

TENNESSEE CITIZENS for WILDERNESS PLANNING

Newsletter No. 219

December 12, 1997



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Shaded box or star means "Action Needed." Don't be overwhelmed - check the ACTION SUMMARY!

9. ACTION SUMMARY

No	Issue	Contact	"Message!" or Action
1	Obed designation	Water Qual. Control Board	"Obed clearly deserves ONRW designation without delay!"
2B	Tenn. Wildlife Resources Agency	Gary Myers	"What is your policy on clearcutting? Is public consued?"
3C	Chipmill impacts	State legislators	"Initiate State/EPA study on chipmill impacts in Tennessee!"
4A	Clean Air agreement with NPS	NC Governor Jim Hunt	"NC should protect Smokies through Clean Air agreement"
5A	Roadless areas protection in NFs	US DA Sec. Glickman; copies	"Don't wait for Forest Plan completions to protect areas!"
5B	Powerline through Cherokee NF	TVA; cc. to A. Zimmerman	"Don't let powerline fragment heart of Cherokee!"
5D	Clearcutting in National Forests	US Rep and Senators	"Co-sponsor S.977/HR.1376!"
6B	Jet skis and telecom towers	NPS Director Robt. Stanton	"Ban PWCs systems- wide! Regulate tower installations!"
6C	"Takings"	US Senators	"Oppose S.126 and S.1204"
6E	Redrock wilderness	US Rep. and Senators	"Co-sponsor HR.1500/S.773"
7A	TCWP's future	TCWP	Respond to recent appeal for hiring development director

Senator John Doe
United States Senate
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The Hon. John Doe
U.S. House of Representatives
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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. Bill Frist:
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To call any Rep or Senator, dial Congressional switchboard, 202-224-3121. To find out about the status of bills, call 202-225-1772.

State representatives e-mail

For state reps: rep.firstname.lastname@legislature.state.tn.us

For state senators: sen.firstname.lastname@legislature.state.tn.us

WHAT IS TCWP?

TCWP (Tennessee Citizens for Wilderness Planning) 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.

Exec Director, Linda H. Krusen, 423-481-0286; 482-2246 (evening).

President, Jenny Freeman, 423-482-5980 (evening).

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1. OUTSTANDING NATIONAL RESOURCE WATERS -- WILL OBED BE INCLUDED?

The Nation has recognized the Obed's outstanding qualities by designating it a National Wild & Scenic River. Will the State of Tennessee allow itself to be derailed from including the Obed in the highest State designation? Read on.

The struggle for ONRW designation

The highest water-quality designation (Tier III) in the Tennessee Water Quality Standards is "Outstanding National Resource Water, ONRW." For the ongoing triennial review of the Standards (which covers a multitude of water quality issues, NL218 12C), the draft by the Division of Water Pollution Control (DWPC) recommended ONRW status for the following waters: Conasauga, three rivers in the Smokies (Little River, Abrams Creek, W. Prong of Little Pigeon), Obed, Big South Fork, and Reelfoot Lake. This draft was only the initial step in a progression of procedures that will eventually end with approval or disapproval by the Water Quality Control Board (WQCB). The Board is meeting December 16, after this Newsletter goes to the printer.

Following public hearings on the draft in early October at a dozen locations throughout the State, the Cumberland County utility districts began to wage a campaign to oppose ONRW designation for the Obed (these utility districts and other development interests have for years been taking water out of the Obed system by damming up streams in the watershed). To start with, they requested a 30-day extension to the comment period. They have used the extra time prior to the WQCB's decision to marshal extra opposition and to approach state and federal legislators and the media with their story.

DWPC considered all comments received prior to the second deadline in producing a final proposal to the Board. They disagreed with some of them (and stated their reasons) and used others as grounds for revising certain items in the draft. By the DWPC analysis, there were 27 persons supporting all of the draft's ONRW candidates, and an additional 34 specifically supporting designation of portions of the Obed River (with Clear and Daddys Creeks). Eight statements in opposition were summarized thus: "The designation of the Obed River, Clear and Daddys Creek as ONRWs should be delayed until an alternative water supply has

been located for residents in the Crossville and Fairfield Glade areas."

The Obed and major tributaries stayed in DWPC's final proposal, although the ONRW sections were changed to be the ones within the Catoosa Wildlife Management Area, rather than those within the National Wild & Scenic River boundary. Actually, these sets of boundaries are fairly similar. There was no opposition of any kind to the Big South Fork. It, and all of the other waters stayed in the final report just as originally proposed in the draft, except that in one river (the little Pigeon), the ONRW boundary was actually extended.

The next step is the Water Quality Control Board meeting on Dec. 16. Several TCWP members and other friends of the Obed will attend. Undoubtedly, the Crossville and Cumberland County utility interests will be there in full force to urge the Board to delay a decision on the Obed. Unfortunately, the Board may consider this as an attractive compromise. In fact, it would be nothing of the kind. For one thing, the opportunity to designate ORNWs occurs only every 3 years. For another, the message would be: "it's OK to permit the option of degrading an outstanding river resource in order to facilitate unlimited development."

Some things must be considered inviolate. Will the State of Tennessee see it that way?

WHAT YOU CAN DO: In the event that the Water Quality Control Board delays action on ONRW designation for the Obed (a real possibility), you can still send your message to the Water Quality Control Board by contacting the Dept. of Environment & Conservation's, designee on the Board, J. Leonard, at e-mail jeleonard@mail.state.TN.US. Or, write to him (at Dept. of Environment and Conservation, L&C Annex, 401 Church Street, Nashville, TN 37243) making it clear that your communication is for the Water Quality Control Board.

2. TENNESSEE NATURAL RESOURCE AGENCIES

A. 2nd State Parks Forum a success

(contributed by Jenny Freeman)

On October 25, in Chattanooga, approximately 100 members of 9 citizens' groups met with representatives of state government at the Second Annual State Parks Forum. TDEC Commissioner Milton Hamilton and Assistant Commissioner, Division of State Parks, Walter Butler informed the audience of the positive changes that had occurred over the last year, including more money for maintenance and additional acreage added to our state parks system. Billy Minser and others from the Forum's steering committee reminded the group that we had pressed last year for an independent source of funding for parks and for the creation of an independent commission, but had made no progress on either front. Senator Bud Gilbert (R-Knoxville), who had sponsored a bill embodying the recommendations of last year's Forum, described what had happened to his bill in the General Assembly, and stressed that the next legislation he introduces will have to go through at least 10 legislative steps before becoming law. Clearly, we have our work cut out for us.

Eight working groups, each with a facilitator, spent the afternoon defining priorities, then outlined their findings to the entire forum. Again, people called for an independent source of funding for parks and a nonpartisan commission to direct state parks. Commissioner Hamilton said that he understood our concerns and would welcome our participation in advising him on the current round of 5-year planning. He is opposed to the idea of an independent commission, but would consider an advisory group to meet with him regularly.

After the conference, we all gathered at Lee and Carter Patton's lovely farm, where we enjoyed a fabulous party complete with catered supper, bluegrass band, and tributes to Lee and Bill Russell. We want to thank the Pattons for their warm hospitality, encouraging words, and strengthened friendship.

The next steps in this process to reform state parks have been taken. A small group from the state parks reform steering committee met with Commissioner Hamilton and Assistant Commissioner Butler in Nashville and discussed hearings that will be held across the state

regarding the state parks plan. Other topics were broached, and the steering committee has met several times by telephone conference call to chart progress. Senator Gilbert was reported in a recent AP story to be introducing two pieces of legislation in the coming legislative year. We do not know the language of the bills, but will look forward to working closely with the Senator.

[Editor's note: Jenny Freeman was one of the chief moving forces for this State Parks Forum, as well as for the first one last year. TCWP made a significant contribution toward the expenses of the Forum.]

B. TWRA seeking public input

Perhaps as a result of facing a possible "sunsetting" a couple of years ago (NL207 §3D; NL211 §2D), the Tennessee Wildlife Resources Agency (TWRA) contracted with Responsive Management (RM), a firm that helps fish and wildlife agencies become better communicators. In October, TCWP member Jean Cheney attended a meeting organized by RM and reports that attendees at this meeting were very much upset with TWRA about clearcutting in the Catoosa Wildlife Management Area, particularly in the vicinity of Clarkrange. TWRA actually solicited bids for the clearcutting, which is proceeding rapidly. People at the meeting felt that the TWRC (TN Wildlife Commission, which sets policy for the TWRA, the Agency) is politically motivated and ignores citizen input and complaints.

This is not the first time people have been upset about clearcutting in the Catoosa WMA. Which areas have been, or will be cut? What timber companies are involved? Does TWRA derive revenue from the timber sales? Except for this latest RM effort, TWRA does not solicit public comments on how to manage an area. Should it worry us that the areas near the Smokies recently acquired by the Foothills Conservancy have been turned over to TWRA? or that the Duck River lands may be?

WHAT YOU CAN DO: Contact TWRA and try to get answers to some of these questions. Address: TWRA Bldg., PO Box 40747, Nashville, TN 37204. Gary Myers, Dir., Ron Fox, Asst. Director, both at 615-781-6552.

C. Status of Natural Areas System

Established under a 1971 law (largely as a result of TCWP effort), the System now includes 51

Designated SNAs (State Natural Areas) totaling 75,000 acres, and 55 Registered SNAs totaling 450,000 acres. The former are in state ownership and have more permanency than the latter, many of which are the result of management agreements with private land owners or local governments.

The Natural Areas Program (administered by Brian Bowen) is within the Tenn. Div. of Natural Heritage. Reggie Reeves, the Division's Director spoke at our TCWP Annual Weekend and described the methodology for selecting new areas to be designated (natural-features inventory, biodiversity ranking, etc.) and the process of designation (nomination, review by the Protection Planning Committee, inclusion in the Department's legislative package).

Wonderful and unique though Tennessee's Natural Areas System is, it requires much public support even to keep its *status quo*, leave alone grow. Next time you talk to your state legislators, urge them to support this System every chance they get.

D. Rivers Information System, TNRIIS

A few years ago, Jenny Freeman (TCWP) and Bill Allen (TSRA), conceived of the idea of a statewide rivers assessment, and they secured a grant under which the State could initiate the process. From this citizen effort grew an ongoing program in the Division of Natural Heritage within the Dept. of Environment and Conservation.

Speaking at the recent TCWP Annual Weekend, David Duhl, who heads this program, described the resource categories under review, the ranking process, and the project goals. These include evaluating rivers for cultural, recreational, and natural resources, providing information in a format that is easy to understand, enhancing opportunities for informed conservation planning and management of rivers, and increasing public awareness of Tennessee rivers. Competition for use of river resources is constantly increasing. Improvement in our understanding of rivers, and development of new management skills, offers hope of protecting our waters against harmful influences.

E. Voluntary wetlands conservation

The Division of Natural Heritage has recently completed a study to identify high-priority wetlands in Tennessee and will soon issue a report of the findings. The Division has now begun an effort to promote voluntary wetlands conservation at the

local level. Initially, they will be working with county and local planners in four counties, Fayette, Lauderdale, Franklin, and Rutherford. County-specific wetlands brochures will be developed, public meetings will be held to educate citizens on the value of wetlands, and information will be provided on the specific programs available for individuals interested in conserving their wetlands.

3. OTHER STATE NEWS

A. TVA's Preferred Alternative: Columbia lands go to the State

There have been two recent TVA studies related to the now defunct Columbia Dam (a project abandoned in 1983): (1) to decide what to do with the 12,800 acres TVA acquired for the project and with the abandoned dam structure; and (2) to determine the need for a proposed impoundment of Fountain Creek, a Duck River tributary. The Draft EIS for the second is not expected until the summer of 1999. However, the alternatives proposed for the first have already undergone extensive public and agency review, and TVA published its preferred alternative on December 2. TVA received thousands of comments on the Draft EIS, and 87%(!) of them advocated public use for the land.

Under TVA's preferred alternative, all 12,800 acres would be transferred to the State of Tennessee, designated as follows:

- 6,800 acres in the river corridor under the most restrictive covenants for resource protection and public use.
- 3,800 acres reserved until 2025 (?) for the potential water-supply project (see study #2. above) and protected until then.
- 2,200 acres (in scattered parcels) for miscellaneous uses, including public recreation, schools, fire halls, a recycling center, and residential development (land could conceivably be sold by the state). Adequate provisions must be made to prevent lowering the existing water quality, and industrial use is prohibited.

While working out details of the transfer might take a year or two to accomplish, something that should happen very quickly is the establishment of 6 state natural areas, totaling about 2,000 acres, under a management agreement with TVA.

Before the final EIS is completed, the US Fish & Wildlife Service must render a biological opinion on any possible impacts on endangered or threatened species, sensitive habitats, or wetlands. For the 2,200 acres in the last category, the State will prepare a masterplan.

Several of the people who last year were pushing the Maury County Land Trust legislation (NL216 §2D; NL217 §2E), which would have turned the land over to local control and probable sale for profit, have expressed themselves as not too displeased. On the other side, the large local group called Citizens for Duck River Wildlife and Recreation, which advocated that TVA turn all of the land over to the Tennessee Wildlife Resources Agency and US Fish & Wildlife Service, are somewhat concerned that, until everything is finalized, there won't be any managers for these lands.

B. Forestry Management Advisory Panel starts work

[Based on a contribution by Linda Krusen]

The Forestry Management Advisory Panel (FMAP) was a brainchild of the forest products industry, which thereby sought to postpone (and perhaps derail) forestry bills that were moving through the General Assembly -- specifically, the Sierra Club bill to limit clearcutting on State lands and the SOCM bill to affect timbering practices on private lands (NL217 §2A). The Panel was created by a legislative resolution (SJR.230), which delays consideration of the bills until after the Panel's report has been presented to the Forestry Commission, the Division of Forestry, and the chairs of appropriate legislative committees.

FMAP has 35 members, including TCWP's executive director Linda Krusen, representing a diverse range of interests. Participation in meetings is required to vote on issues, and no alternates or proxies are allowed. At its first meeting on Nov. 13-14, FMAP members agreed on a list of benefits associated with forest resources. The next step will be to refine the panel's stated goal "to recommend policy and operational programs to promote forest sustainability and sound stewardship of all Tennessee forestlands." Agreement will have to be reached on what constitutes forest sustainability. The University of Tennessee is used as the source for technical support, including information retrieval and research.

C. State should study chipmill impacts

Last year alone, an estimated 1.2 million acres were clearcut to feed 140 chip mills in the Southeast. As we have reported in the past, East Tennessee lands are already involved in this carnage, which will be escalating as time goes on. Chip mills are the most unregulated, highly mechanized ann of the forest industry.

Now, at last, one state is leading the way in studying the impacts of chip mills. The North Carolina Dept. of Environment and Natural Resources plans to look at the direct, indirect, and cumulative impacts on soils, water quality, wildlife, and forest sustainability and diversity, as well as at the economic impacts on land owners, industry, and government. Three public hearings were held in October.

This NC study grew out of citizen pressure on EPA's Region IV (Southeast) to launch a Region-wide study. EPA-IV offered to partner with individual states within the Region to conduct state-wide impact studies. From the NC study described above, EPA will construct the framework for other state-EPA cooperative impact studies. EPA will also seek funding to develop an inventory of chip-mill activities in the Region.

WHAT YOU CAN DO: Urge your state legislators (see Political Guide) to initiate a study by the State of Tennessee, in partnership with EPA, of chip-mill impacts. North Carolina is taking the lead; do not let Tennessee lag behind! If you need fact sheets, slide presentations, etc., contact Danna Smith, Brevard, NC, 704-877-5865, or Cielo Sand, Chattanooga, TN, 423-267-3977.

D. Ownership change near Frozen Head

The Flat Fork watershed adjacent to Frozen Head State Park and Natural Area was last month sold by its long-term owner, the Emory Land Co. (Hugh and Edgar Faust) to Hartwood Forest Land. Hartwood is a subsidiary of the Forestland Group, LLC, which "acquires and manages timberland investment funds for institutions and individuals," the primary product of the firm's strategies being "valuable sawtimber." So far, we have not been able to find out what this sale portends for the lovely forested mountainsides that are so visible from the drive into the park and from the park itself.

E. Oak Ridge Reservation is outstanding for biodiversity

Per acre, the Oak Ridge Reservation (ORR) is richer in plant biodiversity even than the Great Smoky Mtns National Park (§4E, this NL). The Park has 1,650 vascular-plant species in 467,000 acres; ORR has 1,100 such species in only 34,516 acres. There is a minimum of 35 plant community groups. The ORR also provides habitat for 315 animal species, including 252 vertebrate species (40 mammals, 152 birds, and 60 amphibians and reptiles). Many of the species are rare or endangered globally. Eight State Natural Areas have been registered on the reservation.

About 22,000 acres within the ORR are designated National Environmental Research Park (much of the remaining area is occupied by DOE's three main facilities). This NERP is regionally and nationally significant, not only because of the richness of its biodiversity (probably the last surviving example of Southern Ridge and Valley province), but because it has provided, and continues to provide opportunities for major field experiments. Preservation of the NERP should be an integral part of DOE's overall land-use plan for the ORR.

F. Aviation services for the environmental community

South Wings, founded December 1996 and based in Chattanooga, is a non-profit aviation service that partners with organizations conducting research and protecting landscapes, cultural landmarks, and ecosystems in the Southern Appalachian mountains, the Cumberlands, and farther afield. It gathers revealing photos of environmental degradation and illegal activities, maps and monitors human impacts to ecosystems, and educates media representatives and others about natural-resource and environmental issues. Contact Hume Davenport, President, SouthWings (100 Cherokee Blvd., Suite 208, Chattanooga, TN 37405) for more information.

4. SMOKIES AND SURROUNDINGS

A. Other States need to sign Clean Air Agreement

In May, Tennessee finally ratified a Memorandum of Understanding (MOU) whereby the State will notify appropriate federal land agencies of potential new air permit applications near

certain federally protected lands (NL217 §4A). This notification permits the GSMNP and the Cherokee National Forest to raise concerns and identify potential problems early in the permit process, when modification or resolution is still possible.

The MOU will, however, lapse on Dec. 31, 1998, unless North Carolina or any other state participating in the Southern Appalachian Mountain Initiative (SAMI) also signs an MOU. Air pollution, which has already taken a terrible toll of Smokies resources, would get even worse. Already, visibility has decreased 80% in the summer, plants have been damaged or killed outright, streams and soils have been degraded, and human health is threatened.

WHAT YOU CAN DO: Contact Governor Jim Hunt (phone 919-733-4240; FAX 919-715-3175) and urge North Carolina to sign on to the MOU already ratified by Tennessee. Our two States share in the benefits from, and duties to, the park.

B. "Regional haze" targets need strengthening

We have watched with increasing horror how the visibility from the Smokies has decreased in recent years -- from 93 miles in 1948 down to 22 miles, average, and much less than that in the summer. EPA, in addition to recently adopting stronger clean air standards for ozone and fine particulate matter (NL218 §3A), has now also proposed targets for addressing "regional haze," which refers to a regional decrease in visibility that is usually not the fault of any one polluter.

In the 1977 Clean Air Act Amendments, Congress established a goal to remedy existing, and prevent future, visibility impairments in all Class-I areas (which include 156 national parks and wilderness areas). In 1990, Congress ordered EPA to formulate regional haze regulations. The targets that are now being proposed by EPA, namely, one deciview improvement every 10 or every 15 years, are in our opinion not nearly stringent enough.

Eastern states (which have a natural visibility of ~90 miles) face a 15 deciview impairment from manmade haze. This means that even with the stricter of the two targets (one deciview every ten years), it would take the region 150 years to remedy its haze pollution problems. For

the eastern U.S., the goal should be *at least* three deciduifolys every 10 years. In the west, where natural visibility is 140 miles, one deciduifolys every 10 years might be acceptable, but even this extremely mild target has already produced "screams of anguish" from industry and utilities. Fortunately, although this NL reaches you after the deadline for comments has passed (December 5), a number of TCWP members were alerted in time to send communicationsto EPA.

C. Congress forces NPS to keep Newfound Gap road open every day

At the same time that Congress is slashing funds left and right, it also manages to bring about very wasteful expenditures of taxpayers' money. Keeping the Newfound Gap road open in the face of blizzards, snowdrifts, and ice storms is a very expensive undertaking. Yet, that is what NPS is now obligated to do as a result of a rider that was attached to the Interior Appropriations bill by Rep. Charles Taylor (R-NC) (of "timber rider" fame) and Sen. Launch Faircloth (R-NC). Not only does it cost a bundle to keep the road open under extreme winter conditions, but it will cause driving hazards and adverse impactson vegetation from the salt or other chemicals used for de-icing.

A major reason for the arm-twisting by the NC pols is the new Cherokee gambling casino. This forebodes additional pressures on the park in the near future.

D. Park fees

Under the ongoing 3-year experimental Fee Demonstration Program, the GSMNP is among parks and forests that may retain 80% of new fees generated. Deed restrictions, however, have prohibited the park from charging entrance fees. A bill (the National Park Fee Equity Act) to be introduced next spring (Sen. Frist, Reps. Duncan, Jenkins, Clement) would allow the Park Service to retain all user fees generated in the Smokies. It is estimated that this would provide the Park an additional \$1.3 million a year.

[Editor's note. While park fees are a good source of additional revenue, especially for the Smokies, we must be cautious that Congress not use them as an excuse for reducing regular appropriations to the park system. Think about parks that have relatively few users -- in many cases because they cannot sustain much visitation. Will these be underfunded? Alternatively, will the

Park Service be forced to try and drum up visitation for such parks (which is likely to be harmful to the resource)?]

E. Diversity of the Park's biological resources

The diversity of plant species in the GSMNP is greater than that of all of the European countries combined. A recent estimate lists over 1,600 species of flowering plants and 2,200 species of other plants. The Park also continues to have the highest concentration of "record" or "champion" trees anywhere in the continental US (in 1998, the *National Register of Big Trees* will contain 22 national champions of 17 species from the Smokies). There are an estimated 20,000 species of fungi, most of them never catalogued.

The number of animal species, too, is astounding. They include 59 mammals, ~200 birds, ~70 fish, ~30 salamanders, 500-700 spiders -- to name just a small part of the animal kingdom.

F. More on elk reintroduction

The elk is one of the several species eradicated from the Appalachian region during the past 100+ years that the Park Service is attempting to reestablish in the GSMNP. The effort has been successful for river otters and peregrine falcons, and will hopefully work for red wolves. In the near future, NPS will produce a Draft Environmental Assessment (EA) for the experimental release of about 50 elk that is contemplated for the winter of 1998/99 and will be partly funded by the Rocky Mountain Elk Foundation (NL 218 ¶3E). The proposed release site will probably be an area near the Clingmans Dome Road, near M. Collins. After arrival in the Park, the elk would stay in holding pens for a while, and be disease-tested and radio-collared. One goal of the 4-year experiment will be to determine grazing patterns, especially on the high-elevation balds.

5. SOUTHERN APPALACHIAN NATIONAL FOREST

A. Protect roadless areas NOW -- don't wait for Plan completions

The point is, if we wait until Forest Plans for the Southern Appalachian national forests are completed, which may not be for another 3-5 years, many of these rare areas will be gone forever.

Currently, less than 1% of the 4.6 million acres of these 8 forests has received protection from development under wilderness designation (428,545 acres). Another 2% have been identified by the Forest Service (USFS) as "roadless" and thereby eligible for consideration for future protection. There are likely to be other areas that were missed because of mistaken or misapplied standards.

But even this tiny fraction is disappearing fast. Logging and road-building projects have already been carried out or proposed in about 1/4 of the region's "roadless" areas. Take Slide Hollow, close to home, near Roan Mountain in the Cherokee National Forest (NL218 ¶4B). It contains rich stands of old growth and a portion of the Appalachian Trail. Yet a 1,000,000 board-foot timber sale was approved for it earlier this year, and the USFS has refused to do an Environmental Assessment for this sale.

If roadless areas were closed to timbering, it would make hardly a dent in the timber supply; only ~1% of the timber in the USFS' Southern Region comes from roadless areas. On the other hand, unfragmented interior forest (so important a wildlife habitat) would be protected, the biodiversity of old growth preserved, watersheds kept undisturbed, and back-country recreation opportunities provided.

WHAT YOU CAN DO: Write to Sec. Glickman (address below) and ask that the USFS not wait until forest plans for our region have been completed, and Congress has reviewed the roadless-area recommendations, before it protects our region's roadless areas (as well as areas that could potentially satisfy established "roadless" criteria). The sale of timber and the building of roads in such areas should be stopped NOW, lest we forego the opportunity for protection of these irreplaceable resources that constitute but a tiny fraction of our Southern Appalachian national forests. You may wish to cite some facts from the above article. Address: The Honorable Dan Glickman, Secretary of Agriculture, 14th Street & Independence Avenue, SW, Washington DC 20250. Send copies to Senators, Rep. and Governor (addresses on p.2). Five of the Region's senators (Warner, Robb, Cleland, Hollings, and Thurmond) have already written to Glickman; ask your senators and representative to do likewise.

B. Powerline through Cherokee NF proposed by TVA

Construction of the Appalachian Power 161 kV Transmission Line has been proposed by TVA. This would put a 100-ft-wide 9-mile-long clear-cut swath through the heart of the Cherokee, between the Ocoee and Hiwassee Rivers. The corridor would remain forever deforested, causing fragmentation of one of the most ecologically intact forested areas in the Southern Appalachians. The powerline would cross 10 streams, removing the critical riparian vegetation, and dumping sediment and possibly herbicides into the mountain streams.

WHAT YOU CAN DO: Send a letter to Hugh Barger, TVA, 1101 Market Street (MR 4G), Chattanooga, TN 37340-2801. Send a copy to Anne Zimmerman, Supervisor, Cherokee National Forest, POBox 2010, Cleveland, TN 37320.

C. Road subsidies: from bad to worse

The bipartisan effort to end road-building subsidies for the Forest Service (USFS), which looked as though it might result in at least partial victory (NL218 ¶4A), came to naught. Instead, the 1998 Appropriations bill subsequently passed by Congress did the opposite: it actually removes the cap for the road-building subsidy. Congress ignored the fact that taxpayers pay for logging roads twice: once for the cost of constructing them, and again for the damages (erosion, mud slides, stream siltation) that are caused by them.

D. This bill could save America's forests

A bill has now been introduced both in the Senate and the House that would ban clearcutting and even-age logging in national forests. S.977 (Torricelli, D-NJ)/ HR.1376 (Eshoo, D-CA, and Maloney, D-NY) would ban road building and logging by any method in "core areas" of biodiversity, such as Ancient Forests, roadless areas, and 100+ "special forests."

WHAT YOU CAN DO: Urge your senators and representative (addresses on p.2) to co-sponsor these companion bills. To keep up with the status of this bill, call Save America's Forests at 202-544-9219.

E. Daniel Boone NF proposes endangered species protection

The Daniel Boone National Forest, which surrounds part of the Kentucky portion of the Big South Fork NRRRA, is proposing to establish various protective zones, and define management standards, for the purpose of protecting sensitive, threatened, endangered, or rare species, including various types of bats and the Red-cockaded woodpecker. Essentially, the Forest is proposing to amend the current Forest Plan, acting on the basis of available scientific information, instead of waiting for the upcoming Forest-Plan revisions to implement these management changes. Comments were due December 8. For an information copy of the proposed amendments, contact Benjamin T. Worthington, Forest Supervisor, Daniel Boone National Forest, 1700 Bypass Rd, Winchester, KY 40391 (refer to File Code 1920).

F. New Regional Forester for South

In August, Elizabeth Estill became Regional Forester of the Southern Region of the USFS, which includes 12.8 million acres of national forest lands in 13 states in the southeast. She is a native of Knoxville and holds a master's degree in ecology from the University of Tennessee. Within the Forest Service, Ms. Estill has held several high-level positions, including director of recreation, cultural resources, and wilderness, at USFS HQ. Prior to that, she worked 14 years for TVA, where she directed the only federal recreation demonstration area.

[See ¶7D, this NL for a USFS appointment of personal interest to TCWP.]

6. NATIONAL ITEMS

A. Land & Water Conservation Fund (LWCF): large but unusual

This year's LWCF appropriation looks very different from that of recent years: it is very much larger, but the bulk of it is earmarked in very unusual ways; only about one-quarter goes for the traditional LWCF function of land acquisition for parks and similar units. The breakdown is as follows (all figures are in millions of \$):

- 270 "traditional" LWCF uses (including 76 earmarked for Everglades). None for states.
- 65 for Crown Butte/New World mine buy-out*
- 250 for Headwaters redwood forest*
- 22 to states involved in buy-outs

* 362 for maintenance backlog of offed. land agencies
969 Total

† (the authorizing committees were to give the right to revise these deals in the next 6 months)

The New World mine in Montana is in the headwaters of the Yellowstone River; the Administration needs to buy it to prevent a major threat to the national park. As part of the deal, Montana demanded \$12M to improve and maintain the Beartooth Highway. Another \$10 M is supposed to make up lost tax revenue to Humboldt County in California, where the Headwaters redwood forest (another buy-out) is located.

Most unusual is the earmarking of \$362 for maintenance instead of land acquisition -- the function for which the LWCF was, after all, established. Also highly unusual (and intrusive) is the stipulation that Congress reserves the right to approve all maintenance and land acquisition projects.

B. NPS should control two park intrusions: jet skis and telecom towers

(1) The National Park Service (NPS) is considering a system-wide ban on "personal watercraft (PWCs)," but the PWC industry is lobbying hard to derail this ban. Those of us who have experienced the penetrating noise and the water commotion engendered by jet skis zooming and quick-turning on the TVA lakes need no convincing that these craft do not belong into the peaceful, natural surroundings of our National Park System. Send a letter or postcard to NPS (address below).

(2) Because of the unobstructed vistas and high altitudes many of them offer, national parks are being eyed by telecommunications companies as perfect sites for colossal towers (the Blue Ridge Parkway is particularly susceptible). A 1996 Act requires agencies to facilitate access to all federal property for the siting of wireless telecommunications facilities (towers, antennae, etc., with associated access roads, maintenance buildings, and blinking lights).

While the industry wants uniform procedures for all parks, it is required to make formal application to any particular park within which they desire to locate, and the park administration can refuse an installation if it is inconsistent with the mission of that park. NPS is currently working on final regulations on tower implementation.

WHAT YOU CAN DO: Contact NPS (Director Robert G. Stanton, National Park Service, Dept. of the Interior, POBox 37127, Washington, DC 20013-7127) to support, (1) a system-wide ban on PWCs, and (2) regulations that prevent telecommunications installation that are inconsistent with the mission of a park.

C. ***Dangerous "takings" bill must be fought in Senate***

Ever since 1994, there has been a campaign in Congress (associated with the Wise Use movement) to consider any government law or regulation that restricts the use of land or other property as a "taking." The House has now passed a bill that gives land owners seeking developments direct access to federal courts to sue local officials over land-use restrictions. Similar bills in the Senate (S.1256 and S.1204) have the following dangerous features:

- they allow developers to go directly to federal courts (bypassing the slower state courts) to dispute local or state land-use decisions;
- they compromise the ability of local governments to protect the environment, balance the interests of neighboring property owners, and promote the values of their citizens;
- they are costly to local governments forced into defending lawsuits by developers in federal court.

WHAT YOU CAN DO: Urge Senators Thompson and Frist (addresses on p.2) to oppose S.1256 and S.1204, citing some of the above reasons.

D. ***Threat to President's authority to designate National Monuments***

Ever since Pres. Clinton designated the 1.7-million-acre Grand Staircase-Escalante National Monument in the fall of 1996, foes of public lands in the Congress have been gunning for the Antiquities Act. This almost-century-old statute provides presidents with the authority to act quickly to confer protective status on significant lands, particularly those otherwise likely to succumb to development. During this century, 13 presidents have proclaimed 105 national monuments, many of which were subsequently designated as Parks by Congress (e.g., Grand Canyon, Zion, Denali).

Rep. Jim Hansen's (R-Utah) bill, HR. 1127, which would undermine this presidential authority

has passed the House 222-202. HR. 1127 specifies that for any area over 50,000 acres, (a) a president must first solicit written comment from the governor of the state in question, and (b) Congressional approval for permanency must be given within 2 years after the presidential designation. A single subcommittee chair (e.g., Rep. Hansen) could easily hold up legislative action that long, and a single senator could filibuster the two-year grace period, thus overturning the designation.

A companion bill has been introduced in the Senate (S.477), but popular outcry against Hansen's bill, makes passage of S.477 unlikely. If it were to pass, it would almost certainly be vetoed, and the slim margin by which HR.1127 passed means that a veto would very probably be sustained.

E. ***America's Redrock Wilderness bill***

Preserving Utah's magnificent wilderness would be an important legacy for any legislator (from whatever state) to leave behind. It's going to be a long haul to pass a meaningful Utah wilderness bill (especially as long as Rep. Hansen is in a position of leadership), but the more co-sponsors can be gathered at this time, the easier it will be to recruit the swing vote when the time becomes optimum.

There is now a House and a Senate bill -- HR.1500 (Hinchey)/S.773 (Durbin) -- with, respectively, 121 and 9 co-sponsors. Sad to say, not a single member of the Tennessee delegation is a co-sponsor for either of these bills.

WHAT YOU CAN DO: Urge your Representative and both Senators to cosponsor HR.1500 and S.773, respectively. If you have personally experienced the beauty and majesty of Utah's redrock wilderness, mention some of its attributes in your letter. Addresses on p.2.

F. ***House tries to terminate Biosphere Reserves***

HR.901, the American Land Sovereignty Protection Act (Don Young, R-Alaska) passed the House on October 8 by a majority of 236-191. It is targeted at U.N. Biosphere Reserve designation under the Man and the Biosphere (MAB) Program and similar international designations (NL218 ¶6F). The bill would terminate 47 of 67 such designations now in existence in the USA, and would require that Congress specifically approve each one.

The erroneous assumption of HR.901 is that international designations will affect land use, whereas, in fact, the Reserves are designated in recognition of an area's value to scientific research and conservation. No international body has any authority to make decisions about land use in our country.

If the Senate were to pass a similar bill, a Presidential veto is likely, and this could presumably be sustained in view of the relatively small margin by which HR.901 passed the House. All of the alleged defects in the MAB Program are addressed in HR.1801 (George Brown, Jr. and George Miller, both D-CA), which was summarized in NL218 ¶6F (call 202-225-6375 for a copy).

G. Southeast leads in wetlands losses

Of 221 million acres of wetlands that existed in colonial times, only 101 million remain. Between 1985 and 1995, about 51% of all U.S. wetland losses occurred in the Southeast. It was even worse during the preceding 10-year period when the Southeast sustained 89% of all wetlands losses. Wetlands continue to be lost, though the good news is that the rate of loss has been slowing nationwide, partly owing to wetlands restoration efforts.

H. New appointments to high positions in land management agencies

The Clinton Administration's 2nd-term appointments are now almost complete for the sub-cabinet-level positions in the country's land-management agencies

- Robert G. Stanton, 56, is the first African American to head the National Park Service (more details in NL218 ¶6E);

- Patrick Shea, 49, a Utah lawyer, heads the Bureau of Land Management (BLM);

- Jamie Clark, 39, who formerly ran the Fish and Wildlife Service's ecological services section, now heads the entire USFWS (incidentally, as of Oct. 9, the USFWS has its own organic act, which establishes the agency's mission and provides planning direction);

- Sam D. Hamilton, veteran USFWS biologist, became regional director for the agency's Southeast Region, which includes Tennessee;

- Kathy Karpan is director of the Office of Surface Mining;

- Mike Dombeck, 49, formerly BLM acting director, was appointed in January as chief of the US Forest Service.

7. TCWP NEWS

A. Annual weekend was a great success

About 45 people (including half a dozen kids) attended our weekend at Fall Creek Falls and enjoyed an excellent speakers program, lots of wonderful company, good food, and the landscapes of the beautiful Park (despite rain, and even lightning, on Saturday afternoon). A few miscellaneous memories: kids (and some adults) dancing to the music of the fine, small, blue-grass band Saturday night; one of the kids acting the "net" on the ping-pong table; Woody Gove telling ghost stories in front of a fire; the Director of the Tenn. Nature Conservancy (Andy Walker) washing all the dinner dishes; drinking toasts to our EAF lobbyist (Kay Linder) who announced her engagement that evening.

Contents of the first of the six Saturday morning talks are summarized in pertinent articles in this NL (David Duhl, Reggie Reeves, in ¶2D and ¶2C, respectively). Andy Walker described The Nature Conservancy's goal to have at least 70% of endangered species on protected lands within the next 25 years -- currently, only 7% are. TNC will shortly establish centers for river conservation throughout the Southeast, which should change people's awareness of our great resources. Because of the major concern about logging practices, TNC is reaching out to several large industrial landowners in the hope that they will work with groups and institutions interested in protecting the critical resources.

Annetta Watson gave an excellent summary, backed with maps and multitudes of data and analyses, of the LUMP (Lands Unsuitable for Mining) Petition that seeks to protect the entire Fall Creek Falls watershed (NL217 ¶3A; NL218 ¶5A) and of our appeal of the stripmine permit for Big Brush Creek No. 2, which lies in that watershed (NL217 ¶3B; NL218 ¶5B). -- Monika Mayr, the National Park Service's site supervisor for the Obed WSR, talked about the parks' strategic-goals process, and about the efforts to achieve ONRW (Outstanding National Resource Waters) status for the Obed (see ¶1, this NL). -- Kay Linder, the lobbyist for EAF (Environmental Action Fund, of which TCWP is a member) gave us some insights into the lobbying process and mentioned some of the tools available to citizens for staying on top of the progress of bills.

All of the outstanding speakers deserve our sincere thanks for making this such a rewarding program.

B. New Board member

Roger Carlsmith will serve on the TCWP Board in 1998. He replaces Frank Hensley who asked to leave the Board but promises to continue his invaluable services in connection with assembling Newsletters and other mailings.

C. TCWP's future directions

By now all members have received a letter explaining our strategy for assuring a future for TCWP. Because we have found foundation support for organizational development to be virtually unavailable, we have now turned to the membership for help. A one-time infusion of major funding will allow us to hire a development director for an 18-month period -- long enough, we believe, to expand, energize, and revitalize our membership and to increase our funding base. Thereafter, we should be financially self-sustaining to where we can afford a full-time professional staff person on a continuing basis. And many, many more of our members would be involved in carrying on TCWP's vital work.

The appeal has only just gone out, but the initial response in the first few days is already encouraging. If you believe, as these members do, that TCWP is an organization worth saving, please keep the responses to the appeal flowing.

D. Special mentions and thanks

Martha Kettle, who served 4 years as TCWP President (1988-1991, inclusive), has become supervisor of the large White River National Forest in western Colorado. She was promoted to that job from her prior position as supervisor of the Six River National Forest in northern California. Heartiest congratulations to a wonderful person!

Ruth Gove and Reid Gryder have taken on the job of producing TCWP's 1998 Political Guide, a task handled for many years by Lynn Wright, who deserves our deepest gratitude. We are grateful to the new volunteers for taking on this important big task.

Jenny Freeman, Chuck Estes, and Linda Krusen participated in the 2nd State Parks Forum in Chattanooga (12A, this NL).

On October 22, Lee Russell talked to the Environmental Sciences Division at Oak Ridge National Lab and summarized TCWP's history and current activities.

Jenny Freeman, Lee Russell, and Linda Krusen visited Sen. Thompson's office in Knoxville on November 4 to urge the Senator's help in saving TVA's vital non-power (resource) program (see NL218 ¶1).

Linda Krusen attended the Sierra Club Lobbying Workshop in Nashville on Nov. 13. She reports that the big message was to take a personal approach to your politician, e.g., briefly state in your letter why an issue is important to you. Linda brought the TCWP Newsletter and Political Guide to the attention of workshop participants as valuable tools in approaching politicians.

Chuck Estes continued to represent TCWP on the Board of Friends of Scotts Gulf. He reports that Commissioner Hamilton and high-level staff of the Dept. of Environment and Conservation were recently given a brief tour of Scotts Gulf.

Linda Krusen represents TCWP on the Forestry Management Advisory Panel (13B, this NL).

NL218 was assembled and mailed by Frank and Katherine Hensley, Carl Helton, and Charlie Klabunde. The following assembled the mailing for our contributions appeal: Donald Davis, Frank Hensley, Harry Hysbell, Bob Kernohan, Miriam Kertesz, Helen Kuhns, and Linda Krusen. We thank all these wonderful volunteers!

We are sad to report the death of long-term TCWP member, Bill Tunnell.

8. JOB OPENING, ACTIVITIES, and READING MATTER

- The National Audubon Society is seeking a director for its Upper Mississippi River Campaign. Requires college degree and ten years of policy advocacy experience, with emphasis on organizing, fundraising, and management. Contact Eric Draper, Sr., VP Campaigns, NAS (ph. 850-224-7546; fax 850-224-6056; e-mail edraper@audubon.org).
- March 23-25, 1998, Columbus, OH. Conference on "Riparian Management in Forests of the

Continental Eastern U.S.," organized by the USFS' North Central Forest Experiment Station (contact Nancy Walters, 612-649-5257).

- A presentation (with slide show) about efforts to restore red wolves to their former natural environment can be arranged by calling Marcos Marx at the Southern Appalachian Biodiversity Project, 704-258-2667.
- Ecovillage Training Center at *The Farm* offers courses in such subjects as Natural Building, Permaculture, Cob Building, etc. Located at Summertown, TN (contact 931-964-4324; ecovillage@thefarm.org).
- *Where Nature Reigns: The Wilderness Areas of the Southern Appalachians*, by Jack Horan, profiles every one of our 47 designated wilderness areas, along with seven other proposed wildernesses and wilderness study areas, and provides information on the ecological and historical reasons why the Southern Appalachians host the greatest diversity of species in all of North America. (Published 1997 by Down Home Press, Ashboro, NC).
- *Chipping Forests and Jobs* is well-research study just released by the Dogwood Alliance and the Native Forest Network. To obtain a copy, call 423-267-3977, or e-mail to dogwood@essential.org
- *Toward a sustainable future: addressing the long-term effects of motor vehicle transportation on climate and ecology*, report of a 1997 National Academy of Sciences study (262 pp., \$28.00, call 202-334-3214).
- *Stuff: the secret lives of everyday things*, by John Ryan, provides data to show that if all 6 billion people on earth consumed resources with the relish Americans do, we'd be about three planets short in the raw-material department (86 pp., \$10.45 from Northwest Environmental Watch, 1-888-643-9820).

**HAPPY HOLIDAYS
AND ALL THE BEST IN
1998!**