

TENNESSEE CITIZENS for WILDERNESS PLANNING

Newsletter No. 207

September 30, 1995



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13. ACTION SUMMARY

1 No	Issue	Contact	"Message!" or Action
1A	Obed W SR support	Congressman Wamp	"Thanksfor intrest! Do not let resource be jeopardized!"
2B	Big S. Fork water quality	TCWP	Offer to participatein Bear Creek cleanupplanning
3C	Roan Mtn State Park	Del. Truitt or Mike Fritts	"Do NOT develop golf course in this park!"
3D	TWRA's survival	State legislators	"TWRA is valuable agency: approve its continued survival!"
3E	Nongame wildlife protection	Various outdoor industries	"I am willing to pay a surcharge on your product!"
3F	Fall Creek Fallsprotection	TCWP	Offer your help with thisissue
5A	Big Frog Wildemess	Cherokee NF supervisor	"Please inform me how to participate in the SAA process!"
6B	TVA's Resource Budget	Congressman Wamp	"Thanks for supporting continuation of beneficial functions!"
7A	Parks-closure bill, HR 260	Reps. Wamp, Hilleary, Ford Clement, Gordon, Tanner Speaker Gingrich Reps. Duncan, Quillen	"(1) Thanks for voting against HR 260! (2) Please help get the measure deleted from the Budget Reconciliation!" "Help to undo this undemocratictrick!" "I am disappointed in your vote!"
8D	Corporate give-aways (minerals)	US Rep and Senators	"I am outraged by corporate welfare costing us BILLIONS"
8E	Arctic Refuge	Pres. Clinton	"Veto bills that would permitdrilling. Support wilderness!"
7; 8	War on Parks and other public lands	US Rep and Senators Pres. Clinton	"The war on our public lands must stop!" "Please veto Interior Appropri. and Budget Reconciliation bills, and do NOT accept any compromise that fails to eliminateanti-environmental provisions!"
9A	Endangered Species Act (ESA)	US Rep and Senators	"Oppose any bill that would weaken ESA; strengthen Act!"
9B	Wolf conservation	US Fish & Wildlife Service Appropri. Comm. chairmen	"I support alternative A for jobo recovery!" "Yellowstone wolf recovery should be funded!"
10C	Hazardous-waste collection	*****	Participate.
11A	TCWP activities	TCWP	Participate in upcoming cleanups and other events.
11C	TCWP's computer	TCWP	Offer your expert assistance.

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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 lo)
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 WILD & SCENIC RIVER

A. Congressman Wamp visits Obed

On August 31, Congressman Zach Wamp visited the Obed Visitor Center in Wartburg and then came out to Lilly Bluff to view the Clear Creek. His visit was the result of two invitations transmitted via his staff: one by Obed Site Manager, Monika Mayr; the other by representatives of TCWP and other groups who, 3 months earlier, had visited Mr. Wamp's office and discussed various issues, but primarily the Obed (NL25 §1B).

At the Obed Visitor Center, Mr. Wamp heard from managers of the various public lands in the general area - the Obed WSR, the Big South Fork NRR, Frozen Head State Park/Natural Area, Catoosa Wildlife Management Area - and became aware how very much his District benefits from these natural-resource lands. His subsequent drive to Lilly Bluff took him through the Clear Creek gorge, where several boaters happened to be in the river. Valiantly, in close-to-100° weather, he walked out to the overlook where almost 30 people awaited him, including local citizens, members of the county government, representatives of conservation groups (TCWP, NPCA, TSRA) and of user groups (e.g., canoe clubs), and people with recreation developments in the surrounding area.

He addressed the group and promised to support the Park and never to agree to any closure effort. He has since then made good on his promise by voting against HR 260, the Park Closure bill, and in favor of a bill that increases NPS' operating funds (see §7A, this NL, where we also reprint part of a recent letter from him). When people expressed specific concerns (e.g., increasing staffing levels [the Obed presently has but a single ranger], how to get support from our Senators, etc.), he asked that these concerns be transmitted to his staff in writing so that he could better address them.

B. Clear Creek dam and Cumberland Plateau water-supply study progresses

It's been a long road between the original proposal by the Catoosa Utility District to build a dam on Clear Creek (one of the main stems of the Obed) and the study that is currently under way (NL191 §1B, NL192 §2A, NL200 §1B, NL201 §2B, NL202 §3A, NL203 §1A, NL204 §2A). TCWP can take pride in having transformed an imminent threat into what may turn out to become a long-term solution. In a nutshell, (a) the Rural Utilities Service (formerly, Farmers' Home Administration, USDA) agreed to do a full-fledged Environmental Impact Statement (EIS), (b) the work is being carried out by TVA (with RUS), and (c) the scope has been greatly broadened to include numerous alternatives, a larger area, and a longer time frame.

The scoping meeting of last April (NL204 §2A) has now been followed by a draft scoping document that will be discussed by the Steering Committee on October 3. TCWP's Joan Burns and NPCA's Don Barger are members of this committee. According to the document, 82 people filled out registration cards for the April meeting, and 139 letters were received subsequently, including 112 from individuals (our thanks to the many members of TCWP and the Friends of the Obed network who participated).

The draft scoping document makes it quite clear that the EIS will consider water-supply development not only for the Catoosa Utility District, but for the Upper Cumberland Plateau region, which is estimated to need 15 million gallons a day (MGD) of additional water over the next 30 years. (Note: the Clear Creek dam would supply only one-tenth of that amount). It also makes it clear that the consideration of downstream impacts must be paramount, especially those on the Obed National Wild & Scenic River. The document considered most closely related to the study is the Obed General Management Plan (see §1C, below).

The draft lists 6 alternatives to be considered in the EIS:

- No action (including no Clear Creek dam);
- Construction of Clear Creek dam;
- Pipeline from Centerhill Lake to Cookeville, with an inter-connect to Crossville;
- Pipeline from Watts Bar Lake to Crossville, with an inter-connect to Jamestown;
- Pipeline from Dale Hollow Lake to Jamestown, with an inter-connect to Crossville;

*** WHAT YOU CAN DO:** Thank Congressman Wamp for taking an active interest in the Obed WSR. (Suggest that he float a segment, come Spring). Urge him to stand firm against any of the current Congressional actions that might jeopardize the resource. Remind him that it is very important to complete land acquisition and to get adequate operating funds (just a single ranger is ridiculous for an area that has a 90-mile-long boundary). Urge him to talk to Senators Thompson and Frist to solicit their help.

- Inventory of existing water supplies and development of distribution inter-connects.

Issues to be addressed in detail are:

- water quality/quantity (especially in the Obed WSR);
- endangered species;
- recreation;
- biological diversity;
- archeological, cultural, and historic resources;
- socioeconomic effects.

C. Obed General Management Plan is now official

Through a "Record of Decision," the NPS (National Park Service) has now officially approved the proposed action -- Alternative A -- in the General Management Plan (GMP)/Environmental Impact Statement for the Obed Wild & Scenic River (WSR). As explained earlier (NL203 11C), TCWP unequivocally supported NPS in their choice of Alternative A, which:

- establishes a management-zone system based on resource protection and visitor experience (development in the Wild Zone is limited to existing bridge crossing areas);
- authorizes a single developed overlook at Lilly Bluff;
- makes Obed Junction and Norris Ford accessible by trail rather than motorized vehicle;
- adds 200 acres of critical lands and 6 river miles;
- recommends studies for potential inclusion of additional river segments in the Obed WSR;
- recommends basin-wide/regional comprehensive water-resource planning;
- recommends more adequate staffing levels.

TCWP had repeated and major inputs all through the long process of generating the GMP. We are most pleased with the resulting document, which should guide Obed WSR management for the next 15 years or more.

2. BIG SOUTH FORK NRRA

1. Land acquisitions: two major tracts acquired

The large area west of the Big South Fork that is traversed by the North White Oak Creek and its Laurel Fork has long been high on the priority list of lands still needing to be acquired to complete the 125,000-acre Big South Fork National River and

Recreation Area (BSFNRR). This watershed, which supplies the bulk of the clean water for the BSF, is highly scenic, fragile, and vulnerable to destructive developments. Much of the area is made up of a few large tracts, and it has taken several years of hard-fought-for appropriations to put enough money in the bank for the National Park Service (NPS) to start negotiating with the major landowners.

Superintendent Lee Davis recently informed us that NPS has now finally completed acquisition of the two largest tracts in this area, which total almost 7,000 acres. Fortunately the negotiations with the owners were already well under way at the time the rescissions bill was signed, which was to remove \$500,000 in FY1995 funds for the BSFNRR. While there may not be enough money now to buy the next-largest tract (almost 1,000 acres), offers have been made on two smaller ones.

Staff of the BSFNRR will be mapping and evaluating various trails that have been in use within the two large parcels recently acquired. Mr. Davis plans to consult us and other groups concerning a trail-use proposal for the area that will be drafted in-house, but he has already stated that he would not accept a plan that provides for hiking trails only.

B. Bear Creek Improvement plans

Bear Creek, Scott County, a major eastern tributary to the Big South Fork, brings with it pollution that seriously affects the biota of the main stream. Upstream from the mouth of Bear Creek, the BSF supports 22 species of freshwater mussels, including 3 endangered species; downstream from the Bear Creek confluence, no mussels are to be found. The main problem is acid drainage from about 600 acres of abandoned stripmines.

The Natural Resources Conservation Service in Tennessee (a USDA agency) has organized an interagency group to come up with a watershed/water-quality improvement plan for Bear Creek. Agencies represented are the National Park Service, US Fish & Wildlife Service, Corps of Engineers, Tenn. Departments of Environment & Conservation and of Agriculture, Scott Co Soil Conservation District.

Local commitment must be demonstrated before implementation funds can be requested from any of the agencies or the private sector. To show that the project is environmentally, socially, and

economically justifiable, and locally acceptable, input is needed from all sectors of the population that may now be affected by the very poor quality of the water. This includes Park users, local residents, and groups such as TCWP.

The core planning group meets monthly (generally in Cookeville) in an informal way, and we have been invited to attend and join in the planning effort. **WE'D LIKE TO HEAR FROM ANY TCWP MEMBERS WILLING TO PARTICIPATE IN THIS PROJECT** (Call 481-0286 or 482-2153).

3. AROUND THE STATE

A. TCWP appealing Champion's AQ permit; WQ, also, is in trouble

(Contributed in part by Linda LaForest)

The beautiful hardwood forests on the 85,000 acres that Champion International Paper Co. purchased last year in Anderson, Campbell, and Scott Counties, are destined to be processed at a Champion chip mill near Caryville. (Chippmills off the main waterways avoid the federal permitting process and NEPA.) The company applied for a state air-quality permit for this "wood fiber processing plant." TCWP joined with Doug Murray (LaFollette) and the Foundation for Global Sustainability in appealing the application (NL203 ¶3A; NL204 ¶4B). Champion applied for a modification of the permit -- essentially for doubling the mill's capacity -- and we then filed an appeal of the modified permit.

Our current appeal argues that since the state air-quality permit is authorized and mandated by a federal agency (the EPA), an endangered species consultation is required. Several federally listed threatened and endangered species (such as the red-cockaded woodpecker, Indiana bat, gray bat, palezone shiner, and blackside dace) are found within a 10-mile radius of the proposed mill. Furthermore, the appeal argues that an Environmental Assessment (EA) and Environmental Impact Statement (EIS) should have been conducted. Finally, the appeal alleges that Champion has already failed to comply with sections of the permit that pertain to weighing devices. Since the permit limits Champion's production based on weight allowances, these devices are crucial to ensuring compliance. The hearing date for our appeal is set for October 11 in Nashville.

Although forestry is exempt from regulation under Tennessee's Clean Water Control Act, Champion's first Campbell County clearcut was harmful enough to water quality to warrant action by the state. On June 29, Champion was cited by the Division of Water Pollution Control for altering (blocking) a stream channel, an action that does require an Aquatic Resource Alterations Permit. The Division also made Champion aware that sediment was accumulating in the stream, a situation over which the state has no regulatory control, but which they hoped Champion would nevertheless attempt to ameliorate.

See ¶12, this NL, for a new book (Univ. of Tenn. Press) about Champion.

B. Scott's Gulf protection efforts

(Based on a contribution by Chuck Estes)

Attisue is the protection of a 15,000-acre tract in southwestern White County that encompasses the spectacular gorges of the Caney Fork River and its tributaries (Scott's Gulf), and surrounds the Virgin Falls Pocket Wilderness (NL204 ¶4A). The owner of the tract, Bridgestone Tire & Rubber Co., is anxious to sell, and Doyle Lumber Co. holds a purchase option, which extends until Sept. 30, but may be extended. Doyle was (is?) planning to develop an exclusive hunting club and import exotic game species; the latest word is that the lumber company is exploring the possibility of developing a resort community with condominiums.

A coalition of conservation groups, including TCWP, is continuing to pursue ways of preserving this natural area. There is considerable support in the surrounding region to have Scott's Gulf preserved as a state "Wilderness Recreation Area." Through TCWP, the group has created a mechanism for collecting money, if necessary, to purchase the portion of the tract that encompasses and immediately surrounds the gorges. The Cookeville Group of the Sierra Club has volunteered to develop a brochure on the Scott's Gulf area.

During the TCWP Annual Meeting at Bersheeba Springs (Nov. 10-12), members will have the opportunity to get better acquainted with the Scott's Gulf area by joining a hike to be led by Chuck Estes. Chuck is also available to provide more detailed information about the Scott's Gulf protection effort (423-482-7374). (Or call Paul D. Miller, coordinator of the coalition, 615-526-9259 or 372-9811).

C. A golf course in Roan Mtn State Park???

The Tenn. Dept of Environment and Conservation (TDEC) has informed us that they are proceeding with golf courses at Chickasaw Bluffs and Cumberland Mountain State Parks. For two additional golf courses, they are eyeing Tims Ford, Harrison Bay, or Roan Mountain State Parks. The decision (which we strongly disagree with) to spend state-park funds on golf-course development appears to have been irrevocably made. The best we can do is to have a voice in where these additional two are to go. Neither Tims Ford nor Harrison Bay have any outstanding natural features or fragile lands, but Roan Mountain does.

- ✱ **WHAT YOU CAN DO:** Voice your opinion by calling State Parks Director Del Truitt (615-532-0025) or State Architect Mike Fritts (615-741-2388).

D. TWRA's existence threatened

The continued existence of the Tennessee Wildlife Resources Agency (TWRA) is being threatened by legislative maneuver engineered by two State representatives, Danny Wallace (D-Maynardville) and Jerry Cross (D-Caryville). Like every State agency, TWRA must have its existence renewed every six years in what is generally a routine process by a legislative committee. At the urging of Wallace and Cross, however, approval was postponed, and a hearing on renewal was scheduled for next January. Currently, TWRA's existence is approved only until 6/30/96. Wallace and Cross, who want TWRA replaced by a politically appointed Commission, represent districts in which certain fishermen have been upset with the agency over the kinds of fish that are being stocked in Norris Reservoir. Cross also doesn't like limitations on use of all-terrain vehicles in the Royal Blue Wildlife Management Area (WMA), which is managed by TWRA.

While TWRA is known most widely for its game and fish management, its functions are much broader. The agency has been active in restoring rare and endangered non-game species, such as the bald eagle and osprey; in wetlands acquisition; and in research on neotropical migrant birds, among other things. Currently, TWRA is trying to get a bigger non-game-wildlife program under way (§3E, below). In managing the Catoosa WMA, TWRA has a Memorandum of Understanding with the National Park Service and takes an active role in preserving

the Obed National Wild & Scenic River. TWRA will also manage the Chilhowee Mtn. acreage adjacent to the Gt Smoky Mtns NP recently acquired through the Foothills Land Conservancy (§4A, this NL).

TWRA doesn't always do things to our liking (e.g., clearcuts in Catoosa WMA), but there exists an established system for input and policy change. Scrapping the agency outright can only be detrimental to the protection of Tennessee's natural resources.

- ✱ **WHAT YOU CAN DO:** Urge your state legislators to approve the continuing existence of TWRA. See Political Guide for addresses, or call us for info (481-0286).

E. Nongame wildlife conservation

(Contributed by Linda La Forest)

TWRA is supporting the Wildlife Diversity Funding Initiative ("Teaming with Wildlife"), a national program being spearheaded by the International Association of Fish and Wildlife Agencies to support nongame wildlife conservation, recreation, and education. The supporting groups hope to secure \$350 million each year through federal legislation that taxes outdoor products used in nongame recreation such as binoculars, sleeping bags, hiking boots, tents, and birdseed. The surcharge would be between 1% and 5% of the wholesale price. The average Tennessean would pay an estimated \$5.71 extra per year, and Tennessee is expected to get \$6.3 million from the fund. The state would have to match 25% of that amount, bringing the total to \$8.4 million annually for nongame programs. (Currently only \$600,000/year is allocated for nongame).

- ✱ **WHAT YOU CAN DO:** TWRA is asking supporters of this initiative (which has not yet been introduced into Congress) to start laying the groundwork for the legislation by writing the industries to be taxed and expressing a willingness to pay the surcharge for such a program. For more detailed information, call Robert Hatcher at TWRA (615-781-6670).

F. Save Fall Creek Falls from stripmine impacts

In mid-July, SOCM (Save Our Cumberland Mountains) filed a Lands Unsuitable for Mining petition (under Sec.522 of the 1977 federal surface

mining law) at the Knoxville OSM (Office of Surface Mining). The petition seeks to have the entire watershed of Fall Creek Falls State Park declared off-limits for mining.

Fall Creek Falls SP has for two decades been threatened by harmful projects, and TCWP has often been an active participant with SOCM in working to stop these. The 1976 attempt by the giant AMAX Coal Co. to stripmine 10,000 acres next to the Park was thwarted, as was the 1985 attempt by the Tennessee National Guard to build a training base that would have severely impacted the air space over and around the Park. More recently, a subsidiary of AMAX (Skyline Coal Co.) has been mining smaller acreages in the area, which contains coal seams that generate major amounts of acid mine drainage. Thanks to SOCM's vigilance, OSM has repeatedly cited Skyline for violations, but the harmful mining continues, and moves ever closer to the Park. The "522" petition, which seeks to protect the whole watershed, is the best hope for protecting Fall Creek Falls SP. Anyone wishing to work on this issue should call the TCWP office (615-481-0286 -- leave a message if no one is in).

G. State Park management politicized

Civil-service protection has been eliminated for 50 state-park managers. One has been fired, and the remaining 49 now report to the assistant commissioner of the Dept. of Environment and Conservation (a political appointee). "Streamlining" the government has been given as the reason for this move by Gov. Sundquist, but Rep. Gary Odom (D-Nashville) points out that such streamlining can be done without unilaterally stripping civil service employees of their non-political status.

H. Tennessee's environmental policy: areas of concern

TCWP's Executive Director, Linda La Forest, recently met with Dodd Galbreath of the Environmental Policy Office (Dept. of Environment and Conservation). Subsequently, on behalf of TCWP, she formulated a list of areas of concern regarding the state's environmental policy, and transmitted these to the Environmental Policy Office. They are heresummarized

- State Park management: our parks were established to "protect and preserve unique examples of natural, cultural and scenic areas ...," rather than what

Commissioner Dills referred to as a "seasonal, consumer-oriented business" (6/29/95)

- Water Quality Control Board (WQCB): end the exemption of forestry & agriculture from WQ regulations; include environmental representatives on the WQCB; strengthen the fine and punishment mechanism; designate and protect Outstanding Resource Waters.
- Region-wide water planning should replace uncoordinated individual utility districts.
- Forestry practices need to be regulated through enforceable legislation, rather than being at the discretion of the State Forester.
- Air Quality Control Board: in considering permit applications, the Board needs to look at the cumulative off-site impacts (see air-pollution problems in the Smokies, ¶4C, this NL).
- Land acquisition process: need to adequately fund the process for purchasing special lands, and to streamline the mechanism so as to be able to act quickly in emergency situations or when special opportunities arise.
- State Recreation Plan: need to evaluate compatibility of recreation use with type and purpose of the land/water so as not to injure the resource.

I. 1995 legislative outcomes

Natural Areas Act additions. The Natural Areas Preservation Act of 1971 was amended to add 8 Nature Conservancy preserves, two State-owned areas, and expansions of three existing State Natural Areas. The Act gives the State authority to make and enforce regulations for the protection and enhancement of Natural Areas, and prohibits removal of plants, animals, or geological specimens without permit. The amendment was sponsored by Sen. Douglas Henry and Rep. John Bragg, who deserve our thanks.

Audit privilege bill held over. This measure (SB 1135/HB 1745) would create a new legal privilege for businesses and corporations, which permits secrecy about pollution activities and sweeping immunity from civil and criminal prosecution. The bill passed the Senate with some improvements in its original language, but without the major mitigating amendment proposed by Sen. Crutchfield. It was held up in a House subcommittee, whose chairman, Rep. Doug Jackson (D-Dickson), had conducted hearings in a thorough, objective, courteous and open-minded manner. It is still unclear whether a special legislative study committee will be appointed, or whether the study

will be done by an *ad hoc* committee within the Judiciary subcommittee.

Environmental Boards bill held over. SB 207/HB 1336 would add an environmental representative to the Water Quality Control Board and one to the Air Pollution Control Board. It passed in the House, but remains in the Senate Environment Conservation and Tourism Committee, where it will be considered in 1996.

Exotic Pest Plant Species Act passed. This Act provides the state with the ability to identify and manage exotic invasives that are injurious to ecological, agricultural, and other interests of the state.

Native Wildflower Amendment passed. This amendment to the "Bicentennial Beautification Act of 1993" requires that the TN Dept of Transportation plant native wildflowers along roadsides in rural areas, but allows both native and non-native flowers to be planted along roadsides in urban areas. The bill also requires that the state reduce the mowing of areas having a high quality native wildflower habitat.

Tennessee Flora Act Appropriation. A budget item was approved that provides for the completion by 1996 of the first Atlas of Tennessee's Complete Flora. This Atlas was originally approved in 1992.

K. Wolf River land purchased

Over 4,000 acres of high-value bottomland hardwood and critical habitat, the Ghost River section of the Wolf River, was finally purchased in June, thanks to a cooperative effort of State agencies and a citizens' group, with assistance from the Conservation Fund. The pristine cypress swamps are located in the last unchanneled headwaters of a West Tennessee river (NL203 ¶3B). About half the purchase costs came from the State Wetlands Acquisition Fund, the remainder from TWRA and the private Wolf River Conservancy. The protective purchase was initiated after a cliffhanger, just one day prior to an auction arranged by the timber company that initially purchased the tract. (This initial timber-company purchase was due to the State's slowness in acting.) Preliminary plans are to have TDEC manage the river corridor, and TWRA the lands away from the river.

L. Tennessee Greenways

The Conservation Fund, which for some time has had an American Greenways Program, recently announced its new Tennessee Greenways Program, funded through a grant from Chattanooga's Lyndhurst Foundation. Greenways are linear parks or corridors of protected open space that link people or resources, and that are located along natural features (streams, ridgelines) or manmade features (abandoned rail lines, utility right-of-ways). The new Tennessee Program will work in partnership with local programs in fostering a state-wide system of greenways.

The Tennessee program will be directed by Kathleen Williams, who for the past 10 years has served as director of the Tennessee Recreation and Parks Association (TRPA). In that capacity she was one of the major lobbyists for the 1991 Act that has generated significant funding for local and state parks, wetlands, and forests. She can be reached at the Tenn. Greenways Office, 615-386-3171 (Nashville).

4. SMOKIES

A. Interior Secretary Babbitt visits

On September 15, Sec. Bruce Babbitt came to the Foothills Parkway to help celebrate the completed purchase of the Abrams Creek/Chilhowee Mountain tract (NL200 ¶4B; NL202 ¶5D; NL203 ¶5B; NL204 ¶6B; NL205 ¶3A). Of the 4,600-acre parcel purchased, 300-400 acres adjacent to Abrams Creek now expands the GSMNP boundary in a critical area. The remaining acreage, on Chilhowee Mountain goes to the Tennessee Wildlife Resources Agency as a Wildlife Management Area. (See ¶3D, this NL re threats to TWRA).

TCWP was represented by Pres. Jenny Freeman, Bill and Lee Russell, and Bill Allen; and several other people in the big crowd at the Foothills overlook were also TCWP members. Sec. Babbitt made only brief remarks, lauding the citizens' grass-root action which illustrates the desire and need for buffer zones for our national parks. He left most of the time for presentations by Foothills Land Conservancy officials and those who had worked on collecting the \$5 (many schoolchildren and their teacher were there), and for an inspirational talk by Wilma Dykeman.

After the ceremony, however, he allowed questions and promoted discussion on other park matters. In response to a question about the Park Closure Commission, he stated firmly that he would tell Pres. Clinton to veto the bill (HR 260 -- see ¶7A, this NL), and that the President **WOULD** veto the bill. He himself then asked the audience whether they would favor a small entrance fee to the Great Smoky Mtns. NP. He elicited several "amendments" to such a hypothetical proposal, such as that the money collected would have to go entirely to the GSMNP, that it would have to be *supplemental* to appropriations, and that it couldn't be used for constructing more roads or in any other way diminishing the resources for which the Park was created.

B. Red wolf reintroduction threatened by Sen. Helms

During debate over funding the US Fish & Wildlife Service, Sen. Jesse Helms (R-NC) tried to eliminate the program designed to reintroduce the red wolf into the GSMNP. His efforts were narrowly defeated.

Enemies of the Endangered Species Act have in recent times blamed endangered-wildlife conservation or all sorts of ill effects on people. Sen. Helms joined into this campaign of fabrication by telling the US Senate that red wolves had attacked children in North Carolina. In fact, there is no record of anyone ever -- in the past several centuries -- having been attacked by a red wolf. Sen. Helms treated the Senate to two additional fabrications: (a) he stated that there were "at least 170 wolves in eastern North Carolina" (actual figure, 39-66); and (b) he asserted that there'd wolf program is unpopular (truth: the majority of North Carolinians support the program, according to a recent poll by the Univ. of NC). As the director of the Southern Appalachian Biodiversity Project recently said: "It is too bad that Sen. Helms does not share the sense of pride most Americans have for our native heritage and its conservation, or at least recognize that by protecting the diversity of life, we serve our own best interest."

C. Smoky because of pollution, not humidity

The Smokies were named after the mist-like clouds that come after a rainstorm; but what you see nowadays is pollution haze, rather than mist. In mid-August, the Park recorded its highest ozone-

pollution levels ever: 123 ppb of ozone, and visibility down to 1-2 miles. Ozone levels of 125 ppb and above are considered a human health hazard. It's a documented fact that 30 species of plants in the Park have already been measurably harmed by the pollution (ozone as well as SO_x and NO_x), and that the red spruce stands are dying. As for visibility, it has declined from about 65-70 miles on an average summer day 50 years ago to about 12 miles (and even that is good compared to the 1-2 miles we experienced in mid-August of this year). Pollution levels on the ridge of the Park are generally about twice as high as those in Knoxville.

The Tennessee Division of Air Pollution Control, which for over 10 years has issued permit after permit for new air-pollution sources, despite the National Park Service's (NPS's) objections, 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 (NL205 ¶3B). It remains to be seen whether (and how) this new policy gets implemented.

D. Should there be an entrance fee?

Friends of the Great Smoky Mountains National Park is polling GSMNP visitors on their opinion in regard to instituting an entrance fee. At the time the Park was created, a mandatory fee was expressly prohibited by the Tennessee and North Carolina legislatures and this decision would have to be legislatively overturned (possibly not for a non-mandatory fee). Further, the US Congress would have to permit the GSMNP to retain 100% of the revenue generated -- entrance fees currently being collected at other National Park System units go into the General Treasury. Finally, as came out during the discussion generated by Sec. Babbitt (¶4A, above), most of us would oppose the fee if it were to be used for constructing more roads or in any other way diminishing the resources for which the Park was created (with the Park so broke now, this is unlikely).

5. THE CHEROKEE AND SURROUNDINGS

A. Big Frog Wilderness protection

The ca. 1-mile wide strip that lies between the designated Big Frog Wilderness and the surrounding

perimeter roads and powerlines is ecologically, scenically, and visually inseparable from Big Frog (7 trails into the wilderness cross the strip) and provides important bear habitat. It is, however, currently classified as part of the "general-forest" zone and thus subject to timbering. Six timbercuts were planned in this perimeter strip; at least some of these entailed clearcutting and conversion to pine plantations NL203 ¶4A).

Thanks to many letters sent to Forest Supervisor John Ramey, and to publicity about the nearby 1966 Olympic kayak event, the Wilderness-perimeter strip has received interim protection. This protection will last until the Southern Appalachian Assessment (SAA, see NL203 ¶4C) is complete. The current draft of the SAA would protect only a portions of the Big Frog Wilderness perimeter.

WHAT YOU CAN DO: Citizen input into the SAA-review process is very important -- not only for the Big Frog issue but in connection with several areas in the Cherokee NF: USFS officials have stated that roadless areas/wilderness areas will be designated where the public really desires them to be. Public review of the SAA is about to get underway. To get informed about how you can participate in the process, contact John Ramey (Supervisor, Cherokee National Forest, PO Box 2010, Cleveland, TN 37320). For further information, call forest advocate Kirk Johnson, 615-892-6609.

B. The Appalachian landscape (conference)

"Assessing the Appalachian Landscape: Getting to Action Through Partnership" is the title of the 6th Annual Conference organized by SAMAB (Southern Appalachian Man and the Biosphere). Speakers include Sec. Babbitt (invited), the director of the National Biological Service, officials of the US Forest Service's Southern Research Station, Smokies Superintendent Karen Wade, and scientists from ORNL, UT, TVA, EPA, etc.

The conference, will be held November 14-16 at the Radisson Hotel in Knoxville. Registration fee is \$50 (if you register ahead of time). For more details, call Philip Gibson (Gatlinburg) 423-436-1701 or Terry Seyden at 704-257-4200. For general information call the TCWP office (481-0286).

6. TENNESSEE VALLEY AUTHORITY

A. Energy plan: some disappointments

(Contributed by Linda LaForest)

TCWP's comments on the draft of TVA's long-term integrated resource plan (IRP), *Energy Vision 2020*, express concern over the environmental effects of TVA's electricity production, especially the sulfur and nitrogen emissions from TVA's coal-fired power plants. The Great Smoky Mtns. National Park has already suffered major damage from air pollutants (¶4C, this NL). We were also concerned that most of the resource portfolios considered by the IRP will result in substantial increases in CO₂, a leading culprit in global warming. A major disappointment in the draft IRP is the minimal attention paid to energy-conservation and energy-efficiency initiatives, demand-side management, and renewable energy resources.

TVA, burdened by a huge debt (\$27 billion) and a heavy dependence on coal, is attempting to propose a compromise between utilization of "green" technologies and the need to keep electric rates relatively low. We hope the final IRP will show more concern for the issues raised by us. If you would like to comment on the draft IRP, or get more information on this plan, write Lynn Maxwell, Integrated Resource Planning, TVA, MR 3K 1101 Market Street, Chattanooga, TN 37402-2801. (If you wish, you can borrow a copy of the Executive Summary from TCWP.)

B. Resource budget survives (but leaner)

A few months ago, it looked as if Congress was ready to do away with TVA, or at least slash the agency's non-power resource budget to non-functional levels (NL204 ¶7A). TCWP contacted several of our legislators to support continuation of many of TVA's activities that are highly beneficial to our natural resources.

Congressman Zach Wamp, Vice Chairman of the Water Resources Subcommittee, wrote to tell us that he fought a floor amendment that would have brought TVA's appropriations to zero. The House bill ended up with an appropriation of \$103.3 million, a 28% reduction from last year. The Energy and Water Development Act, HR 1905, maintains TVA's core functions but eliminates TVA's fertilizer plant and environment center at Muscle Shoals, Alabama. Reductions were also made in the

agency's economic development programs and in Land Between the Lakes.

WHAT YOU CAN DO: Thank Rep. Wamp (address on p.2) for his efforts on behalf of continuing TVA's beneficial functions, e.g., their Small Wild Areas program, their regional water-resource planning (for prime example, see ¶1B, this NL), and their lakeshore management that exerts control over inappropriate developments.

7. CONGRESS' WAR ON PARKS

A. The parks-closure bill, HR 260: good and bad news

On Monday, September 18, the House of Representatives voted to consider HR 260 (as well as several other bills) under "suspension of rules." This meant limiting debate to 20 minutes on each side and requiring a 2/3 majority for passage when the bill was voted on the next day. All that Monday, and early Tuesday, TCWP members (and concerned citizens nationwide) called Congressional offices to urge opposition to this disastrous bill, which would create a Parks-closure commission, parallel to the one that recently recommended closure of military bases (see below).

The citizen effort paid off. On Tuesday, not only did HR 260 fail to get the required 2/3 vote, but it fell far short of even a majority, being defeated 180-231. Sixty-seven Republicans deserted their party to vote against HR 260, including Tennessee's Zach Wamp and Van Hilleary. Great jubilation on our part -- until a couple of hours later, when none of HR 260's main proponents, Jim Hansen (R-Utah), got the bill attached to the Budget Resolution, where it can't be considered on its own merits. TALK ABOUT SUBVERTING THE DEMOCRATIC PROCESS!

Hansen's excuse: people "didn't understand that the bill was not really going to close parks." The facts don't support Hansen. Thus, Sec. 103(a)(3) of the bill states: "Within 2 years after the date of its establishment, the Commission shall ... transmit [to Congress] ... a report ... in which [it] recommends a list of National Park System units where National Park Service management should be terminated and a list of portions of units where National Park Service management should be modified." While 54 units of the National Park System have been exempted from the bill in order to blunt opposition, namely those that had the phrase

"National Park" in their title (mostly western parks like Yosemite, Yellowstone, Glacier, Zion, Bryce, etc.), 314 units remain completely vulnerable (National Monuments, National Seashores, Wild & Scenic Rivers, Historic Sites, etc., etc.) -- including our Obed National Wild & Scenic River and the Big South Fork National River & Recreation Area.

WHAT YOU CAN DO: (1) Thank your Representative if he voted against HR 260. In Tennessee, this includes Wamp, Van Hilleary, Clement, Gordon, Tanner, and Ford. They have been praised in editorials. Rep. Wamp recently wrote to us, "Like you, I don't believe we should sell off our publicly owned land to balance the Federal budget. ... I believe we have a duty to make sure that our children and grandchildren have the same opportunity to enjoy our national parks. ... I recently voted for the House Interior Appropriations bill, which will provide \$10 million more in FY 1996 for the operations of the National Park System." (2) Ask your Representative Gingrich to do all they can to have HR 260 deleted from the Budget Resolution; it would be a dirty trick to get an already soundly defeated measure passed by subterfuge. (3) Express your disappointment to Reps. Duncan and Quillen, who voted for HR 260 (Bryant did not vote).

B. Other anti-Parks bills

- HR 2107 (Hansen, R-Utah) would require visitor services in national parks (interpretive programs, trails, etc.) to be funded entirely by entrance fees. The NPS would have to increase fee collection by \$200 million annually, and its mission would shift from resource protection to revenue generation. We don't oppose increasing entrance or recreation fees in national parks, as long as the dollars. (a) go directly to the parks, and (b) are supplemental, rather than intended to offset funds otherwise available through tax dollars.
- A House appropriations measure has effectively closed the nation's newest park, the 14-million-acre Mojave National Preserve, by diverting funding for its management from the Park Service to BLM, with instructions that management be under BLM multiple-use standards.
- Meaningful concessions reform legislation was passed by large majorities of both House and Senate in 1994 (but time ran out for finalization). Instead of taking up where the last Congress left off, Sen. Murkowski (R-Alaska) and Reps. Young (R-AK) and Hansen (R-UT) have worked with the concessions industry to formulate anti-reform legislation.

- S 1144 (Murkowski, R-AK), a Parks (actually, anti-parks) Omnibus bill, incorporates the substance of HR 260 (Parks Closure Commission, see ¶7A, above), HR 2107 (entrance fees in lieu of appropriations, see above, this ¶), and HR 2028 (bad concessions policy, see above). An acceptable alternative parks omnibus bill, S 309, has been introduced by Sen. Bennett (R-Utah).

- Other measures in various stages of passage would:
 - Shrink the authorization for Shenandoah National Park from 521,000 to only 196,000 acres, namely, the area acquired to date by NPS.
 - Ban wilderness designation in Voyageurs National Park (Minnesota), and increase motorized access.
 - Under HR 2081, give counties and states, particularly in Alaska and Utah, the right to develop ancient transportation corridors in national parks (barely visible footpaths, cart tracks, dog-sled routes) into full-blown highways.
 - Raid Alaska parks by land transfers and developments.

B. CONGRESS' WAR ON OTHER FEDERAL LAND PROTECTION

A. Land-acquisition funds almost zeroed

The Land & Water Conservation Fund (LWCF), the source of money for the purchase of lands in need of protection, has been a major target of this Congress, even though the LWCF is fed, not by tax revenues, but by royalties paid to the government by companies engaged in offshore oil drilling. Earlier this year, the House Budget Committee actually proposed eliminating the LWCF altogether until 2002. The House Appropriations Committee, however, subsequently did agree to some LWCF spending -- although the level is 78% (!) down from the FY 1995 amount, a total of only \$51.5 million for all agencies combined. The money is designated for acquisition management (mainly salaries), acquisition of inholdings, and undefined "emergencies." The NPS' state grants program is eliminated altogether. The dire figures (in \$ millions) are summarized in the Table below.

Here are some important questions recently posed in *The Register* (Appalachian Trail newsletter). "If the Congress does accept a ... moratorium on federal land acquisition, will those who seek to plunder for profit the very resources we

so deeply cherish ... suddenly, willingly suspend their development activities in the name of fiscal austerity and the common good? ... Must we fundamentally redefine our concept of the public welfare in order to gain control over the federal budget? ... There is more than one way to achieve a balanced budget, and it must not be at the disproportionate expense of our environment and our quality of life."

Agency	Enacted FY95	Clinton request for FY96	House Approp. Comm.
BLM	14.8	24.5	8.5
FWS	67.3	62.9	14.1
NPS (fed)	63.1	57.7	14.3*
NPS (state)	24.7	25.0	0
Forest Serv.	65.3	63.3	14.6
Total	235.1	236.4	51.5

*In actuality, only \$1.2 are available after subtracting \$15M to manage the unfunded state grants program, \$68M for other administrative costs, and \$4.8M earmarked for the Everglades.

B. Congressional mania for federal divestiture

Federal ownership of or right in public lands have never been under greater attack than by the current Congress. Part of the Parks story is told in ¶7 of this NL (also, see NL206). There is now a bill in both Houses (chief sponsors are Rep. Jim Hansen, R-Utah, and Sen. Craig Thomas, R-Wyoming) to give away all of the Bureau of Land Management's 270 million acres to western states for free. That's an area equal to that of all 15 states along the East Coast! Some of the western states would get a financial windfall from oil, gas, and coal (that currently contributed to federal revenues), while other states would suffer a net loss due to BLM services foregone.

C. Anti-wilderness precedent

The Utah wilderness bill, HR 1745 (Hansen, R-UT), in addition to designating only 30% of the acreage recommended by the Utah Wilderness Coalition, would set a precedent that directly challenges the 1964 Wilderness Act. It allows development on 1.5 acres currently protected as "wilderness study areas;" and it allows off-road vehicles, dams, roads, pipelines, and communications towers within wilderness areas -- uses that are barred under the 1964 Wilderness Act.

D. The big give-away: our mineral resources

The Congress has acted to preserve the Billion dollar corporate giveaways permitted by a mining law that was passed 123 years ago (when a few individual miners roamed the West). This law gives companies the right to mine public lands without paying any royalty, and allows them to "patent" (i.e., purchase) the land for \$5/acre or less. A 1994 Congressional patenting moratorium called a temporary halt to this giveaway, but in mid-September a House/Senate panel voted to end this moratorium (though the House had voted to continue it). As a result, 233 patent applications worth over \$15.5 Billion in minerals will be free to be processed and given away at \$5/acre. In addition, all of the roughly 333,000 mining claims currently staked on public lands will be eligible for patenting.

Here are a few examples of what Sec. Babbitt will be forced to do as a result of this Congressional action:

- Sign over title (to Newmont Gold Co.) to 118 acres of public land worth \$68,000,000 in gold for only \$540.
- Sign over title (to a Danish company) to 55 acres of public land worth \$1,000,000,000 in travertine for only \$275.

The ending of the moratorium is part of the Interior Appropriations bill (which contains many other serious anti-environmental provisions, such as blocking restrictions on the use of public lands for grazing, and increasing timber cuts in the Tongass National Forest). But that's not the whole story. There is also the by-now familiar hiding place, the Budget Reconciliation bill. This contains a Sham Mining Law reform package, which would generate only \$12M over a 7-year period.

WHAT YOU CAN DO: (1) Contact your House/Senate members (202-224-3121 -- Congressional switchboard) to tell them about your outrage over corporate give-away worth BILLIONS of dollars a year, at a time when money is being slashed from social and environmental programs. (2) Urge Sec. Bruce Babbitt (202-208-7351) to recommend a Presidential veto. (3) Write a letter to the editor.

E. Arctic Refuge must not be developed

The Budget Reconciliation bill, among other horrors (e.g., §7A and §8D, this NL), would open up the Coastal Plain of the Arctic National Wildlife

Refuge -- "America's Serengeti" -- to oil & gas drilling. It does so by allowing sales of federal assets to offset the deficit -- something that has been forbidden until now. As we noted in NL206, the projected leasing revenue of \$1.4 billion (which could be an over-estimate) would pay for only 0.2% of the budget gap, and is significantly less than the cost of a single B-2 bomber (\$2.2 billion). For more facts, see NL205 ¶6E.

President Clinton has threatened to veto the budget if the opening up of the Arctic National Wildlife Refuge (ANWR) to oil-drilling is not removed. Keith Nyitrai of the Alaska Coalition, who spoke to a large TCWP audience on July 26, urges TCWP members to tell the President to stand firm on his pledge. (The White House phone number is 202-456-1111, or 202-456-1414). Also remind Pres. Clinton of his election promise to support wilderness designation for the coastal plain of ANWR.

* WHAT YOU CAN DO re §7 and §8:

- (1) Ask Pres. Clinton to veto all the bad bills (Interior Appropriations, Budget Reconciliation). Not only must he veto the bills, but he must not subsequently accept a compromise that fails to eliminate the anti-environmental provisions.
- (2) Tell your Representative and Senators that the war on Parks and other public lands must stop! The will of the people is to protect our natural heritage -- not to exploit it.

9. OTHER NATIONAL ISSUES

A. Endangered Species Act in Jeopardy

(Contributed in part by Linda LaForest)

The vigorous Congressional attacks on the Endangered Species Act (ESA) repeatedly voice a series of myths. Mollie Beattie, director of the US Fish & Wildlife Service (FWS), recently contrasted myths and truths (*Common Ground*, vol. 6, No 6):

- **Myth:** The ESA damages the economy (while species/ecosystem losses are assumed to have no cost).

Truth: Indices of economic activity (construction employment, gross state product) show no correlation between ESA listings and declining growth.

- **Myth:** ESA has halted thousands of federal projects.

Truth: 97,000 consultations with other agencies resulted in only 54 project withdrawals or terminations (0.06%).

- **Myth:** FWS has prosecuted thousands of landowners for things they did on private land.
Truth (1994 GAO report): During a recent 6-year period, FWS obtained injunctive relief only 4 times (i.e., less than one occasion per year, nationwide!) to stop or delay activities harming endangered species on nonfederal lands.
- **Myth:** Jobs versus endangered species.
The truth is that development must obey the limits of sustainability. Endangered species are merely messengers of that reality. ... What is economic in the long run is what conserves endangered species. ... [T]he salmon fishermen of the Northwest or the watermen of Chesapeake Bay ... know from painful experience what happens when the long-term health of the environment is sacrificed in the name of economic development"

Coming to the House floor in October is the Young-Pombo bill, HR 2275, which would negate the progress made in the last 22 years in protecting species.

- Even though habitat extinction is the primary cause of species extinction, the bill would prohibit only direct killing of endangered species
- It would implement costly and unworkable "takings" provisions (compensating owners for alleged loss of property value resulting from enforcement of the law)
- It would delay listings
- It would eliminate protection of sea wildlife from incidental takings
- It would weaken protection of wildlife in other countries
- It would reduce protection of endangered species on federal lands
- It would greatly lessen the protection of "distinct populations" of vertebrates.

✱ **WHAT YOU CAN DO:** Without delay, urge your Representative to vote against this whole-sale destruction of the ESA. Cite some of the myths/truths, and point out that the ESA, above all, signals unsustainable use of natural resources that are vital not only to animals and plants, but to the human health and economy. About 80-90 Representatives have not yet made up their mind on how to vote, and can hopefully be convinced by our arguments.

B. Wolf conservation

- Efforts are under way to reestablish red wolves in the Smokies (but see ¶48, this NL) and timber wolves in Yellowstone (but see below, this ¶). Now comes the planned release of a third type of wolf,

Canis lupus baileyi, the Mexican lobo, which is almost extinct. The US Fish & Wildlife Service (FWS) has established a captive population of 88, and hopes to release a few family groups in the White Sands Missile Range, NM, and the Blue Range, AZ. The EIS describes 4 possible reintroduction paths: alternatives A and C are designed to maximize wolf populations, but C, in addition, would offer the wolves full protection under the Endangered Species Act. For this reason, C is expected to generate maximum opposition from ranchers and politicians. (B is a scaled-down effort, and D is the "no action" alternative.)

✱ **WHAT YOU CAN DO:** By October 31, send your comments to Mexican Wolf Recovery Program, US Fish and Wildlife Service, PO Box 1306, Albuquerque, NM 87103-1306. The safest political compromise is Alternative A, which is also the one favored by the FWS.

- The gray wolf recovery program in Yellowstone is in jeopardy as a result of the elimination of federal funds spearheaded by Sen. Conrad Burns (R-MT). Burns and others in Congress have attacked the recovery program as too expensive; however, the EIS has estimated that an extra \$23 million will be spent in the surrounding area by additional visitors.

✱ **WHAT YOU CAN DO:** Write to the chairmen of the House and Senate Appropriations Committees to express your support for wolf recovery in Yellowstone, and to deplore any elimination of federal funding for this program (Addresses on p. 2).

- An encouraging note: Alaska's Gov. Tony Knowles (D) suspended predecessor Walter Hickel's wolf-killing program. Hickel had justified the wolf killing on the grounds that it would result in more caribou and moose for hunters to kill! On July 25, Knowles asked the National Academy of Sciences to conduct a scientific review and economic analysis of predator control. Alaska's predator-control programs will be put on hold until the 18-month study is completed.

10. OAK RIDGE AREA NEWS

A. The Common Ground process

(Contributed by Linda LaForest)

The Common Ground process was initiated last year to examine the options for future use of the 35,000-acre Oak Ridge reservation (ORR). The draft report has now been released for public comment. Future-use preferences were derived by

seeking input from 'internal' stakeholders and the general public (individuals and interested groups).

General conclusion of the draft report are: that the ORR should be held, used, and managed as a single property, that future uses be built on past and current technologies, labor skills, expertise, and facilities available at the ORR; that for cleanup purposes, all of ORR be designated a "Specialized Mixed Industrial and Conservation Use" area; and that DOE immediately develop a comprehensive and integrated plan for both short-term and long-term use of ORR land to include coordination with the State of Tennessee as well as local cities and counties.

The report will be presented to DOE headquarters in December 1995, and the agency will hopefully use the public's suggestions as it develops a plan for the future of this area. The recently released Common Ground draft may be viewed at the DOE Information Resource Center, 105 Broadway, if you want a copy mailed, call 576-4006 or 1-800-382-6938. Written comments are due by October 16, and should be sent to Gary Bodenstein, Environmental Restoration Division, USDOE, PO Box 2001, Oak Ridge, TN 37831.

B. Parcel ED-1

DOE announced in June that it had agreed to lease 1,000 acres of undeveloped land in the Oak Ridge Reservation (east of the US95 cloverleaf, and encompassing a segment of East Fork Poplar Creek, EFPC) to the East Tennessee Economic Council (ETEC) for industrial development. This decision appeared to be independent of the ongoing Common Ground process (§10A, above). Further, it seemed to be on fast track, with insufficient time for proper evaluation and study, as pointed out by TCWP, the Oak Ridge Environmental Quality Advisory Board, and others.

In mid-July, TCWP wrote to DOE pointing out the bias inherent in conducting an Environmental Assessment (EA) to support a decision that had apparently already been made. We also noted that a report prepared by The Nature Conservancy for the Common Ground Process (§10A, above) had found the bottomland hardwood forest along EFPC to be of very high significance for biodiversity conservation. Six wetlands were also present within the area proposed for industrial development. While pointing out these problems, we also made it very clear that "we are not opposed to development that occurs after careful, unbiased consideration of

the advantages and disadvantages of several alternatives to achieve the desired objective."

We received the draft EA on August 19, and formulated written as well as oral comments for a workshop scheduled for August 24. While we commended DOE for the high level of effort that went into the EA, we concluded that the document could not be considered complete. Among the reasons:

- No alternatives to the proposed action were evaluated, e.g., use of areas already developed to some extent, or consideration of other areas suggested for industrial use in the Common Ground process.
- The preliminary recommendations in the Common Ground Process were ignored.
- The EA does not address some potential conflicts of interest and other important issues (e.g., terms of subleases with respect to environmental protection).
- There is no economic analysis to justify the need for the proposed action or to demonstrate that the proposed action would meet the need if it exists.
- There is no indication of a desire to work in the spirit of conservation beyond what is strictly required by law (e.g., the statement "State-listed species are not required to be protected on DOE property.")

The great rush that characterized the ED-1 leasing process seems to have abated somewhat. This could be owing to problems ETEC is facing with respect to possible conflict-of-interest charges. Perhaps, also, the various comments on the draft EA have led decision makers to ask themselves some questions, such as: if half the parcel cannot be used for industrial development, why lease the whole parcel?

C. Hazardous-waste collection

* A collection for household hazardous wastes (household cleaners, old paints, herbicides, pesticides, anti-freeze, batteries, photo-processing chemicals, etc., etc.) will be held Saturday, October 28, 1995, 9 a.m.-4 p.m., at Emory Valley Center (Old Daniel Arthur School), 728 Emory Valley Road, Oak Ridge. For more information (e.g., on how to package your waste), call Frank Sewell, 457-5400, ext. 366.

During the hours of the collection, Anderson County will present a yard-waste-composting exhibit, and composting bins will be on sale.

11. TCWPNEWS

A. Two cleanups and other upcoming activities



Saturday, October 21, 9 a.m., Cedar Barrens cleanup, led by Maureen Cunningham. Bring clippers, gloves, and a garbage bag. There is parking between Jefferson Junior High School and the softball field on Fairbanks Road. For more info, call Maureen (483-8312).

Saturday, October 28, North Ridge Trail maintenance. Ken Warren will lead a workcrew to help correct the entranceway to the trail at Illinois and West Outer Drive. Meet there at 9 a.m. Parking is available at Anderson's Hilltop Market, across the road. For more info, call Ken (483-1027).

November 10-12: Annual Weekend at Bersheeba Springs (near Savage Gulf, Fiery Gizzard, and Scotts Gulf). This should be a great one, so plan to attend! You should have received our first flyer on the event. Please return the slip indicating whether or not you can attend. This does not obligate you, but we must let the local folks know approximately how many people to expect. The flyer also gives you an opportunity to volunteer your help (e.g., to lead an outing or a children's activity). Look for your final registration form later in October.

December: Year-end social (see a future Newsletter).

B. Reports on past activities

On July 26, Keith Nytkay of the Alaska Coalition gave a spellbinding illustrated talk about the Coastal Plain of the Arctic National Wildlife Refuge and the imminent threats to its survival as a wild area. Over 70 TCWP members and friends came away inspired to take action.

On September 21, well-known environmental author and journalist Michael Frome spoke to a crowd of ~130 TCWP members and friends about the need for grass-roots activism. He was followed by his wife Lune Eastvold, who gave an insightful and thought-provoking account of her recent experiences at the NGO forum at the Women's Conference in China. Our third attraction of the evening was Don Barger, SE Director of the National Parks and Conservation Association, who gave a brief account of the events associated with HR 260, the Parks Closure bill (see ¶7A, this NL).

Six people participated in the bike ride around Cades Cove on Saturday, August 5 and greatly enjoyed the trip.

C. Computer Volunteers Needed

TCWP could use help with two projects involving computers. One is to get the TCWP computer on-line and onto the information highway. The other project is to set up and manage a database of donors and others interested in supporting land acquisition for Scott's Gulf near Sparta (¶3B, this NL). Please call the office at 481-0286 if you are interested in helping with either project.

D. Board members' doings

TCWP President Jenny Freeman has agreed to chair the Tennessee Environmental Council's Policy and Issues Committee. For the past year, Jenny has been a member of TEC's board of directors.

The Harvard University Law School selected former TCWP Board member Neil McBrideto to be a visiting fellow for several days in September. Neil, who has been the director of Rural Legal Services since 1978, participated in a program under which Harvard brings in public interest advocates from across the country to give students advice about careers in public-interest law.

Board member Patrice Cole married Douglas E. Berry on September 16. We wish them endless happiness.

Board member Fred Holtzclaw recently returned from a lengthy trip on which he accompanied a group of high-school students to Russia for environmental studies.

E. Executive director activities

Ever since Joan's departure, Linda LaForest has been doing the entire TCWP executive director job that she formerly shared with Joan. With her great intelligence and organizational skills, she has done a superb job, tackling her tasks with dedication, as well as a strong interest in, and understanding of, the workings of government at all levels. In addition to "routine" jobs (they never are that!), she has participated in some special events.

- As you may know, TCWP has for some years rented (at modest cost) an office in the Social Building of the First Presbyterian Church in Oak Ridge. Often, the church also lets us use another room for board

meetings and other functions. On July 23, Linda represented TCWP at the installation service of the new pastor, Dr. Dwyn Mounger, and personally expressed our gratitude to him.

- On August 9, Linda joined four other representatives of environmental organizations at a Knoxville press conference (organized by the Foundation for Global Sustainability) highlighting public support for the Clean Water Act. The conference got coverage in the Knoxville media.
- On August 23, Linda hosted one of letter-writing socials.

F. Letter from past director

Shortly after her retirement, Joan Burns -- TCWP's executive director over the past 3 years -- wrote to the Board: "... Thank you for the ... support you gave me while I strove to meet our goals. I really enjoyed being involved with the political process and working to implement changes. I truly had fun at those public meetings and scoping hearings where we butted heads with the opposition. I will always remember the passionate feelings expressed from one of our Anderson County loggers as he tried to explain that he needed unrestricted access to cut trees so he could teach his 'junior woodchuck' about preserving them. ... Thank you for the opportunity to work with such a great organization. I am leaving TCWP a much better environmentalist -- more informed, more committed. Thank you for the work you do as volunteers. Your efforts and dedication will leave a legacy for my junior environmentalists and for many generations to come."

Joan is continuing many of her activities as a volunteer, e.g., as TCWP's representative on the steering committee for the Cumberland Plateau water-supply study (§1B, this NL).

G. We thank our volunteers

Many thanks to all those who came out for our August 23 and 24 letter-writing socials that followed our action call on threats to public lands (NL206). Numerous effective letters were written by Tee Brichetto, Marion Roessel Burger, Warren Devine, Frank and Mary Hensley, Marjorie Kettle, Kathryn Pensworth, Jean and Ed Sonder. Thanks also to the hosts -- Linda LaForest on Aug. 23, Jenny and Mei Johnson on Aug. 24.

We thank the following volunteers who helped assemble Newsletter 205 in June: Marion

Burger, Anna George Dobbins, Frank Hensley, Phyllis Sweeton, and Peggy Turner. Special thanks, also, to Frank and Mary Hensley, who hosted the assembly of NL 206 (our special action call) in mid-August, and to the volunteers who helped (sorry, no names: Linda lost the list).

12. ACTIVITIES and READING MATTER

- Oct. 7, Black Mountain, NC, "How much Is Enough?", a conference sponsored by the Environmental Concerns and the Stewardship Committees of the Episcopal Diocese of Western NC (Call 704-645-6896 or 697-6957).
- Oct. 16, deadline for receipt of written comments on Common Ground draft (see §10A, this NL).
- Oct. 21, 9 a.m., Cedar Barrens cleanup (see §11A, this NL).
- Oct. 21 & 22, BSNRRA Cumberland Color Caper -- special programs and activities throughout the park (call National Park Service at 423-569-9778).
- October 28, 9 a.m., North Ridge Trail maintenance (see §11A, this NL).
- Oct. 28, 9-4, hazardous waste collection at Emory Valley Center, Oak Ridge (Old Daniel Arthur School) (see §10C, this NL).
- Nov. 10-12, TCWP's Annual Weekend at Bersheeba Springs (see §11A, this NL).
- The Tennessee Rivers Information System needs your help. Contact TNRIS (Div. of Natural Heritage, 8th Floor, L&C Tower, 401 Church Street, Nashville, TN 37243-0447) and offer to help with information on your favorite river.
- *Troubled Waters: Champion International and the Pigeon River Controversy*, by Richard A. Bartlett (Prof. of History, emeritus, Florida State Univ.), traces efforts by citizens to force cleanup of the Pigeon River. With considerable pressure from litigation, Champion finally began to upgrade its Canton, NC, plant in 1985, but "there is little evidence that Champion carried out its modernization for anything but economic reasons" (Paperback \$17.95 from Univ. of Tennessee Press, Chicago Distribution Center, 11030 S. Langley, Chicago, IL 60628, 1-800-621-2736).

- *Public Rewards from Public Lands*, Bureau of Land Management. (64 pp., free from BLM by calling 202-206-3435.) (¶88, this NL, may be of interest)
- *Selling Our Heritage: Congressional Plans for America's Public Lands*, Natural Resources Defense Council. (\$8.95 from NRDC; call 212-727-2700.) (¶7 and ¶8, this NL, may be of interest.)
- *Fairy Tales and Facts*, exposes fabricated horror stories about people suffering from environmental regulations -- stories that were used to justify "takings" legislation. (Free from Jim Irwin, National Wildlife Federation, 1400 16th Street, NW, Washington, DC 20036-2266.)
- *From Ridgetops to Riverbottoms: A Celebration of Outdoor Life in Tennessee*, by Sam Venable, a longtime columnist for the *Knoxville News-Sentinel*. The book expresses "fondness for the natural world, respect for nature, [and] deep concern about conservation." (Paperback \$17.95 from Univ. of Tennessee Press, Chicago Distribution Center, 11030 S. Langley, Chicago, IL 60628, 1-800-621-2736.)
- *Conservation Options: a Landowner's Guide*, Land Trust Alliance. "Simple and on the mark." (\$10.50 from LTA, 202-638-4725.)
- *National Biodiversity Planning: Guidelines based on Early Experiences Around the World*, by Kenton Miller and Steven Lanou, World Resources Institute, presents important insights based on the experiences of 18 countries that are already developing national biodiversity strategies, plans, and programs. (\$19.95 + \$3.50 S&H, from WRI Publications, PO Box 4852, Hampden Station, Baltimore, MD 21211)
- *International Journal of Wilderness* is a new journal of wilderness research, planning, management, education, policy, etc. Subscriptions are \$30/year (2162 Baldwin Rd, Ojai, CA 93023; fax 805-649-1757.)

Law-breaking news on

BD. The big give-away (see p. 13)

On September 29, the House of Representatives demanded that the moratorium on patenting mining claims be continued and included in the FY96 Interior Appropriations bill. (This summer, the House had voted overwhelmingly to continue the moratorium, but House conferees had subsequently ignored House instructions while negotiating with Senate conferees.)

The September 29 bipartisan vote (277-147) was on a motion to return the bill to conference, and to instruct House negotiators to reinstate the mineral patent moratorium.

Note that, even with the moratorium continued, the problem of reforming the 1872 Mining Law still remains. The *sham* reform package remains in the Budget Reconciliation (see p. 13).

A thought we liked:

"... our new congressional leadership seems bent upon denaturing these United States. ... [C]onservatives have [successfully] cast environmentalism as part of the evil of big government. ... I am awfully tired of being painted as elitist and extremist when my values ... lie smack in the American mainstream. ... We are the ones who hold to the dream of a shining nation." (Douglas H. Chadwick, *Audubon*, Sept. 1995)