

TENNESSEE CITIZENS for WILDERNESS PLANNING

Newsletter No. 204

April 17, 1995



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12. ACTION SUMMARY

No.	Issue	Contact	"Message" or Action
1A	National Park System	Congressman	"HR 260 must be strenuously opposed!"
2A	Clear Creek dam threat	Jack Davis, TVA Lee Russell, TCWP	1. Contribute ideas on EIS scope. 2. Get on mailing list. Join Friends of the Obed (FotO) network.
2B	Rescission of Obed and BSF \$5	US Rep and Senators Copy to NPS Director	"Rescissions have hurt Obed and BSF. Defend these areas against further harm!"
4A	Scott's Gulf	Pres. of Bridgestone Corp.	"Do not rush into deal with lumber company!"
4B	Champion's AQ permit	TCWP	Suggest expert witnesses for our appeal.
4C	Bills in General Assembly	State legislators	Support/oppose selected bills.
6A	Smokies overflights	Rep. J. Duncan, Jr. GSMNP	"Urge FAA to enter into rulemaking re GSMNP!" Fill out and send Aircraft Observation Record.
6B	Abrams Cr./Chilhowee Mtn.	Foothills Conservancy	Contribute
6C	Elkavont cabins	Commissioner Dill	"Support NPS position!"
7A	TVA's Resource Budget	US Rep and Senators	"This budget pays for essential programs; do not cut!"
8A	"Dirty Water" Bill	Congressman	Cast Floor vote against this disastrous bill (HR 961)!"
8B	Mandated logging in National Forests	President Clinton Media	"Veto this bill!" Write letters to editors.
8C	1872 Mining Law	US Senators	"Proposed bill is sham reform; oppose it!"
8D	Mine threatening Yellowstone	Sec. Bruce Babbitt	"Deny Noranda's claim to mine!"
8E	"Green Scissors" Report	Media	"Make Congress end corporate-welfare subsidies!"
10A	March for Parks	TCWP	Collect pledges for fundraiser; or send own contribution.
10B	TCWP Annual Weekend	TCWP	Volunteer help with preparations.

Senator John Doe
United States Senate
Washington, DC 20510

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

Governor Don Sundquist
State Capitol
Nashville, TN 37243-9872
615-741-2001; Fax 532-9711

Dear Senator Doe
Sincerely yours,

Dear Congressman Doe
Sincerely yours,

Dear Gov. Sundquist
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. NATIONAL PARK SYSTEM IN JEOPARDY

A. *HR 260, an Anti-Parks bill. HELPHH*

A bill is beginning to move through the Congress that could lead to the deauthorization of certain units of the National Park System, and the transfer of others to less caring agencies. The National Park Service (NPS) presently has jurisdiction over 368 units. It is true that a small number of these lack national significance -- they were thrust upon NPS as local park barrels by a powerful Congressman here and there. The vast majority of the units, however, preserve and protect in perpetuity the finest American landscapes and the most historical sites. The criteria of national significance, suitability and feasibility were in place for each unit added on recommendation of NPS.

HR 260 (Hefley, Vento) is named the National Park System Reform Act. Theoretically, there is room for reform, e.g. by establishing that protection of the resource should take precedence over public use, or by finding ways to invigorate the system. That's not what HR 260 would do, however. It essentially forces the NPS itself to generate some kind of a hit list. Even worse, the deadline under which NPS would be made to operate is unrealistically tight, especially in view of the Service's depleted and relatively disorganized status at this time (see ¶18, below). If the NPS should fail to meet the deadline, a 7-member commission would be established that would draw up a list for modification or termination of park units. Two members of the commission would be appointed by House Speaker Gingrich and two by the president *pro tem* of the Senate. It is very unlikely that these persons would be dispassionate students of our National Park System; on the contrary, it is very likely that they would have some axe to grind.

It is also very likely that criteria for the decommisioning of units would include visitation levels, costs, and accessibility. Would that put the Obed and Big South Fork in jeopardy? Clearly these are not the criteria by which to judge the value of a park unit!

public does not want the budget balanced through the selling off of our national parks.

B. *Rescission bill takes away much of NPS 1995 funding*

The National Park Service was already poverty-stricken going into Fiscal Year 1995. Now, the Congress is taking away a huge chunk of what little had been appropriated for the current year. For Obed and Big South Fork impacts, see ¶28, this NL.

The bill that passed the House of Representatives rescinded \$47 million of NPS' 1995 funds as follows: ~\$17 million from acquisition moneys, ~\$22 M from construction funds, and ~\$8 M from NPS State Assistance programs. The money taken away represents a whopping 28% and 27% of what had been appropriated for federal land acquisition and for State Assistance, respectively. The Senate also passed a rescission bill (NPS details not known to us) which had to be reconciled with the House bill.

C. *Park Service reorganization = chaos?*

The National Park Service is in the midst of several aspects of a reorganization. (a) The Washington headquarters are being "downsized," with some of the personnel being moved into the parks, (b) the number of regional offices is being decreased from 10 to 7, and (c) the bulk of regional office employees will shift to a huge 16 field support offices.

The Southeast Regional Office (SERO) oversees more NPS units than any other regional office; the decrease in number of regions will add even more parks for SERO to take care of. Yet SERO's number of employees is projected to shrink from 200 to less than 20! The shrinkage is being accomplished largely by a shifting of staff into three "cluster" offices, which eventually will move geographically (one may end up in Knoxville) but currently are still located in Atlanta. Heading SERO is Bob Baker; this is a return engagement for him, after a spell out west. He succeeds Jim Coleman who recently retired. Baker supports the NPS reorganization scheme and the extra authority it gives to the superintendents of individual units. He believes that it will cause superintendents to work with state and local governments, rather than with Washington or Atlanta.

There is clearly another point of view. In a recent letter to NPS, Paul Pritchard, president of NPCA (National Parks and Conservation Assoc.)



WHAT YOU CAN (MUST) DO: Contact your Congressman and tell him that HR 260 is a terrible bill that must be opposed at all costs. Tell your friends, write a letter to your paper, get other organizations you belong to to publicize this threat. Congress must be made to realize that the American

wrote: "We fear the restructuring will lead to myriad parks and park clusters making inconsistent policy interpretations, with each developing its own responses to local problems regardless of the implications for the whole park system and federal policy." The NPS will also be less able to speak with a strong unified voice when it is under attack by outside forces, such as the US Congress (see ¶1A and ¶1B, above).

D. *Park-support groups meet*

(Contributed by Joan Burns)

The National Parks & Conservation Association (NPCA) recently sponsored a Southeast Regional Forum in Atlanta, organized and facilitated by NPCA Regional Director Don Barger and by Vera Guise, from the Blue Ridge Parkway. The purpose was to discuss and develop strategies that would assist park-support groups to do their job better and to work together in their mutual interest in issues facing national parks. TCWP's part-time executive director Joan Burns received an NPCA grant to attend the Forum.

Speakers from the National Park Service (NPS) and from park-support groups discussed the challenges in front of us -- such as NPS' "downsizing," decreases in funding, the backlog of projects needing to be done (including acquisition, and repair and renovation of facilities), increases in numbers of visitors each year, and the air and water pollution and commercialism that are encroaching on our parks. Opportunities that were identified include bills proposed in Congress that would allow parks to keep the entrance fees they collect, and would allow superintendents to do more fundraising. NPS is also encouraging the staff at parks to develop more partnerships with the local communities. Discussion items included the current NPS reorganization activities (¶1C, above), including the intent to move more decision making away from D.C. and give it to park superintendents (good or bad?).

The main message carried from the meeting is that now is the time for park-support groups like TCWP to stay on top of what's going on in their parks, and to stay in contact with the staff and management. We need to continue our partnership with the parks, and to be loud and clear in our advocacy for the parks.

2. OBED AND BIG SOUTH FORK

A. *Scoping for the Regional Water Supply Project*

Background. Pressure on the Catoosa Utility District (CUD) to build the Clear Creek dam has greatly increased. Currently, CUD has a contract to buy water from the City of Crossville, but the city recently gave CUD two years' notice of canceling this contract for the purpose of re negotiating it. It appears that Crossville plans to increase by about 60% the rate at which CUD pays for water.

Because there will be increasing water demands for the Cumberland Plateau, and because, in recent times, the damming of streams in the Obid or Big South Fork watersheds has been the answer that is locally being proposed at an alarmingly rising rate (NL203 ¶1B), it is good news for everyone that the so-called Catoosa Utility District Regional Water Supply Project is now in full swing. RECD (Rural Economic & Community Development Agency), after much public pressure from us and others, agreed to do a full-scale Environmental Impact Statement (EIS). [Incidentally, RECD, which used to be the Farmers Home Administration, is now named RUS, Rural Utility Service]. It is especially good news that the Tennessee Valley Authority (TVA) is carrying out the process. TVA has a tremendous amount of expertise in water-resource issues and in taking regional and long-range approaches. In our dealings so far, we have been very favorably impressed by the quality of the TVA staff assigned to the project.

The scoping process.

The first step in the preparation of an EIS is the determination of its scope. Following a couple of meetings of a steering committee (which includes TCWP's Joan Burns and an NPCA's Don Barger), the lead agencies organized a scoping meeting, held April 4 at Crossville. The deadline for receipt of written comments is June 4 (see below for address).

The meeting started with an open house at which people could view a number of informative maps and other exhibits. A fact sheet distributed by TVA/RUS made some very important points.

(a) Rather than being limited to the Catoosa Utility District's proposal (i.e., Clear Creek dam), alternatives to be evaluated will address the water supply needs of the upper Cumberland Plateau region as a whole, which includes significant portions of the watersheds of the Obid and Big South Fork. The map attached to the fact sheet showed that the area being considered in the EIS

will include all of Cumberland and Fentress Counties, and a small part of Putnam County.

(b) The planning horizon will be 30 years (rather than a short-term "fix").

(c) Alternatives to be considered will range from construction of dams to the installation of a water pipeline from Watts Bar, Center Hill, or Dale Hollow Reservoirs."

Several of these points, plus the generous 60 days allowed for written comments, reflect the large amount of input the lead agencies have already had from people not only in this area but from all over the country, people vitally concerned about preserving the Obed and its Clear Creek tributary. This level of concern was very apparent also at the Crossville scoping meeting. The roughly 100 attendees (my estimate) were randomized into 5 groups in each of which facilitators elicited everyone's ideas about issues that should be studied in the EIS. People in the sessions from which we got feedback overwhelmingly raised issues that reflected concern about damage to the river resource, and supported analyses of region-wide, long-range, solutions to the Plateau's water problems.

Issues

During this scoping process, there are numerous issues you might wish to suggest for inclusion in the study. Here are a few to consider.

(1) The National Park Service has the mandate to preserve the Obed National Wild & Scenic River *unimpaired* for the enjoyment of future generations. This is a basic premise on which any alternative must be based.

(2) While there can be no compromise on this basic premise, there are undoubtedly several alternative ways for addressing the Cumberland Plateau's water problems. Among these are:

- pipelines from existing large reservoirs;
- better utilization of existing water supplies (fixing leaks, upgrading distribution grids, improving treatment plants, etc.);
- creation of a regional water-planning body to coordinate or replace separate utility districts;
- water-conservation measures;
- waste-water re-use;
- groundwater.

(3) When examining the alternative of building reservoirs on the Plateau, the EIS must ask:

- what amount of new impoundment would be needed to keep the study area supplied with water for the next 30 years?

- what would be the resulting *cumulative* incremental loss of water from the Obed and the Big South Fork?

A recent TVA study for the Obed watershed shows that about 11/2 times as many reservoirs were constructed in the past 6 years as in the 45-year period before that, and that the total surface acres for already existing impoundments almost exceeds the acreage to be protected for the Obed Wild & Scenic River.

(4) The EIS process should not exclude extending the study boundaries if, by doing so, a reduction could be achieved in water cost per customer.

(5) New reservoirs will stimulate developments surrounding them. The EIS should examine the impacts of such developments, such as,

- downstream pollution from septic tanks, pesticide and herbicide run-off, construction activities, etc.
- political pressures against the drawdowns that were originally projected in calculations for achieving the needed water supply.

(6) With regard to ecosystem damage, dams, in addition to decreasing water flow downstream, can have many other impacts. Among parameters to examine are nutrient flow, migration of aquatic organisms, silt deposition, water temperature, changes in normal seasonal flow variation, oxygen levels, trapping of natural debris needed to provide habitat or food, etc.



WHAT YOU CAN DO:

(1) By June 4, send written suggestions and comments about the scope of the EIS to

Jack L. Davis
Manager, Water Resource Projects
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, TN 37902

(See above for ideas on issues.)

(2) Ask to be put on the mailing list for the draft EIS and any notices about meetings, etc.

(3) Join the Friends of the Obed [FoTO] Network (no cost to you), and let us know of others who should also be on the Network mailing list (contact Lee Russell, address at bottom of p.1). FoTO (coordinated by TCWP) mails ad hoc information items and action calls on issues affecting the Obed.

B. Implications of the rescissions for Obed and Big South Fork

Among the FY 1995 National Park Service (NPS) appropriations rescinded in recent Congressional action (§1 B, above) were acquisition funds of \$261,000 for the Obed National Wild & Scenic River and of \$300,000 for the Big South Fork

National River & Recreation Area. These funds, hard fought-for by several of us in past years, are needed for acquiring essential lands within the authorized purchase boundaries of both parks -- sensitive, fragile areas that are in imminent danger of being adversely developed (mined, logged, drilled, built-on), doing irreparable harm to the resource as a whole. The need and rationale for acquiring these lands has undergone much scrutiny over the years, and there is nothing unnecessary or frivolous about these acquisitions. Further, in addition to the imminent dangers of destructive developments, one must also consider that the longer the purchases are delayed the more costly the lands will become. There is, finally, the circumstance that NPS has already made commitments to several private property owners to buy lands from them. Withdrawing now will certainly be viewed as a breach of faith.

Obed WSR The rescission is particularly dangerous for the Obed. Because only very limited additional funds will be left "in the bank," future acquisition may become paralyzed, making this project appear to be inactive and thus vulnerable to other adverse Congressional actions (see ¶1A). The magnificent Obed is Tennessee's only National Wild & Scenic River, and one of only a handful in the southeastern US. Only the lands within the gorge itself plus a relatively narrow strip above the bluff line are to be acquired for this project, but these acquisitions are essential to protecting the character and quality of the resource. Further, the local people are very anxious indeed to have the Lilly Bluff overlook developed -- as projected in the recently completed General Management Plan (NL203 ¶2C) -- so that passing tourists can get to see the beauty of the area (this visitation would swell popular support for the resource). Lands needed in conjunction with the overlook are owned by people eager to sell to NPS, but at least one of these landowners has stated that he will be forced to log his land if NPS does not buy it.

Big South Fork NRR Of the 125,000 acres authorized, almost 20,000 were still unprotected at the beginning of FY 1995, including the pristine and scenic western lands traversed by North White Oak Creek and its Laurel Fork, which supply the bulk of the clean water for the Big South Fork Cumberland River. Much of this area is made up of a few large tracts, and it has taken several successive years of hard-fought-for appropriations to put enough money "in the bank" for NPS to start negotiating with the major landowners. The very good news is that one of these large tracts has just been acquired

by NPS, and a second one is in final stages of acquisition. If the second deal goes through, about 7,000 of the western lands will have been added to the Park. The bad news is that there is now probably no NPS money to buy the next largest tract (about 1,000 acres), whose owners have repeatedly expressed their intention to log, and otherwise develop, the land if the government does not buy it soon. Other critical parcels are under similar threats.

✱ **WHAT YOU CAN DO:** Our members of Congress need to know what critical harm has been done by the rescission. While it is probably too late to change anything for FY 1995, we need to convince them of our great support for these two NPS resources so as to ward off harm that may otherwise be done for FY 1996 and the future. Whatever you write will also have a strong bearing on what happens in connection with the Anti-Parks bill (HR 260) discussed in ¶1A, above.

Contact your Representative and both Senators (addresses on p. 2). Send a copy to NPS Director Roger Kennedy (US Dept. of the Interior, 18th and C Streets, NW, Washington, DC 20240).

C. *Friends of the Big South Fork is formed*

The BSNFNR has given support to the formation of a Friends of the Big South Fork group, which is expected to help the park by fundraising, actual hands-on project work, educational programs, and advocacy. About 20 people attended the first meeting, which was held on March 29. Two additional information and recruiting meetings are planned, one each in Fentress and McCreary Counties. Call David Laxton at 615 569-9847 for additional information.

3. GOLF COURSES IN STATE PARKS?

(Contributed by Jenny Freeman)

On January 26, TCWP filed a complaint in Chancery Court in Davidson County against the State of Tennessee for the contract signed on the last day of the McWhorter administration with Golf Services Group, Inc. of Houston, Texas (NL203 ¶2B). The State intends to issue a bond for \$20 million to build Jack-Nicklaus-signature golf courses in four state parks: Panther Creek, Cumberland Mountain, Chickasaw, and Natchez Trace. One of the reasons we filed the suit was to give people time to get in touch with Gov. Sundquist's administration and with members of the General Assembly to protest the financial risk the state seems willing to take in order to build

these golf courses. Since our suit was entered, several things have transpired:

1. In late February, the Appalachian Mountain Bike Club, which had taken an active interest in keeping the trails in Panther Creek from being replaced by golf greens and tees, joined us as plaintiffs in our lawsuit. Along with a monetary contribution, the Club gave us an enthusiastic backing with letters and phone calls to the Department of Environment and Conservation and to General Assembly members.

2. The golf courses originally planned for Panther Creek and Natchez Trace were being re-projected for two other state parks -- Harrison Bay and Tims Ford, respectively. The reason given for the move was that the terrain in either of the original parks is not suitable for a large golf course; we believe, however, that it was the intense citizen protest against the course in Panther Creek that led to the change in plan. But moving the courses to two other parks is not the win we want. We want the entire contract scrapped because of the environmental degradation of state-park resources and the financial risk to taxpayers.

3. There have been many articles, editorials, and editorial cartoons about the issue. The *Knoxville News-Sentinel* has presented excellent coverage, and is editorially opposed to the contract.

4. Rep. David Coffey (R, Oak Ridge) formally requested the State's Finance and Administration Dept. to find some way of getting out of the contract. F&A responded that the contract was binding and there was no legal way to back out of it. We have requested that the Attorney General also review the contract to see if it can be interpreted any differently. We believe there are specific paragraphs and sentences which would give the state an out.

5. We have requested -- so far unsuccessfully -- to see the other three proposals that were offered in response to the state's request-for-proposals. At least one of these proposals includes a feasibility study which concludes that a golf course would be self-sustaining in only one state park in Tennessee -- Chickasaw. This is a large park with hundreds of acres of flat terrain, located near a major metropolitan center (Memphis) from which golfers would come. No other state park will support a self-sustaining golf course, according to the company's study.

6. On March 24, our suit was dismissed in Chancery Court because we failed to show standing, and we failed to state a claim upon which relief could be granted. We have 30 days in which we can appeal, and are

deliberating on whether to do so. The filing of an appeal, which would cost an additional \$200, would buy us about 2 more months of time during which we can continue to generate press; flood Nashville with letters, faxes, and phone calls; and pressure the state into finding some way to back out of this contract.

The Izaak Walton League in Morristown, while not a party to our lawsuit, has continued to play a major role in generating press, letters, and good ideas. The most recent is to hold a day-long summit on state-park issues in early summer which would be attended by members of the legislature, environmental and other interested organizations, park and TDEC staff. We think this is an excellent idea and will support the summit wholeheartedly.

4. ACTION NEEDED ON ADDITIONAL STATE ITEMS

A. *Scenic Scott's Gulf at risk*

The deep gorges of a portion of the Caney Fork River and its tributaries form a highly scenic area known as Scott's Gulf in the SE corner of White County (adjacent to Cumberland Cy. to the east and Van Buren Cy. to the south). The major portion of Scott's Gulf, a 15,000-acre tract, is owned by Bridgestone Tire & Rubber Co. Bowaters' Virgin Falls Pocket Wilderness (well known to several TCWP members) is encircled by this property. Area citizens, supported by local government, have been looking into ways in which Scott's Gulf could be given protected status. The effort is being coordinated by the Upper Cumberland Chapter of the Tenn. Trails Association.

Last week, these folks received a shocking piece of news: the Doyle Lumber Co. of Grand Rapids, Michigan, has made an offer to buy the Bridgestone property. If this sale goes through, parts of the beautiful deciduous forests would be intensively logged (possibly to feed a chip mill), and cattle would be raised on the cleared land. Doyle also plans to build a hunting lodge, import non-native game species, and start an exclusive hunting club.

Here are a few things Scott's Gulf has to offer.

- Outstanding scenic beauty;
- Numerous waterfalls and cascades;
- Whitewater sport on the Caney Fork;
- A network of developed trails;
- Fishing and hunting (native species)
- Several caves that are homes to the endangered Gray, Indiana, and Eastern Small-footed Bat;

- At least five endangered bird species, including the Peregrine Falcon;
- Outstanding vegetation, some of it rare and endangered;
- Points of archeological interest (including Indian petroglyphs) and of historical interest (including old home sites and cemeteries).

With only minimal investment, the area could become an outstanding tourist attraction.

- Its proximity to Fall Creek Falls and Bledsoe State Forest creates a natural greenbelt of 50,000 acres;
- It surrounds the Virgin Falls Pocket Wilderness and is adjacent to Lost Creek Cave and waterfalls;
- It can be viewed from a dozen existing scenic overlooks;
- Several miles of old roads are accessible to vehicles.

In 1964, the Gulf was under consideration as a state recreation area, and Sen. Al Gore, Sr., displayed some interest in this proposal. Plans for the park were abandoned in 1968, when the Firestone Tire Co. announced its intention to buy the property, with a plan to conserve its pristine beauty and build a wilderness resort for Firestone employees. Obviously, at least two large companies -- Bowater and Firestone -- recognized that the area can be much more valuable for its recreational potential than for its timber. The value of the timber (which can be cut but once in a generation) is less than the value of just one year of potential income from tourism. The people of the area also recognize this and want to work with Bridgestone to get a fair price for the property in a manner that retains its pristine beauty. They would prefer to help Bridgestone become a friend of the community, rather than an object of outrage.



WHAT YOU CAN DO: (1) Without delay, send a postcard or short letter to Mr. Masatoshi Ono, President, Bridgestone Inc (50 Century Blvd., Nashville, TN 37214) to make some of the points outlined above. Urge him not to let Bridgestone rush into a deal with Doyle Lumber Co. in order to allow time for the public to act. (2) Plan to attend the hike to the area on April 23, and/or the Public meeting on May 8 (see ¶11, for details). (3) For further information or news of further developments, contact Paul D. Miller (790 Buffalo Valley Rd., Cookeville, TN 38501-3113, phone 615-526-9259 or 372-9811).

B. *Campbell County processing plant for Champion logging*

Champion International Paper Co. applied for -- and received -- a permit from the Tennessee Air

Pollution Control Division for operating a "wood fiber processing plant" (=chip mill?) near Catyville in Campbell County. The permit application states that the plant would process up to 256,000 pounds of timber an hour, a quantity which translates into 3-4 acres of logging an hour, or 10,000 acres per year -- presumably "harvested" from the 85,000 acres of beautiful forest land in Campbell, Anderson, and Scott Counties that Champion acquired last July.

TCWP has joined three other groups in filing an appeal to the Tennessee Air Pollution Control Board opposing the issuance of the air-quality permit (see NL203 ¶3A for details). The attorney handling our appeal, David Stuart, has been notified that the hearing on the appeal will not be held for 6-9 months. A lot of acres can be clear-cut during this interval.

TCWP and SOCM have teamed up to take a proactive stand in letting Champion know about our interests and concerns for the land (NL200 ¶7B). Among other things, we have sent to Champion a database of all the endangered, threatened, and rare species that are found on their land, together with their locations and status. Instead of spending money on slick commercials, Champion could earn public good will by taking concrete actions showing responsiveness to our concerns. In particular, they could participate in locating areas most in need of protection, and declare these areas unsuitable for clear-cutting. They could practice truly sustainable forestry, and they could make maximum use of recycled, waste, and alternative fiber sources.



WHAT YOU CAN DO: In connection with our appeal of the air-quality permit, we shall need expert witnesses who can testify on the adverse air-quality effects of fiber-processing plants. If you can assist us, or if you can identify someone who may be able to take this on, please call the TCWP office at 481-0285.

C. *Bills before the General Assembly*

The following is a list of selected bills that may be of interest to our members. Consult your Political Guide (included with NL203) for addresses and phone numbers of your state legislators.



HB 1745/SB 1135, the Audit Privilege bill, would create a new legal privilege for businesses and corporations, which permits secrecy about pollution activities and sweeping immunity from civil and criminal prosecution. Urge your senator to support the Crutchfield amendment, which furnishes a moderate way to provide the incentives businesses

want to conduct audits, and would improve compliance by mitigating penalties on a case-by-case basis appropriate to the facts. If the Crutchfield amendment is not accepted, the whole bill should be defeated.

HB 1336/SB 207, the Boards bill, would add a representative nominated by environmental groups (EAF and TCI, respectively) to the Air and Water Quality Control Boards. These boards are currently imbalanced in favor of industry and agricultural interests. Support.

HB 554/SB 590, the Children's Act for Clean Indoor Air, proposes regulation of tobacco smoking in places children frequent. Supported by TEC and by lung and heart associations.

HB 1050/SB 1338, a "takings" bill, would allow owners of wetlands to require the state to purchase the land at fair market value or retain the property with zero value for property taxes. Oppose.

HB 1486/SB 570 would gut Scenic Roadways by saturating them with billboards.

HB 1618/SB 995 and HB 1682/SB 996 provide increased regulation of billboards.

SB 1355 requires a 50-foot buffer between state forest clearcuts and state or federal highways.

D. Key legislative committees

Add this information to your Political Guide.

House Conservation and Environment Committee

J.B. Napier (D, Columbia), Chair
Gary Odom (D, Nashville), Vice-chair
Jerry Cross (D, Caryville), Secretary
H.E. Bittle (R, Knoxville)
Clint Callicott (R, Franklin)
Charles Curtiss (D, Sparta)
Mike Kernell (D, Memphis)
Bill McAfee (R, Chattanooga)
Arnold Stulce (D, Soddy-Daisy)
Michael Williams (R, Maynardville)

Senate Environment Conservation and Tourism Committee

Bud Gilbert (R, Knoxville), Chair
James Kyle (D, Memphis), Vice-chair
Tommy Burks (D, Monterey), Sec.
Milton Hamilton (D, Union City)
Tom Leatherwood (R, Bartlett)
Randy McNally (R, Oak Ridge)
Carol Rice (R, Clarksville)
Danny Wallace (D, Maynardville)
Don Wright (R, Gallatin)

5. MORE STATE ISSUES AND NEWS

A. Copper Basin: a warning against future mining in the Cherokee?

This 50 square-mile area has been called a "moonscape," the Eastern Badlands, the Ducktown Desert, a "red flayed carcass." The mining industry created this wasteland within our rich mountain forests in the span of a generation.

Revegetation efforts were started in 1939 by the Civilian Conservation Corps, and were continued by TVA and others, using millions of trees. It was not until the mid-1980s that some of plantings began taking hold (genetically-engineered loblolly pines planted in regular rows). Even with this new, far from natural, tree growth, downstream water quality in Parksville Lake is still rated as "poor" as a result of the toxic materials and eroded sediment that washed into the Ocoee River over the decades. It will take many generations before the land regains its original richness and diversity.

The Murphy Belt, an enormous copper deposit, runs through the Cherokee and Nantahala National Forests, and the mining of copper (as well as zinc, and possibly gold) again threatens our lands. The US Forest Service has already issued prospecting permits to a huge Australian corporation with a terrible environmental record (NL202 ¶4A). Although extraction and processing techniques have changed since the time Copper Basin was mined a century ago, there may not actually be any non-harmful manner in which to mine copper and zinc.

If you want to be kept up-to-date on mining plans for the area's national forests, call the Southern Appalachian Biodiversity Project at 704-258-2667.

B. Sequatchie Valley threatened

Armstrong Energy Resources is proposing to build a pump-storage electricity-generating system on both sides of the beautiful Sequatchie Valley. Large water-storing basins, each one several hundreds of acres in surface area, would be dug out both at the top and the base of the escarpment. Gravity flow of the water would generate electricity during the hours of greater demand. Then at night, when electricity demand is low, water would be pumped from the bottom to the top reservoir, using up much of the electricity that was generated during the day -- not a very efficient way of producing power.

It's bad enough that the beautiful area would be devastated by the construction of 4 large reservoirs, but there is another wrinkle too. Excavation of at least one of the reservoirs, the one on Walden Ridge, would entail the mining of coal from the highly toxic Sewanee coal seam, which would produce acid mine drainage into the watershed of the scenic Rock Creek.

In mid-December, the Federal Energy Regulatory (FERC) granted Armstrong Energy the preliminary 3-year permit for studying feasibility of the pump-storage project. We hope to be able to inform you later of appropriate actions to take.

C. *Efforts to revive the Cumberland Trail*

On February 25, the Tennessee Trails Association (TTA) leadership sponsored a meeting at Cumberland State Park for the purpose of discussing possible ways of reviving the Cumberland Trail (CT). David and Willa Reister, who are very familiar with the trail, attended on behalf of TCWP.

Development of the CT was started in 1969 by TTA, which envisioned a footpath that would eventually traverse the state from Cumberland Gap to Chattanooga along the eastern edge of the Cumberland Plateau. When the State Trails Act was passed in 1971, the CT was designated as one of several State Scenic Trails; it is the only one that has since been developed to any significant extent. At one time, over half the trail (5 sections) was in place.

Subsequently, the CT -- along with the entire State Trails System -- fell on hard times as a result of apathy and parsimony on the part of state government, which eliminated the important State Trails Administrator position. The portion of the CT north of Oliver Springs has, furthermore, suffered from hostile feelings by landowners that were stirred up during the dispute over a proposed large landfill.

At the meeting on February 25, it was decided that until the state (or some other funding source) can pay for a new CT administrator, re-establishment of the trail can be pursued at the local level only. A few groups were identified that will commit to working on specific sections. The Cumberland District of the Boy Scouts, La Follette, have agreed to work on Section I (Cove Lake to La Follette); and the mountain bike club headed by Mark Mobley of Norris is interested in pursuing a

portion of Section II from the Laurel Grove Fire Tower south to Oliver Springs.

D. *French Broadlands preserved*

Thanks to the Trust for Public Land (TPL), extensive woodlands and scenic pasture along the French Broad River have been acquired from private owners and donated to the US Forest Service (USFS) for protection and public access. On March 30, TPL announced purchase of 794 acres, adjacent to 342 acres acquired in 1991. The 1,136 acres are now part of the Cherokee National Forest. The USFS has consolidated much of the riverfrontage within the boundary of the Cherokee.

TCWP is one of 7 organizations listed by TPL as active supporters of the project. If you wish to thank TPL, their Atlanta field office can be reached at 404-873-7306 (FAX 404-875-9099).

E. *Funding to protect Tennessee species*

Tennessee is one of the biologically most diverse states in the nation, but it is also among the states with the highest incidence of threats to special species. Among Tennessee's native animal species, 10.9% (86) are globally rare, making us the third highest rare-species state in the nation. For plant species, we rank No. 16 among the 50 states. However, only last fall 22 Tennessee species had to be added to the threatened and endangered list; the fast rate of human growth is gobbling up habitat.

Unlike many other states, Tennessee has little or no funding for programs that support "non-game" species. The Tennessee Wildlife Resources Agency (TWRA) has a \$30 million budget for state wildlife, but 99% of this money goes to support hunted and fished species. Only 1% of the budget supports the 97.8% of our state's wildlife that are not game species. Further, the majority of the state's outdoor recreation users (72.6%) are neither hunters nor anglers; they are hikers, paddlers, bird watchers, photographers, etc., etc.

This spring TWRA is selling a special license plate most of the price of which (\$22.50 of \$25) will go to the Watchable Wildlife Fund. There have also been rumors of two bills that would be introduced for raising money for species protection (from a speeding-ticket surcharge, and/or from sand- and gravel-mining royalty fees). For further information, call TWRA (615-781-6670) or The Nature Conservancy (615-298-3111).

F. *Military reservations rich in species*

The Nature Conservancy has been sponsoring inventories of flora and fauna on some of Tennessee's military installations. The 136,000-acre Fort Campbell Reservation and the Arnold Engineering Center yielded, respectively, 18 and 49 rare, threatened, or endangered plant species. At AECDC there are 27 listed animal species, including two federally-endangered ones.

G. *Tennessee Environmental Endowment*

Settlement of a lawsuit has resulted in funding for environmental projects. In mid-January, the US District Court in Nashville approved a settlement negotiated by the Tennessee Environmental Council (TEC) in a Clean Water Act citizen suit. Under this settlement, the Dana Corporation, which had repeatedly (several hundred times) violated its water-discharge permit (almost 100 pounds of excess lead discharged into Duck River tributaries) will pay \$1.125 million to the Tennessee Environmental Endowment, a newly created nonprofit corporation. The Endowment, which will use the money to fund environmental projects in the Duck River watershed, is directed by representatives of 6 Tennessee environmental groups. TCWP's representative is David Adler.

6. SMOKIES

A. *Noisy overflights continue to intrude*

Low-flying sight-seeing helicopters are destroying the park experience for visitors to the Smokies. Rainbow Helicopters, recently magnanimously offered to stop Sunday flights, but from Monday through Saturday you are likely to be disturbed in your experience of the quiet of the park, or of its natural sounds, and you may find a helicopter hovering just above the treetops.

Because jurisdiction over all airspace rests with the FAA, the National Park Service (NPS) is powerless to regulate the overflights. A year ago, the Secretaries of the Interior and Transportation jointly announced their intention to address the park overflight problem by rulemaking, but nothing has happened since then. It is unlikely that FAA will do anything unless forced to by public opinion or Congressional pressure. NPS must be armed with evidence that the public is outraged by this type of commercial exploitation of our parks. The National Parks & Conservation Assoc. (NPCA) has initiated a public awareness campaign to help provide such evidence. We are enclosing an "Aircraft Observation Record" for you to use the next time you visit the

Smokies (details below). If you have any questions or ideas, contact Don Barger, NPCA's SE Regional Director (Norris, 494-7008).

* WHAT YOU CAN DO:

(1) Make as many copies of the "Aircraft Observation Record" as you and your friends can use. Don't worry if you can't fill out all the details under "Aircraft Information" or flight path, but be sure to state under "Comments" how the noise and intrusion affected your experience in the park. Return forms to address shown at top.

(2) Write to Rep. John Duncan, Jr. (address on p.2) and ask him to put pressure on FAA to enter into meaningful rulemaking with NPS to address the overflight problem at the Smokies (this is a good time to do this, before other operations become established). Duncan chairs the Subcommittee on Aviation of the Transportation and Infrastructure Committee. He also serves on the House National Parks, Forests, and Lands Subcommittee of the Committee on Resources.

B. *Status of Abrams Creek/Chilhowee Mountain purchase*

Two months remain for the Foothills Land Conservancy (FLC) to raise the remaining \$160,000 needed to acquire 4,600 acres from ALCOA (NL200 ¶4B; NL202 ¶5D; NL203 ¶5B). Of this parcel, 300 acres adjacent to Abrams Creek (river otter habitat, and used by red wolves) will be donated to the National Park Service to extend the GSMNP. The remaining acreage, which will go to the Tennessee Wildlife Resources Agency, lies on both east and west slopes of Chilhowee Mountain. It provides black bear habitat and a migration corridor to and from the Park, which is particularly critical for the bears in lean years. The dense woodlands also provide vital nesting habitat for several species of songbirds.

In addition to contributions from over 2500 individuals, organizations, schools, etc., the FLC has received three large grants; all these are, however, contingent on the Conservancy being able to raise the balance. Cost of the land, including campaign expenses, comes to \$300 an acre. Some of the land would fetch thousands of \$\$/acre if sold in subdivided parcels (something likely to happen to it if not preserved). If FLC has to extend the option beyond June 30, the penalty will be \$8,333 per month (FLC already had to pay an extra \$50,000 to extend the option beyond the original deadline of 12/31/94). On the other hand, if FLC comes out of this project in good financial condition, they expect

to be able to move on to protect an additional 1,500 acres that also adjoin the Abrams Creek area.

* **WHAT YOU CAN DO:** The address is Randy Brown, Foothills Land Conservancy, 352 High Street, Maryville, TN 37801 (Ph. 615-681-8326). If you haven't yet had a chance to contribute (and maybe even if you have) you may want to send a check. Tell your friends about it, too (informative brochures are available from FLC if needed); fewer than 0.1% of East Tennessee residents have contributed thus far.

C. *Elkmont Cabins still an issue*

Most of the cabins in the Elkmont area of the Park were built in the 1930s or later. They have been used as summer places for well-to-do area residents who for ~60 years have enjoyed free occupancy in a National Park that belongs to all of us. Several of these individuals have resisted the provision of the 1982 GSMNP General Management Plan that calls for the cabins' removal, so that the area can return to nature and again be open to the general public.

A 1978-79 study by the National Park Service (NPS) found the cabins to have no historical significance (they are barely older than the houses many of us live in). Nevertheless, there have been attempts by some of the politically influential lease holders to have the cabins placed on the National Register of Historic Places by the Tennessee Historical Commission (NL195 ¶58). While NPS would still have the right to tear down the structures, it becomes politically more difficult to do so. TCWP Board member Patrice Cole attended a recent meeting of NPS, the Historical Commission, and interested individuals. The political pressures became amply apparent. On the other hand, it also became obvious that restoration and maintenance of the cabins would impose a great financial burden on the taxpayer (NPS): fixing even one roof could cost many thousands of dollars. Perhaps even more important, the structures could not be left in place without an amendment to the 1982 General Management Plan -- an excellent document (arrived at after much public review) that nobody wants to alter.

* **WHAT YOU CAN DO:** Write to Commissioner Don E. Dills, Tennessee Dept. of Environment and Conservation (401 Church Str., L&C Tower, Nashville, TN 37243-0435) and urge him to support the National Park Service, the US taxpayer, and all of us who own the Park.

7. TENNESSEE VALLEY AUTHORITY

A. *TVA in grave danger*

While TVA's power operations are self-supporting, the agency's resource budget requires Congressional appropriations. These appropriations are now in grave danger of being decimated, and many highly valuable programs and essential activities could be terminated. Here are but a few examples of activities that TCWP members have greatly appreciated and would hate to lose.

- The Small Wild Areas program that identifies and protects ecologically or scenically significant parcels of TVA lands around the lakes. The one we are most familiar with is the Whites Creek Small White Area on Watts Bar Lake, on which TCWP maintains a trail.
- Lakeshore management that exerts control over indiscriminate and inappropriate developments. Without this, industrial or junky commercial developments might spring up at random around the lakes, without regard to other considerations.
- Tremendous expertise in regional water-resource planning, such as that currently being used for helping to solve water-supply problems for the Cumberland Plateau without continued harm to the Obel (§2A, this NL).
- Special expertise in ecology, history, and archeology that helps to identify areas in need of protection, e.g. the Worthington Cemetery site (§9B, this NL), which was originally zoned for industrial development.
- Help provided to other agencies, such as that given to the National Park Service when TVA improved the small access site to Clear Creek at Jett Bridge.
- Expertise and research on environmental problems, forestry, etc.
- Well-planned and environmentally-compatible public access and recreation sites (picnic areas, campgrounds) for the reservoirs.
- The forging of community partnerships.

In view of the current mood in Congress, unless there is a great public outcry in support of TVA's resource program, much of this could soon be history.

* **WHAT YOU CAN DO:** Without delay, contact your Representative and both Senators at addresses on p.2 and give them examples of why TVA's resource budget must not be slaughtered. Send copies to: Rep. Tom Bevill (2302 Rayburn House Office Bldg); Rep. John Myers (2372 Rayburn House Office Bldg); Rep. R. Livingston (2406 Rayburn House Off. Bldg).

B. *Update on the Duck River*

Some TCWP old-timers will remember the bad old days when we were fighting TVA dams. On the Duck River, we lost on the upstream Normandy Dam, but the downstream Columbia dam was halted after being only partially built. The local Upper Duck River Development Agency (UDRDA), however, continued to agitate for the dam long after TVA saw good reasons for abandoning the plan.

Now, it appears, the Columbia Dam project may be completed in a very different form, namely as a Protected River Corridor and Recreational Water Course. Riverside lands that had been purchased by TVA in anticipation of reservoir filling will instead be used for this river-oriented purpose. An information meeting on this proposal is being held as we go to press.

UDRDA is now pressing for a substitute impoundment, that of Fountain Creek, a southern tributary to the Duck River, just west of the City of Columbia. A hearing on this proposal will be held May 2 at the Culeoka Elementary School (call TVA at 615-632-8876 for information).

8. NATIONAL NEWS: CRISES ABOUND

A. *"Dirty Water Bill" heading for House Floor*

HR 961 is yet another piece of disastrous legislation that the House of Representatives is moving at breakneck speed. This "reauthorization" of the Clean Water Act abandons the Act's long-standing goal to restore all of the nation's waters to a "fishable and swimmable" condition; such goals would become discretionary. And that's not the end of the story:

- Protection for vast tracts of wetlands would be eliminated by redefining "wetlands," for the remaining acres, enforcement measures would be severely weakened.
- States would be required only to achieve "reasonable progress" toward achieving water-quality goals in 19 years. Even this meager requirement would be waived if Congress does not provide 100% of the funding.
- Cities under 100,000 population would be exempted permanently from requirements to reduce stormwater pollution. For larger cities, an ineffectual runoff program would take the place of the current enforceable permit program.
- For coastal zones, the enforceable program to control runoff would be abolished completely. The Great Lakes Initiative would be severely crippled.

- There is no provision to ensure a citizen's right to know, or to sue polluters.
- "Takings" provisions require EPA and other agencies to pay developers and other land owners whenever wetlands protection arguably reduces land value by 20% or more.
- EPA would be required, within 18 months, to do risk assessment of every existing rule under the Clean Water Act -- an impossible task.
- There are no provisions to phase out the use of most toxic chemicals, including dioxin.

HR 961 was introduced by Bud Shuster (R-PA), chairman of the House Committee on Transportation and Infrastructure. Industry and agribusiness groups were invited to secret, closed-door, sessions to craft loopholes and exemptions to the Clean Water Act, but no input from environmentalists or EPA was permitted during the drafting process. A number of amendments were offered during markup, but none of the major strengthening ones managed to pass. Tennessee has two members on the committee -- Duncan (R-Distr.2) and Wamp (R-Distr.3); both cast anti-environmental votes on every single amendment on which their votes were recorded. On April 6, Shuster's committee passed the whole bill by a vote of 42-16. It is expected to come to the House Floor early in May.

★ **WHAT YOU CAN DO:** (1) Contact your Representative. He'll be home in his district during the April 8-30 recess (look him up in the phone book); or write to his Washington office (address on p.2). Wamp and Duncan need to know that we deplore their committee votes and that we hope they will vote against this disastrous bill on the Floor. (2) Write letters to the Editor mentioning water-pollution and wetlands problems that will worsen if the Congress passes this bill.

B. *Taylor's Timber Rider will denude our national forests*

Representative Charles Taylor (R-NC) attached a rider to the infamous rescission bill (§1A, this NL) that will double national forest logging levels nationwide. The rider mandates 6.2 billion board feet of "salvage logging" over and above the allowable levels currently set by individual forest plans. The "salvage" sales will be exempt from the usual appeals process, from judicial review or censure, and from all existing federal laws that normally govern management of public forests. Hundreds of miles of new logging roads will tear up fragile lands. Non-recovery of timber-sale costs will not be an obstacle. In fact, this mandate will cost the US taxpayer an estimated \$375

million/year to implement -- a great thing to be attached to a rescission bill that is taking away money from national parks, child welfare, etc. The Congress has substituted welfare *transfer* (to the corporate sector) for welfare reform!

Taylor claims that his bill would be good for forest health (removal of trees "susceptible to fire or insect attack" -- in other words, *any and all* trees). As the *Asheville Citizen-Times* points out, "it's only incidental -- that timber interests -- major Taylor campaign contributors -- would make many millions in the process." And Mr. Taylor is not the only Congressman whose recent election was helped by major campaign contributions from the timber industry.

* **WHAT YOU CAN DO:** (1) Call President Clinton (202-456-1111) and urge him to veto this horrible bill. (2) Inform the public of what's going on in the Congress without their knowledge. A good way to do this is to write a letter to the editor of your local newspaper, and/or the *Knoxville News Sentinel* (208 Church Ave, Knoxville, TN 37902) and the *Chattanooga Times* (PO Box 951, Chattanooga, TN 37401). When your letter is published, send a copy to the President, your Congressman, and your Senators (addresses on p.2).

C. Congress working on sham "reform" of 1872 Mining Law

Failure to reform the nation's 123-year-old mining law (for "hard-rock" minerals) is continuing to lead to the devastation of our public lands in the West (for a current example, see §8D, below). Mining companies can claim "patents" to the land for as low as \$5 an acre, don't have to pay royalties to the government for their extractive activities, and are not bound by operation or reclamation standards.

Now that the fox is in charge of the Congressional chicken-house, the Senate Energy/Natural Resources Committee is moving forward with Mining Law legislation that is a sham of the reforms needed. The Committee's chairman, and chief sponsor of the "reform" bill (introduced March 7) is Alaska's Sen. Murkowski, who has a League of Conservation rating of zero, and who is beholden to Alaskan and Western mining interests. His bill does nothing to improve the 1872 law. For example, patent fees would not be based on mineral deposits -- only on the surface of the land; the royalty provision would amount to little more than a trickle; operations and reclamation would merely have to prevent "undue and unnecessary

degradation" (what's unnecessary?); inspection and enforcement provisions are meaningless.

* **WHAT YOU CAN DO:** Urge your senators to oppose this bill, and certainly not to co-sponsor it. Addresses on p.2.

D. New World Mine threatens Yellowstone

Under the giveaway provisions of the outdated 1872 Mining Law (see §8C, above), a Canadian mining conglomerate (Noranda) acquired ownership of Henderson Mountain, within a beautiful and fragile wilderness area of the Gallatin National Forest, and only 3 miles upstream from Yellowstone National Park. The gold, silver, and copper mining being planned would release unprecedented amounts of cyanide and other poisonous waste that could ruin the ecosystem's crystal-clear waters, which feed the national park and of the nation's important Wild Rivers. Noranda would excavate a 77-acre, 10-story-deep hole in an existing wetland, which, they claim, would hold these wastes -- a pretty horrible solution, even if it *did* work for a while.

Several possible solutions have been suggested: buying out Noranda (which would cost ~\$35 million -- unlikely to be appropriated by this Congress); having EPA and the Corps deny the excavation permit because of wetlands destruction (but the wetlands provisions of the Clean Water Act are currently under severe attack); having the Secretary of the Interior take permanent title to 27 acres of the site that sits above a major gold lode and is not yet owned by Noranda.

* **WHAT YOU CAN DO:** Write to Secretary Bruce Babbitt, US Dept. of the Interior (18th and C Streets, NW, Washington, DC 20240), and urge him to establish that the land has greater value in an undisturbed state than it does as a mine (\$500 million in mineral deposits), thus giving him a right to deny Noranda's claim.

E. "Green Scissors" could cut \$33 billion

The "Green Scissors Report," issued jointly by the Friends of the Earth and the conservative National Taxpayers Union (NTU) and Citizens Against Government Waste (CAGW), enumerates 34 federal programs that could be cut out with a saving of \$33 billion. Among the top 10 targets are giveaways under the 1872 Mining Act (§8C, this NL), the Forest Service timber roads budget (e.g., 8B, this NL), national parks concession contracting, and the Animas-La Plata irrigation project in Colorado. (The report can be ordered for \$10 + shipping from 1-800-537-9359).

So, how did Congress react to a report that would reduce welfare payments to miners, ranchers, and the timber and energy industries? Over 20 House members, including majority leader Richard Annen (R-TX) issued a "Dear Colleague" letter that states that NTU and CAGW "hide under the flag of fiscal conservatism" but are in fact "merely two more regiments in Clinton's 'War on the West.'" The two groups are also accused of "serving as a front for the extreme environmental movement."

* **WHAT YOU CAN DO:** Support NTU and CAGW through letters to the editor, and/or encourage editorials in support of ending corporate-welfare subsidies

F. Northwest Forest Plan approved

The 24 million acres of national-forest lands of Oregon, Washington, and northern California contain the last remaining 10% of the ancient rain forests of the northwestern USA. Groups attempting to halt or slow the timbering of these forests were accused of destroying the livelihood of the region. The Clinton Administration, striving for a compromise, in April 1994 chose "Option 9" of a number of alternatives set forth in a special study. Option 9 calls for logging 1 billion board feet of timber per year, a 73% reduction from annual levels logged in the 1980s. It also establishes a forest reserve system (that is generally exempt from logging), areas where logging may occur, and zones to conserve riparian areas and aquatic species. Knowledgeable analysts pointed out that, although the plan represented a significant improvement over the logging status during the Reagan and Bush years, adequate levels of protection had not been achieved -- not only for the endangered spotted owl and marbled murrelet, but for the ecosystem as a whole.

A coalition of conservation groups filed a suit against the government. About 3 months ago, Judge Dwyer ruled that the Administration had complied with existing environmental and land-use laws, and held valid the choice of Option 9. However, he pointed out that this "preferred alternative" provides for the highest possible logging level allowed under these laws, and that any timber harvesting in excess of that level would therefore violate the laws.

G. System for tracking coal-mining violations

The Office of Surface Mining has developed a computerized Applicant/Violator System. AVS is a centralized means of reporting permit information to

agencies involved in regulating surface mining, and to provide a shared database for permit decision-making. This should make it much easier to determine whether applicants for a new strip-mine permit might have violated regulations on an earlier occasion (and perhaps operating under a different name?).

The Knoxville office of OSM (530 Gay Street, Room 509) has dedicated a computer terminal for public access to AVS. The terminal is equipped with a user manual, and staff trained in the use of AVS are available to provide assistance. AVS is also available through personal computers with access to the internet.

H. Temperatures headed up again

The 1991 eruption of Mount Pinatubo in the Philippines gave the world a temporary respite, but 1994 climate data show that global temperatures are again headed back up to record levels. All of the 8 warmest years since 1880 (i.e., during a 115-year recorded period) occurred during the past 15 years. Pronounced global temperature change is the result of massive land-use changes and a buildup of carbon dioxide in the air and nitrogen in soil and water. A recent paper on the subject by Stanford's Peter Vitousek is available from the Ecological Society of America (202-416-6182).

9. OAK RIDGE CAPSULES

A. North Ridge Trail

The long North Ridge Trail in the extensive Northern Greenbelt of Oak Ridge was the brainchild of TCWP. It was developed by numerous TCWP members (starting almost 30 years ago), and was designated both a State and National Recreation Trail. The NRT has been maintained by TCWP with assistance of the City and of several boy scouts.

Now, thanks to the efforts of Ken and Helen Warren (¶10C), the entire NRT has been re-blazed (white) and marking-posts have been placed at the trail intersection with Highway 62. Additionally, four of the access trails have been re-blazed (blue), and so has the Delaware Loop (red). The Warrens have also identified a trail segment in need of re-routing. They are considering construction of a database on significant trail features.

B. Worthington Cemetery

(Contributed by Joan Burns)

On March 4, TCWP participated in the annual maintenance and trash-pickup day for this 29-acre natural area we had a major hand in getting designated. Judith Bartlow, who led the project, reports that the day's effort was so successful that we should only have to do minor litter cleanup in the future. All the major garbage has now been hauled away and the area is developing nicely into a small wilderness area. In addition to the many TCWP members, whom we thank below (§10C), participants included Pat DeRoos and numerous students from Jefferson Junior High School, Carol Murphy's Girl Scout Troop from Oak Ridge, and residents of The Rivers subdivision.

Other things, too, are being accomplished in the area. A Boy Scout troop has erected wood duck and bluebird nesting boxes. In addition, Cory Levi from Boy Scout Troop 530 in Knoxville, has blazed a 3/4-mile loop trail starting from Elza Gate park. The trail dedication will be held at 10:00 am on June 3, National Trails Day.

C. Second greenway ready

Greenways Oak Ridge and the Elm Grove Neighborhood Association recently announced completion of the "Elm Grove Greenway" in the greenbelt area bounded by Outer Drive, California Ave, Chatham Lane, Delaware Ave, Dixie Lane, Ditman Lane, Disston Road, and Cedar Lane. Accesspoints are (a) between 110 and 111 Ditman Lane, (b) between 147 and 149 California Ave, and (c) the Outer Drive/Delaware Ave water-tower site. Trails (many of them pre-existing) have been flagged with pink tape, and the Greenway has been marked with trail-name and -destination signs. Users are urged to pick up and carry out any trash.

The volunteers also developed another trail which connects two North Ridge access trails: the one starting at the pumping station (across from the water tower) and the other coming off the top of Georgia Avenue.

D. Oak Ridge Reservation

Several of us have participated in the planning process for future use of the 35,000-acre Oak Ridge Reservation (NL200 §8C; NL201 §6B; NL202 §8A). The following information is of interest to TCWP members.

About 75% of the area is forested. In 1980, about 1/3 of the Reservation was designated a

National Environmental Research Park. About 14,000 acres of the Reservation have been identified as ecologically sensitive sites, including ~4,000 acres that are used as environmental sciences research sites. There are 21 plant species on the Reservation that are endangered, threatened, or of special concern. Endangered or threatened animal species include bald eagles, ospreys, and gray bats.

The Resource Management Organization serves as clearinghouse for Reservation activities. It oversees resource management, conservation, protection and stewardship issues.

10. TCWP NEWS**A. Upcoming activities**

- April: March/Paddle/Mountain-bike for Parks, Saturday, April 22, at the Big South Fork NRA. Hikers and mountain bikers meet at Bandy Creek Campground at 10:30 and 9:30 a.m. EDT, respectively. Paddlers meet 10 a.m. EDT at Brewster Bridge. Picnic starts 1:30 EDT. For additional details, see our earlier special mailing; or call Joan Burns (481-0286 or 482-5735).

This is our fourth annual fund raiser for BSFNRRRA projects. Last year's money went into creating a park display about habitat protection; this year's will be used to maintain and develop foot trails in the BSFNRRRA. Plan to join us!



- May: Frog walk led by John Ayrd. Watch paper for date.
- June: Bird walk led by Fred Holtzclaw, Jim and Betty Reed. Watch paper for date.
- July: Haw Ridge Canoe Trail led by Chuck Coutant
- August: Bike around Cades Cove
- September: Oak Ridge Cedar Barrens maintenance
- October: North Ridge Trail hike and maintenance
- November 10-12: Annual Weekend at Bersheeba Springs (near Savage Gulf, Piety Gizzard, and the South Cumberland Recreation Area)
- December: Year-end social

B. Annual weekend: volunteers needed

Numerous tasks are entailed in the planning and conduct of our November week-end. We hope to assemble a team of volunteers who will help identify and recruit speakers, plan the entertainment and outings, and organize the registration and collection of fees. If you are interested in any of these tasks please call Joan or



Linda at the office. 481-0286.

C. *We thank our many volunteers*

This year, again, Lynn Wright faithfully and expertly produced the Political Guide. The major upheavals brought about by the last election, both in the Congress and in state government, made this task more complex than usually. Nevertheless, Lynn managed to complete the Guide in time for inclusion with the February Newsletter.

Thanks so much to Ken and Helen Warren for their work reblazing the North Ridge Trail. They are doing a great job, too, of identifying trail sections that need additional work.

A very special thanks to Babs McBride, who once again gave us the benefit of her graphic-arts skills. Babs helped design some thank-you cards and stationery so that we can write personal notes to all of you who give so generously of your time and money!

Many thanks to the many TCWP members who participated in the recent Worthington Cedar Barren clean-up (§9B, this NL). Judith Barlow (a former Board member) led the project. Another former Board member (Maureen Cunningham) and a present one (Fred Holtzclaw) were active participants, as were other TCWP members, including Don Davis, who used his truck to help haul the garbage to the street. A reward for everybody's hard work were the hotdogs cooked on an open fire by Judith's husband, John.

We thank David and Willa Reister and Danette Salpas, who went as TCWP ambassadors to a recent meeting organized by the Tennessee Trails Assoc. about the feasibility of reinvigorating the Cumberland Trail effort (§5C, this NL). Willa and Danette reported back to the TCWP Board at its last meeting.

Our appreciation to Jimmy Grotton and Peter Salpas for submitting an application for funding to SAIC for a \$500 Corporate Sponsorship of our March for Parks. Their efforts were successful, and we are grateful for SAIC's support.

TCWP members who, along with Board representatives and staff (see §10D, below) attended the scoping meeting for the Regional Water Supply Project EIS, held April 4 at Crossville (§2A, this NL) included Joan Cheney, Ray Payne, and several others whose names we failed to record. Thanks so much for your active interest!

Thanks also to the following members who helped assemble Newsletter 203 in February: Vic Pace, Mary Uziel, Lola Estes, Harry Hubbell, Marjorie and Bruce Kestelle, and hosts Ed and Jean Sonder. Special thanks also to Frank Hensley who served as the 'gofer' by doing pick-up and delivery jobs, both at the printers and the post office.

Members Anna Dobbins, Peggy Turner, Danette Salpas, and Bob Kernohan mailed out the March for Parks flyer last month. Thanks so much for being available!

D. *Board and staff activities*

The full Board and staff took part in a one-day Board Retreat in Oak Ridge on March 4. With the expert help of facilitator Peggy Matthews, we looked at the portions of our list of "good intentions" developed at last year's retreat that we had fulfilled or failed to fulfill. The respective roles of staff vs Board, and staff vs volunteers, were also explored in our discussions.

Following up on matters raised during the Retreat, Lance McCoid has undertaken a study of staff-time allocations (actual vs. ideal) and on staff- vs. volunteer-led efforts for conservation campaigns.

President Jenny Freeman has devoted a major part of her free (?) time to pursuing the issue of golf courses in state parks (§3, this NL).

Board member Patrice Cole represented TCWP at several recent meetings dealing with Smokies issues. Among these were the Unity Meeting with park staff, a meeting about the Elkmont cabins (§6C, this NL), and a meeting of the Metropolitan Planning Commission, which might have an input in to transportation problems.

TCWP Board members Chuck Estes and Lee Russell, and executive co-directors Joan Burns and Linda LaForest attended the scoping meeting for the Regional Water Supply Project EIS, held April 4 at Crossville (§2A, above).

Eric Hirst has been successful in getting media coverage for the golf-course issue (§3, this NL) and had a letter to the editor about the Obed and Big S. Fork rescissions (§2B, this NL).

Executive co-directors Joan Burns and Linda LaForest recently went to Nashville to talk to legislators and state administrators about the golf-course issue (§3,

this NL). Joan attended NPCA's SE Regional Forum at Atlanta (§1D, this NL).

E. *In memoriam*

TCWP has lost two highly supportive and active members. Alice Buntz, not too many years ago, served as Secretary to the TCWP Board. Elizabeth Arnold was involved in TCWP's Peter Cole Memorial Fund. We are very sad at their passing.

11. JOBS, ACTIVITIES, and READING MATTER

- Job Opportunity. The Wilderness Society is looking for an ecologist, with a background in the conservation of eastern woodland species, to assist in campaigns to protect the ecosystems of the Southern Appalachians and the forests of northern New England. Qualifications include a graduate degree (Ph.D. preferred) as well as research experience. Beginning salary \$40-50,000. Send cover letter, resume, and writing samples to Dr. Gregory H. Aplet, The Wilderness Society, 900 - 17th Street NW, Washington, DC 20006.
- April 22, TCWP's March for Parks (see §10A, this NL). If you happen to be in Washington that day, join the flagship national March for Parks that will end up at the Capitol (call NPCA at 1-800-NAT-PARK).
- April 23. TTA hike (5 easy miles) to Buzzard's Roost to view the Scott's Gulf area (see §4A, this NL). Meet 2 p.m. CDT, 1st Union Bank, Sparta. For info, call Paul D. Miller, Cookeville, 615-526-9259 or 372-9811.
- April 29, Jonesboro, Jo Carson, an award-winning playwright will present a One-Woman Show as a fund raiser for the Sierra Club. (Call Linda Modica, Jonesboro, 615-753-9697.)
- May 2, Culleoka, hearing on Fountain Creek dam proposal (§7B, this NL). (Call Dan Perry, 615-632-8876, for details.)
- May 8, 7:00 pm CDT, Sparta Civic Center, public meeting about the fate of Scott's Gulf (see §4A, this NL). For info, call Paul D. Miller, Cookeville, 615-526-9259 or 372-9811.
- May 12, 12:30-5 pm, Knoxville Museum of Art, The FutureScape of Pittman Center. Environmental and development issues will be discussed that emerged

during a demonstration project in rural Pittman Center. (Call Knoxville, 525-9945).

- June 3, National Trails Day: 10 a.m., dedication of new trail at Worthington Cemetery Natural Area, Oak Ridge.
- The Knoxville Zoo offers Spring Education Programs for all ages. (Call 615-637-5331, Ext.350.)
- *Resource Guide to Nationwide Green Jobs*, edited by J. Moody and R. Wizansky, Harper Collins West, \$14 (paper), 205 pages, is a project of the Student Conservation Association, (603-534-1700).
- *Hiking Tennessee Trails*, by Evan Means, has just come out in its 4th, thoroughly revised, edition. \$9.95 from area bookstores; or order from Globe Pequot Press (6 Business Park Rd., Old Saybrook, CT 06475).
- *Getting the Word Out in the Fight to Save the Earth*, by Richard Beamish, covers topics such as recruiting members and donors, keeping members involved and active, publicizing your cause, etc. (\$21.21 + \$3 shipping from Johns Hopkins University Press, 1-800-537-5487). The Press also has recent books on Greenways, Water Resource Management, Ethical Land Use, and rural conservation.
- The World Resources Institute has a large number of recent publications on such topics as biodiversity, energy, transportation, sustainable agriculture, etc. To get their catalog, call 1-800-822-0504.

**CRISES ABOUND.
WE URGE YOU TO TAKE ACTION ON
AT LEAST 3 ITEMS IN THIS NL
(chose from Action Summary, p.2)**

Aircraft Observation Record
Great Smoky Mountains National Park

Return to: Aviation Coordinator, Great Smoky Mountains National Park, 107 Park Headquarters Road, Gatlinburg, TN 37738
(telephone: 615/436-1261)

Date & Time of Observation Day of week Location of Observation

Aircraft Information: ☐ Airplane ☐ Helicopter ☐ Military ☐ Hi-Altitude Jet

Number of Engines: ☐ 1 ☐ 2 ☐ 3 ☐ 4 Landing Gear: ☐ Fixed ☐ Retractable

Wing position on fuselage: ☐ upper ☐ lower ☐ center

Color and/or identifying marks: _____

Make and model, if known: _____

Registration #: _____ (☐ naked-eye ☐ binocs ☐ known A/C)

Approximate altitude information:

_____ feet above ground level **OR** _____ feet above the "surface"

The "surface" is defined as the "highest terrain within 2,000 feet laterally of the route of the flight, or the upper-most rim of a canyon or valley."

Weather Data:

Visibility: ☐ clear ☐ fog ☐ cloudy/overcast ☐ heavy rain

Wind: ☐ calm ☐ windy ☐ gusting Direction _____ Speed _____ mph

Total time observed in park: _____ minutes

Flight Path and comments: (Briefly describe or sketch the path flown and note any comments you have. Use the back if needed.)

Signature of observer

