

TENNESSEE CITIZENS for WILDERNESS PLANNING

Newsletter No. 205

June 9, 1995

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INSERT: Environmental Bill of Rights petition (please sign)

* Editor: Liane B. Russell, 130 Tabor Road, Oak Ridge, TN 37830. Phone: 615.482-2153

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

9. ACTION SUMMARY

No	Issue	Contact	"Message!" or Action
1A	BSF horse trails: over-developed?	TCWP	Give us your comments on trail development.
1B	Obed WSR	Wamp, Frist, Thompson	"Complete acquisition increase operating budget!"
2B	Scot's Gulf protection	Chuck Estes, TCWP	Offer to help
3A	Abrams Creek/Chilhowee tract	Foothill Land Conservancy	Congratulate them. If possible, help retire their debt.
3C	Elkmont cabins in Smokies	Commiss. of Conservation	"Structures should be removed in accordance with Mngt. Plan!"
4A	Duck River dams	TVA; copies to politicians	"Support Protected River Corridor in lieu of dams"
4B	TVA Resource Budget	US Sens. and Representative	"Do not slash; TVA Resource Div. does an essential job!"
5	"Takings" legislation	US Sens. and Representative	"Such legislation is insidious, far-reaching, and <i>unnneeded</i> !"
6A	National Park System	US Sens. and Representative	"Park closure commission is totally inappropriate! Funding must not be cut! Protect our children's inalienable legacy!"
		President Clinton	"Threaten to veto HR 260!"
6B	Law-exempt over-logging offenses	President Clinton	"Include mention of timber rider in veto message!"
6C	"Dirty Water bill"	US Senators	"Senate should kill HR 961. Existing Act is good 'as is'!"
6D	Environmental voting records	Tennessee Congressmen	Congratulate Rep. Ford. Urge others to improve their record.
6E	Arctic Natl. Wildlife Refuge	US Rep. and Senators	"Oppose leasing Refuge by backdoor budgetary approach; support Wilderness bill, S 248/ HR 1000!"
6F	Threat to Yellowstone NP	Sec. Babbitt	"Deny Noranda's patent claim!"
6J	Environmental Bill of Rights	TCWP	Sign enclosed petition; get friends to sign; send to us.
7C	TCWP Annual Weekend	TCWP	Volunteer help for planning and organization.

Senator John Doe
United States Senate
Washington, DC 20510

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

Pres. Bill Clinton
The White House
Washington, DC 20500
202-456-1111
president@whitehouse.gov

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

Dear Senator Doe
Sincerely yours,

Dear Congressman Doe
Sincerely yours,

Dear Mr. President
Respectfully yours,

Dear Gov. Sundquist
Respectfully yours,

Sen. Frist: 202-224-3344 (602-7977 local); Sen. Thompson: 202-224-4944 (545-4253 local); Rep. Wamp: 202-225-3271 (483-3366)
To call any other Representative or Senator, dial Congressional switchboard, (202) 224-3121
To find out about the status of federal bills, call (202) 225-1772.

1. OBED AND BIG SOUTH FORK

A. Concern about over-development of horse trails in the Big South Fork NRR

In recent months, we have received several alarming reports about developments in the BSFNNRA. People tell of exploring the backwoods and finding what appear to be new roads bulldozed and blanketed with gravel. These have turned out to be horse trails, both existing and new ones.

On May 21, we wrote as follows to Lee Davis, Superintendent of the BSFNNRA: "Several members and other faithful users of the BSFNNRA have brought to our attention their dismay over what appears to be recent, severe over-development of horse trails.

"They have reported to us that there has been large-scale bulldozing and graveling of trails that now look like roads for vehicular traffic. Furthermore, creeks have evidently been traversed by the bulldozers, destroying vegetation on the banks. These construction/maintenance practices not only cause environmental damage, but they destroy the natural setting that trail users value so much — be they hikers, mountain bikers, or equestrians.

"We feel that bulldozing should not be a practice widely used for trail work anywhere in the BSFNNRA, and should definitely be banned altogether from the Gorge Area, as well as from the other remote portions of the Park that are valued for their wilderness character. After all, what makes the Park so special to visitors is its remote, natural environment.

"Perhaps the recent over-development of the trails in question is merely due to an over-enthusiastic maintenance crew. If so, we hope very much that you will be able to put a halt to this."

Mr. Davis has responded, both by phone and in writing, to confirm that trails are being widened to at least the width of a gravel truck, that dozers are used for stump removal and leveling, and that gravel is spread with the truck and dozer. He makes the following points: (a) horse use in the park has become quite heavy; (b) eventual erosion will be decreased by the current construction process; (c) the need for future maintenance will be decreased; (d) the trails will look better after 2-3 years, when fallen leaves will have accumulated.

The main driver for this energetic activity is that construction money is available this year but is expected to be lacking or scarce next year and in the near future. Mr. Davis chose to use FY 1995 money on existing — as well as projected — horse trails.

We would like to encourage additional comments from our members and others interested in the BSFNNRA. Let us know about your personal reactions to what has been happening. In addition to the impact of the current construction practices, the broader question is whether it is wise to develop so many of the very numerous trails that have been proposed at one time or another. Further, should all of the construction money be spent for horse use? Have other needs of the park received their fair share? Mr. Davis has invited us to meet with him to discuss these and other questions.

B. Educating our new members of Congress about the Obed

It is at all times important to keep our members of Congress informed about conservation issues or projects we care about. It is particularly important now, when there are so many new faces on the Tennessee delegation. And it is essential at a time, when our newer local units of the National Park system are facing threat after threat, such as funding rescission, draconian budget cuts, and even a park-closure bill (NL204 §1; and §6A, this NL).

TCWP recently organized meetings with the regional offices of Rep. Zach Wamp and Sen. Bill Frist; their staff persons are Jack Copeland and Carolyn Jensen, respectively. Several groups, in addition to TCWP, were represented, and several issues were discussed (Obed, Big South Fork, Land & Water Conservation Fund, threats to National Park System — especially HR 260, the "timber rider" in the rescissions bill, TVA's Resource Budget, Clean Water Act). A prime subject at both meetings was the Obed, for which we prepared an information package.

We urge individual members to also talk or write to their Representative and Senators about this very precious resource. To this end, we summarize here some points from the information package. (Anyone wanting a copy of the entire package can call 481-0286 or 482-2153).

A few facts

- The Obed National Wild and Scenic River (WSR) was established by Act of Congress in 1976, with a

great deal of public support from people in Morgan and Anderson Counties, elsewhere in Tennessee, and other states.

- It is the only National Wild & Scenic River in Tennessee, and one of only three in the Southeast. Among these three, it is the only one that is managed by the National Park Service.
- The Obed is thus an important unit of the National Park System.
- The Obed WSR includes 45.2 river miles along the Obed itself, two major tributaries (Clear Creek and Daddys Creek), and a short section of the Emory River. Short descriptions of the outstanding features of these streams are available.
- The authorized boundary of the park includes the river gorges and adjacent lands, to an average width of 1/2 mile -- altogether about 5,000 acres.

What is needed

1. Completing the boundary
 - Within the authorized purchase boundary, 1,511 acres remain to be acquired in fee, and 110 acres in easement in order to complete park development and ensure protection against adverse effects. -- Estimated cost is about \$800,000.
 - These acquisitions involve no displacement of existing residents. Landowners are willing -- and often anxious -- sellers (note that the Act forbids condemnations once 50% of the fee acquisition has been completed).
 - Morgan County is very anxious to develop the Lilly Bluff overlook as a tourist attraction. Some of the needed acquisitions are for this purpose.
2. Increasing the very low operating budget
 - Currently, the Park operates with only 5 FTEs (full-time-equivalent employees). This includes only 2 rangers to protect 94.5 miles of boundary, 12 river access, 19 miles of road, picnic areas, trails, campgrounds, etc.
 - Park units administered by the Southeast Regional Office (SERO) of the National Park Service average one FTE per 238 acres. In the Obed WSR, one FTE must handle 1015 acres (over 4 times the area)!
 - At a minimum, the number of FTEs should be doubled, at a cost of about \$200,000. This would not necessarily be all new money -- partly a matter of how SERO allocates its operating funds among units.

✱ WHAT YOU CAN DO: Get in touch with Senators Thompson and Frist, and with Rep. Zach Wamp (the entire Obed WSR lies within his district) and let them know how much the Obed means to you and the state, and why it is important to complete acquisition and increase the operating budget. Local

phone numbers are 463-3366 for Jack Copeland (Wamp), 602-7977 for Carolyn Jenson (Frist) and 545-4253 for Dean Rice (Thompson). For Washington addresses, see p.2.

C. Otter Creek Reservoir filled

Two years ago, we unsuccessfully fought the Crab Orchard Utility District's impoundment of Otter Creek, a significant Obed tributary. We did succeed in having some relatively stringent conditions included in the permit that was granted to the dam builder.

Now we find that some of these conditions have not been consistently met. E.g., a minimum of 1 cubic foot per second of water was to have been released downstream at all times during dam construction and reservoir filling. In fact, the valve was opened only occasionally (after warnings by state inspectors), and as a result the reservoir filled up one year ahead of schedule. Other problems are now being encountered with the manner in which the water is released. The permit requires releases to be made from a mixture of water levels in order to avoid oxygen-poor or warm water from going downstream, but these requirements are not consistently being met. [These problems with a recent utility-district reservoir provide even more reasons for us to fight the proposed Clear Creek dam and to support the regional water-supply study -- NL204 ¶2A.]

D. March for Parks raises BSF trail funds

The TCWP-sponsored Hike/Bike/Paddle for Parks on Earth Day turned out about 20-30 people on Big South Fork NRRA trails, though the turnout on the river was low. Despite a bad weather forecast it never rained on us, and the outing was delightful. Jim Wiggins, Assistant Superintendent, and Brenda Coleman, author of the great BSF trail guide, accompanied the hikers, and Superintendent Lee Davis visited during our picnic (gift certificates kindly provided by Kroger and Winn Dixie helped with the food).

Most important, we managed to collect \$2209, which will go toward sensitive maintenance of a hiking trail. Details next NL.

2. AROUND THE STATE

A. Legal defeat on golf courses. What next?

For the past several months, TCWP has been fighting a valiant battle against the State government's determined efforts to construct golf courses in Tennessee's state parks (NL203 ¶2B; NL204 ¶3). Our position has been that state parks should be for the enjoyment of the natural features of the outdoors. Golf courses replace a natural with an artificial landscape, use up huge quantities of water, distribute fertilizers and pesticides into the watershed, and cater to a relatively well-to-do elite. Further, scarce State funds are being severely risked to guarantee a profitable situation for the Texas company to which the State has awarded the construction and operation of the golf courses. Not a dime generated from the use of the golf courses will benefit the state park system -- all revenues will be used to pay back the \$20 million debt to the state.

Because of these factors, TCWP filed a complaint in Chancery Court against the State on January 26. On March 24, our suit was dismissed on the grounds that we failed to show standing, and that we failed to state a claim upon which relief could be granted. Subsequently, we had 30 days within which we could appeal. With the virtual certainty of having such an appeal fail for technical reasons, the Board nevertheless deliberated whether to file anyway in order to gain yet additional time for generating public interest.

In the end, the Board regretfully decided against this course of action because we had already exhausted virtually all avenues -- the alerting of the public via newspapers and radio, the networking with other organizations, the engendering of legislative support (Rep. Dave Coffey and Sen. Doug Henry were of major help and deserve our gratitude), and the exploration of legal avenues. The bottom line was that the State was unwilling to go to the considerable effort and expense of backing out of a contract that had already been signed.

What next? One possibility is to fight the golf courses on a park-by-park basis. This can work only where there is intense local opposition, as there had been in the case of Panther Creek State Park (that golf course was re-programmed for Harrison Bay SP). In the case of Cumberland Mountain SP, for example, the only audible voices thus far (local governments) have been pro-golf-course.

Another possibility is to put some effort into state-park issues in general. Among these are the absence of park-specific long-range plans and the fact that the State has done nothing to protect buffer zones around parks, despite the fact that past legislation has provided some mechanisms for doing this. (The recent action by the town of Caryville, which will result in a 40-unit apartment complex to be built virtually inside Cove Lake SP is a prime example of why buffer zones are needed).

A vehicle for looking at state-park issues in general and to discuss the philosophy of state-park protection, is a day-long summit later in the summer which we hope to organize together with the Tennessee Recreation & Parks Association and the Gaak Walton League of Morristown. This summit will hopefully be attended by members of the legislature, by Dept. of Environment & Conservation staff, and by environmental and other interested organizations. Look for announcements.

B. Scott's Gulf protection efforts

Proponents of preserving Scott's Gulf, a highly scenic area encompassing the deep gorges of the Caney Fork River and its tributaries (NL204 ¶4A), have recently made considerable progress. A well-attended public meeting was held May 9, and an organizing meeting on May 18. At issue is preservation of a 15,000-acre tract which the owner, Bridgestone Tire & Rubber Co., is anxious to sell. The prime bidder on this tract wants to import non-native game species for an exclusive hunting club, and would probably intensively log portions of the beautiful deciduous forests.

It was learned at the meetings that Bridgestone has not set any deadlines for the land sale, although it would like to sell ASAP. There is considerable support in the surrounding area to have Scott's Gulf preserved as a "Wilderness Recreation Area." The state legislature will be lobbied to raise the priority status of this area on the list of future state land acquisitions. Funds are also being raised from private citizens for land purchases.

The effort to preserve Scott's Gulf is being coordinated by the Upper Cumberland Chapter of the Tenn. Trails Association, under the leadership of Paul D. Miller (790 Buffalo Valley Rd., Cookeville, TN 38501-3113, phone 615 526-9259 or 372-9811). TCWP is represented by Chuck Estes. The TCWP Board recently voted to take part in the effort by helping in the establishment of a

* conservancy fund, and by assisting with grant writing. If you would like to help, contact Chuck (482-7374).

C. Fiery Gizzard update

Last fall, TCWP, along with three other organizations, filed a lawsuit against the Farmers Home Administration (FmHA) for not complying with the National Environmental Policy Act (NEPA) in proposing to impound the Little Fiery Gizzard Creek for a water-supply reservoir for Tracy City (NL201 ¶4A). The plaintiffs requested a preliminary injunction to stop dam construction, and FmHA promised not to release any funding until the lawsuit was settled. Judge Wiseman soon repealed the injunction because he believed that the impacts of the project, while significant, were not negative. Our attorney, Ed Ramage, appealed the denial of the injunction, and the case was heard at the end of March. There is reason to hope that the court will rule in our favor, i.e., require an EIS to be generated.

The bad news is that such a ruling may come too late. FmHA released funds following Judge Wiseman's repeal of the injunction last fall. All the land for the project has been purchased or condemned, cleared, and bulldozed. Construction of the treatment plant is underway, and construction of the dam will probably begin shortly. If the court should, in fact, require an EIS to be generated after all, this will make for an interesting situation.

D. Forestry bill was not introduced this year

Forestry practices on private lands in Tennessee are exempt from existing State water-quality regulations, and there are no laws of any kind governing forestry practices. Last fall, the Tennessee Forestry Association (TFA), together with timber companies that have major holdings in the State, and the State Forester, drafted a "Forestry Water Quality Act," with the intention of having the bill introduced in the 1995 session of the General Assembly (NL201 ¶4B). One impetus for the industry's draft bill was TVA's earlier denial of chip-mill permits on the grounds that there are presently no regulations for the off-site impacts of such mills.

Analysis of the Forestry Association's draft bill revealed numerous serious flaws (NL202 ¶1A). The SOCM (Save Our Cumberland Mountains) timbering committee mobilized public sentiment to

inform legislators of these flaws. As a result, the bill was never even introduced for the 1995 session.

The issue remains among SOCM's top priorities, and, in concert with other groups (hopefully, TCWP, if we have volunteers), SOCM may draft a Comprehensive Forestry Practice Act for 1996. In preparation for such an eventuality, SOCM members have been gathering documentation on problems associated with bad logging practices (e.g., photos of erosion, silted creeks, etc., resulting from clearcuts). In that connection, it is of interest that, according to a study by the Timber Farmers Guild of North America, landowners who selectively harvested and managed their land over an 80-year cycle found that they could earn four times the income achieved by clearcutting the same land. [Source: Chris Baker in ENVIROLINK, summer 1994.]

E. Historic Rugby protecting land along White Oak Creek

Historic Rugby is engaged in a project to secure 151 acres for the Allerton Ridge Greenbelt along White Oak Creek and tributaries (NL203 ¶1D). White Oak Creek is a major tributary to Clear Fork, one of the two main stems of the Big South Fork. Two-thirds of the greenbelt acreage will remain undeveloped, except for a hike/bike trail along the Allerton Ridge Road. In the remaining ~50 acres, future developments will be permitted, provided they have no negative impact on the creek and are seen as vital and feasible by both Historic Rugby and the TN Historical Commission. Historic Rugby must make quarterly payments of \$10,000 to pay back a \$90,000 loan from the National Trust for Historic Preservation. To date, \$30,000 has been paid back. For further information, contact Barbara Stagg, Historic Rugby, 615-628-2441.

F. State Water Quality report released

On May 11, the TN Dept. of Environment and Conservation released a statewide assessment of the quality of lakes, streams, ground water, and wetlands during the 1992-1994 period.

	Lakes	Rivers
Not significantly impacted	78.7	65.0
Somewhat impacted	5.2	25.4
Severely impacted	16.2	9.6

For waters that have been impacted by pollution, the report describes the types and sources of pollution. The greatest problem in lakes is leftover industrial wastes that remain a long time in the sediments. In streams, agriculture remains the single largest source of pollution, "[b]ut considering that almost half of Tennessee is farmland, the truly disproportionate contributors to stream pollution continue to be our developed and urban areas." When impacted waters are encountered, the Division of Water Pollution Control attempts enforcement action, or uses other regulatory or management tools available to correct the problem.

Additional information in the report includes: water quality trends, information about specific streams, wetland protection efforts, ground water quality, etc. To receive a free copy of *The Status of Water Quality in Tennessee - 1994*, call 615-532-0695.

G. The Audit Privilege bill

In NL204, we summarized selected bills before the General Assembly, some bad, some good. The one that has received the most attention from the environmental community is HB 1745/SB 1135, the Audit Privilege bill. This measure would create a new legal privilege for businesses and corporations, which permits secrecy about pollution activities and sweeping immunity from civil and criminal prosecution. At last report, SB 1135 had passed the Senate, without the mitigating Crutchfield amendment. HB 1745 had undergone extensive hearings by the House Civil Practices Subcommittee, whose members expressed grave concerns about the provisions of the bill. Efforts were being made to find a possible compromise -- possibly the substance of the Crutchfield amendment. Those who attended the Subcommittee hearings were highly complimentary about the thorough, objective, courteous and open-minded way in which the chairman, Rep. Doug Jackson (D-Dickson), and Subcommittee members conducted the hearing. Now that the General Assembly has adjourned, we hope to bring you a report on the outcome of this and other bills in our next NL.

3. SMOKIES

A. Abrams Creek/Chilhowee Mountain tract to be purchased June 15.

On June 15, the Foothills Land Conservancy (FLC) will be closing the long-awaited deal with

ALCOA (NL200 ¶4B; NL202 ¶5D; NL203 ¶5B; NL204 ¶6B). Of the 4,600-acre parcel purchased, FLC will donate 300 acres adjacent to Abrams Creek to the National Park Service to extend the GSMNP boundary. The remaining acreage, on Chilhowee Mountain, which provides black bear habitat and a migration corridor to and from the Park, will go to the Tennessee Wildlife Resources Agency and be designated a Wildlife Management Area.

An extra \$15,000 remain to be raised to restore FLC's coffers to the condition they were in before this project got under way. This deficit will not, however, be allowed to interfere with the June 15 closure of the deal with ALCOA. And FLC will thus avoid having to extend the option, which would cost \$8,333 per month in penalty. Instead, FLC will take out a \$15,000 loan from the bank -- money that can be paid back with future donations. 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: (1) Drink a toast to the successful completion of this project. (2) If you want to help FLC retire its debt, mail a contribution to Randy Brown, Foothills Land Conservancy (352 High Street, Maryville, TN 37801, Phone 615-681-8326). If you can't afford a contribution, write a thank-you note.

B. Air pollution trading

The Great Smoky Mountains National Park has the dubious distinction of being the Park unit with the highest level of air pollutants -- SO₂, NO_x and ozone. The Park's red spruce stands are dying and about 30 species of plants are showing clear damage from the poisonous air. And there seemed to be no end in sight: during the past 10 years, the Tennessee Division of Air Pollution Control had been issuing permit after permit for new air-pollution sources, despite the National Park Service's (NPS's) objections.

A turning point of sorts may now have been reached on two fronts: (a) trading in air emission allowances has begun, and (b) better relations with the State of Tennessee have been formalized.

The first case of "trading" came about after NPS appealed a State permit issued to the Tenn. Luttrell Corp. for building lime kilns in Union County. Annually, these kilns will spew ~300 tons

of SO₂ and NO_x emissions into the air. NPS subsequently dropped its appeal in return for the company's donation of \$40,000, which will be used for buying air-pollution emission allowances from other East Tennessee companies.

Under provisions of the 1990 Clean Air Act, companies that have not generated as much of the emissions as they are entitled to can sell their excess allowances to other companies. The money donated by Luttrell should buy enough in the way of emission allowances to assure that Luttrell's pollutants will not represent a net increase. The trading is being handled through the National Healthy Air License Exchange (INHALE).

The State has now signed a Memorandum of Understanding with USDI under the terms of which NPS would be notified even before a company officially applies for a state permit to create a new pollution source that could affect the Smokies. If preliminary analysis of the expected emissions predicts that the Park would be harmed, NPS will have the right to ask for a more detailed impact analysis.

C. Elkmont Cabins Issue still not settled

[Contributed by Patrice Cole]

The National Park Service (NPS) and the Tennessee Historical Commission met in December 1994 to discuss the fate of the now-vacant cabins in the former Elkmont community within the Great Smoky Mountains National Park boundaries. Some of the structures have been listed on the National Register, revealing that the criteria for listing are not very stringent [most of the cabins were built in the 1930s or later.] Being listed on the National Register does not prevent the structures from being demolished, and it is still the intention of the NPS to remove the structures in accordance with the General Management Plan for the Park. However, there are individuals (mostly well-to-do, politically influential area residents) who are determined to continue the privilege of inhabiting a private enclave in the midst of public land, and they are using the "historical" angle to their advantage. As long as the cabins remain standing, there is a chance that these individuals can regain control and occupancy.

Toward that end, they have sought the aid of the State Historical Commission. During the December meeting, several suggestions were made with regard to the future of the structures. GSMNP

Superintendent Karen Wade asked the Commission to put their suggestions and requests for detailed information in writing. The National Park Service responded to each item in a letter dated April 27, 1994. The following items were evaluated: (1) the impact of human habitation within Elkmont upon adjacent natural resources; (2) positive and negative aspects of transfer of the properties to a non-federal entity; (3) positive and negative aspects of leasing the properties to a non-federal entity either through a concession contract or under the historic-property-leasing program; (4) interpretation of the property as it currently exists or after rehabilitation by the park; (5) past and proposed measures to stabilize, protect, and secure the properties from weather and vandalism; (6) cost of demolishing the 67 properties within the Elkmont Historic District; (7) cost of rehabilitating the 67 properties for human habitation; (8) positive and negative aspects of offering some or all of the historic properties to be moved from their current location; (9) salvage of architectural features prior to demolition; and (10) archeological monitoring and data recovery during demolition.

The detailed evaluation led to the following conclusions.

- Human habitation within Elkmont would continue to have an adverse effect on adjacent natural resources.
- Rehabilitation of the structures and the water and waste-water systems serving the structures would cost approximately \$12 million.
- NPS does not -- now or in the foreseeable future -- have the personnel or funding to provide interpretation and protection of the structures in place.
- An archeological survey will take place prior to removal of the structures.
- Any architectural features identified by the staff of the State Historic Preservation Office (SHPO) as significant could be salvaged and stored temporarily until they are picked up and moved to a storage site provided by the SHPO.
- Offering the Elkmont structures to the general public to be moved from their current locations would be favorably considered.

✱ **WHAT YOU CAN DO:** The best thing we can do to help NPS deflect political interference from the SHPO is to contact Commissioner Don Dills, Tenn. Dept. of Environment and Conservation (401 Church Street, L&C Tower, Nashville, TN 37243-0435), who is also the State Historic Preservation Officer. We should insist that the structures be removed, one

way or another, in accordance with the GSMNP's General Management Plan.

4. TENNESSEE VALLEY AUTHORITY

A. Support Protected River Corridor in lieu of Duck River dams

The Upper Duck River Development Agency (UDRDA) has for years been promoting the construction of two major dams on the Duck River in Middle Tennessee. Despite strong opposition from TCWP and other groups, the upstream Normandy Dam was, in fact, completed; but the downstream Columbia Dam was halted after being only partially built. On April 18 and May 2, TVA held two public meetings concerning the fate of the Columbia Dam project, for which UDRDA has continued to agitate — long after TVA saw sound reasons for making alternative plans.

TCWP submitted written comments for the meetings, making these points:

- We oppose completion of the Columbia Dam as unnecessary, unjustifiable, and destructive;
- We support designation of a Protected River Corridor and Recreational Water Course, utilizing riverside lands that had been purchased by TVA in the past in anticipation of reservoir filling;
- We oppose an alternative dam project, the impoundment of Fountain Creek (a major Duck R. tributary, just upstream from the City of Columbia).

The city of Columbia does not have the water-supply problem UDRDA has claimed; the average daily flow of the Duck River is almost 10 times greater than the average daily water use, and only water-storage and water-treatment facilities are needed. The dams are not usable for power generation or navigation. The Columbia Dam has a benefit/cost ratio of only 0.4.

Because the free-flowing Duck River upstream from Columbia is a major recreational and ecological resource, we are fortunate that 13,000 acres of the shoreline, and lands beyond, are already in public (TVA) ownership. This provides an excellent opportunity to reap the multiple benefits of the resource in a well-planned and balanced manner (Protected River Corridor) — incidentally providing considerable economic benefits to the city of Columbia.

still make a difference, especially if you send copies to politicians. Write to Jack Davis, Manager, Water Resources Projects, TVA, 400 West Summit Hill Drive, Knoxville, TN 37902. Send copies to Rep. Ed Bryant, and to Senators Bill Frist and Fred Thompson (addresses on p.2).

B. Shoreline Management Report

TVA received almost 8,000 comments on its Shoreline Management Initiative, on which meetings were held last summer. About two months ago, the agency released a report summarizing these comments. Ranking high among the issues identified was "protecting scenic beauty, water quality, shoreline plants and animals, and other aspects of the shoreline environment." Professionals from other agencies raised many of the same environmental issues as did citizens.

TVA is now preparing an environmental analysis of issues and shoreline-management alternatives. This should be ready for review in the fall. To be kept informed, call 1-800-TVA-LAND.

Lakeshore management that exerts control over indiscriminate and inappropriate developments is a very important aspect of TVA's resource program. Without this, industrial or junky commercial developments would probably spring up strandom around the lakes, without regard to other considerations. It is something we need to remind our Senators and Representative of at a time when they are getting ready to ax TVA's already relatively modest resource budget. Several other TVA resource functions that matter to TCWP members (e.g., expertise in regional water-resource planning, such as that currently being used for helping to solve water-supply problems for the Cumberland Plateau) were listed in NL204 ¶7A.

✱ **WHAT YOU CAN DO:** Contact your Representative and both Senators (addresses on p.2) and give them examples of why TVA's resource budget must not be slaughtered.

5. "TAKINGS" LEGISLATION

(Contributed by Patrice Cole)

While Congressional horrors abound on every front (see ¶6, this NL for examples), among the most insidious and far-reaching is a set of bills classified as "takings" legislation.

✱ **WHAT YOU CAN DO:** Although the official comment deadline has passed, your comments can

In March, the U.S. House of Representatives passed HR 925, the "Private Property Protection Act of 1995." This bill requires the federal government to compensate an owner of property whose use of any portion of that property has been limited by a government agency action that diminishes the market value of that portion by 20% or more. The specified regulatory laws to which this bill applies are Section 404 of the Federal Water Pollution Control Act (pertaining largely to wetlands), the Endangered Species Act of 1979, Title XII of the Food Securities Act of 1985, and various Acts concerning an owner's right to use or receive water.

This is only one of many "takings" bills being drafted in both houses of Congress. They are called "takings" bills, because they attempt to redefine the conditions that constitute an unlawful taking of private property. The guarantee in the Fifth Amendment to the Constitution that "private property shall not be taken for public use, without just compensation" was initially intended to address outright occupation of land by the government, as in condemnation of land for highway construction. Early in this century, the notion of a regulatory taking emerged; and the U.S. Supreme Court ruled that limitation of the use of land could be so severe as to render it unusable by the owner. As recently as 1993, however, the Supreme Court unanimously reaffirmed that the standard for determining when property has been "taken" under the Constitution is not mere reduction in value; rather, it requires balancing the owner's right with the competing rights of neighboring property owners and the public at large. Thus, regulation may significantly reduce the value of private property without being an unconstitutional taking, as long as the regulatory action is in the best interest of the public, and as long as there remains some economically viable use of the affected private property.

The most sweeping and dangerous takings bill so far is S 605, the Senate's "Omnibus Property Rights Act of 1995." Unlike HR 925, the Senate bill applies to all federal statutes, rules, guidelines, and regulations. For example, if S 605 passes, current limitations on the surface mining of coal on steep slopes or within especially fragile areas would require government compensation to the owner of the mineral rights. Flight operators would have to be paid by the National Park Service for not operating excessive numbers of flights over the Grand Canyon and other national parks. Limitations on the amount and quality of wastewater that can be discharged to a small stream could be challenged by developers demanding compensation for not being

able to build whatever they want wherever they want it. A company could claim that the cost of complying with OSHA regulations for protection of their workers' health reduces profits and requires compensation. In each case, the money would come from the responsible federal agencies, which are unlikely to be able to survive the resultant fiscal hemorrhaging.

This legislation could cost taxpayers billions of dollars in litigation from countless claims for compensation. Taxpayers would be required to pay industries not to damage the health and safety of others, and to pay developers not to harm their neighbors. Ironically, in an age of budget cutting, a takings law would balloon the federal budget deficit and stifle the safeguards that protect property values as well as public health and safety.



WHAT YOU CAN DO: Contact your Senators and Representative immediately (addresses on p.2), and tell them that you strongly oppose takings legislation. Two centuries of legal precedent on the meaning of the Fifth Amendment "takings" clause have established the criteria for balancing private property rights with the public good.

6. OTHER NATIONAL ISSUES

A. Our National Parks: a legacy that must be passed on

There should be another kind of contract with America: to pass on to future generations our treasure of national parks, the "crown jewels of a nation without royalty." During National Park Week (last week in May), NFCA (the National Parks & Conservation Association) ran full-page ads in the country's major newspapers, having a combined readership of 15.5 million, to remind people of the value of our parks: they sustain precious ecosystems and wildlife, they exalt natural wonders found nowhere else on earth, they celebrate freedom and democracy and remind us of our history, they provide peaceful retreats that strengthen families, they uplift our spirits and inspire national pride.

But the ad also stressed the threats to this, our national heritage. Most imminent among those are the park-closure legislation now moving through the House (NL204) and the draconian budget cuts that virtually eliminate the possibility of completing already authorized parks, of buffering them against encroachments around their borders,

and of adequately protecting parks from being loved to death.

It would be ironic if the huge budget cuts, which are supposed to be good for our children, should at the same time rob these children of a legacy that should be inalienable. It is also ironic that the Congress is apparently not heeding public sentiment with regard to parks. A poll conducted in February 1995 found that:

- 90% expect the national parks to remain protected in the future as they have been in the past;
- 79% would support an increase in entry fees — if 100% of the revenues are used to maintain the National Park System;
- 79% would be willing to add \$1.00 on their income tax to help fund the National Park System.

WHAT YOU CAN DO: (1) Call or write your Representative and both Senators (addresses on p2) to tell them how much the National Park System means to you, to the country, and especially to future generations. Funding must not be slashed, and creation of a Park closure commission is totally inappropriate. (2) Call or e-mail President Clinton (see p2) and urge him to threaten a veto of HR 260. If you want a copy of the head, call 1-800-951-1070.

B. Presidential veto needed to protect national forests

Both the Senate and the House version of the rescissions bill (HR 1158) include the infamous "timber rider," which mandates a doubling of national forest logging levels nationwide, and exempts this extra "salvage" logging from all existing laws (NL204 §8B). President Clinton has stated that he would veto the rescissions bill. We need to, (a) thank him for this expressed intention, and (b) urge him to include specific mention of the timber rider in his veto message. A veto would not kill the salvage measure for good, but would provide time for educating the public and members of Congress. Language similar to that of rescission bills' timber rider is also contained in separate legislation, e.g. Sen. Craig's S 391.

WHAT YOU CAN DO: Call the White House's public opinion line (202-456-1111) and thank Pres. Clinton for his intention to veto the rescission bill. Urge him to insist that the "timber rider" be dropped from the new compromise bill.

Incidental information. In response to letters to the editor written by TCWP members and others

to area newspapers, there appeared a letter expounding the timber industry line. This letter quoted extensively from the US Forest Service's TISPIRS (Timber Sale Program Information Reporting System). We have subsequently tried to inform ourselves about TISPIRS and have learned that the System consistently overstates revenues and understates expenses. For example, TISPIRS reports do not count as an expense the USFS's payments made to counties (25% of gross revenues) in which the pertinent national forest is located; nor do they count overhead costs for USFS programs without which timber sales could not be made.

C. "Dirty Water Bill" passes House

On May 16, Bud Shuster's (R-PA) Dirty Water bill, HR 961 (the "re-authorization" of the Clean Water Act), was passed by the House of Representatives. The final vote was 240 Aye (including 45 Democrats) versus 185 Nay (including 34 Republicans). The only good news is that the 185 Nay votes (plus 7 absentees who had been committed to opposing the bill) are a strong indication that a Presidential veto could be sustained.

Among the disastrous features of HR 961 (which was, rather openly, written by industry representatives) are the following (see NL204 §8A for more detail).

- The prior Act's goal to restore all of the nation's waters to a "fishable and swimmable" condition has become discretionary.
- Protection for wetlands is eliminated for vast tracts and severely weakened for the remainder.
- The requirement for States to achieve progress toward water-quality goals has been weakened to the point of becoming meaningless.
- Numerous cities are exempted permanently from requirements to reduce storm-water pollution.
- For coastal zones, the enforceable program to control runoff is abolished completely.
- Most sources of acid mine drainage are exempted from regulation, and WQ standards in general are lowered for re-mining.
- The Great Lakes Initiative is severely crippled.
- "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 is required, within 18 months, to do risk assessment of every existing rule under the Clean Water Act — an impossible task.
- Citizen efforts to stop destructive hydropower projects have been badly hobbled.

President vetoed bill 6/9/95. New compromise bill will be written.

- There are no provisions to phase out the use of most toxic chemicals.

The vote of the Tennessee delegation on the final bill is tabulated in ¶6D, this NL. Of 9 members, only Congressman Ford voted against the Dirty Water bill. Prior to the floor vote, Tennessee's two members on the committee that wrote the bill, Duncan and Wamp, both cast anti-environmental votes on every single amendment.

The bill now goes to the Senate, where prospects are mixed. The good news is that Sen. Chafee (R-RI), who chairs the Public Works and Environment Committee, has very good environmental credentials and feels that our present Clean Water Act does not require radical rewriting. The bad news is that the subcommittee that has jurisdiction over wetlands issues is chaired by Sen. Faircloth (R-NC), whose views accord with those of the House wreckers of wetland protection. Sen. Chafee will be under tremendous pressure, not only from Faircloth's subcommittee (which will have its own, separate, wetlands bill), but from industry and the whole regulated community.

- ✱ **WHAT YOU CAN DO:** (1) Contact your Senators (address on p.2) to express your concern over HR 961. Ask them to urge Sen. Chafee to have the Senate put a stop to the dismantling of our useful Clean Water Act. (2) Call the White House comment line at 202-456-1111 to register your concern over HR 961, and your hope that the President will veto the bill unless it is radically improved by the Senate.

D. Congressional Score card for the first 100 days of "Contract with America"

Inno time at all, the House of Representatives voted to gut existing environmental laws, and to hobble new laws by legislative and budgetary hurdles. The non-partisan League of Conservation Voters has compiled a score card on 10 key votes taken by the House during its first 100 days on matters such as "takings," "unfunded mandates," suspension of rulemaking (which, among other things bans protection for newly determined endangered species), and rescissions. Some of these issues have been covered in TCWP Newsletters (e.g., NL205 ¶5; NL204 ¶1B; NL203 ¶7A).

In addition to providing a score (percentage of correct key votes) for each individual member, LCV has also calculated some interesting averages for

certain groups of House members on both sides of the aisle.

3%	for 73 Freshman Republicans (61 of whom scored zero);
10%	for more senior Republicans;
52%	for 22 moderate Republicans who have traditionally supported environmental legislation;
13%	for an anti-environmental caucus of conservative Democrats, led by Billy Tauzin (D-LA);
77%	for remaining Democrats.

Following are the scores for the Tennessee delegation. (Note that while ten votes were tabulated, the vote on the exceptionally harmful and far-reaching "takings" bill, HR 925 (¶5, this NL), is scored double, making the denominator 11). Because the LCV average was compiled prior to passage of the "Dirty Water Act" (HR 961, ¶6C, this NL), we are also showing the latter vote: "+" indicates the right vote (opposition to the bill), "-" the wrong vote.

	LCV score	HR 961
Quillen (R-1)	0	-
Duncan (R-2)	0	-
Wamp (R-3)	9	-
Hilleary (R-4)	0	-
Clement (D-5)	55	-
Gordon (D-6)	27	-
Bryant (R-7)	0	-
Tanner (D-8)	18	-
Ford (D-9)	100	+

Tennessee voters who care about the environment obviously have their work cut out in terms of contacts with their Congressmen (and that definitely includes congratulating Rep. Ford!). Note that even the Democrats are way below the average for House Democrats in general, and two of them (Gordon and Tanner) fit in right with the averages for the Tauzin caucus.

E. Arctic Refuge assaulted through the backdoor -- how dirty can Congress play?

The House and Senate Budget Resolutions, passed in May, contain assumptions of revenues gained from oil & gas leasing in the Arctic National Wildlife Refuge. The Budget Resolution is not a law, but it directs authorizing committees to make changes in the law necessary to raise the revenues included in the Resolution. Thus, the committees would write language to open the Arctic Refuge to

oil development, and this becomes part of the Budget Reconciliation, which cannot be filibustered.

The entire 15 million acre coastal plain, "America's Serengeti," would be leased. The committee assumes development in only 13,000 acres, but this acreage would not be concentrated in one compact area — there would be a network of roads, pipelines, infrastructure. The analogy has been made to the bunched-up strands of a drift net without counting the miles of spaces between them. The unique wilderness would be forever destroyed.

The estimated monetary gain from leasing the Refuge is a highly speculative \$1,533/acre; for comparison, actual experience shows that only \$33-153/acre was gained from leases in the neighboring Beaufort Sea. Even with these highly optimistic assumptions, Arctic Refuge leasing revenues would pay for a mere 0.2% of the federal budget gap; a roughly equal amount would go to the State of Alaska (whose citizens pay no income or sales taxes). The Congress should consider an alternative way of narrowing the budget gap: ending four tax subsidies now received by the oil & gas industry could save \$5.7 billion over the next five years (see also NL 204 ¶8E for other "Green Scissors" proposals).

The fate of the "biological heart of the Arctic Refuge should not be decided via a backdoor entry through the budget process. It deserves full consideration in the glaring light of public scrutiny.

WHAT YOU CAN DO: Call your Senators and Representative (Capitol Switchboard, 202-224-3121), even if you feel they are a "lost cause." (a) Oppose including oil leasing revenues from the Arctic Refuge in the Budget Reconciliation; (b) Urge them to co-sponsor the Arctic Refuge Wilderness bill, S 248/HR 1000. For more info, call the Alaska Wilderness League, 1-800-224-5344.

F. Can Sec. Babbitt save Yellowstone?

Cataclysmic and irreversible damage to the Greater Yellowstone ecosystem could result from a copper/gold/silver mine planned just 3 miles upstream from Yellowstone National Park by a Canadian mining conglomerate (Noranda) (for details, see NL204 ¶8D). Under the giveaway provisions of the outdated 1872 Mining Law, Noranda would pay the US taxpayer just \$135 [no, we did not leave off any zeros] for the "patent," i.e., the right to mine \$500 million-worth of ores. Secretary Babbitt has the right to deny the

"patent" by showing that the land has greater value in an undisturbed state than it does as a mine.

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 deny Noranda's patent claim.

G. Endangered Species

In late June, the Supreme Court is expected to hand down a ruling that could have major impact on the interpretation of the 1973 Endangered Species Act (ESA). The question is interpretation of "harm." Regulations by the US Fish & Wildlife Service define "harm" to include "significant habitat modification." Destruction or alteration of habitat is, in fact, the leading cause of endangerment of a species. Last year, however, a federal appeals court ruled that "harm" included only direct threats, such as direct killing (hunting or tapping) of endangered species.

In the meantime the Congress is treating the ESA as Public Enemy No. 1. One Congressman (Sonny Bono, R-CA) suggested that we "give endangered species a designate dare and then blow it up." Sen. Kay Hutchison (R-TX) listed the ESA at the top of the "Top Ten Worst" laws in the land, and added an amendment to the defense spending bill (since signed into law) that puts a 6-month moratorium on the listing of any new endangered species, regardless how close it is to extinction. At ESA hearings by a newly-formed Congressional Task Force, environmentalists and respected scientists are being denied the right to speak, while representatives of polluting and extractive industries are writing the rules.

With Congress is poised to eviscerate the ESA, horror stories abound in the press and among politicians about the Act's interference with private landowners. In fact, the ESA applies only to federally-funded projects (~90% of the 800+ species listed as endangered or threatened have habitats on privately owned lands); and even of those projects, only a tiny percentage (less than 1%) has been halted. In almost all cases, the US Fish & Wildlife Service has been able to work with agencies to achieve project objectives while protecting listed species.

A recent article by syndicated columnist Ellen Goodman about endangered species had some statements we liked. "...we've had difficulty moving from a concept of ownership to one of

stewardship, from possession to caretaking. Property rights are still ... our religion. Human beings who live less than a century claim land that has been there since the dawn of time as 'ours.' We ... behave as if the only time frame that mattered were our own lifespan." She ends up with a quote from Henry David Thoreau: "Man is rich in proportion to the number of things which he can afford to let alone."

H. The Conservation Reserve Program

As Congress takes up reauthorization of the Farm Bill in coming months, there may be a budgetary battle between traditional crop-price supports and the Conservation Reserve Program (CRP). This program, which pays farmers to plant trees or grass in environmentally sensitive croplands, is credited with cutting soil erosion (370 million tons annually), improving water quality, and restoring wildlife and aquatic habitat. If funding for the CRP is cut, one or more of these objectives will fall by the wayside.

J. Environmental Bill of Rights

Major national environmental organizations (Sierra Club, National Audubon, Wilderness Society, etc.) are engaged in an effort to contact citizens about the current War on the environment and to collect signatures on an environmental Bill of Rights. The collective effort is designed to demonstrate to elected officials in Washington and in the states that Americans are angry about the dismantling of environmental laws that is currently in progress.

You will find a copy of the petition enclosed with this Newsletter. Talk to your non-TCPW friends about some of what has been going on (see this NL and NL204) and get them to sign the petition. If you are unable or unwilling to do so, at least sign yourself, and return it to us (see address at bottom of petition). Thank you!

7. TCPW NEWS

A. We're losing an executive director, but the job remains filled

Joan Burns needs time out. Working much more than her paid time for TCPW (a job where you often seem to be going in all directions at once), plus handling a lively toddler (on top of two lively older children) has left her feeling that she needs to

simplify her life for a while. Her performance has been simply terrific - characterized by tremendous energy, initiative, enterprise, and an outgoing nature. She tackled tasks cheerfully and got them done efficiently. Obviously, we all hope that she won't be gone for good.

We are tremendously fortunate in having Linda LaForest agree to take on Joan's share of the work as well as continue the very significant part she has been doing herself. Linda has shared the job with Joan for the past 10 months, and is thoroughly familiar with all TCPW issues and procedures. She tackles tasks with intelligence and dedication, as well as a strong interest in, and understanding of, the workings of government at all levels.

B. Upcoming activities

- Our Haw Ridge Canoe Trail outing, led by Chuck Coutant, will be held on Saturday, July 22. Meet at 9 a.m. at the Solway Park area that is most distant from the bridge (alongside a small embayment). Please call the office (481-0286) or Chuck Coutant (483-5976) to let us know, (a) that you plan to participate, and (b) whether you will have a full canoe or can offer space to someone. If you want to come, but need a ride in somebody else's canoe, we'll almost surely be able to help you.
- Eric Hirst will lead a bike ride around Cades Cove on Saturday, August 5, starting at 8:30 a.m. Call Eric to register, and to find out about where to meet and other particulars (483-1289-H; 574-6304-W).

Later on:

- September: Oak Ridge Cedar Barrens maintenance
- October: North Ridge Trail hike and maintenance
- November 10-12: Annual Weekend at Bersheeba Springs (near Savage Gulf, Fiery Gizzard, and the South Cumberland Recreation Area)
- December: Year-end social.

C. Annual Weekend: volunteers needed

We repeat our appeal for volunteers to help with the planning and conduct of our November week-end at Bersheeba Springs. Among tasks that need to be done are to 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 Linda at the office, 481-0286, or Jenny Freeman at 482-5980.

D. Looking for videos

Shortly after TCWP was formed, a generous gift from Jack and Mary Ann Gibbons initiated our Harvey Broome Film Series. We acquired numerous environmentally eloquent movies and made them available to schools and other institutions (we'll never forget a high school class actually in tears over the drowning of magnificent Glen Canyon, "The Place Nobody Knew," by Lake Powell). For several years, the distribution of the films was handled through the Oak Ridge Public Library; more recently, it has been taken care of by the education office of the Tennessee Dept. of Environment & Conservation.

We were recently informed that three of our films were getting badly worn and had to be repaired or replaced. It has been suggested that we look for videos, rather than movies. If you have suggestions about good sources of appropriate videos, or would like to work on a selection committee, call Linda (481-0286).

E. TCWP members stay busy, and we thank them

Several TCWP members participated in our recent meeting with the regional representatives for Sen. Bill Frist and Rep. Zach Wamp (JTB, this NL). They included Don Todd, Russ Manning, Bob Luxmoore, Don Banger, Ray Payne, and Lee Russell.

Patrice Cole and Chuck Coutant recently gave talks to Rotary Clubs on behalf of TCWP. Chuck addressed the Cookeville Rotary on April 19, and Patrice the Maryville Rotary on April 27. Their talks generated lots of questions and interest.

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Bill Russell represented TCWP at the official opening of the Elm Grove Greenway.

Jim Groton submitted comments on the State's regulations regarding the siting of landfills. He

opposed proposed changes in the regs that do not provide for adequate review of wetland quality and function.

As principal of Oliver Springs Elementary School, Richard Davis has for many years led the students and staff to participate in the Save America Campaign. The students have raised money for land-acquisition projects such as a winter refuge for eagles, a tall-grass prairie, a Sandhill Crane Sanctuary, the Foothills Conservancy's Abrams Creek/Chilhowee Mtn. purchase, etc. Over the past 12 years, they have raised over \$7,000. Davis retired at the end of this school year, but the staff has promised to continue his program, and Davis has promised to volunteer his time for the Obed, Big South Fork, etc.

Joan Burns provided water melons for the dedication of the new Worthington Cemetery Trail. The event was held to celebrate National Trails Day, June 3.

The Knoxville News Sentinel published a letter-to-the-editor by Lee Russell, and The Oak Ridge one by Ken Warren, both about the infamous timber rider to the rescissions bill (TGB, this NL).

The party to assemble NL204 was hosted by Frank and Mary Hensley. Helping them were Ed Sonder, Oddy Curtiss, Marian Garber, Louise Markel, Carol Helton and Jan Bangham.

F. Erratum

The top sheet of NL204 had several minor errors. On p.2, the top right corner should read "NL204, 4/17/95." On p.1, the successive page numbers (verrically, farright) for items 1 through 12 should read: 3, 4, 6, 7, 9, 11, 12, 13, 15, 16, 18, 2. Please make these corrections on your copy (we had originally intended to send you a substitute page, but decided to use the money for something else). We've had a limited number of the correct top sheets printed and will be glad to send them to anyone who requests one.

G. Newsletter changes

Changes made in this Newsletter include: (a) Changing the table of contents to a "headlines" format; (b) adding more information at the bottom of p. 2 (more phone numbers, Presidential contacts). Do these changes help? Do you have any other suggestions? We would like to hear from you. We would like to point out again that the Newsletter is

favorite issues as quickly as possible (table of contents) and act on them (Action Summary; stars in margin). Therefore, please don't feel overwhelmed!

Clarks Copy Service is now able to print our Newsletter on recycled paper at no extra cost. Starting with NL205, what you read will be printed on recycled paper.

8. ACTIVITIES and READING MATTER

- June 15, public meeting on Scotts Gulf. For info, call Paul D. Miller, Cookeville, 615-526-9259 or 372-9811.
- July 22, 9 a.m., TCWP outing on Haw Ridge Canoe Trail (see 17B).
- August 5, TCWP outing: bike around Cades Cove (see 17B).
- November 10-12, TCWP Annual Weekend, Bersheba Springs.
- *Forest Health, a Timber Salvage Story*, is a video designed to counteract the timber-industry's multi-million dollar media campaign for "forest health by salvage logging." To get a copy, contact Cold Mountain, Cold Rivers, Box 7941, Missoula, MT 59807 (Phone 406-728-0867).
- A package on watershed planning and water management has been prepared by the Wetlands Division of EPA. The package includes a series of fact sheets on wetlands, and brochures on the Administration's Wetlands Plan and on the National Estuary Program. Call Gregory Perle, EPA, 202-260-2315 or 202-260-9900.
- *Economic Impacts of Protecting Rivers, Trails and Greenway Corridors* by the National Park Service's Rivers, Trails and Conservation Assistance Program, is a valuable resource book to help activists, planners, and administrators understand and communicate the economic benefits of their projects. Free from NPS, Recreation Resources Assistance Division, PO Box 37127, Washington, DC 20013 (202-343-3780).
- *How to Save a River*, by David Bolling, a River Network publication, presents the wisdom gained from years of river protection campaigns across the United States. (Paperback, 300 pp., photos, index. Send \$14 + \$4 for shipping and handling to River Network, PO Box 8787, Portland, OR 97207-8787.)
- State-by-State water-quality fact sheets have been compiled by the Clean Water Network. Contact Laura McGourty, 202-624-9358 for States of interest to you.
- *Mimes, Storm-Water, and You*, is an informative recent publication by the Mineral Policy Center (1612 K Street, NW, Suite 808, Washington, DC 202-887-1872).
- *Green Politics: Arousing the Quiet Giant* is the text of a keynote speech presented 4/21/95 for the Annual Meeting of the League of Conservation Voters by Denis Hayes, chairman of the first Earth Day in 1970, and International Chairman of the 20th Earth Day in 1990. Write LCV, 1707 L Street, Suite 550, Washington, DC 20036.

ENVIRONMENTAL BILL OF RIGHTS

Every American has the right to a safe and healthy environment.

We urge all elected officials -- local, state, and federal -- to protect that right.

We oppose any measures that would roll back the environmental progress of the last 25 years. We commit ourselves to support the following simple principles, and will hold public officials who represent us accountable for their stewardship of the planet.

I. Prevent Pollution. Every American is entitled to air, water, food, and communities free from toxic chemicals. Government policies and regulatory standards must prevent pollution before it happens, expand citizens' right to know about toxics, and guarantee protection for citizens, particularly for the most vulnerable among us -- infants, children, pregnant women, and the elderly.

II. Preserve America's national heritage, wild and beautiful, for our children and future generations. Wildlife, forests, mountains and prairies, wetlands, rivers, lakes, historic sites, urban parks and open space, oceans, and coastlines are all part of our national heritage.

III. End the give-aways of public assets, such as mineral, timber, grazing and fishery resources. End the subsidies for oil and energy companies. Polluters should pay to clean up the mess they create. No one has the right to use property in a way that destroys or degrades the surrounding community. We reject the idea that good neighbors must pay bad ones not to pollute.

IV. Conserve America's natural resources by controlling waste, increasing energy efficiency, and protecting against overuse and abuse. Encourage sustainable technologies that meet human needs without destroying the environment.

V. Get the big money out of politics. No more government for sale. Let's take our government back from the big campaign contributors and exploiters who control it today.

NAME (PRINT)	SIGNATURE	STUDENT? []
ADDRESS (CITY/STATE/ZIP)		PHONE
NAME (PRINT)	SIGNATURE	STUDENT? []
ADDRESS (CITY/STATE/ZIP)		PHONE
NAME (PRINT)	SIGNATURE	STUDENT? []
ADDRESS (CITY/STATE/ZIP)		PHONE
NAME (PRINT)	SIGNATURE	STUDENT? []
ADDRESS (CITY/STATE/ZIP)		PHONE
NAME (PRINT)	SIGNATURE	STUDENT? []
ADDRESS (CITY/STATE/ZIP)		PHONE

Please return petitions to: TCWP, 130 Tabor Road, Oak Ridge, TN 37830

For more petitions: feel free to copy; or call 615-481-0286 or 482-2153



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Jim Groton submitted comments on the State's regulations regarding the siting of landfills. He

opposed proposed changes in the regs that do not provide for adequate review of wetland quality and function.

As principal of Oliver Springs Elementary School, Richard Davis has for many years led the students and staff to participate in the Save America Campaign. The students have raised money for land-acquisition projects such as a winter refuge for eagles, a tall-grass prairie, a Sandhill Crane Sanctuary, the Foothills Conservancy's Abrams Creek/Culhewee Mtn. purchase, etc. Over the past 12 years, they have raised over \$7,000. Davis retired at the end of this school year, but the staff has promised to continue his program, and Davis has promised to volunteer his time for the Obed, Big South Fork, etc.

Joan Burns provided water melons for the dedication of the new Worthington Cemetery Trail. The event was held to celebrate National Trails Day, June 3.

The Knoxville News Sentinel published a letter-to-the editor by Lee Russell and The Oak Ridge one by Ken Warren, both about the infamous timber rider to the rescissions bill (T6B, this NL).

The party to assemble NL204 was hosted by Frank and Mary Hensley. Helping them were Ed Sonder, Oddy Curtiss, Marian Garbe, Louise Markel, Carol Helton and Ivan Banham.

F. Erratum

The top sheet of NL204 had several minor errors. On p.2, the top right corner should read "NL204, 4/17/95." On p.1, the successive page numbers (vertically, far right) for items 1 through 12 should read: 3, 4, 6, 7, 9, 11, 12, 13, 15, 16, 18, 2. Please make these corrections on your copy (we had originally intended to send you a substitute page, but decided to use the money for something else). We've had a limited number of the correct top sheets printed and will be glad to send them to anyone who requests one.

G. Newsletter changes

Changes made in this Newsletter include: (a) Changing the table of contents to a "headlines" format; (b) adding more information at the bottom of p. 2 (more phone numbers, Presidential contacts). Do these changes help? Do you have any other suggestions? We would like to hear from you. We would like to point out again that the Newsletter is

favorite issues as quickly as possible (table of contents) and act on them (Action Summary: stars in margin). Therefore, please don't feel overwhelmed!

Clarks Copy Service is now able to print our Newsletter on recycled paper at no extra cost. Starting with NL205, what you read will be printed on recycled paper.

8. ACTIVITIES AND READING MATTER

- June 15, public meeting on Scotts Gulf. For info, call Paul D. Miller, Cookeville, 615-526-9259 or 372-9611.
- July 22, 9 a.m., TCWP outing on Haw Ridge Canoe Trail (see 17B).
- August 5, TCWP outing: bike around Cades Cove (see 17B).
- November 10-12, TCWP Annual Weekend, Bersheba Springs.
- *Forest Health, a Timber Salvage Story*, is a video designed to counteract the timber-industry's multi-million dollar media campaign for "forest health by salvage logging." To get a copy, contact Cold Mountain, Cold Rivers, Box 7941, Missoula, MT 59807 (Phone 406-728-0867).
- A package on watershed planning and water management has been prepared by the Wetlands Division of EPA. The package includes a series of fact sheets on wetlands, and brochures on the Administration's Wetlands Plan and on the National Estuary Program. Call Gregory Perb, EPA, 202-260-2315 or 202-260-9900.
- *Economic Impacts of Protecting Rivers, Trails and Greenway Corridors* by the National Park Service's Rivers, Trails and Conservation Assistance Program, is a valuable resource book to help activists, planners, and administrators understand and communicate the economic benefits of their projects. Free from NPS, Recreation Resources Assistance Division, PO Box 37127, Washington, DC 20013 (202-343-3780).
- *How to Save a River*, by David Bolling, a River Network publication, presents the wisdom gained from years of river protection campaigns across the United States. (Paperback, 300 pp., photos, index. Send \$14 + \$4 for shipping and handling to River Network, PO Box 8787, Portland, OR 97207-8787.)
- State-by-State water-quality fact sheets have been compiled by the Clean Water Network. Contact Laura McGourty, 202-624-9358 for States of interest to you.
- *Mines, Storm-Water, and You*, is an informative recent publication by the Mineral Policy Center (1612 K Street, NW, Suite 808, Washington, DC 202-887-1872).
- *Green Politics: Arousing the Quiet Giant* is the text of a keynote speech presented 4/21/95 for the Annual Meeting of the League of Conservation Voters by Denis Hayes, chairman of the first Earth Day in 1970, and International Chairman of the 20th Earth Day in 1990. Write LCV, 1707 L Street, Suite 550, Washington, DC 20036.

ENVIRONMENTAL BILL OF RIGHTS

Every American has the right to a safe and healthy environment.

We urge all elected officials -- local, state, and federal -- to protect that right.

We oppose any measures that would roll back the environmental progress of the last 25 years. We commit ourselves to support the following simple principles, and will hold public officials who represent us accountable for their stewardship of the planet.

I. Prevent Pollution. Every American is entitled to air, water, food, and communities free from toxic chemicals. Government policies and regulatory standards must prevent pollution before it happens, expand citizens' right to know about toxics, and guarantee protection for citizens, particularly for the most vulnerable among us-- infants, children, pregnant women, and the elderly.

II. Preserve America's national heritage, wild and beautiful, for our children and future generations. Wildlife, forests, mountains and prairies, wetlands, rivers, lakes, historic sites, urban parks and open space, oceans, and coastlines are all part of our national heritage.

III. End the give-aways of public assets, such as mineral, timber, grazing and fishery resources. End the subsidies for oil and energy companies. Polluters should pay to clean up the mess they create. No one has the right to use property in a way that destroys or degrades the surrounding community. We reject the idea that good neighbors must pay bad ones not to pollute.

IV. Conserve America's natural resources by controlling waste, increasing energy efficiency, and protecting against overuse and abuse. Encourage sustainable technologies that meet human needs without destroying the environment.

V. Get the big money out of politics. No more government for sale. Let's take our government back from the big campaign contributors and exploiters who control it today.

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Please return petitions to: TCWP, 130 Tabor Road, Oak Ridge, TN 37830

For more petitions: feel free to copy, or call 615481-0286 or 482-2153

