend the meeting, please do not hesitate to get in touch with Joan (482-5735 or 4810286) and she'll try to help.

We hope very much to have a large turnout for this fine event. **MARK YOUR CALENDAR NOW AND PLAN TO ATTEND;** and, if you haven't done so already, send us your preliminary (non-binding) registration form so we can plan for meals (two will be catered, two arranged directly by us).

B. 1994 Nominees

A list of nominees for the 1994 TCWP Board and Nominating Committee is enclosed with this NL. Elections will take place at the Annual Meeting.

C. Lee's great birthday party

Many TCWP members helped Lee Russell celebrate her birthday at Annetta Watson's and Bob Luxmoore's farm in Coalfield. Jenny Freeman, Marty Adler, and Annetta planned a tremendous party, the setting was gorgeous, Lee was tremendously touched, and almost 100 people had a great time.

Our hosts have asked us to print the following lost-and-found items. **Lost** by Annetta and Bob: stainless steel serving spoon, 8-8.5 in. **Found:** Aluminum baseball bat; baseball cap ("SOX" embroidered in front); yellow Nerf ball; lawn chair (green and white webbing); serving bowl (pyrex, 8" diameter); two tablespoons (both with stainless bowl; one with black handle, the other with masking tape around handle); Tupperware container (orange, with lid); two kitchen towels (one red and white check, the other red/yellow/green stripes on blue ground). If you know anything about any of these items, call 576-2125 (work) or 435-0797 (home).

C. We thank our volunteers

We are grateful to the following people who helped assemble Newsletter 194 on July 19: Howard and Marty Adler, Jean Bangham, Joan Burns (host), Charlie Klabunde, Henri and Bettie Levy, Bob and Janet Lowry.

11. JOB OPENINGS; ACTIVITIES; READING MATTER

- **JOB OPENING:** The Knoxville Zoo is looking for an Education Specialist. Must have excellent communication/public-speaking skills, be comfortable working with all age groups (teaching experience is a plus) and with animals, and have computer experience. Apply to Education Dept., Knoxville Zoo, PO Box 6040, Knoxville, TN 37914
- Oct. 10, "A Citizen Activists' Meeting on Takings" at Vienna, VA (near Washington, DC). Sponsored by 16 organizations (including Natl. Wildlife Fed., Audubon, Sierra Club, Wilderness Soc, NPCA) as the first national conference to combat the campaign that uses the "takings" issue for attacks on environmental, health, labor, civil rights, and other laws. Contact National Wildlife Fed., 202-797-6818.
- Nov. 5-7, TCWP Annual Meeting, Pickett State Park (see #10A, this NL).
- Nov. 4-7, "The Future of America's Rivers: A Celebration of the 25th Anniversary of the National Wild & Scenic Rivers Act," Washington, DC. Contact the primary sponsor, American Rivers (202-547-6900, or 202-833-3380).
- Nov. 13, Vanderbilt Univ., exploratory meeting on how to address the problem of invasive exotic plants in Tennessee. Contact Brian Bowen, 615-292-4690.
- Dec. 3-5, Asheville, NC, Southern Appalachian Highlands Ecoregion (SAHE) Activist Training Conference will provide skills training for three issue areas: air quality, forestry/biodiversity management, and transportation alternatives. Call Arthur Smith, 615-247-7895.
- Now through December, "Tennessee Treasures," a traveling exhibit of historical artifacts celebrating Tennessee's entry into the Union in 1796, will be shown in numerous counties (2-3 days in each). For the schedule and additional info, contact "Tennessee 200" at 615-741-1676.
- 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.
- April 22-24 (?), 1994. Another March for Parks event to raise funds for a park may be organized by TCWP if there is enough interest.
- *Setting Priorities for Land Conservation*, by the National Research Council Committee on Scientific and Technical Criteria for Federal Acquisition of Lands for Conservation, 1993. (262 pp., \$39.95, from National Academy Press, 2101 Constitution Ave., NW Washington, DC 20418.)
- *Endangered Rivers of America: a Report on the Nation's 10 Most Endangered Rivers and 15 Most Threatened Rivers of 1993*, by Kevin Coyle et al., 1993. (52 pp. Order from American Rivers, 801 Pennsylvania Ave, SE, Washington DC 20003, Ph: 202-547-6900.)

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NOMINEES FOR THE 1994 TCWP BOARD

Submitted by the 1993 Nominating Committee: Dick Ambrose, Bob Luxmoore (chair), Lynn Wright.

PRESIDENT: Jenny Freeman, Oak Ridge. Marketing Coordinator with CDM Federal Programs Corp. TCWP member since 1978; Pres. 1993; Sec. 1992; served as TCWP Executive Director off and on in the 1980s. Especially interested in the preservation of rivers and wilderness areas.

VICE PRESIDENT: Charles Coutant, Oak Ridge. Senior Research Staff Member, ORNL. TCWP Board, 1982-93. Past pres., Citizens Council for Clinch River Planning; past chairman, EQAB.. Interested in preserving undamaged ecosystems.

SECRETARY: Maureen Cunningham, Oak Ridge. Botanist/Ecologist with Science Applications International Corp, Oak Ridge. TCWP Pres. 1992; Vice Pres. 1990, '91; Sec. 1993; board member, 1989; leader in battle for Cedar Barrens. Interested in expanding the base of active members in TCWP to strengthen our involvement in conservation issues on a local, regional, and national scale.

TREASURER: Charles Klabunde, Oak Ridge. Physicist, ORNL. TCWP Treasurer for 19 years, in charge of membership records. Past pres., SMHC; member, TTA. Active folk dancer.

DIRECTORS:

David Adler, Oak Ridge. Environmental specialist with DOE's Environmental Restoration Program, formerly with Bechtel Natl. Corp. and EPA. TCWP Vice Pres. 1992, 1993; board member 1989-91. Primary interests: water quality and land conservation.

Patrice Cole, Knoxville. Environmental Analyst, Radian Corp., Oak Ridge. Prior to that, regulator for 8 years for State of Tennessee in surface-mining and water-pollution control. TCWP board member 1993. Interested in environmental risk assessment and environmental preservation.

Jim Groton, Oak Ridge. Environmental Scientist, Science Applications International Corp, Oak Ridge. Worked for 6 years for the National Park Service in the Great Smoky Mtns N.P. and the Olympic N.P. TCWP board member 1993. Interested in habitat preservation, particularly wetlands.

Eric Hirst, Oak Ridge. Corporate Research Fellow, Energy Division, ORNL. Authority on energy conservation and efficiency. "I have been a member of TCWP and an admirer of its many accomplishments for two decades. Now it's time for me to contribute to TCWP's efforts. I am especially interested in pushing TVA to start anew its energy efficiency programs."

Fred Holtzclaw, Oak Ridge. Teaches Advanced Placement Biology at Oak Ridge High School, and is involved in a number of environmental projects with students. TCWP board 1992, 1993. Is especially interested in the educational activities of TCWP and in playing a leadership role in this area.

Neil McBride, Oak Ridge. Dir., Rural Legal Services of TN, 1978-present; staff attorney, E. TN Research Corp (for coal-field groups); pres., Legal Envtl. Assistance Foundation, 1985-87; formerly worked for Ralph Nader. TCWP Board 1989-93. Interested in clean water and natural areas.

Liane (Lee) Russell, Oak Ridge. Geneticist, Biology Div., ORNL. A TCWP founder; Vice Pres., 1966; Pres., 1967-70, 1986-87; Newsletter editor, 1966-pres.. Instrumental in authorization and implementation of Big South Fork NRR and Obed WSR; also active in stripmine, wilderness, and public-lands issues.

1994 NOMINATING COMMITTEE (to nominate the 1995 Board)
Dick Ambrose, Lynn Wright

