

# TENNESSEE CITIZENS for WILDERNESS PLANNING

Newsletter No. 224

October 7, 1998

1. Obed News .....	p. 3
A. Water Supply Study update    B. Catoosa clearcuts    C. Land Protection Plan	
D. New Nemo Bridge    E. Capsules (watershed assoc.; trail; stripmine; permits)	
2. State lands: additions and designations .....	p. 5
A. Scotts Gulf gift    B. Addition to Fall Creek Falls    C. Addition to Savage Gulf	
D. Cumberland Trail S.P.    E. Additions to Natural Areas    F. Acquisition funding	
3. Forestry and timbering in Tennessee .....	p. 6
A. Region-wide study    B. Innovative TNC program    C. Panel recommendations	
4. State water-quality issues .....	p. 8
A. Animal factories    B. Source Water Assessment    C. Clean Water Network	
5. Other Tennessee news .....	p. 9
A. Brush Cr.#2 permit    B. Fall Creek Falls petition    C. Container deposits	
D. Aquatic diversity    E. Cumberland Gap    F. EAF needs help    G. Survey	
6. Tennessee Valley Authority .....	p. 11
A. Non-power program zeroed    B. Green Power    C. TVA to clean the air	
<div style="border: 1px solid black; padding: 5px;"> <p><b>NEW COMMITTEES FORMING (¶ 10B):</b> Involve yourself in <u>your</u> organization. Meet others with similar interests and make your voice heard on issues of importance. Call Sandra Goss (423-522-3809) or Marcy Reed (423-481-0623)</p> </div>	
7. Smokies air quality, etc. ....	p. 11
A. Will North Carolina sign the AQ agreement?    B. Capsules (beeches; owls; land)	
8. The Cherokee and other National Forests .....	p. 12
A. Forest Plans    B. Conasauga    C. Roadless areas moratorium needs support	
D. Roadless areas amendment    E. Proposed Eastern Wilderness bill	
9. National news .....	p. 13
A. Anti-environment riders    B. Jetskis    C. LWCF initiatives	
D. TEA21 funds for parks    E. Elections    F. Water crisis	
10. TCWP news .....	p. 15
A. Annual weekend: new date    B. Committees forming    C. Don Todd celebration	
D. Kroger coupons    E. Founders honored    E. Ernie Dickerman	
11. Activities, reading matter, resources .....	p. 17
TCWP Business: Bylaws changes; new dues proposed; Board nominees .....	p. 17
12. ACTION SUMMARY .....	p. 2

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

## 12. ACTION SUMMARY

¶ No	Issue	Contact	"Message!" or Action
1B	Catoosa WMA clearcuts	Dir. Gary Myers (copy Gov.)	"Please, no clearcuts in Obed watershed!"
1D	New Nemo Bridge	Gov. Sundquist	Protest TDoT's insensitivity to Park values
2A	Scott's Gulf gift	Bridgestone/Firestone	"Heartfelt thanks!"
3A	Region-wide forestry study	Vice Pres. Gore and others	"Support multi-agency baseline study and moratorium!"
3B	TNC's watershed forest protection	TVA Chairman	"Thanks for funding to make this possible!"
4A	Animal factories	USDA	Comment on the very weak draft proposal
5C	Container deposit legislation	Mary Lynn Dobson	Identify groups interested in seeing slide show
8C	Roadless Areas moratorium	FSEEE SAFC website	Offer to assist Click the button for roadless areas protection
9A	Anti-environmental riders	Pres. Clinton	"Hold firm on your promise to veto bills if riders stay!"
9B	Jet skis in Park System units	Maureen Finnerly, NPS	"System-wide prohibition is needed!"
10	TCWP activities	TCWP	Attend Annual weekend; join a committee; buy coupons

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; Fax 456-2461  
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,

Sen. Bill Frist:  
Ph: 202-224-3344; FAX: 202-228-1264  
e-mail: senator\_frist@frist.senate.gov  
Local: 423-602-7977

Sen. Fred Thompson:  
Ph: 202-224-4944; FAX: 202-228-3679  
e-mail: senator\_thompson@thompson.senate.gov  
Local: 423-545-4253

Rep. Zach Wamp:  
Phone: 202-225-3271  
Local: 423-483-3366

To call any Rep or Senator, dial Congressional switchboard, 202-224-3121. To find out about the status of bills, call 202-225-1772.

## 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, Marcy Reed, 481-0623 or 481-0286.

Membership-Development Directors, Sandra Goss (522-3809) and Marcy Reed (481-0623); or 481-0286

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

e-mail: TCWP@kormet.org

On the web: <http://www.kormet.org/tcwp/>

## 1. OBED NEWS

### A. The Water Supply Study that grow out of the long-ago Clear Creek Dam proposal: we get an update

The Corps of Engineers (CoE), which, at the State's urging (and with the State's financial contribution) is conducting the Cumberland County Water Supply study, held two briefing sessions on September 29. One in the morning for six environmentalists (Lee Russell and Marcy Reed represented TCWP), and one in the afternoon for the utility districts.

Because this has been billed as only a technical feasibility study, which would be a prelude to the full NEPA process, we had been encouraged to learn at the June meeting (NL 223 ¶3A) that the CoE was contemplating a "Needs" analysis, something that should properly require the public input to define societal assumptions and environmental considerations. At the June meeting, the Corps agreed to base its technical feasibility analyses on three alternative levels of assumed growth -- high, medium, and low.

As presented to us on September 29, the "low" assumption was based on projections from the growth rate of recent years, which many area residents consider to be considerably too high to be sustainable. The "high" assumption was based on "unlimited" (exponential) growth, which, the draft admits, "grossly over estimates the future water demands of the county."

While we were assured that the final "needs" analysis will be more validly done under NEPA, the problem is that NEPA will be triggered by a specific proposed federal project, and, in turn, the selection of such a project will grow out of the current Corps study. It would be naive to ignore the fact that this selection will have a major political component. Therefore, the fact that the range of the presently considered scenarios is clearly on the high side would have an extremely detrimental effect.

There was a slide presentation on the technical alternatives to be studied, with the list now being more specific than the one presented in June. The alternatives are:

- (a) groundwater (5 potential sites along the Western Toe, identified by USGS);
- (b) new impoundments (the Clear Creek dam, Caney Fork, or 3 below Meadow Creek Reservoir in the Obeyor Caney Fork watersheds);

- (c) pipelines from large reservoirs (Center Hill, Dale Hollow, Watts Bar);
- (d) raising the height of existing small reservoirs (4 being considered);
- (e) water harvesting (small off-site detention areas filled by pumping from streams during high flow, or storage in Meadow Creek Reservoir of high-flow Caney Fork water);
- (f) water conservation (no specific plans -- they propose to see how much water has been saved in comparable southeastern counties that have water-conservation plans).

As to possible implementations of any selected project, three options were presented: (a) appropriations to the Corps to build the county water supply; (b) funding to another federal agency, such as the Rural Utility Service (RUS) or the Appalachian Regional Commission, with the Corps providing design and construction management, or (c) county/state funding. NEPA would be triggered by (a) or (b). Water supply has not traditionally been a Corps function, and it is interesting that the state is now pushing to bring this about and that they are supporting a bill introduced by Senators Thompson and Frist that would authorize the Corps to construct water-supply projects in Tennessee. This moves TVA, which has had a traditional role and considerable expertise in water-supply planning, farther and farther out of the picture.

### B. Clearcuts in the Obey watershed

Prominently visible from the heart of the Obey Wild & Scenic River is a major scenic feature, Hatfield Mountain, rising high above the gorge rim on the south side. Tragically, this view has now been badly marred by at least two good-sized clearcuts, which should never have been even contemplated, leave alone executed, because Hatfield Mountain is contained within the boundary of state lands, the Catoosa Wildlife Management Area (WMA).

By statute, Catoosa WMA, managed by TWRA (Tennessee Wildlife Resources Agency) shares in the protection of the Obey. Even though the formal cooperative agreement between the Park Service and TWRA covers a strip extending only 100 ft back from the top of the bluff, people expect the state agency to have enough sensitivity not to despoil the viewshed of Tennessee's only National Wild & Scenic River.

From what we have heard, TWRA's on-site personnel do have a strong commitment to the Obey WSR, but they are often unable to stand up to

directives from Nashville. Clearcuts are sometimes justified as clearings for the purpose of wildlife management (deer browse, etc.); but the areas on Hatfield Mountain do not look like wildlife clearings. It has been suggested that tornado-damaged trees are being removed; but such removal would not require a large clearcut. Does Catoosa WMA need to engage in commercial timber sales to raise revenues? If so, and if that is a legitimate activity for a wildlife management agency, it may be argued that, with ~80,000 acres available, the logging does no harm to be right in the viewshed of major Obed trails.

**WHAT YOU CAN DO:** Write to Gary T. Myers, Executive Director, Tennessee Wildlife Resources Agency, (POB 40747, Nashville, TN 37204) and ask that these clearcuts not be enlarged and no new ones added. Send a copy to Gov. Sundquist (address on p.2).

#### **C. Obed Land Protection Plan revisions**

A revision of the LPP that is under way may be completed early in the new year. Because the amount of land that may be purchased in fee simple is limited, protection via conservation easements assumes additional importance. Unfortunately, the existing easement provisions (which were developed during the James Watt era) are quite weak, and it will therefore be extremely important to have stronger ones developed under the revised LPP. After that, NPS will need acquisition funds to purchase such new easements and/or to purchase additional rights under the existing easements.

#### **D. Concerns about new Nemo Bridge**

Replacement of the existing Nemo Bridge, which has been under consideration for quite some time, is now in progress. The Dept. of Transportation (TDoT) chose to move the bridge site just barely outside the Obed WSR boundary in order not to have to conform to what would have been modest National Park Service (NPS) requests. But, though slightly farther downstream, the new bridge is still within the viewshed of Obed WSR visitors who use the very popular Nemo picnic area and/or the beaches below the campground. Therefore, TDoT should have considered the impact of certain bridge-construction features on park visitors; but this was not done.

While the old bridge easily spanned the entire river, leaving an unobstructed view of the Emory downstream, the visitors' view will now be considerably restricted by several piers, at least one (and possibly two) of them right within the

permanent riverbed. The water quality permit mentions two "pier footings which will be constructed in the water" and requires that they be erected within coffer dams in the confines of silt booms in order to protect water quality. This construction is currently taking up a major portion of the river bed. What is worrisome to those familiar with the situation is that TDoT is employing the same J&N construction company for this job that reportedly committed several violations in recently replacing the Brewster Bridge on the Clear Fork (within the Big South Fork NRR).

**WHAT YOU CAN DO:** Write to Gov. Sundquist (address on p.2), protesting this visual intrusion into our State's only National Wild & Scenic River. Question the lack of cooperation TDoT has shown in its dealings with NPS.

#### **E. Capuses**

- Formation of an Obed Watershed Association is being planned to address the manifold water-quality and -quantity issues that you have read about in TCWP Newsletters. The Friends of the Obed/Cumberland County are planning a kick-off meeting for the Association on Nov 5, 6 p.m. (CT) at Crossville. For further information, call Don Clark, 931-277-5467.
- An extension of the Devils Breakfast Table Trail, leading from the Rain House to Obed Junction, was recently completed by inmates of the Morgan County Regional Correctional Facility. It is a breathtaking mile, passing through rock fields deep within the Daddys Creek gorge, and ending at deep pools near the junction of Daddys Creek and Obed.
- A stripmine in the Crab Orchard region of Cumberland County, which has been inactive for some time, has resumed activity. A meeting was recently called at Hebbetsburg by area residents concerned about safety issues related to coal-truck traffic. According to reports, the mine itself has not generated local opposition. There is some question as to whether the mine drainage goes into Crab Orchard Creek (which empties into the Emory below the Obed WSR) or into Yellow Creek (which contributes to the Obed WSR via Daddys Creek). It must also be determined whether any of the conditions of the mining permit are being violated. The feasibility of, and strategy for, future actions will depend on all these answers.

\* **ARA? permit applications** have been submitted for pipeline crossings, all outside the boundaries of the Obed WSR. One, a water line trenched into the river bottom, would cross the Emory River 150' upstream of the existing Hwy 299 bridge near Oakdale. The other is a natural-gas pipeline crossing Lick Creek, the upper Daddys Creek (mile 39.7) and several tributaries. Because these various streams are within designated critical habitat of the federally threatened spotfin chub, special construction restrictions have been put into the permits.

## 2. STATE LANDS: ADDITIONS AND DESIGNATIONS

### A. *Scotts Gulf gift*

On September 3, Bridgestone/Firestone (BF) donated ~4,000 acres of what we have earlier referred to as the *Scotts Gulf* tract to the state of Tennessee. The land gift, which was made with the aid of the Conservation Fund, includes a conservation easement that restricts development (including commercial tree cutting) on the property.

The donated land occupies roughly the northeast quadrant of BF's total ~15,000 acres and is traversed by about 12 miles of the Caney Fork gorge (namely, the most downstream part within the BF tract), as well as including part of Chestnut Mt. and other upland acreage. These new state lands, which will be known as the "Bridgestone/Firestone Conservation Area," will be administered by TWRA (Tenn. Wildlife Resource Agency) and will be available for public use on about December 1. Nearby is the 317-acre Virgin Falls Pocket Wilderness, owned by Bowater.

In addition to making the outright gift of 4,000 acres, BF has agreed to work with the state of Tennessee and the Conservation Fund to develop a long-term environmental management plan for those portions of the original ~15,000 acres that are currently being retained by BF. The entire area is rich in fauna and flora, including a number of rare and endangered species. The spectacular Caney Fork gorge may be viewed from a number of overlooks, and those venturing down into it are entranced not only by the river itself but by numerous caves and waterfalls.

Public support for protecting Scott's Gulf got under way 3-4 years ago when the BF land became available for sale to private development interests. A coalition of groups, the Scott's Gulf Committee was formed, and TCWP (represented by

Chuck Estes) became a major partner in the effort to preserve the area.

BF's gift, which is currently valued at \$4 million, represents about 1/4 of the property that was purchased by the company (then, Firestone Tire & Rubber Co.) for \$1.2 million in 1970-72. BF has now provided a great gift to the people of Tennessee and deserves our thanks.

**WHAT YOU CAN DO:** Express your appreciation to Masatoshi Ono, Chairman, Bridgestone/Firestone Inc., 50 Century Blvd., P.O. Box 148900, Nashville, TN 37214-8900. You may wish to mention not only the land gift itself, but the commitment to develop a long-term environmental management plan for the remaining portions of the BF property.

### B. *Land added to Fall Creek Falls S.P.*

On September 17, the state of Tennessee accepted a gift of about 1,200 acres (valued at \$600,000) adjacent to Fall Creek Falls State Park (FCFSP) from the J.M. Huber Corp. The area, known as Camps Gulf, abuts on the northeast boundary of a fairly recent park addition which is not completely contiguous with the original boundary of the FCFSP. With the addition of the Camps Gulf tract the total park area has increased to over 20,000 acres.

The Camps Gulf tract is described as "unspoiled wilderness" that contains caves, sink holes, wood lilies and southern cavefish. It is located across from State Highway 30, on the eastern side of Highway 285, down a county road called Cane Creek (east side of that road).

[Many thanks to Landon Medley for the information.]

### C. *Land added to Savage Gulf State Natural Area*

The state recently bought over 3,400 acres adjacent to the Savage Gulf State Natural Area near the Great Stone Door and Beersheba Springs. During TCWP's upcoming Annual Weekend, Nov 20-22, we'll get a chance to visit Savage Gulf and check out the location of the added land.

Addition(s) to another favorite state area may be in the works, but these are not yet for publication.

### D. *Cumberland Trail State Park*

Elevation of this long-ago authorized State Scenic Trail to State Park status (Tennessee's 53rd

park) was announced on June 22 (NL223 ¶2). Not totally clear is the State's eventual role in this venture, specifically with regard to crucial funding that will be required for land acquisitions, since only 65 miles of the projected 220 miles are currently developed, and not even all of these have protected status.

A contract has been signed between the Dept. of Environment & Conservation's (TDEC's) State Parks Division and the Cumberland Trail Conference (CTC), a dedicated group of citizen volunteers. The Trail will be built, managed, and maintained by CTC, and CTC will help the state establish the route for the Trail (which may not in all places be the same as the originally projected route) and will take the lead in community and land-owner relations. Thus, citizen volunteers are projected to do the lion's share of the work. TDEC will negotiate for acquisition of land rights -- either fee simple or easement. Has there been money set aside for this, or will the state work to develop a new funding source? Money will also be needed for trail-construction materials and equipment (e.g., for building foot bridges). It'll be interesting to get answers to some of these questions, perhaps at the upcoming State Parks Forum.

#### **E. Additions to Natural Areas System**

Recent additions to the Tennessee Natural Areas System have been made by three mechanisms: legislation, designation, and registration.

Earlier this year, the Tennessee General Assembly, with support of the administration, passed legislation designating three new State Natural Areas, two of them on public lands.

- Elsie Quarterman Cedar Glade, 185 acres on J. Percy Priest Reservoir, property owned by the Corps of Engineers.
- Two tracts totaling 600 acres in Montgomery Bell State Park,
- Watauga River Bluffs, 50 acres along the Watauga River, a gift from the General Shale Corporation.

Acresage was also added by designation to existing State Natural Areas. These are Savage Gulf (see also ¶2C, above), Grundy Forest, Piney Falls, and Vesta Cedar Glade (60 acres owned by Div. of Forestry).

Protected through a Registry Agreement was the Duck River Complex. This consists of 6 areas totaling about 2,000 acres within TVA's Columbia Project lands. TVA has announced its intention to transfer to the State 13,000 acres of lands acquired

earlier in connection with the now defunct Columbia Reservoir project. In the interim, these lands are being managed by TWRA (NL223 ¶4). To provide adequate protection to numerous state and federally listed species of plants and animals, the Registry Agreement for the 6 special areas of the Duck River Complex will be administered by the Natural Areas Program in the Department of Environment & Conservation.

#### **F. A possible funding source for protective land acquisitions**

The Safe Drinking Water Act (¶4B) now provides funding for local watershed protection efforts. Through a newly created \$9 billion revolving federal loan fund (Tennessee's share is almost \$13 million), money is available for the purchase of land and conservation easements that will increase the protection of drinking water supplies. About 8% of the state's federal award can be (but doesn't have to be) set aside for this purpose; however, politicians with pet infrastructure projects will undoubtedly compete for these same funds. It is clearly an opportunity of which we should be aware.

### **3. FORESTRY AND TIMBERING IN TENNESSEE**

#### **A. Region-wide study of logging impacts initiated, but needs support**

Last time, we brought you the good news that the first step may have been taken for a multi-agency region-wide study of chip-mill impacts (NL223 ¶6A). Support is now needed for the full study and/or protective measures that are needed in the interim. Tennessee has almost 13 million acres of forests vulnerable to potential logging, and even rudimentary state data on timber harvests are 10 years old, i.e., they predate the recent chip-mill invasion of the southeast.

The Southeast Natural Resources Leaders' Group, which includes regional heads of major federal resource agencies [US Fish & Wildlife Service (FWS), EPA, US Forest Service, TVA, Corps of Engineers, etc.] is hoping to establish baseline forest-resource data for the entire Southeast region. A subcommittee (which includes Dr. Lee Barclay, head of the FWS in Tennessee) is already engaged in making recommendations for the scoping and fact-finding processes that may parallel the study currently under way in North Carolina (NL220 ¶5B; NL222 ¶5B).

What is now needed is, (a) support for the federal agencies in their region-wide assessment,

and (b) a moratorium on any permits for new chip mills and chip-mill support facilities until the study is complete. For these actions, we need to approach Vice President Gore and our Congressional delegation (see box below) and make the following points:

- About 1.2 million acres of Southeastern forests are destroyed (mostly clearcut) each year by chip-mill related logging.
- Roughly 140 chip mills are now operating in the region. None of these have been evaluated for their off-site logging impacts
- The explosive growth of the wood-chip industry threatens water quality, wildlife habitat, and forest-dependent economies.
- The exclusion of forestry from the Clean Water Act makes it virtually impossible to effectively address the off-site cumulative impacts from chip-mill-related logging.
- A comprehensive study will eliminate the costly and divisive site-by-site battles being waged to protect economies and our environment from chip-mill-induced deforestation.

**WHAT YOU CAN DO:** Using some of the above arguments, (1) contact Vice President Al Gore (The White House, Washington, DC 20500), urging support for the multi-agency region-wide baseline study and for the moratorium until the study is completed (see above). (2) Contact your US Representative and both Senators (addresses on p.2) urging support for the federal agencies in producing the study. (3) Send copies of your letters to the Orgwood Alliance (c/o Cielo Sand, POB 4826, Chattanooga, TN 37405), which will forward them to the agencies involved in the study.

#### **B. Nature Conservancy launches innovative program for protecting watershed forests**

The Clinch Valley "Forest Bank," a brainchild of The Nature Conservancy (TNC) was launched in mid-August with the help of TVA funding. The program involves the valley of the upper Clinch River in 5 counties -- 4 of them in Virginia plus Hancock Co. in Tennessee. This part of the Clinch is No.1 in the country in wealth of imperiled aquatic species. Logging rates in the valley, 75% of which is heavily forested, have doubled since 1986, and even greater increases are projected, posing the real threat of erosion from deforested steep hillsides and of major damage to the water that supports the rich fauna.

This is how the project works. The Forest Bank will accept voluntary "deposits" from forest land

owners of the right to grow, manage, and harvest trees. Ownership of the land itself remains unchanged. In return the Forest Bank will pay the landowner a guaranteed annual dividend based on the value of the initial deposit (as with a certificate of deposit). To fund the dividend payments, the Forest Bank will harvest and sell timber from the land on a sustainable basis. An individual forest management plan will be created for each property to determine the appropriate method of harvest at an ecologically sustainable level, using selective harvesting, so that a healthy forest continues in perpetuity.

The landowner benefits by turning a non-liquid asset (his trees) into a steady stream of income. He avoids the possible necessity to quickly log his land when he must have cash; he is relieved from the effort of managing his forest; and he can continue to enjoy the traditional uses of his land. In case of financial need, the owner has the option of withdrawing the cash value of his deposit -- though not the forest itself.

Launching of the program was made possible by a \$500,000 grant from TVA. Of this,

- \$300,000 will be used as the initial capital of the Bank (after the harvesting program starts, the Bank will be self-supporting)
- \$125,000 will go for completion of business and marketing plans
- \$75,000 will be used in a national evaluation of the concept of encouraging retention of trees for their value as receptors of CO<sub>2</sub>. This project addresses global climate-change concerns.

TVA is also contributing an additional \$100,000 for the creation of a low-interest loan fund for the purpose of supporting small wood-product-based businesses in the area.

**WHAT YOU CAN DO:** Express your appreciation to TVA Chairman Craven Crowell (400 West Summit Hill Drive, Knoxville, TN 37902) for making it possible for TNC to launch its innovative program and for aiding the environment and the economy of the Valley. Send a copy of your letter to your Congressman and to your newspaper in the hope of demonstrating that TVA's non-power program (which has just lost its Congressional funding -- see #6A, this NL) accomplishes very worthwhile objectives.

#### **C. Forest Panel's recommendations**

The 40-member Forest Management Advisory Panel (FMAP) was created by the Tennessee

General Assembly in 1997 in an attempt to postpone consideration of bills that sought to limit clearcutting on state lands and to address timbering practices on private lands (NL217 ¶2A). In late August, FMAP reached majority consensus on 28 recommendations that will be included in a report to be transmitted to the governor, the Tennessee Forestry Commission, and the Legislature by the end of the year. "Majority consensus" means that a recommendation received a minimum of 15 out of a possible 29 votes.

The recommendations addressed the following land-ownership categories: state lands managed by the Forestry Division, private lands (including corporations as well as individuals), and all forests, regardless of ownership.

Four recommendations were directed toward state lands managed by the Forestry Division. These include: supporting research of management practices, more funding for management personnel, and improving public participation in management planning.

Nine recommendations were specific to private landowners (individuals and corporations). They included developing access to research and technology information, incentives for practicing good management, and expanding the use of voluntary BMPs (Best Management Practices). One recommendation that was clearly colored by the "takings" philosophy is to "create a mechanism by which a landowner can challenge government-imposed restrictions on land use and receive fair market compensation for losses."

The largest number of recommendations (15) pertain to all forest lands. These include disincentives (not specified) for loggers who violate water-quality laws, promoting collaborative partnerships between various interests, support of multiple-use forests, and examining ways to reduce forest fragmentation.

Among the 24 "minority" recommendations (i.e., those that received 7-14 votes) was the use of ecosystem indicators to track sustainability, initiation of a statewide chip-mill-impact study, a moratorium on granting new chip-mill permits, a study to determine whether there is enough acreage in state forests to ensure survival of native species, and transfer of the Forestry Division back to the Dept. of Environment and Conservation (some years ago, it was moved to the Dept. of Agriculture).

We all thank Linda Krusen for serving on FMAP as TCWP's representative -- it was a time-consuming and often frustrating job. Now it remains to be seen what the legislators will do with FMAP's recommendations, especially in their dealings with the SOCM and Sierra Club bills when these are reintroduced.

#### 4. STATE WATER-QUALITY ISSUES

##### A. Animal factories: a growing threat to Tennessee's waters

"Animal factories," or "factory farms," or "animal feeding operations (AFOs)" are corporate ventures that house thousands of hogs or poultry in assembly-line conditions. Nationwide, AFOs produce 2 trillion pounds of animal waste per year. Currently, AFOs are rapidly spreading into Tennessee!

Manure and waste water from AFOs pose numerous risks to water quality and to public health. They contribute excess nutrients (e.g., nitrogen, phosphorus), sediment, pathogens, heavy metals, hormones (e.g., estrogen), antibiotics, and ammonia to the environment. The pathogen *Cryptosporidium*, which typically originates from animal wastes, poses a sneaky threat to human health, because it is neither killed by chlorine nor caught by standard filtration. Other impacts associated with AFOs are odor, habitat loss, and ground water depletion.

In Tennessee, it is the Dept. of Agriculture (TDOA) that has jurisdiction over agriculture and forestry activities, both of them major potential sources of nonpoint-source pollution, and neither of them governed by regulations. TDOA encourages voluntary approaches to environmental protection, but these have not been (and probably cannot be) effectively implemented. Most of the rivers listed under the TMDL (Total Maximum Daily Load) program (NL223 ¶5A), which seeks remedies for waters not meeting standards, are afflicted by these types of pollution.

At the national level, even though states report that agriculture is the most widespread source pollution in the nation's surveyed rivers, a very weak control strategy is currently being proposed by the US Dept. of Agriculture, joined by EPA. A draft of this strategy, issued Sept. 11, proposes mostly voluntary and few regulatory approaches, including a national "expectation" that all AFOs develop and implement



comprehensive nutrient management plans by the year 2008 (!).

The draft is open for public comment for 120 days (see box below). Because it looks as though not much federal remedy will be forthcoming, Tennessee environmental groups will be brainstorming legislative approaches at the state level. We'll keep you informed.

**WHAT YOU CAN DO:** The USDA/EPA draft proposal may be downloaded from the Internet at <http://www.epa.gov/cleanwater/afo/>. Send your comments to Denise C. Coleman, Program Analyst, USDA, Natural Resource Conservation Service, POB 2890, Att: AFO, Washington, DC 20013-2890.

#### **A. Court ruling on stripmine permit, though generally favorable, is appealed**

Last year, TCWP joined SOCM in its Request for Review of a permit issued by the federal Office of Surface Mining (OSM) to the Skyline Coal Co. for the Big Brush Creek No.2 site (NL216 ¶3B; NL218 ¶5B). This site, which is near Fall Creek Falls State Park, though just outside the watershed, is located in the Sewanee coal seam, which has a record of producing environmentally destructive toxic mine drainage for which no proven remedy has been developed.

In mid-August Administrative Law Judge Harvey Sweitzer ruled in favor of SOCM and TCWP on 3 of 4 important issues. He determined that Skyline's water-monitoring plans are inadequate, being "so vague and general that they cannot form the basis for reasonable evaluation and criticism." The company's failure to identify the source of monitoring data, he said, diminishes the capacity to insure compliance with the law. Skyline was given 30 days to submit to OSM a revised plan that clearly explains how the monitoring data would be used for evaluation. The judge also rejected OSM's assertion that the agency staff can essentially interpret the regulations as they see fit, affirming that "any adversely affected person [has the right] to challenge a permit."

Despite its generally favorable nature, Judge Sweitzer's decision contains weak components, e.g., his refusal to order monitoring of the entire permit area, rather than merely a part, despite the fact that the distribution of acid-forming and toxic materials in the area is known to be highly sporadic. Because of this, SOCM on August 14 initiated an appeal of these weak components, specifically those bearing on the placement of ground-water monitoring wells.

#### **B. Status of the Fall Creek Falls Petition**

At the request of Rep. Bart Gordon, on behalf of his constituents in Tennessee's 6th District, OSM extended the comment period for the Land Unsuitable for Mining Petition (LUMP) (NL223 ¶1). The deadline was originally set for July 30 (by which time about 150 written comments had been received), but an additional 27 days were provided (August 21 - Sept. 16). OSM expects to have a "preliminary final" draft done by the end of October, and the final PED/EIS by the end of January. OSM's options range from simply

#### **B. Source Water Assessment Program (SWAP)**

SWAP, which was established by a 1996 Amendment to the Safe Drinking Water Act, requires each state to analyze existing and potential threats to the quality of public drinking water supplies. Tennessee's SWAP Coordinator is Thomas A. Moss (615-532-0170). The state must submit a plan to EPA by February 6, 1999, after which implementation of SWAP falls to Sherry Wang of the Div. of Water Pollution Control. Among other things, the state plan must delineate source-water protection areas, a possible avenue for protective land acquisition (¶2, this NL).

#### **C. Tennessee Clean Water Network: up and running**

Out of the March Clean Water Conference (NL221 ¶5H), which was attended by over 25 organizations, grew the Tennessee Clean Water Network (TCWN) to link environmental and community organizations from across the state so they can share information and build a capacity to influence state water-quality decisions and policies. A TCWN listserve has been set up and is operated by the Foundation for Global Sustainability (423-524-4771). The listserve allows groups to post information, announcements, or sign-on letters. To subscribe, send a message to [listsproc@kornet.org](mailto:listsproc@kornet.org) (all lower case). Leave the subject line blank, and in the body of your message type "subscribe tiwater Your Full Name. TCWN also has a spot on the Tennessee Green web page (<http://www.tngreen.com>).

augmenting and/or clarifying their previously published Draft EIS to issuing a new "preferred action."

### C. Container Deposit Legislation

A group of Tennesseans has put together a 25-30 minute slide show that explains how Container Deposit Legislation works and documents the success of such laws in the 10 states that presently have them. Encouraging the return of beverage containers for reuse or recycling decreases litter, increases job opportunities, and saves energy, natural resources, and money. If you know of any group that would be interested in having the slide show presented, contact Arthur Smith (423-247-7895) or Mary Lynn Dobson (423-354-4924 or heronhill@aol.com

### D. Tennessee is one of greatest centers of aquatic diversity

The Nature Conservancy's (INC's) *Rivers of Life* report found that a large amount of freshwater species diversity is concentrated in the southeastern states. Tennessee, in fact, is identified as one of the world's great centers of aquatic diversity: 7 of the USA's 8 most important watersheds for fish and mussels cross the state. Accordingly, INC's Tennessee Chapter launched the Southern Appalachian Rivers Initiative (SARI) and a 12-state Southern Rivers Conservation Program, both based in Chattanooga. SARI, which has hands-on conservation projects on the Clinch River and on the Conasauga, has received a 3-year commitment (total, \$15,000) from Lockheed Martin, which manages DOE installations at Oak Ridge.

### E. Superintendent receives National Park Service Award

Mark Woods, Superintendent of Cumberland Gap National Historical Park, has received the National Park Service's Superintendent of the Year Award for Natural Resource Stewardship. Most visitors to the park, which straddles 3 states (KY, VA, and TN), go to see the fine views from the main overlook, the Pinnacle. These views were threatened by a proposed stripmine just outside the park boundaries. Woods joined in efforts by NPCA's Don Barger and the City of Middlesboro, KY, to have the mining permit revised. Their final success is now nearly assured. It would be precedent-setting in expanding the definition of "adverse impacts on national park resources" to include damage to a park's viewshed and aesthetic resources. The struggle would have had much less chance of success had it not been joined by the Park

itself, and Mark Woods is indeed highly deserving of his award.

### F. Environmental Action Fund requests help

Environmental Action Fund (EAF) is a nonprofit lobbying organization committed to protecting our environment. Founded in 1973, EAF represents close to 24,000 citizens in the state, along with several organizational members (including TCWP). Each year, EAF sets an agenda and hires a lobbyist to present its viewpoint to the legislators in the Tennessee General Assembly. EAF has been instrumental in getting environmental state legislation passed, including the Wetlands Acquisition Act, Rare Plant Protection Act, and State Park Planning and Funding.

Recently, EAF lost a third of its funding when a generous, long-time donor (Cracker Barrel) found that the donation was not tax deductible [EAF is a 501(c)(4) organization]. EAF must now look for alternate funding. The "Save Our Planet Monthly Giving Program" has been instituted.

EAF provides one of very few environmental lobbyists in the Tennessee legislature and is therefore responsible for defeating anti-environmental legislation, as well as drafting and supporting pro-environmental measures. TCWP has often received alerts from the EAF lobbyist within minutes of a developing situation that threatened to have very dire consequences if not responded to.

If you are interested in supporting this worthwhile organization (which can lobby where we can't), you may contact Erin Kelly at (615) 463-7569 or e-mail her at [tenneaf@mindspring.com](mailto:tenneaf@mindspring.com). The address is PO Box 22421, Nashville, TN 37202.

### G. TDEC's Issue-Identification Survey

TCWP Board members responded to the Issue-Identification Survey that is designed to aid the Tennessee Department of Environment & Conservation in formulating a 4-Year Strategic Plan (NL223 ¶6E). With only little time allowed for our response, we identified the need to acquire additional lands for state parks and natural areas. We suggested that such acquisitions would be facilitated by the development of new funding sources and by streamlining and speeding up the land-acquisition process. We also urged that natural-resource lands that are already in state ownership not be degraded by developing them as golf courses or logging them.

## 6. TENNESSEE VALLEY AUTHORITY

### A. Congress across appropriations for non-power program

The ax fell only a few days after Rep. Zach Wamp, chairman of the TVA congressional caucus, predicted that TVA's non-power program would after all be funded (despite the fact that the House had refused to approve the Administration-proposed \$70 million). The Senate had indeed voted funding, but on September 24, the Energy and Water Appropriations Conference Committee accepted the House version, leaving the program without appropriated funds for the first time in TVA's 65-year history. As Rep. Bob Clement pointed out, TVA is mandated by law to carry out certain functions (flood control, navigation, reservoir shoreline management, etc.), but the law has now failed to provide funding for the fulfillment of this mandate. In other parts of the country (e.g., the Ohio Valley), programs similar to TVA's non-power program receive separate federal appropriations rather than being financed by electricity consumers.

TVA Chairman Craven Crowell has stated that the agency will keep the programs going without raising power rates in the coming year. \$70 million is only about 1% of TVA's total budget. It is interesting to contemplate that the non-power budget was \$222 million in 1980; even ignoring inflation, it is clear that, over the years, the budget had already been severely trimmed.

If TVA is able to refinance approximately \$3.2 billion of its loans, an estimated \$100 million in annual savings could be used to pay for the non-power program. The refinancing would have to be approved by the Treasury Department's Federal Financing Bank, which in the past has refused to allow TVA to pay off loans ahead of schedule. So this possible remedy is still up in the air.

If the power program is forced to bear the cost of the non-power program, the thing to worry about is that only the "essentials" -- flood control and navigation -- will be retained. Water quality, public lands along the reservoirs, Land Between the Lakes, water-resource studies, shoreline management, etc. will languish, or even be abolished. Who will take on these needed tasks? In the case of water monitoring and pollution control, for example, will the states have to pick up the slack; and if so, where will their funding come from?

### B. More on TVA's Green Power option

TVA's request for proposals for power generation using alternative fuels or renewable resources (NL223 ¶7B) was sent to ~200 companies

and netted responses from 22 proposers for biomass, wind, and solar. Several public meetings are being held to help TVA and its distributors design a successful program (unfortunately, the Knoxville and Nashville meetings are already over; call Susan Ross 423-751-7405 to find out about other locations).

TVA expects the delivery of green power to be available Valley-wide no later than mid-2002; a market test with several distributors is planned for 1999. A phone survey of 1400 Valley residents found that 84% supported TVA's offering a green power option, though they would not necessarily choose to participate. Typically, nationwide, the participation rates for green power range from <1% to 3%, and customers pay an extra \$2-10 on their monthly electric bill when green power is part of the mix. Informing customers about what green power replaces -- e.g., part of the emissions from a dirty coal-firing plant -- may increase the participation rate.

### C. TVA shows utilities can clean the air

In May, TVA announced that state-of-the-art pollution-control equipment would be installed both at the Cumberland Steam Plant (the nation's No.1 emitter of nitrogen oxides, NO<sub>x</sub>) and at the Paradise Steam Plant (NL223 ¶7C). On July 28 came the announcement that \$500-600 million would be spent to reduce NO<sub>x</sub> at all 11 of TVA's coal-fired power plants.

TVA's action weakens the credibility of arguments being raised by the utility industry nationwide against EPA's proposal, under the Clean Air Act, to reduce smog-forming NO<sub>x</sub> emitted from 22 states, including Tennessee. (The rule called for an 85% reduction by the Year 2002 in NO<sub>x</sub> emissions by utilities). The industry has argued that EPA's approach is too expensive, unnecessary, or not technically feasible. In June, Governor Sundquist joined 5 other governors in calling on EPA to weaken their rule, and proposing a mere 55% reduction. TVA's announced action should clearly make it possible for Governor Sundquist to withdraw from his position.

## 7. SMOG AIR QUALITY, etc.

### A. Continuing efforts to address ever-worsening air quality

In May 1997 Tennessee ratified a Memorandum of Understanding (MOU) whereby the State will notify appropriate federal land agencies of permit

applications for pollution sources that could potentially impact air quality in certain federally protected lands (NL217 ¶4A). This notification permits the GSMNP and the Cherokee National Forest to raise concerns and to identify potential problems early in the permit process, when modification or resolution is still possible. It should be noted that the MOU addresses only potential ~~new~~ pollution sources, not existing ones.

For the MOU to continue past the end of 1998, it is necessary for the State of North Carolina to sign the accord. North Carolina is currently holding hearings as part of a process for deciding whether to adopt any AQ agreement and, if so, whether it should be the same agreement already adopted by Tennessee, or a modified one.

Signing of the same agreement would be by far the best solution because the MOU works for protection of the Smokies; because the long process with its legal arguments has already been covered; and because the MOU does not change existing law and regulations.

#### **B. Capsules**

- The Park's beech trees have been very seriously affected by the beech scale disease. Air pollution is suspected as the underlying predisposer. Other major adverse impacts on forest species have been traced to the serious environmental deterioration in the Park. For example, nitrogen deposition is higher in the Smokies than at any other monitored location in North America; ozone pollution injury has been documented for 30 species (and may well affect 90 species); etc.
- Seven barn owls were released in Cades Cove in August as part of the Park's continuing effort to reintroduce native species. The owls, which became an endangered species (probably as a result of DDT use in the 1960s) are radio-tagged for tracking.
- The Qualla Indian Reservation in Cherokee, NC, wants 200 acres of Park land for a golf course or schools. They have proposed a land exchange.

### **8. THE CHEROKEE AND OTHER NATIONAL FORESTS**

#### **A. Revised Forest Plans**

As reported (NL223 ¶8), the Proposed Revised Plan (Draft Plan and EIS) for the Cherokee and four other National Forests in the Southern Region is expected to be complete by December 1999. The

Cherokee is now in step 6 of the 10-step process. This step, "Alternative Development," is the heart of the process, since the plan for the future will be chosen from these alternatives. It is hoped that several of our readers can become involved. For more information, contact Tom Davenport 540-475-5054, or e-mail to [tdavenport@naxs.com](mailto:tdavenport@naxs.com).

#### **B. Protection of a unique watershed in nearby National Forests**

The Conasauga River may be one of the first tests of the US Forest Service's (USFS's) "new agenda" recently announced by Chief Michael Dombeck (NL222 ¶8F). Dombeck noted that watershed maintenance and restoration, "the oldest and highest calling of the Forest Service" would constitute an overriding priority for the Agency. Indeed, USFS officials have confirmed that timber harvest proposals for the Conasauga watershed have been put on hold.

The Conasauga, which originates in northern Georgia and takes a loop through southeastern Tennessee, is one of the biologically richest freshwater bodies in the entire temperate world. It is home to no fewer than 12 endangered species (fish and mussels) and to a fish found nowhere else.

#### **C. The roadless area moratorium: support Chief Dombeck!**

Not long ago, USFS Chief Michael Dombeck courageously proposed an 18-month moratorium on road construction in roadless areas of National Forests while the agency reconsiders its overall transportation policy (NL220 ¶1). Forest roads are prerequisites for logging operations. The USFS is now preparing to implement the moratorium, which may be our last chance to secure some options for the future of these lands; once they have been logged, many of the options have gone.

Chief Dombeck is being blackmailed by anti-environmental extremists in the Congress. Rep. Don Young (R-AK), Chairman of the House Resources Committee, and three other committee chairs [Sen. Larry Craig (R-ID), Sen. Frank Murkowski (R-AK), and Rep. Helen Chenoweth (R-ID)] sent a letter to Chief Dombeck threatening that if he didn't rescind the proposed moratorium, Congress would withdraw the USFS' funding. The letter pointedly asked Dombeck to analyze how many USFS employees would be laid off if Congress took away money for non-timber-related programs. "We need to just keep cutting the budget back until they finally squeal," said Don Young.

**WHAT YOU CAN DO:** Forest Service Employees for Environmental Ethics are endeavoring to present the facts and the proof of public support to Members of Congress. Get in touch with FSEEE if you can assist with this effort. Tel: 541-484-2692. e-mail: [afseee@afseee.org](mailto:afseee@afseee.org)

The 9 national forests in the Southern Appalachians contain only 750,000 acres of roadless area, just 2% of the land area in the region. This acreage, added to that of the Great Smoky Mts NP and of already designated national forest wildernesses, still adds to only 4% of our landscape. It is important for us to tell the Administration that we want these last remaining natural places to be fully and permanently protected, and that implementing the moratorium is the first step toward achieving this goal.

**WHAT YOU CAN DO:** SAFC (Southern Appalachian Forest Coalition) is setting up a website as a convenient way for you to make your voice heard. Visit <http://www.safc.org> and click the button for roadless areas protection.

#### **D. Roadless Areas... Amendment**

Sen. Richard Bryan (D-NV) offered an amendment to the Senate Interior Appropriations bill that would cut out logging subsidies (thus saving \$32 million) and protect roadless areas. The amendment, further, extends roadless-area protection to those Forests that were omitted from the Dombek 18-month moratorium (NL220 ¶1). TCWP wrote to Sens. Thompson and Frist urging them to support the Bryan amendment. Currently, the status of the Interior Appropriations bill (which has been heavily loaded with anti-environmental riders) is quite unclear.

#### **E. New Eastern Wilderness Act proposed**

HR 1567, The Eastern Wilderness Act, by Rep. Jim Hansen (R-UT), chairman of the Subcommittee on National Parks & Public Lands, was approved by the House Resources Committee. For federal lands, the bill would require a new inventory and study of eligible areas (roadless tracts of 500 acres or larger) and would afford protection to lands under study. In commenting on the bill, the Wilderness Society supported these federal provisions but urged substantial changes for the sections of the bill relating to state and private lands.

The bill is unlikely to make it anywhere in the time remaining to this Congress. However, the hearing record indicates that there is interest in the Committee in the future prospect of additional wilderness for the eastern United States.

### **9. NATIONAL NEWS**

#### **A. Interior Appropriations bill loaded with anti-environmental riders**

Increasingly, Congressmen who are pushing legislation that could never survive open debate and public scrutiny are taking the totally undemocratic route of attaching riders to "must-pass" bills, thus avoiding subcommittee and committee hearings and floor debate. The Senate Interior Appropriations bill has had 22 riders attached to it last we heard (there may be more by now).

Among riders added to this and other appropriations bills are: authorizing the operation of helicopters in all of Alaska's conservation units - including national parks, wilderness, and wilderness-study areas; putting a "jet-capable" runway near the entrance of Denali National Park; prohibiting the Park Service from stopping illegal commercial fishing in Glacier Bay; allowing construction of a road through a congressionally designated wilderness area; allowing reauthorization of grazing permits on public lands without analysis or restrictions required by other legislation; impeding purchase from willing sellers of inholdings in federal lands; mandating vastly increased timber sales from our greatest temperate rain forest, the Tongass; and many others. The very harmful Endangered Species legislation, Kempthorne's S.1180 (NL223 ¶10D), may also have become attached as a rider.

At this late time, there is no hope left for a Congressional remedy; the only thing we can push for is a Presidential veto. Pres. Clinton has promised to veto the Interior Appropriations bill if the anti-environmental riders remain attached. A letter by key House Democrats has asked him to hold firm in this resolve. As we go to press, there is the worrisome possibility that Congressional failure, so far, to pass any but 2 of the 13 appropriations bills will result in consolidation into one big omnibus bill, which will be harder to veto, or to get fixed subsequent to a veto.

**WHAT YOU CAN DO:** Without delay, contact President Clinton (see p.2) and urge him to hold firm to his promise to veto the Interior

Appropriations bill unless the anti-environmental riders are removed. Other appropriations bills with anti-environmental riders should also be vetoed.

## B. Actions on jet skis

There are many reasons why people dislike jet skis (PWCs), and you probably know some of them as well as we do. Additionally, PWCs cause accidents (44% of all boating injuries involved PWCs, which constitute only 11% of registered water craft); they produce huge amounts of air emissions (during 2 hours, a jet ski's emissions equal those of a new car operating for 130,000 miles), and they cause water pollution (two-stroke engines dump 1/4 of their oil-gas fuel mixture unburned into the water).

In July, the Washington State Supreme Court upheld the right of a county to prohibit PWCs, thus providing a judicial precedent for political units all across the nation. At least 34 states have imposed or considered restrictions.

What about the National Park Service (NL223 ¶10A)? In 1996, PWCs were being used in 32 of 87 park system units that allow motorized boating. As of June 22, an interim policy bars PWCs in units that have little or no present use. Final regulations, now in draft form, specify that:

- 13 National Recreation Areas and Seashores that have substantial motorized boating could authorize PWCs without a rule-making process;
- In 12 others specified areas, PWCs would be allowed for 2 years, during which time superintendents would develop regulations;
- In all other units a formal rule-making process would be required before PWC use could be allowed.

**WHAT YOU CAN DO:** To support a National Park System-wide prohibition, or at least tough regulations, of PWCs, contact Maureen Finnelly, Associate Director of Park Operations, NPS, 1849 C Street, NW, Washington, DC 20240; phone 202-208-5651; e-mail maureen\_finnelly@nps.gov

## C. Land & Water Conservation Fund initiatives

The Land & Water Conservation Fund (LWCF), which is the chief source of money for acquisition of public lands, comes from federal revenues for outer continental shelf (OCS) oil and gas leases. Of the annual OCS revenue, \$900 million is authorized to be appropriated for the LWCF. The actual appropriations have been very much lower (see,

e.g., NL222 ¶8B), and, in recent years, have only gone to federal projects. Two bills were introduced in July that would address the latter of these concerns.

Current OCS revenues amount to about \$3,600 million. The bills by Rep. Don Young (R-AK) and Sen. Mary Landrieu (D-LA) would leave the \$900 million LWCF authorization "as is," but would authorize additional uses of the OCS revenues as follows:

- 13% (= \$468 M) to state and local governments for conservation and recreation projects (the Landrieu bill would split the money between state and federal projects)
- 10% (= \$360 M) to state fish and wildlife agencies for wildlife conservation and education (the Landrieu bill is targeted to non-game fish and wildlife)
- 27% (= \$972 M) to coastal states impacted by offshore oil & gas operations, to be spent on wetlands, water quality, fish and wildlife.

Another bill, introduced by Minority Leader Dick Gephardt (D-MO) would boost LWCF appropriations for federal, state, and local projects up to the \$900 M authorized limit. At this stage, all 3 bills are essentially discussion drafts from which one or more bills for the 106th Congress might be fashioned.

## D. TEA 21 provides funding for parks

The previous transportation Act, ISTEA (pronounced Iced Tea), has been succeeded by TEA 21 (the Transportation Equity Act of the 21st Century). Within the huge amounts of overall road money authorized, TEA 21 provides some specific funds to the National Park Service (NPS): \$115 million in this fiscal year (up from \$84 M) and \$165 M for each year thereafter. Significantly, NPS is allowed considerable flexibility in spending this money some of it can be used for transportation projects outside park boundaries that will benefit parks internally. A park could, e.g., assist a nearby locality in developing a parking lot and transportation center from which shuttles, rail service, etc., could bring visitors into the park.

TEA 21 was unfortunately also burdened with several anti-environmental riders (NL222 ¶8A). One of these delays the implementation of regional hazardous waste regulations for 9 years.

## E. The upcoming elections

The November 3 elections are of major importance to the environmental outlook for the nation. Will we have a Congress like the rabidly

anti-environment 104th, a Congress like the 105th which covered up its anti-environmental agenda by attaching non-debated riders to "must-pass" bills (see ¶9A, this NL), or is there hope for improvement? In many states there are races that could make a major difference: incumbents with perfect environmental records (e.g., Senators Barbara Boxer in California, Russ Feingold in Wisconsin, and Patty Murray in Washington) are facing dangerous challengers; and fine environmentalists are challenging really bad incumbents (e.g., Helen Chenoweth in Idaho) or are running for open seats.

The non-partisan League of Conservation Voters is working to defeat the "Dirty Dozen" and helping to elect Earth List candidates. From them you can get information to send to friends in key states. You can also help LCV financially to do their work (LCV, 1707 L Street, NW, Suite 750, Washington, DC 20036, 202-785-8663; e-mail: lcv@lcv.org).

#### **F. Water in the West; and a looming world water crisis**

More and more it looks as if it is water needs that will put limits to growth. Even in the USA, which has plenty of water overall, groundwater is being used at a rate 25% greater than its replenishment rate. (We have an example of looming water shortages even in otherwise plentifully-watered Tennessee — see ¶1A, this NL). A high-powered commission has documented the unclear, contradictory nature of current water management in "Water in the West: The Challenge for the Next Century" ([www.den.doi.gov/wwprac](http://www.den.doi.gov/wwprac)). The report calls for finding of more collaborative watershed planning at a river-basin level. With regard to flood-control projects, it urged the federal government to stop subsidizing flood-plain development, to increase funding for nonstructural approaches, and to boost the local match for structural approaches to 50%.

Another report (Johns Hopkins Univ.) deals with the water situation worldwide. By the Year 2025, 2.8 billion people are expected to have insufficient drinking water. "A water-short world is an inherently unstable world," states the report. "To avoid catastrophe ... it is important to act now to slow the growth in demand for fresh water." And catastrophe looms not just for humankind but for the world's vital ecosystems. Among the remedies: conserve water, pollute less, manage supply and demand better, slow population growth. There is no more fresh water on Earth now than

there was 2,000 years ago when the population was <3% of its current size.

### **10. TCWP NEWS**

#### **A. New date (Nov.20-22), same great Annual Weekend**

Because of an administrative glitch, the original reserved date for the Bersheeba Springs weekend and had to delay by 2 weeks. But the great program we have planned stays the same, and the four speakers we have invited have all been able to accommodate us in the date change. For the Saturday morning program, our theme will be Water Resources and Watersheds, which, as you will see in this NL and the last one, is a very timely topic.

In addition to hearing an interesting program, you will be able to enjoy beautiful scenery (Savage Gulf, Fiery Gizzard, Scott's Gulf) on our outings (Saturday afternoon, Sunday), and enjoy the company of your co-members and friends during social activities (Friday and Saturday nights) at this historic retreat in the South Cumberland. Bersheeba Springs offers good meeting facilities, comfortable modest accommodations, and good food. You will also have a chance to interact with our new team of membership-development directors. We will provide for children's activities.

A flier with our preliminary announcement was mailed to you about 3 weeks ago. You will very shortly receive the final announcement with the registration form. COME, BRING FAMILY AND/OR FRIENDS! If you're not sure, or have questions, call one of us. An early return of the form would be most helpful indeed to us in our organization efforts.

#### **B. Committees are being established**

[Contributed by Sandra Goss]

Three new committees are being established, two to address issues critical to TCWP, the third one to tackle essential service jobs. Formation of these committees is a response to the recent membership survey, which indicated TCWP members want more opportunities to be involved. For membership in the committees, we are tapping people who, in the survey, indicated a willingness to help.

##### **1. Water Issues Committee**

This committee will identify the water issues of immediate importance, such as protection of water quality and quantity (e.g., for watersheds of the Obed, Big South Fork, or Conasauga), protection of

lands along streams, region- or state- wide water-pollution threats, etc. Many members expressed an interest in water issues during the membership survey and this committee is the forum for them to devise needed action plans.

### 2. State Parks and Natural Areas Committee

Outgoing TCWP president Jenny Freeman has agreed to serve as chairman of this important committee. All TCWP members who expressed interest in either State Parks or Natural areas will be notified of the date and time of the first meeting.

### 3. Services Committee

This important committee has a wide range of topics to be involved in and may later spawn a number of subcommittees. An immediate task to be addressed is the upcoming Annual Meeting (help with planning the social gatherings, snacks, registration, etc.). Other tasks are:

- formation of a phonetree;
- service outings to trails and areas under TCWP's care (the North Ridge Trail, Whites Creek Trail, Nemo Trail segment, Cedar Barren, Worthington Cemetery);
- planning programs (e.g., speakers) and outings;
- membership development.

For more information about these committees or how to get involved, call Marcy Reed at 423-481-0623 or Sandra K. Goss 423-522-3809.

### C. Don Todd celebration: great success

About 60 people showed up for our celebration of Don Todd on October 3. TCWP's Joni Lovegrove took a lead in making the arrangements, and the Tennessee Trails Assoc. and Cumberland Trail Conference were great participants. We celebrated Don for his major roles in establishment of the Cumberland Trail (which was recently declared a State Park, NL223 #2), in designation of Frozen Head State Park and Natural Area, in the effort that made Flat Fork watershed off-limits to stump pulling, and in rallying the crucial Morgan County support for the Obed National Wild & Scenic River. He also had his 80th birthday earlier this year, but we thought he was too young to celebrate that fact!

In addition to all of his other services, Don served as TCWP President for three years --1974, 1975, and 1976.

### D. "Kroger Cares" Coupons; an easy way to raise money for TCWP

I can attest to the convenience of using these "gift certificates." I make a check for \$100 to

TCWP and get four \$25 certificates, which I use just like cash (or like a personal check) at the check-out counter. In the meantime, TCWP gains \$3 because it purchased the \$100-worth of certificates that I bought for only \$97 (later, as we buy more certificates, TCWP will get \$5 for each \$100 purchased).

If you shop at Kroger's even occasionally, try using the certificates (they readily fit into the bills compartment of your wallet and don't cost you a penny). You may contact Marcy Reed with your order at 481-0623, or e-mail her at [marcyreed@aol.com](mailto:marcyreed@aol.com). She can arrange for mailing orderlies of coupons to you on a regular basis, if you wish.

### E. TCWP founders to be honored

The Tennessee Environmental Council (TEC) has established the Tennessee Environmental Honor Society for Tennesseans who have contributed significantly to protecting the natural resources of our beautiful state. The first group to be admitted, at a Nashville celebration on Nov. 14, includes Bill and Lee Russell, Wilma Dykeman, and Lucius Burch (posthumously).

### F. How we'll miss Brute Dickerman!

Emie was a giant in the conservation world long before TCWP was even born. But he was right in with us from our formation in 1966 onward and served on the very first TCWP Board (as well as on the 1970 Board). He was TCWP's Vice President in 1968 and 1969, during the period of our big fight against the proposed new transmountain road across the Smokies. He, more than anyone, could take credit for defeat of that road. Among other things, he arranged the well-publicized cross-the-Smokies hike (along the route of the proposed highway); and in 1969, he organized our huge trip to Washington (2 full busloads!) during which we met with then Interior Secretary Walter Hickel and got him turned around.

A little while thereafter, Emie moved to Washington to work for the Wilderness Society; and in 1976 he went to live at a simple cabin on his nephew's land in the mountains of Buffalo Gap, VA. But, of course, he never retired, contributing major, successful, service to the huge task of saving 15 wildernesses in Virginia's national forests. Throughout his life, Emie's greatest gift was inspiring others (including so many TCWP members) to save wilderness throughout the country.



At the end of July, Ernie wrote a note to family and friends on his 1945 typewriter (on which he typed his annual Christmas letters to us) to say that he "died at the age of 87 by his own hand as he had long planned. ... 'Quit while you are ahead' is sound philosophy, both in poker and in life." If he couldn't care for himself in the wilderness, life for him wasn't worth living.

## 11. ACTIVITIES, READING MATTER, RESOURCES

- October 17, Second Annual Solar Hodges Tour, hosted by Foundation for Global Sustainability. Starts 10 a.m. at IJAMS Nature Center, Knoxville (Contact Michelle Neal, MMNeal@aol.com)
- October 17, "Strainer" cleanup of Upper Clear Creek and other area creeks. Meet 8-9 a.m., EDT, at the Park Service HQ for the Obed WSR, Wartburg. For information on equipment to bring, contact roncrass@aol.com or 423-546-5800(W) or 423-522-3871(H).
- November 4-6, SAMAB Fall Conference, Gatlinburg (call 423-436-1701).
- November 14, State Parks Forum, Montgomery Bell State Park (contact Jenny Freeman, 423-482-5980).
- November 20-22, TCWP Annual Weekend, Bersheeba Springs (T10A, this NL).
- The Student Conservation Association (SCA) publishes *Earth Work*, which specializes on careers in the conservation world. Each issue contains >100 current job listings, graduate program information, advice from career experts, etc. (SCA, 689 River Rd., POB 550, Charlestown, NH 03603; (603-543-1700; e-mail: earthwork@sca-inc.org).
- *The WoodWise Consumer*, published with the help of 11 environmental groups, contains products, tips, and a list of groups that save forests. It is published by Co-op America, a non-profit consumer organization (Call 1-800-58-GREEN to order).

## TCWP BUSINESS

### PROPOSED CHANGES IN TCWP BYLAWS

The current wording of our bylaws, which we haven't reviewed for many years, is inefficient for our current situation. The TCWP Board of Directors agreed at its September meeting to propose the following change. This change will be voted on during our business meeting to be held on Saturday, November 21 during our 32nd Annual Weekend at Bersheeba Springs.

#### \*Bylaws - Finance and Dues

The organization shall obtain operating expenses from membership dues; contributors from individuals;

contributions from groups, corporations and foundations, subject to approval by a majority of the TCWP Board; corporate and foundation grants; and such other sources as are deemed suitable by a majority of the TCWP Board members.

\*Expenses greater than \$100 shall be approved by two Board members, including at least one of the following: President, Vice President, or Treasurer. Expenses greater than \$500 shall be approved by a majority of the Board members. These initial amounts set the limits for the year 1999 and shall be increased by 5% of the initial amounts each year thereafter. (For example, the Year 2001 limits shall be \$110 and \$550, respectively.)

\*The Board, on an annual basis, shall specify the various membership categories (e.g., regular, family, and special) and specify the annual dues for the following year for each category. A change in annual dues requires approval from at least two-thirds of the Board members.

### BOARD PROPOSES TO MODIFY MEMBER DUES TO INCREASE TCWP REVENUES

More than 140 TCWP members responded to our 1997 year-end funding appeal. As we've reported in prior Newsletters, your support allowed the TCWP Board to hire Sandra Goss and Marcy Reed as our first-ever TCWP Membership and Development Director. We have sufficient funds to pay for Sandra and Marcy through April 1999.

Along with the Board, Marcy and Sandra are starting several activities designed to expand the number of TCWP members, increase our revenues, and -- most important -- create a more active membership (e.g., T10B, this NL). The more members we have and the more active our members are, the better we can defend and protect Tennessee's wild and scenic areas.

As part of our effort to increase revenues, we propose to raise dues for 1999. This proposed increase is the first since 1977!!! To ensure that insufficient income does not prevent anyone from joining TCWP or remaining a member, we propose creation of a Special membership category costing only \$15 per year. The proposed dues structure for 1999 and beyond is shown below:

Regular, individual	\$25
Regular, family	\$65
Sustaining*	\$100
Supporting*	\$200
Life*	\$500
Special	\$15
(student, low-income, senior, etc)	
*includes family members	

Please let us know if you have any comments or suggestions on the proposed changes in our dues. Write us, send an email, phone Eric Hirst (423-483-1289), or -- best of all -- join us for the Annual Weekend next month, when we'll vote on these proposals.

### TURN THE PAGE FOR BOARD NOMINEES

## NOMINEES FOR THE 1999 TCWP BOARD

**PRESIDENT: Jimmy Groton.** Works on environmental issues (wetlands) with an Oak Ridge consulting firm. Prior to that, worked for National Park Service for 6 years. TCWP Board member since '93. Active on greenways, Abrams Creek/Chilhowee. Would like to get more members involved in TCWP efforts.

**VICE PRESIDENT: Eric Hirst.** Corporate Fellow ORNL, and independent consultant working on electric-industry restructuring. TCWP member since early 1970s and on Board since '92. Has handled media contacts. Interested in rebuilding the TCWP infrastructure by increasing the number of members and, especially, the number of active members

**TREASURER: Charlie Klabunde.** Physicist retired from ORNL's Solid State Div. Past pres. and 8-yr. newsletter editor, SMHC. Avid folk dancer. Has served as TCWP Treasurer and organizer of membership records for 23 years, and is pleased to continue this service to the organization.

### DIRECTORS:

**Don Barger.** Southeast Regional Director of the National Parks and Conservation Association. Community organizer for SOCM 1983-90. Director of Citizens' Mining Project, Environmental Policy Institute, Washington, '91-92. On TCWP Board since '96, with particular involvement in Obed and Big S.Fork General Mngt. Plans, Cumberland Plateau water study, Smokies air quality.

**Roger Carlsmith.** Retired ORNL researcher. TCWP member for 25 years; on Board '97 and '98. Interested in wilderness preservation and conservation of natural resources.

**Patrice Cole.** Ecological-risk assessor for an environmental consulting firm. Prior to that, regulator for State of Tennessee in water-pollution control. TCWP Board member '93-'98. Wants to emphasize wilderness values of Smokies and to reduce motor-traffic impacts on area.

**\*Mary Lynn Dobson.** Is an avid naturalist currently living in Roane County. Has worked as a state park naturalist and served on the board of the Harvey Broome Group, Sierra Club. Her love of wilderness was nurtured by childhood ramblings on the bluffs of the Collins and Caney Fork Rivers. She is looking forward to helping protect Tennessee's wilderness by her work as a Board member.

**Chuck Estes.** Waste management task manager for Bechtel Jacobs Co. TCWP board '95-'98. TCWP liaison for Scotts Gulf preservation effort. Participated in Obed General Mngt Plan. Active in E.T. Whitewater Club. Special interests: river protection, WQ issues, forest management.

**Jenny Freeman.** Marketing coordinator for an environmental consulting firm in Oak Ridge. TCWP Pres. '93-'98; Sec. '92; served as TCWP Exec. Dir. in the 1980s. Instrumental in TN Rivers Assessment, Pickett additions. Especially interested in land-use issues, sustainable forests, protection of rivers and watersheds, state parks.

**\*Joni Lovegrove.** Is actively involved in educating people about a part of her heritage: the Cherokee Indians. She gives presentations on this subject to local schools and other interested groups. She was on the board of Friends of Fall Creek Falls for several years and worked hard to protect the area from stripmining and other threats. She has also been actively involved in Frozen Head State Park issues and hopes to continue working on state park issues as a board member.

**Liane (Lee) Russell.** Senior Corporate Fellow at ORNL, doing research in mammalian genetics. A TCWP founder; Vice Pres. '66; Pres. '67-'70, '86-'87; Newsletter author and editor, '66-present. Instrumental in authorization and implementation of Big South Fork NRR and Obed WSR; also active in stripmine, wilderness, and public-lands issues.

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\*Newcomer to the TCWP board