

## TENNESSEE CITIZENS for WILDERNESS PLANNING

Newsletter No. 210

April 19, 1996

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Executive Director: Karen Peterson. Phone 423-481-0286 (TCWP office) or 423-966-2885

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

## 11. ACTION SUMMARY

# No	Issue	Contact	"Message!" or Action
1	Frozen Head: reopening stripmines	State offices and OSM	"Oppose permits! Hold public hearings!"
2	Smokies air quality	Commiss. Wilson, TDEC	"Reinstate provisions of rescinded MOU!"
3A	Obed's water resource	Supt. Lee Davis; send copy Field Office	"Oppose Clear Creek dam! How does NPS intend to preserve Obed's water resource and wild character?"
4A	Scotts Gulf	Chuck Estes, TCWP	"Inform me on how to assist in protection efforts!"
4D	Envl Law Center for Tennessee	Joe McCaleb	Express your opinion (answer questions in §4D)
5A	Cherokee NF Mngt Plan revision	Cherokee NF	"Put me on mailing list!"
6A	Land Between the Lakes	TVA Chairman	"Avoid commercial developments and leasing!"
6B	Shoreline Management EIS	TVA	"Put me on distribution list!"
6C	Stream assessment (incl. Obed)	TVA	Offer to be cooperator
7A	"Salvage" logging without laws	US representative US senators Pres. Clinton	"Co-sponsor HR 2745 -- repeal the timber rider!" "Oppose S.391!" "Put your weight behind repeal of timber rider!"
7B	Endangered species listing	US Representative Sen Thompson	"Co-sign bipartisan Morella letter!" "Thanks for voting to end listing moratorium!"
7B	Endangered Species Act	US senators and rep	"ESA needs strengthening, not weakening!"
7C	Fake wilderness proposal for Utah	US rep. and senators	"Oppose HR.1745/S.884!" "Co-sponsor HR 1500!"
7D	Anti-envt riders on budget bill	US senators Pres. Clinton	"Co-sign Wyden letter!" "Veto if anti-envt riders remain; tell the world why!"
7F	Congressional Scorecard	US senators and reps	Ask TCWP for copy, then contact your legislators
7G	Wildlife Refuges	US representative	"Oppose HR.1675!"
8B	Turkey Creek wetlands	Corps of Engineers and State	"Route road around -- not through -- the wetland!"
9C	Membership involvement	TCWP	Send us your green form that came with NL209
9E.G	Interested groups	TCWP	Help us identify organization that would like our NL; Identify potential corporate sponsors for March for Parks
Other	§3B, 3D, 4F, 7H	See text	

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  
State 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,

Information continued on p. 18

## 1. THREAT TO FROZEN HEAD: TURNING OLD STRIPMINES INTO WASTE PITS

[Contributed by Jenny Freeman]

Addington Enterprises of Ashland, Kentucky, has applied to the federal Office of Surface Mining (OSM) for at least three, and possibly as many as 12, Successor-in-Interest permits to re-mine old contour mines on Fork Mountain in Morgan County. Fork Mountain is adjacent to Frozen Head State Park and Natural Area, and the old mines run along, and parallel to, the park boundary for several miles.

What are the motives behind these permit applications? Addington, formerly Tennessee Mining, Inc., has an unsavory environmental reputation, which adds to the worry that re-mining the now-reclaimed stripmines will be detrimental to Frozen Head. It is our understanding that Addington intends to use the re-mined areas as waste pits.

Fork Mountain is owned by Champion International Corp., and if Addington is allowed to re-mine the old contour mines, the whole mountain could become a huge honeycomb of waste dumps. The run-off would flow directly into Frozen Head waters, and the reopening of abandoned haul roads would create tremendous noise from blasting, equipment operations, and trucks backing up and beeping. Backpackers and hikers in the upper reaches of Frozen Head would no longer be able to enjoy a wilderness experience. Further, the reopening of the old strip mines would create an eyesore from the fire tower, a favorite hiking destination of many in all seasons of the year.

The Tennessee Department of Environment & Conservation's position, which will be published by the Office of Environmental Policy, will clearly have an influence over the outcome of the permit applications. The State agencies have concerns about water quality, long-term, cumulative impacts, and impacts to endangered species and natural wilderness areas. They also worry about the effects of heavy truck traffic.

You can express your own concerns and (a) encourage the State to oppose the permits, and (b) ask the State to urge OSM to hold public hearings on the issuance of these re-mining permit applications by Addington Enterprises. The integrity of the Frozen Head State Park and Natural Area and its watersheds is an issue of

major importance to us, and we want an opportunity to express our concerns about it.

Letters should be addressed to:

Mr. Dodd Galbreath, Director  
Office Of Environmental Policy  
Dept. of Environment & Conservation  
14th Floor, L&C Tower  
401 Church Street  
Nashville, TN 37243-1534

Send copies to:

Mr. Del Truitt, Director of State Parks, and  
Dr. Andrew Barrass, Division of Natural  
Heritage,

both at the above address.

Also write to

Mr. Bill Card, Permitting Team  
Office of Surface Mining Reclamation &  
Enforcement  
530 Gay St., S.W., Suite 500  
Knoxville, TN 37902.

## 2. STATE MUST PROTECT SMOKIES AIR QUALITY

[Based on contribution by Don Barger]

The Great Smoky Mountains National Park (GSMNP) receives some of the highest levels of nitrate and sulfate pollution of any location in North America. The average levels in the Park have increased annually, and in 1995 ozone pollution twice reached the public health limit. High-elevation streams and soils are saturated with damaging levels of nitrogen from acidic depositions. Last August, visibility dropped to less than 1 mile on a cloudless day, and you could not see your shadow at 4 p.m. due to the thick haze.

Last year, a Memorandum of Understanding (MOU) concerning the State's role in air-pollution permitting was generated as a result of the following events. Over the objections of the Dept. of the Interior (DOI), the State had granted a permit to Tennessee Luttrell Co. to build two lime kilns within 35 miles of the GSMNP. DOI and NPCA (National Parks & Conservation Association) appealed the permit issuance, but after long negotiations agreed to settle the appeal by letting the plant construction go ahead, but putting in place an MOU about the manner in which permitting would be done in the future. The MOU, signed in April 1995, provides for early notification of the Park, adequate modeling to determine the likely impacts of a proposed pollution source, and a clear paper trail that will put everybody on record.

401 Church Street  
Nashville, TN 37219

### 3. OBED AND BIG SOUTH FORK

#### A. What is NPS' commitment to preserving the Obed's water?

It is now 3 1/2 years since a dam was proposed by the Catoosa Utility District for the beautiful Clear Creek, one of the major stems of the Obed Wild & Scenic River. The Environmental Impact Statement (EIS) for this proposed dam is still in process of being generated by TVA under contract with RUS (Rural Utilities Service, formerly Farmers Home Administration), the agency that has built other dams in the watershed and would happily be building this one if it gets approved. TVA's expertise in regional water-resource planning is a major asset to the ongoing study which, as a result of efforts by TCWP and NPCA, was broadened to include several alternatives, a larger geographic area, and a longterm frame than RUS had wanted to consider (in fact RUS never wanted an EIS in the first place) (NL207 ¶1B; NL208 ¶1A; NL209 ¶1A).

Because the water resources of the upper Cumberland Plateau are finite and located almost entirely within the watersheds of the Obed and Big South Fork, every additional use of this water by utilities and others will incrementally deplete these major national treasures. Already, numerous little reservoirs have been constructed in the watersheds, and if the separate utility districts could only be made to coordinate and collaborate, water from these could be made to serve the upper Cumberland Plateau area for many years to come, especially if water conservation strategies and current water loss by leakage, etc. were also addressed. Unfortunately, each utility district wants to protect its own little empire, and there seems to be no political will or leadership (certainly not from RUS) to bring about cooperation.

The proposed Clear Creek dam, or any other dam, would simply be a short-term band-aid. If any additional short-term alternative is included in the EIS (e.g., a dam in another watershed), this must be clearly defined as being only Step-1 of a long-term plan for a regional supply that everyone can agree to up-front. Long-term solutions must be addressed, such as pipelines from existing large reservoirs (e.g., Watts Bar), or tapping of large aquifers. These solutions are more expensive in the short term, but not if averaged out over the many

On 3/13/96, under pressure from the Tennessee Association of Business (see also ¶4B, this NL), the State rescinded the MOU unilaterally, saying that the agreement was a burden to existing industry, and a disincentive to potential new industry. As a result of a public firestorm generated by NPCA in response to this MOU rescission, Gov. Sundquist appointed a special "advisory committee" to recommend appropriate action. After two meetings, the committee recommended that the State did, in fact, need an MOU with DOI, and that they should negotiate a new one. The following two amendments suggested to the committee by Don Barger were made part of the committee's recommendations: (a) until a new MOU is finalized, the State will operate in the spirit of the rescinded MOU; and (b) discussion of anew MOU must use the original MOU as a basis.

Gov. Sundquist immediately announced that he was accepting the committee's recommendations. However, the "directive" issued the following day by Commissioner Justin Wilson, while using much of the language of the MOU, made 5 critical changes designed to accommodate the complaints of the TAB and of Tennessee Eastman Chemical Co. Some of these changes limit the applicability of the agreement, (a) to the GSMNP, instead of all Class-I areas in the State; (b) to new sources only within 100 km of the GSMNP; (c) to only certain pollutants, omitting an important precursor of ozone. One change also has the State define air-quality-related values, even though the Clean Air Act clearly mandates that federal land managers must define these values.

**WHAT YOU CAN DO:** Write to Commissioner Wilson (address below) and demand that the State reinstate the full provisions of the rescinded MOU; point out that his directive falls far short of doing so. Make it clear that you expect full protection for all Class-I areas in State-permitting decisions. He needs to realize that the public is watching the State's negotiations with DOI, and that protection of the resources of our national treasures must be the measuring stick for his actions. The GSMNP has stimulated incredible economic activity, and Tennessee is enjoying the lion's share of this. The State must protect this "economic engine," rather than worrying that a clear agreement about the AQ permitting process will somehow put Tennessee at a competitive disadvantage for industry. Write:

The Hon. Justin Wilson, Commissioner  
Tenn. Dept. of Environment & Conservation  
L&C Tower, 21st Floor

years that they would serve the region. Also, they are expensive if they have to be paid for by a single utility district, but not if averaged over all the utility districts of the region (if these could only be coordinated). Who has the wisdom and political will to address long-range, *real*, solutions?

One thing that is badly needed is a clear commitment from the National Park Service to protecting the Obed National Wild & Scenic River against any further water loss. There are provisions in the National Wild & Scenic Rivers Act under which such protection could be accomplished once and for all if the NPS gathered the proper data and took a strong stand. The data-gathering effort, some of which involved the NPS Denver Service Center, was initiated while Bill Dickinson was superintendent, but seems not to be active at this time. As for taking a stand, NPS (which, incidentally, chose not to be a formal cooperator in the present EIS study), needs to make it very clear that the paramount issue in considering uses of the watershed must be protection of a national resource, the Obed.

**WHAT YOU CAN DO:** Write to Supt. Lee Davis and (*very important*) send a copy to the NPS Field Office (addresses below). (a) Oppose the Clear Creek dam; (b) ask how NPS intends to preserve the water resources and wild character of the Obed; (c) ask for a letter of response.

Addresses: (1) Supt. Lee Davis, Obed Wild & Scenic River, PO Box 429, Wartburg, TN 37887. (2) Robert Baker, Director, SE Field Office, National Park Service, 75 Spring St., SW, Atlanta, GA 30303.

## **B. Adams Bridge over Obed to be replaced**

The Tenn. Dept. of Transportation (TDOT) has applied to the Division of Water Pollution Control, Tn. Dept. of Environment & Conservation (TDEC) for an Aquatic Resource Alteration Permit (ARAP) to replace Adams Bridge over the upper Obed. This bridge is located at roughly River Mile 25, just outside the boundaries of the National Wild & Scenic River area, where State Route 298 (the "Genesis Road") crosses the river.

TDEC is proposing to issue a conditional permit and has stated: "Due to the Obed River's status as a National Wild & Scenic River, the presence of endangered species, and a high recreation use, the Department is applying standards of antidegradation." The spotfin chub (federally threatened) and the tangerine darter (State in need

of management) are in the area. Consequently, TDEC has issued special requirements to TDOT for endangered species mitigation, such as not carrying out any in-stream activity during spawning season, separating all construction and demolition of piers from normal flow of the Obed, not allowing any temporary stream crossings.

These requirements appear to us to have been carefully designed to protect the resource, and the Division of Water Pollution Control deserves our thanks (401 Church St., 7th Floor L&C Annex, Nashville 37243-1534, Attn: Lori J. Munkeboe). At the same time, knowing TDOT not always to be totally conscientious about adhering to requirements, we would urge TDEC to keep a special eye on this construction, and we urge TCWP members who happen to be in the area to report anything they consider amiss.

## **C. Obed front-page in News-Sentinel**

The April 14 edition of *Knoxville News-Sentinel* has a big color photo of Monika Mayr, the Obed's attractive site manager, looking at the Obed from the high bluffs near the Clear Creek confluence. The excellent article by Morgan Simmons that accompanies the photo summarizes some of the significant features of the Wild & Scenic River resource, and stresses the value in keeping it wild and relatively undeveloped. It also brings out the Obed WSR's abysmally low operating budget - only ~\$200,000 per year. There is only one (!) ranger for an area that has well over 100 miles of boundary. Every dollar that TCWP ends up collecting through our March for Parks event (19A, this NL) is money sorely needed.

## **D. Bear Creek watershed pollutes Big South Fork**

A group of local, state, and federal agencies, conservation groups, and landowners are working as partners in studying the problems from, and possible solutions for, major pollution from abandoned coal mines in the Bear Creek watershed. Bear Creek enters the Big S. Fork within the Park, just south of the Kentucky line. For over half a century, from the late 1800s to the 1950s, the Bear Creek watershed was honeycombed with deep mines (with much of the coal sold to Spain), and from the 1950s until the 1970s it was extensively stripmined without reclamation. It is now afflicted with three types of pollution: acid drainage (pH 2 to 5), sediment, and toxic metals.

The purpose of the current study is to analyze the economic, environmental, and social components

of the watershed and surrounding area, and to determine the benefits to be gained from reclaiming the abandoned mine lands, as well as the costs that would be called for.

✱ To become a member of the Bear Creek Watershed project, or to get info, contact  
Scott County Soil Conservation District  
Post Office & Federal Bldg., Room 111,  
Oneida, TN 37841  
423-569-8960.

### **E. Friends of Big South Fork NRR to build a dorm**

The newly formed Friends of the Big South Fork National River & Recreation Area (BSFNRR), Inc. (Pres., David Laxton, Oneida) is hoping to accomplish projects that, because of budget constraints, the Park is unable to complete. Their first project is to build a log dormitory with donated construction materials. Presently, the BSFNRR utilizes three used trailers to house people such as professional researchers from area universities, new seasonal employees, Student Conservation Assoc. members, etc. The new dorm will house up to eight individuals. On May 11, there will be an old-fashioned log raising that will require 200-300 volunteers to construct the dorm in one day. Jim Barna Log Systems, which apparently did a similar pilot project in the Smokies, will provide supervision and equipment. Anyone who can help should contact Vicky Taylor at Oneida, 423-569-1599.

The BSFNRR is holding a volunteer recognition and potluck luncheon on April 21 at Park HQ, the day after our Obed March for Parks event.

## **4. AROUND THE STATE**

### **A. Scotts Gulf protection efforts**

The heart of Scotts Gulf, located near Sparta in southeastern White County, is the gorge of the Caney Fork River, which provides breathtaking views from the surrounding bluffs. The area encompasses vast hardwood forests, waterfalls and caves, and it surrounds the popular Bowater's Virgin Falls Pocket Wilderness with its hiking trails.

Concern for protection of the Scotts Gulf area escalated when the long-time owner, Bridgestone Tire Co., started to entertain offers from the Doyle Lumber Co., which had several damaging plans for the 15,000-acre area (NL204 ¶4A, NL207 ¶3B). The

Scotts Gulf Committee (SGC), a coalition of seven organizations, including TCWP, was formed in the summer of 1995.

Now that Doyle Lumber Co.'s option on the land has expired (NL209 ¶3B), the CGC has developed a proposal for joint management of Scotts Gulf by Tennessee Parks and TWRA (TN Wildlife Resources Agency) as a Wilderness Recreation Area. The state and Bridgestone are very much interested in this proposal, but \$1,000,000 must be raised as earnest money to secure the deal. The Scotts Gulf Bicentennial Wilderness Foundation will be established to generate funding. Because there is currently both the political will and landowner interest, a target has been set to raise the money during 1996. Political and financial support is needed from many organizations and individuals. (The state has some acquisition funds at its disposal which will eventually come into play; but there is much hustling for priorities, and, at best, the process will be slow.)

TCWP plans an information meeting, with slide show and brochures, similar to the one we held to stimulate interest in the Abrams Creek acquisition. The Board plans to vote matching funds (up to a certain level) for individual contributions.

✱ **WHAT YOU CAN DO:** For more information on how to assist in this effort, call Chuck Estes (423-482-7374) or Paul Miller (615-372-9811).

### **B. Environmental Boards bill passes**

As a result of recent Senate passage of SB 207 (a companion bill passed the Tennessee House last year), each of the state's environmental boards (e.g., the Air Pollution Control Board) will, from now on, have an additional member who will represent environmental interests. Each of the boards already includes 3 members nominated by the Tennessee Association of Business (TAB); yet TAB had lobbied against SB 207, characterizing it as "board-packing" bill. The new environmental-interest members will be selected from nominees submitted by the Tennessee Environmental Council.

The vote in the Senate Environment Committee was 7:2, with the following voting in favor: Gilbert, McNally, Burks, Hamilton, Rice, Leatherwood, and Wallace. If your senator is on that list, please thank him. The full Senate passed the bill 31:2 (with only Elsea and J. Miller voting against).

### C. **Law Suit To Be Filed Against Chip Mill Support Facilities**

(Contributed by Karen Peterson)

In early May, the Broadened Horizons RiverKeeper Project will file a law suit against TVA and the Army Corps of Engineers (CoE) for their failure to assess the environmental impacts of log loading facilities along the Tennessee and Cumberland Rivers. Thirteen river-port loading facilities have been identified as shipping whole logs destined for chip mills on the Tenn-Tom Waterway.

Instead of locating their mills in the Tennessee Valley and then shipping the chips downriver, the industry is shipping whole logs from existing river-port facilities to its mills elsewhere for chipping. This is a subterfuge to circumvent TVA's earlier decision, based on an extensive EIS (NL192 ¶6A; NL194 ¶6B), to deny chip-mill-associated loading facilities in the Tennessee River system. The log-loading activities are clearly providing integral support to the chip-mill industry, yet the environmental impacts of these activities were not reviewed as part of their port permits.

RiverKeepers will request suspension of these facilities' permits pending a re-evaluation under the NEPA and ESA. The CoE is required to reevaluate a permit if new information or significant public concern is expressed. Plaintiffs will make the case that shipping whole logs out of the valley via our waterways has the same environmental impact as locating the chip mills here in the first place. The RiverKeepers intend that their suit will result in an assessment of the environmental impacts of the chip mill industry's excessive logging practices, including review by the U.S. Fish and Wildlife Service of the impact such logging has on Endangered Species. TCWP supports the RiverKeepers efforts.

### D. **A Tennessee Environmental Law Center?**

The Tennessee Environmental Enforcement Fund (TEEF), a 501(c)(3) organization, was founded in 1994 by John Noel of Nashville, a TEC Board member and active environmentalist. TEEF's purpose is to provide a means for citizens to enforce environmental laws in the state. Environmental Law Centers (ELCs) in other states often have to turn down Tennessee cases because of budget priorities.

Our present Congress appears intent on making government enforcement of environmental laws and

regulations more and more difficult. Filing lawsuits and administrative actions against federal or state agencies or major corporations without dedicated lawyers and support staff is foolhardy in today's legal environment. An ELC would be dedicated to defending environmental laws and regs, and representing citizens and environmental groups in State and Federal courts.

Starting a new ELC is not an easy task. John Noel and others are willing to do the hard work of raising money and talking to foundations to get started, but they need to know whether the environmental community will support TEEF. Based on the answers to the following questions, TEEF will decide whether to seek foundation grant funds and go forward -- or whether to forget the whole idea.

1. Do you think a Tennessee ELC is needed?  
\_yes \_no
2. If yes, would you be willing to join TEEF for a minimum of 5 years? \_yes \_no
3. If yes, would you contribute \_\$50, or \_\$100, or \_\$... per year as membership fee?



**WHAT YOU CAN DO:** Write your answers on a postcard, add your name and address, and send to:

Joe W. McCaleb  
100 Colonial Drive  
Hendersonville, TN 37075

### E. **Arnold Engineering Center a conservation model**

Since 1988, the Tennessee Chapter of the Nature Conservancy has worked in partnership with AEDC (Arnold Air Force Base/Engineering Development Center) near Tullahoma to conduct inventory work and develop a comprehensive land-use management plan for the 40,000-acre site. As a result, AEDC has integrated a conservation ethic into its management philosophy, and the Dept. of Defense may use AEDC's planning model as a template for other DoD installations.

In 1991, Congress created the Legacy Program with a \$185 million fund to be used over a 5-year period to take inventory of plants, animals, and archeological and historical sites on DoD lands. AEDC has used \$200,000 of that Fund this year and is adding another \$1 million from its own base funds to complete the inventory and create an ecosystems management plan by 1999. The Legacy Program is not expected to survive this year's cost-cutting activities in the Congress. It is therefore hoped that other bases will use some of their own funds (as

AEDC did) to develop ecosystems management plans.

#### **F. Sen. Thompson's advisory committee**

Sen. Fred Thompson has established a Fish, Wildlife, and Gun Owners Advisory Committee to help him assess legislation about wildlife management, conservation, hunting, and gun ownership. Last we heard, conservation groups were not represented, and neither were state or federal agencies that have jurisdiction over parks and forests. You may want to mention this to the senator, next time you write.

### **5. CHEROKEE NATIONAL FOREST PLAN**

#### **A. Changes in Management Plan badly needed**

The Forest Service (USFS) is starting the process of revising its plan for management of the 632,000-acre Cherokee National Forest. This type of revision happens only every decade or so, and it is essential that the interested public gets involved, because the timber industry sure will be. While a given Land Management Plan (LMP) is in effect, all project decisions have to support its goals, and it is difficult to oppose any individual projects if they are encompassed by the stated goals.

The existing management plan for the Cherokee NF, adopted in 1986 (during the Reagan Administration), has some major flaws.

- It is outdated, with policy decisions not based on current biological approaches.
- It threatens biological diversity (the Cherokee is one of the most biologically diverse temperate forests in the world) by allowing destructive logging and road building in important areas that contain old-growth-dependent species.
- It fails to adequately protect key recreation areas and the overall visual quality of the forest.
- It overvalues and promotes timber harvests (which harm wildlife and recreation), while undervaluing and underfunding recreation and wildlife programs.
- The timber harvest and road building are often below cost, performed at tax-payer subsidy and undercutting the price of private timber.

The LMP revision process actually began in early 1995 with the initiation of the Southern Appalachian Assessment (SAA, see NL209 ¶5B), the largest, most comprehensive multi-agency effort of its kind. This will result in a Notice of

Intent (probably in April) to prepare a LMP revision. Publication of this Notice will kick off a 120-day comment period during which time you can send in suggestions for issues you think the revision process should address. The draft LMP is expected by early 1998, and the final LMP by early 1999, so there will be considerable time for input.



**WHAT YOU CAN DO:** (1) Get your name on the mailing list for the LMP-revision process by contacting:

Cherokee National Forest  
Attn.: Forest Plan Revision  
2800 N. Ocoee St  
Cleveland, TN 37312  
Phone: 423-476-9700, Fax: 423-476-9721

(2) Call Will Skelton, Knoxville. 423-521-6200 (w) or 523-2272 (h), for info on offer to become involved.

#### **B. "Tennessee Mountain Treasures"**

Released March 28 by the Wilderness Society and 18 other groups (including TCWP), "Tennessee Mountain Treasures: The Unprotected Wildlands of the Cherokee National Forest," by Hugh Irwin, summarizes the wild mountain forests that could be lost forever if the USFS fails to protect them. The report identifies 8 clusters of wildlands, made up of 43 individual areas totaling 232,00 acres. Under the excessive timber goals of the Land Management Plan (LMP) that is currently in place, the USFS has opened 72% of these wildlands to logging. The groups are asking the USFS to defer timber sales and road building in this scarce old-growth wildlife habitat pending completion of the new LMP (see ¶5A, above). (There are already 1,500 miles of permanent Forest Service roads in the Cherokee.)

At present, only 66,000 acres (less than 11% of the Cherokee NF) are preserved as wilderness. The report proposes that an additional 60,000 acres be designated wilderness, with the remainder of the listed wildlands to be protected as scenic areas, primitive areas, or other similar administrative designations.

Large tracts of relatively unbroken forest provide needed opportunities for old-growth forest restoration that benefits many animal species (including migratory songbirds and black bear) and sensitive plant communities. Because of the steep slopes and erosive soils found in these wildlands, the proposal would also offer protection for fragile watersheds.



The report is very clearly organized and nicely illustrated with photos and numerous well-designed maps. Incidentally, no trees were cut to produce the report (except for its cover): the pages were made from tree-free kenaf paper (kenaf, related to okra and cotton, produces yields per acre that are 3 to 5 times greater than those from southern pine trees). Individual copies of the report can be obtained free of charge by calling 423-546-6618 (Center for Global Sustainability, Knoxville).

## C. **Monitoring forest health**

The Southern Appalachian Forest Health Monitoring project is being carried out by TVA, EPA, and USFS under the auspices of the SAMAB (Southern Appalachian Man and the Biosphere) program. Past efforts to monitor forests have focused on timber resources exclusively, while this study is monitoring ecosystems as a whole. Many declines (e.g., that of oaks) have been found to be the result of cumulative stress. The study aims to assess stress-related problems, such as those from pollutions and from exotic pests and pathogens. About 100 sample points have been established, but twice as many are needed to complete the grid.

## 6. TVA

### A. **Land Between the Lakes -- still time for comments**

The five Concepts outlined in TVA's *Preliminary Concepts for a Public Use Plan*, (NL209 ¶4A) were trial balloons floated in response to Congress' directive to make LBL (Land Between the Lakes) more self-supporting. There is still time for our input (see below). Up until now, 70% of LBL's funding came from federal appropriations, but LBL was specifically targeted in some of the severe cuts Congress recently made in TVA's non-power budget (NL207 ¶6B).

The "Concepts" represent various combinations and degrees of private leasing and development, some of which would turn LBL into another Disneyland and surroundings. Presently, LBL, a long area of land between Kentucky Lake and Lake Barkley, which was designated a National Recreation Area in 1963, has 300 miles of undeveloped shoreline and encompasses ~170,000 acres of rolling, forested hills, abundant with wildlife.

TVA's goal is to increase *earned* revenues, which currently constitute 30% of the budget, to 80%. We feel that it should be possible to do so

without totally changing the original character of LBL through commercial developments and/or private leasing. TVA should be challenged, (a) to decrease operating costs, perhaps by cutting out the most expensive services (the ORV area? horseback camp and stables? the Heritage and Wildlife Centers?), and (b) to levy entrance fees and increase charges for visitor services.



**WHAT YOU CAN DO:** Send your comments to Craven Crowell, Chairman, TVA, 400 West Summit Hill Drive, Knoxville, TN 37902.

### B. **Shoreline Management EIS**

TVA's Shoreline Management study, published about a year ago and incorporating comments from numerous public hearings held in 1994, is now becoming part of an EIS. Publication of the draft (for public review) is imminent; and the final EIS, with TVA's chosen alternative, should be issued toward the end of the year.

Alternatives being considered in the draft include developing different amounts of shoreline and allowing different types and intensities of residential development. They are being compared with respect to their impacts on vegetation, soil erosion, wildlife, water quality, wetlands, cultural resources, aquatic habitat, recreation, scenic beauty, jobs, income, and property values.

Because the public input into TVA's original Shoreline Management Study indicated a strong concern for shoreline esthetics ("scenic beauty"), TVA last November conducted a visual-preference survey that involved the ranking of series of pictures depicting vegetation clearing, docks, etc. (NL208 ¶4C). The response rate was phenomenally high -- 70%. These survey results will be summarized in the draft EIS.



**WHAT YOU CAN DO:** To receive a copy of the draft EIS, or be notified of any public meetings, call 1-800-TVA-LAND.

### C. **TVA seeking Stream Assessment cooperators for streams we love**

A TVA River Action Team in our area is currently planning its stream assessment program for 1996. To determine conditions of the various sub-watershed in the larger Ft. Loudon/Melton Hill/Watts Bar watersheds, the team plans to assess the ecological health of ~60 streams, examining fish and benthic communities. Among these streams are the Obed and all of its tributaries, the Emory and all of its tributaries

downstream from the Obed junction, Whites Creek, several Clinch River tributaries, and several others of our favorites.

The Ft. Loudon/Melton Hill/Watts Bar River Action Team is one of 12 teams of TVA specialists that are being formed as part of TVA's Clean Water Initiative. The teams work with interested individuals, citizens groups, communities, other government agencies, etc. Activities involve field work (bring chest waders), assembling and reviewing information, development of protection and cleanup plans, etc.

✱ **WHAT YOU CAN DO:** To get more info, or to offer your services, call Kim Pilarski, 423-632-4059. Field work for the season starts April 22.

#### **D. Energy Vision 20/20 finalized**

On February 21, the TVA Board of Directors finalized the 25-year integrated resource plan (IRP), also known as Energy Vision 2020. There had been plenty of opportunity for public comments (including some from TCWP, NL207 ¶6A) during the two years it took to generate the IRP, and some of this input served to shape the final product. Thus, there is now an increased commitment to energy conservation (the goal for energy savings through conservation measures was increased from 1,450 to 2,200 megawatts by the year 2010); renewable-energy resources were addressed (in the next 5 years, TVA will investigate the potential for a wind-power project and a biomass-generating facility that uses wood wastes or crops); and there will be a focus on low-income programs.

However, according to TVERC (Tenn. Valley Energy Reform Coalition), some of the programs outlined in the IRP are vague and do not have timelines or budget commitments. Further, TVA currently finds itself in a state of considerable uncertainty, as a result of the congressional efforts to privatize the agency and to deregulate the utility industry.

### **7. NATIONAL ISSUES**

#### **A. "Salvage" logging -- a PR hoax**

The forest health crisis is a public-relations hoax to increase logging of federal lands. The "crisis" was cited as the rationale for last year's salvage timber rider (also known as the logging-without-laws amendment -- NL205 ¶6B; NL209 ¶7A), and is again being used to promote S.391 (Craig, R-ID), the "forest health bill." Like the

original timber rider, S.391 exempts timber sales from critical environmental laws (such as NEPA, the Clean Water Act, and the Endangered Species Act), effectively eliminates citizen participation in review of national-forest logging, and severely weakens the public's right to challenge irresponsible logging in court. Infinitely worse, however, than the original timber rider (which is in effect through the end of 1996), S.391 would provide a 10-year (!) exemption from compliance with laws. The bill is currently being considered by three committees, and full Senate debate may occur by the end of May.

Fact is, there has been little if any increase in dying trees over the past 40 years. Far from solving any problem, S.391 would cost the taxpayer \$428 million during 1995 and 1996 for subsidizing logging by timber companies on the public's forests. (The timber rider states explicitly that "salvage timber sales ... shall not be precluded because the costs ... are likely to exceed the revenues.")

Another lie: "only dead, dying, diseased, or insect-ridden timber will be affected," said the proponents of the original timber rider. In fact, stands have been cut that could in no way be classified as dead or dying.

Last summer, when Pres. Clinton reluctantly signed the budget bill to which the timber rider was attached (the bill contained disaster relief for the Oklahoma City bombing and for California flooding), he issued a formal directive to the Forest Service (USFS) and other federal agencies to fully comply with existing environmental laws governing logging on federal lands. Subsequently, however, a federal judge forbade the agencies to abide by the President's directive.

This action was the result of a law suit brought by a consortium of timber companies, which forced the USFS and BLM to release immediately all federal timber sales offered ever since 1989 in Oregon and Washington, at their original price, and without complying with environmental laws. This means that sales that had been withdrawn by the Bush, Reagan, and earlier Administrations because of their devastating environmental impacts are now being released. Already, the court ruling has brought back from the grave more than 140 of the most environmentally catastrophic timber sales involving 33,000 acres of Northwest forest lands. The timber industry is cutting as fast as possible to create a *fait accompli* by the time the public

becomes aware of the destruction that has been wrought (NL209 ¶7A).

As far as the rest of the country is concerned, "green" sales have masqueraded as "salvage" sales in order to make use of the exemptions from environmental laws. For instance in a national forest in Missouri, 240 acres will be logged under provisions of the "salvage" rider, even though only *one of seven* compartments shows any evidence of fire.

Fortunately, a bipartisan bill to repeal the rider, HR.2745, introduced by Reps. Elisabeth Furse (D-OR) and Connie Morella (R-MD), is pending before two House committees. Members of our Tennessee delegation will require quite a bit of education to sign on as co-sponsors, judging by responses we have received to our requests for them to do so. Thus, Zach Wamp is convinced that the timber rider "allows for the removal of *only dead and dying timber*" [emphasis his], and that "a buildup of dead wood may fuel fires". He does not address the questions that, (a) the "salvage" logging is exempted from all environmental laws, and that (b) it has been made to involve the forests in general.

WHAT YOU CAN DO: (1) Contact your senators in strong opposition to S.391, which would continue the catastrophic "salvage logging-without-laws" for another 10 years. (2) Contact your representative and strongly urge him to co-sponsor HR.2745, repeal of the timber rider. Educate him on the points that were evidently missed by Rep. Wamp. (3) Contact Pres. Clinton and urge him to put his full weight behind a repeal of the rider. The President needs to rebuild bridges burnt when he signed the 1995 budget bill to which the timber rider was attached. Addresseson p.2.

## B. **Endangered species need us**

### a. The listings moratorium

An extraneous provision added to a massive defense bill passed last spring instituted a moratorium on the listing of species. A recent Senate vote to end the moratorium failed narrowly (49:51). Sen. Thompson voted to end it and deserves our thanks; Sen. Frist voted against ending it, and needs to be educated. Two separate bills (including the FY96 Interior Appropriation) would further extend the moratorium.

Since the moratorium was enacted, over 250 species that are on the brink of extinction have been denied a final listing decision (they had been

proposed for listing by the Fish & Wildlife Service, FWS). Another 270 species that were close to it cannot even be proposed for listing. At least 3,700 additional species are showing dangerous declines.

When Congress cut out all funds for the listing process, this caused 140 professional specialists in the FWS to be dispersed to other jobs or laid off. If and when listings resume, it will take considerable time and effort to re-institute an equivalent team of appropriately trained and experienced professionals.

Fortunately, there is now another effort under way to repeal the moratorium. Rep. Connie Morella (R-MD) has written a "Dear Colleague" letter to Speaker Gingrich and to the Chair of the Appropriations Committee and is circulating it in the House for bipartisan signatures. The letter requests that the moratorium be lifted completely in the appropriations bill or Continuing Resolution for FY96, and that funding for the ESA be stabilized at the FY95 appropriations level (the listing process did not cost a huge amount -- only a measly \$8 million).

WHAT YOU CAN DO: (1) Strongly urge your representative to sign on to the bipartisan Morella letter. The only member of the Tennessee delegation who has done so, to date, is Rep. Ford who should receive your thanks. (2) Thank Sen. Thompson for voting to end the listing moratorium, and inform Sen. Frist on why he *should* have done likewise. (Addresseson p.2)

### b. The Endangered Species Act (ESA)

In January 1995, Rep. Don Young (R-Alaska) announced that revamping the Endangered Species Act (ESA) would be his top priority. He and other ESA opponents have introduced several bills, e.g., HR.2275 (Young, Pombo)/S.1864 (Kempthorne) (NL208 ¶6B), that would have the effect of undoing the present law. Their major provisions include the following:

- allowing a single political appointee to decide to let a species go extinct,
- eliminating protection for endangered species habitat on private land, thus overturning the April '95 Supreme Court ruling,
- eliminating protection for subspecies that are more abundant in other parts of their range,
- providing "takings" compensation for developers and others to not destroy habitat if the speculative value of even a small portion of the property is diminished by even a fraction,

- eliminating the requirement that federal agencies must consult with the FWS to guard against agency activities that might put species at risk of extinction.

A so-called "compromise" bill has surfaced, HR.2374 (Saxton, Gilchrist, Kingston). Analysis by knowledgeable groups finds it to be fundamentally flawed in that it:

- enlarges (rather than closing) current loopholes, such as weak recovery plans and failure by FWS to designate critical habitat, and crushes ability to litigate on these matters;
- delegates critical portions of the ESA to state, local, and tribal governments, which have traditionally shown outright hostility toward endangered species;
- (like the Young/Pombo bill, see above) overturns the April '95 Supreme Court decision that habitat destruction on private land is not allowed under the present ESA (note that 80% of listed species use private land);
- makes repeated requirements to "minimize adverse social and economic impacts" – thus, for the first time adding a non-biological constraint to full recovery of endangered species.

Some of the organizational members of the Endangered Species Coalition have been working with Rep. Saxton, with the Western Governors' Assoc., and with several industrial interests (including the Natl. Assoc. of Realtors and Georgia Pacific) to fashion the so-called "compromise" bill. Other members of the Endangered Species Coalition feel that these conservation groups (which include the Environmental Defense Fund and the World Wildlife Federation) have violated agreements, (a) not to work to weaken the ESA, and (b) to keep the Coalition informed of plans to amend the ESA.

✱ WHAT YOU CAN DO: Contact your senators and representative to let them know that neither bills like Young-Pombo-Kemphorne, HR.2275/S.1864, nor the Saxton-Gilchrist "compromise", HR.2374, are acceptable. All severely weaken protection of endangered species. We need legislation to strengthen it. (Addresses on p.2)

### C. Utah's fake "wilderness" proposal threatens wilderness everywhere

Rep. Hansen (of Park-closure-commission fame) and Senators Hatch and Bennett are sponsors of a fake Utah wilderness bill, HR.1745/S.884. Every wilderness supporter in the nation should be concerned about this bill, because, in addition to carving up the best of Southern Utah's superlative

wilderness, it would blow apart the very meaning of wilderness itself by specifically opening up the designated "wilderness" areas to developments such as communications towers, dams and pipelines, ORV recreation, jet skis, excessive grazing, heavy-equipment use, and military over flights (NL207 ¶8C; NL209 ¶7C).

A vote on the House bill, HR.1745 was postponed minutes before it was scheduled on December 14, because Hansen had found out that 43-46 Republicans were ready to join the vast majority of Democrats in voting against the bill. The Senate bill, S.884, was attached by Sen. Murkowski to the otherwise popular Omnibus Parks & Public Lands bill, which came up March 27. Senator Bradley (D-NJ) led a number of Senators (even some who would have benefited from other features of the omnibus parks bill) in a filibuster designed to defeat S.884. To invoke cloture against the filibuster required 60 votes, but the supporters of S.884 were able to muster only 51. Voting to sustain the filibuster (i.e., for wilderness) were 49 senators, including 4 Republicans (Chafee, Cohen, Roth, Specter). Sad to report, both Tennessee senators (Frist and Thompson) were on the wrong side of the vote.

While the anti-wilderness bill has not succeeded thus far, it is quite possible that its supporters will try again (there is too much money behind them to let go). Our senators and representatives must be informed on what makes S.884/HR.1745 so very bad. Fortunately, there is an excellent alternative Utah-wilderness bill, HR.1500 (Hinchey), which would designate as wilderness 5.7 million of 22 million acres managed in Utah by BLM. There is overwhelming citizen support in Utah and elsewhere for this bill: it was endorsed by 70% of the 22,000 Utahns who participated in the governor's wilderness review process.

✱ WHAT YOU CAN DO: (1) Contact your representative and senators to let them know that HR.1745/S.884 is a terrible bill, with far-reaching adverse implications for the Wilderness System as a whole; tell Senators Frist and Thompson that you were disappointed in their recent vote on the Bradley filibuster. Urge your legislators to co-sponsor Hinchey's HR.1500 (and thank Reps. Bart Gordon and Harold Ford for having done so already). (Addresses on p.2 and Political Guide.) (2) To keep updated, write Southern Utah Wilderness Alliance, 1471 South 1100 East, Salt Lake City, UT 84105-2423, phone 801-486-7639, ext. 17.

#### D. **Anti-environment riders in omnibus budget bill**

HR.3019, the omnibus budget bill that the full Senate passed 79:21 late in March, still contains numerous anti-environment riders. Among these is continuation of the "salvage" logging without laws (§7A, this NL) beyond the end of 1996; continuation of the current moratorium on the listing of new endangered species (§7B, this NL); drilling in the Arctic Refuge; and major weakening of wetlands protection.

House/Senate negotiations on the big budget bill are in progress; the current temporary continuing resolution is in effect until April 24. Sen. Ron Wyden is collecting signatures from colleagues on a letter addressed to the Senate's lead negotiators, Sens. Hatfield and Byrd, asking them to work to remove the anti-environment riders during the conference committee's negotiations.

**WHAT YOU CAN DO:** Call your senators as soon as you can and urge them, (a) to sign on to the Wyden letter (see p.2, this NL), or (b) if the conference version of HR.3019 ends up still containing anti-environmental riders, to vote against final passage of the bill. (2) Call, fax, or e-mail President Clinton (see p. 2) and urge him to veto HR.3019 if it contains any anti-environment riders.

#### E. **More "takings" bills**

On Dec. 21, Sen. Orrin Hatch's Judiciary Committee passed S.605 (Dole, Gramm) that would require the government to compensate a person or corporation when a federal action lessens by 33% or more the potential value of even a single portion of any property or of corporate profits. The House passed a "takings" bill (HR.925) last year as part of the "Contract with America." This requires government (i.e., tax-payers) to compensate property owners if values are diminished by as little as 20% as a result of provisions of endangered species or wetlands regulations. Pres. Clinton promised to veto "takings" legislation which, he said, "would effectively block implementation and enforcement of existing laws protecting public health, safety, and the environment."

In 1995, more than 100 "takings" bills were introduced in 39 states. Since 1991, 18 states have enacted "takings" legislation. The consequence of certain of these bills is that local governments will have to give up zoning or go bankrupt every time they change a zoning provision.

#### F. **Environmental scorecard for Congress**

As it has every year since 1970, the League of Conservation Voters (LCV) issued its annual Scorecard. The 1995 session, however, set a record: the *worst* environmental scores ever recorded by LCV in its 25-year history. Altogether 135 (!) legislators (including 36 of the 73 GOP freshmen) scored zero, i.e., they voted against the environment in *every one* of 12 key votes. Issues included park closures, logging without laws, Arctic Refuge drilling, Dirty Water Act, crippling EPA, mining law giveaway, regulatory "reform," takings, endangered species listing, red wolf recovery, renewable energy, international family planning, etc.

Sad to report that among the zeros was a Tennessee senator (Frist), and 3 Tennessee representatives (Quillen, Duncan, Bryant). With a couple of exceptions, most of the Tennesseans didn't score much above zero (see below). Out of 5 score categories, Tennessee was in the lowest for its Senate average (4%), and in the next-to-lowest for its House average (27%). The following were the 1995 national averages.

	Senate	House
Democrats	89	76
Republicans	11	15
Total	47	43

This is how the Tennessee delegation did

	1995	100-day score*	'93-94	'91-92
Frist (R)	0	-	-	-
Thompson (R)	7	-	-	-
Quillen (R-1)	0	0	15	3
Duncan (R-2)	0	0	20	7
Wamp (R-3)	8	9	-	-
Hilleary (R-4)	8	0	-	-
Clement (D-5)	62	55	52	46
Gordon (D-6)	54	27	61	55
Bryant (R-7)	0	0	-	-
Tanner (D-8)	31	18	35	28
Ford (D-9)	77	100	65	70

\*Bills that raced through the House in the first 100 days

In releasing the Scorecard on Valentine's Day, LCV president, Deb Callahan said: "This Congress will learn the hard way that protecting the environment is a fundamental American value. ... greenwashing won't wash with the public come election time." She was referring to a guidebook for House Republicans that recommends that members participate in high-profile activities that are

merely symbolic, such as official tree plantings and litter pick-up (NL208 ¶16E).

LCV notes that the momentum of anti-environmental activity slowed as 1995 progressed. However, most of the far-reaching measures are still alive for the second (1996) session, and several powerful members are not finished with their anti-environmental agenda.

The Scorecard received wide coverage in the media. Even the *Wall Street Journal* ran a long article subtitled: "Environmental Stands Alienate Some Backers of the GOP's Agenda." TCWP's new exec director, Karen Peterson participated in a press conference held in Knoxville on the Scorecard.

**WHAT YOU CAN DO:** Ask us to send you an 8-page pamphlet that contains the SE Regional Scorecard, plus an explanation of the votes on which LCV based the scores (send us a 32¢ stamp). Then write to your senators and representative and tell them what you think about the way they voted. Let them know that you will continue to watch their environmental voting record.

\*\*\*\*\*

Those of you interested in the presidential race might like to know Senator Dole's scores:

1995:	0
'93-'94:	3
'91-'92:	7

Dole has come out in favor of drilling the Arctic Refuge. Libby Dole recently spoke at a conference of the Western States Coalition, praising the agenda of the Wise Use Movement (Lehrer News Hour, 2/19/96). As for Buchanan, a special newspaper insert ("Quest for the Presidency") in early February summarized his environmental positions as follows: "Supports 'takings' law requiring government to compensate people whose property values are lowered by regulations. ... Would ... turn over land under federal control to the states."

#### **G. A bill that would cripple our Wildlife Refuges**

Don Young (R-AK), the same Congressman who is working to wreck the Endangered Species Act and to open ANWR to drilling, is now pushing HR.1675, deceptively called "National Wildlife Refuge Improvement Act." He has already rammed HR.1675 through committee and is trying to get it to the House floor. This bill would:

- Redefine the purposes of the NWR (Nat'l Wildlife Refuge) System to include commercial uses and

recreation. While certain types of recreation (hunting, fishing) are appropriate to certain of the NWRs (currently over half the refuges are open to hunting), this is not their primary purpose - they were established for wildlife.

- Allow states and "other entities" to manage refuges, and even allow removal of refuges from the System.
- Make it very hard for FWS (US Fish & Wildlife Service) to restrict jet skiing, water skiing, power boating, and other types of recreation harmful to wildlife.
- Frustrate FWS' ability to assert vital water rights for refuges.
- Require FWS to permit toxic pesticides in certain refuges.

**WHAT YOU CAN DO:** This should not be a partisan issue - after all it was a Republican president, Teddy Roosevelt, who established the NWR System. Tell your representative (address on p.2.) that the refuges are vital protectors of our nation's fish and wildlife, and that the System needs his help. Ask him to assure you that he will oppose HR.1675. For further info contact the Wilderness Soc., 202-429-2674 (Jim Waltman).

#### **H. The give-away of our mineral resources**

The "sham mining reform" bill is still alive as a rider in the massive Budget Reconciliation bill. This bill would kill the present moratorium on issuing "patents" (mineral giveaways) under the 1872 Mining Law and would reopen the floodgates to massive giveaways (over \$15.5 Billions-worth of publicly-owned minerals would be given away - mostly to multinational mining conglomerates).

The Mineral Policy Center (MPC), which has taken the lead in attempts to get rid of the antiquated 1872 law, now runs a Circuit Rider program, which provides assistance and support to local citizens struggling to protect their communities and environment from mining impacts. If you would like to help this program financially, contact MPC at 1612 K Street, NW, Suite 808, Washington DC 20006.

#### **J. Turner Foundation for the environment**

In 1990, Ted Turner set up a \$150-million foundation the purpose of which is to tackle environmental and population issues, mostly with grants to grass-roots organizations ("We support

tree huggers" - Ted Turner). Following the TBS-Time Warner merger, Turner plans to add \$350 million, raising the total endowment to \$500 million. The foundation could then hand out about \$25 million annually and become the largest foundation focusing exclusively on environmental issues.

## B. OAK RIDGE & KNOXVILLE ISSUES

### A. Recommendations to DOE for use of Oak Ridge Reservation

The Common Ground Process was designed to make recommendations to DOE concerning future land uses for the 35,000-acre Oak Ridge Reservation. Extensive citizen input was sought and received during the period over which the Plan was generated. The final report, which was released in February, recommends industrial development at or near the three major facilities (K-25, Y-12, and X-10), and conservation uses (virtually no development) for the remainder of the area. The report, which used 25-year and 100-year planning windows, will be reviewed every five years.

During the public-input period, there was strong support for conservation uses and little support for residential uses, weakening current complaints by the City of Oak Ridge that no residential developments are included in the Common Ground Plan. DOE preempted the report when it decided in June 1995 (9 months before the planning process was completed) to lease 1,000+ acres of Reservation land to the East Tennessee Economic Council. Finally, the Friends of ORNL criticized the draft report for not recognizing the historical role and broad mission of the NERP (National Environmental Research Park), which occupies about 40% of the Reservation, and for not recognizing the highly significant educational role of the Reservation.

### B. Turkey Creek Wetlands Threatened by Commercial Development

(Contributed by Karen Peterson)

A 251-acre commercial development has been proposed in West Knoxville which will, if approved as planned, will affect the Turkey Creek Wetlands. The Westpointe Commercial Park plan includes a proposed road that will disturb the 22-acre wetland, which supports numerous species of fish, amphibians, mammals, waterfowl, and songbirds.

Objections to the proposed road have been raised by the Foundation for Global Sustainability and the League of Women Voters, among others. Despite an FGS request that the Knoxville Metropolitan Planning Commission require the developers to route the road around the wetlands, the Commission approved the developers' conceptual plan as proposed, and the City Council upheld the approval upon an FGS appeal.

The developer has proposed to "mitigate" the impact upon the Turkey Creek Wetlands by constructing a 12-acre artificial wetland north of the existing natural wetlands and north of the new road. However, wetland ecologists believe that this mitigation doesn't adequately mimic natural wetlands, and the mitigation will fail to overcome the impact to Turkey Creek.

The developer must now obtain a Sec. 404 Permit under the Clean Water Act from the Army Corps of Engineers (CoE).



**WHAT YOU CAN DO:** (1) Write to CoE, requesting that they re-assess the feasibility of routing the road around the wetlands because the proposed mitigation is inadequate (Cathy Elliott, Manager, Eastern Field Office, Army Corps of Engineers, PO Box 465, Lenoir City, TN 37771). (2) Write to Dan Eager (Natural Resources, Tenn. Department of Environment and Conservation, 64 L&C Tower Annex, 401 Church Street Nashville, TN 37243-1534), requesting that TDEC support this reassessment in their comments to the CoE.

### C. Improving Second Creek

Second Creek, which flows through a populated and industrialized area of Knoxville, and finally through World's Fair Park, and which has been the subject of innumerable serious environmental insults, is the object of a clean-up effort by several agencies and groups. ORNL is playing a role in the process, as are several departments and Centers at U.T. Much of the actual work is being performed by volunteers from AmeriCorps, the national service program (or "domestic Peace Corps") in which over 25,000 Americans strive to improve their local communities through a year of service. Six AmeriCorps volunteers have been assigned to a water-quality team for stream clean-up, and 10 more to a team that will clean up lots and houses. For info, call Ijams Nature Center at 577-4717.

## 9. TCWP NEWS

### A. March for Parks raises public awareness of Obed

(Contributed by Karen Peterson)

TCWP's seventh annual March for Parks at the Obed Wild and Scenic River will be held Saturday, April 20th. Hiking, bicycling, paddling and climbing events are planned. We're hoping this will be our most successful March ever. The *Oak Ridge* and the *Knoxville News Sentinel* have provided excellent coverage of the event and have helped raise public awareness of the Obed river and park (T3C, this NL).

We have received generous corporate support in the form of grants from Lockheed-Martin Energy Research Corp. and Science Applications International, Inc. (SAIC). The Tennessee Valley Authority's Water Management Division provided invaluable support by printing and mailing our brochures and printing our color posters.

We are grateful to the many business who have generously donated prizes for March-for-Parks participants. Dagger Canoe Company, Inc. donated a kayak (retail value over \$600) to be auctioned at our picnic; Obed Paddle Service has donated a custom paddle; Clear Creek Retreat provided one night's free lodging; and, Earth Access/ Access Fund (a national non-profit organization dedicated to keeping climbing areas open and preserving the climbing environment) donated a gift certificate for Reebok climbing shoes and a hard-cover book featuring interviews with world famous climbers.

Gift certificates have been provided by The Oak Ridge Bicycle Center, KT's Bicycle Shop, Shadow Mountain Outfitters, Blue Ridge Mountain Sports and River Sports. THANK YOU!

### B. Upcoming activities

- May 23, meeting to celebrate the 25th anniversary of the Tennessee Natural Areas System. Look for special mailing;
- June 1, National Trails Day, Whites Creek Small Wild Area hike/cleanup/maintenance (see T10 for details);
- November 1-3, our Annual Weekend -- a special celebration this year of our 30th anniversary.

### C. TCWP's two birthday parties

Part 1 of our 30th birthday party (the Annual Weekend will be Part 2) was a highly successful

affair that was attended by about 60 people. We had a slide-illustrated summary of TCWP's numerous accomplishments and involvements, a short slideshow on Scotts Gulf, and reminiscences by TCWP's first president, Dick Lorenz. There was also a birthday cake, and opportunities for socializing with fellow members

Hope many of you will plan to come to Part 2 of our birthday party, the Annual Weekend, to be held Nov.1-3 at Wesley Woods, near Townsend. We'd love to hear from any of you who can offer to help with that affair.

### D. Membership-Involvement forms

With NL209, we enclosed a green form on which you could indicate your willingness to help with TCWP jobs, ranging from little (two hours per year) to big. Several of you have returned the form (we truly thank you), but many more have not. It is our plan to stimulate membership involvement and make us a more effective as well as more broadly-based organization. We hope many more will send in your green form (if you have lost it, call the numbers at the bottom of p.1). As you know, the environment is up against it these days, and needs all the help it can get!

### E. Mailing-list updates

We are currently updating parts of our Newsletter mailing list. We have started with mailings to selected interested organizations. If you would like to suggest an organization that would profit from receiving the TCWP Newsletter, please contact Lee Russell (address at bottom of p.1).

Later on, we plan to contact all of you to get address updates, FAX numbers, and e-mail addresses.

### F. Political Guide correction

The map of State legislative districts that was sent out as part of the Political Guide (which was enclosed with NL209) turns out to have had some outdated portions. Because this year's legislative session is now over, we are not at this time sending out a revised version to everyone. To request an individual copy, call Lynn Wright, 423-574-7378.



## G. Help us identify corporate sponsors

(Contributed by Karen Peterson)

This year, TCWP endeavored to increase the number of corporate sponsors for March for Parks. TCWP uses these funds to pay for advertising, printing, picnic food, etc. with the remainder of the funds going to the park. Many companies set aside funds each year to support community events, such as the March for Parks. Companies differs in their application process for these funds, but we have found that an employee-generated request may be given greater consideration. We will begin requesting corporate support for the 1997 March for Parks event as early as July of this year. If your employer may be a potential source of sponsorship, please let us know by contacting our Executive Director.

## H. We thank our volunteers

NL209 was assembled by Marion Burger, Melinda Compton, Don and Vera Davis, and Frank Hensley. We are most grateful to them all.

## 10. JOBS, ACTIVITIES and READING MATTER

- **Seasonal Job:** Appalachian Trail Caretakers are needed for the Gt. Smoky Mtns. Natl. Park, for periods of 2 weeks and greater, spring, summer, fall. Should be competent hiker with experience in trail and shelter maintenance. Basic equipment and a stipend are provided. Contact: Caretaker, ATC, POBox 2750, TR-96B/C, Asheville, NC 28802.
- May 10-11, Utilities in Transition." TVERC's 2nd Annual Energy Conference, Scarritt-Bennett Center, Nashville. Contact Tenn. Valley Energy Reform Coalition, POBox 1842, Knoxville, TN 37901-1842.
- May 19-23, Gatlinburg, "Wilderness & Natural Areas in Eastern North America." A conference on research, management, and planning, co-sponsored by The Wilderness Society, the National Park Service, and others. For info, contact Peter Kirby, The Wilderness Soc., SE Region, Atlanta, 404-872-9453, or FAX 872-8540; email pkirby@TWS.org.
- May 23, meeting in Oak Ridge to celebrate the 25th anniversary of the Tennessee Natural Areas System. Look for special mailing or newspaper notice.
- May 23-26, Nauvoo, AL (Bankhead Natl. Forest), 10th Annual Forest Reform Rally. (Contact 1996 Forest Reform Rally, 5952 Royal Lane, Suite 168, Dallas, TX 75230.)
- June 1, TCWP's Whites Creek Small Wild Area hike/cleanup/maintenance. Meet 10 a.m. EDT at trailhead, or 9 a.m. at Big Turtle Park, Oak Ridge, (for carpooling). To reach trailhead, take US 27 out of Rockwood (going south). About 2 miles south of the new bridge over Whites Creek, turn left at Roddy (there may be a little brown "Whites Creek" sign at turnoff) and proceed 1 mile to lakeside parking. Contact Judith Bartlow, 632-1592 (TVA) or 494-9421 (h); or TCWP at 481-0286.
- August 3-7, "Promoting Watershed Stewardship," Madison, WI. Designed for those interested in volunteer monitoring of environmental conditions. Contact Celeste Moen, Wisconsin DNR, WR2, POBox 7921, Madison, WI 53707, email: moen@dnr.state.wi.us
- Sept. 8-13, Victoria, BC, Canada, "Sustaining Ecosystems and People in Temperate and Boreal Forests: an International Conference on Integrating Conservation of Biological Diversity with Social and Economic Goals." Call 604-382-0332, fax 604-382-2076. Or access <http://www.octonet.com/connvic/ecomain.html>
- Nov. 1-3, TCWP Annual Weekend, Wesley Woods near Townsend. Details later, but mark your calendar now.
- *Tennessee's Mountain Treasures: The Unprotected Wildlands of the Cherokee National Forest*, an excellent 74-page report summarized in ¶58, this NL. For a free copy, call Knoxville 546-6618 (Center for Global Sustainability), or Atlanta 404-872-9453 (Wilderness Soc).
- A video about the timber salvage rider (see ¶7A, this NL), produced by Green Fire Productions, is available for \$5 (to cover copying and postage) from the National Wildlife Federation's Western Natural Resource Center, 921 S.W. Morrison, Suite 512, Portland, OR 97205.
- *Endangered Ecosystems*, a new report from the Defenders of Wildlife, evaluates the 21 most endangered ecosystems, geographic patterns of risk, state case studies, etc.. Call Defenders at 202-682-9400 for a copy.

- \* *Getting the Word Out in the Fight to Save the Earth*, by Richard Beamish, is a communications guide covering fundraising, PR, newsletters, etc. (200 pp., 131 illustrations. \$24.95 from Johns Hopkins Univ. Press, 1-800-537-5487.)
  - \* *Trial by Trail: Backpacking in the Smoky Mountains*, by Johnny Molloy has just been published by the U.T. Press. It consists of 14 essays that contain much info about Smoky Mountains history and lore, as well as dozens of tips for novice backpackers. \$14.95 at area bookstores, or call Wendy Morris at 423-974-3321.
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## Continued information from p.2

Sen. Bill Frist:

Phone: 202-224-3344; FAX: 202-228-1264

e-mail: senator\_frist.senate.gov

Local: 423-602-7977

Sen. Fred Thompson:

Phone: 202-224-4944; FAX: 202-228-3679

Local: 423-545-4253

Rep. Zach Wamp:

Phone: 202-225-3271

Local: 423-483-3366.

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.

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### WHAT IS TCWP?

TCWP is dedicated to achieving and perpetuating protection of natural lands and waters by means of public ownership, legislation, or cooperation of the private sector. While our first focus is on the Cumberland and Appalachian regions of East Tennessee, our efforts may extend to the rest of the state and the nation.

TCWP's strength lies in researching information pertinent to an issue, informing and educating our membership and the public, interacting with groups having similar objectives, and working through the legislative, administrative, and judicial branches of government on the federal, state, and local levels.

TCWP, 130 Tabor Rd., Oak Ridge, TN 37830

Pres. Jenny Freeman, 423-482-5980.

Exec. Dir., Karen Peterson, 423-481-0286 or 966-2885

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