



Tennessee  
Citizens for  
Wilderness  
Planning

# Newsletter No. 242

November 19, 2001

Our 35<sup>th</sup> birthday this year!

## Taking Care of Wild Places

1. Alliance for the Cumberlands is born ..... p. 3
2. Big South Fork news ..... p. 3
  - A. Mt. Helen Trail deferred
  - B. Status of GMP
  - C. Needed land acquisition
  - D. Mussel diversity: downs and ups(?)
  - E. Watershed protection groups
  - F. Bear reintroduction attacked
3. State Park closures ..... p. 5
  - A. State losing federal funds
  - B. Will State protect Frozen Head?
  - C. Ashe: a penny for parks!
  - D. Critical parks history
4. Forests in Tennessee ..... p. 6
  - A. Forest issues = Water issues
  - B. Chip-mill storm-water permits
  - C. Chip-mill permit bill
  - D. Become a forest watcher
5. Other state news (Dry Fork Cr.; methane; energy planning) p. 7
6. The Cherokee and other national forest issues ..... p. 8
  - A. Plan Revisions under way
  - B. Restoration in lieu of logging
  - C. Biological evaluations criticized
  - D. Cherokee among endangered national forests
7. Smokies (A. Groups planning joint strategies; B. Phase-I permits issued for Hwy 321) ..... p. 9
8. Oak Ridge area (A. North Ridge Trail protection; B. O.R. Reservation planning process) .... p. 9
9. National issues ..... p. 11
  - A. Backdoor approaches to opening Arctic Refuge
  - B. LWCF and other Interior appropriations
  - C. Nationwide resource impacts from OHVs
  - D. An interesting roadmap
10. TCWP (upcoming events; recent activities; staff time; NRT donations; TCWP gift ideas) ..... p. 12
11. Job openings; calendar; resources ..... p. 14
12. ACTION SUMMARY ..... p. 2

### The BIG stories

Alliance for the Cumberlands formed ..... ¶1

Mt. Helen proposal deferred ..... ¶2A

Park closings cause lost federal \$\$ ..... ¶3A

A penny for parks ..... ¶3C

Chip-mill permits needed ..... ¶4B,C

Nationwide OHV damages ..... ¶9C

Editor: Liane B. Russell, 130 Tabor Road, Oak Ridge, TN 37830. Phone, 865-482-2153

Shaded box or star means "Action Needed." Don't be overwhelmed - check the ACTION SUMMARY on p.2!

## 12. ACTION SUMMARY

#No.	Issue	Contact	"Message!" or Action
2D	Stream crossings in BSFNRRA	Supt. Detring, BSFNRRA	"Control excessive/illegal crossings by horse. OHVs!"
3B	State park closures	Mayor Victor Ashe	"Push gas-tax penny for parks! Stand up to TDoT!"
4B	Chip-mill storm-water permits	Gov. and TDEC; hearings	"Need public participation and reported logging sites!"
4C	Chip-mill permits	State legislators	"Support Forest Protection Act, HB260/SB265!"
6A	Cherokee NF plan revision	USFS, Cleveland, TN	Attend planning sessions
6B	Logging in national forests	US Congressman	"Co-sponsor Natl. Forest Protection/Restoration Act!"
8A	North Ridge Trail, Oak Ridge	TCWP	Contribute to cost of signs banning OHVs etc.
8B	Oak Ridge Reservation planning	Manager, USDOE-ORO	"Need more public input, more study time!"
9A	Arctic Refuge drilling	Your US senators	"ANWR drilling won't give us energy independence!"
9B	LWCF (forland acquisitions)	Rep. and Sens	"Need guaranteed, full funding as in HR.701/S.1328!"
10	Support of TC WP	TCWP	For holidays, give memberships, posters, T shirts,

Senator John Doe  
United States Senate  
Washington, DC 20510

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

Pres. George W. Bush  
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: 865-602-7977

Sen. Fred Thompson:  
Ph: 202-224-4944; FAX: 202-228-3679  
e-mail: senator\_thompson@thompson.senate.gov  
Local: 865-545-4253 (FAX 545-4252)

Rep. Zach Wamp:  
Phone: 202-225-3271  
FAX: 202-225-3494  
Local: 865-576-1976

To call any Rep or Senator, dial Congressional switchboard, 202-224-3121. To find out about the status of bills, call 202-225-1772  
URLs: <http://www.house.gov/lastname/> and <http://lastname.senate.gov/> General contact info: <http://www.tcv.org>

## 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.

President: Jimmy Groton, 865-483-5799 (evening).

Exec. Director: Marcy Reed, 865-691-8807 or 481-0286; [MarcyRReed@aol.com](mailto:MarcyRReed@aol.com)

Membership-Development Directors:

Sandra Goss, 865-522-3809; [SKGoss@espe.com](mailto:SKGoss@espe.com) and Marcy Reed, 865-691-8807; [MarcyRReed@aol.com](mailto:MarcyRReed@aol.com)

Newsletter editor: Lee Russell, 865-482-2153.

Internet: <http://www.kornet.org/tcwp/>

# 1. TCWP IS MIOWIFE TO BIRTH OF "ALLIANCE FOR THE CUMBERLANOS"

The Cumberland Round Table, organized and hosted by TCWP's Public Lands Committee (chaired by Mary Lynn Dobson), convened in an all-day session on November 14 in Oak Ridge, with Jenny Freeman as moderator. It was an impressive group of about 35 people representing 21 organizations, including federal agencies (National Park Service at the Obed and Big South Fork, the USFS' Forest Legacy Program, the Daniel Boone National Forest, TVA), state agencies (Tennessee Wildlife Resources Agency, Tenn. Divisions of State Parks and Natural Heritage, Kentucky Nature Preserve Commission), land trusts (The Nature Conservancy from Kentucky as well as Tennessee, the Tennessee Parks and Greenways Foundation, the Kentucky Natural Lands Trust, the Foothills Land Conservancy), and conservation and preservation groups (National Parks & Conservation Assoc., the Southern Appalachian Forest Coalition, Cumberland Trail Conference, Tenn. Environmental Council, Tenn. Conservation League, Tenn. Ornithological Soc., Historic Rugby, TCWP).

The northern Cumberland Plateau with its sandstone gorges is a very special area of rich biological diversity and unusual scenic beauty, but its problems abound. Tennessee loses 200 acres of open space every day to urban sprawl and other developments, bulldozers are working away in inhospitable within the Big South Fork NRR, with no acquisition funds in sight (§12C, this NL). Tennessee has closed its state parks and, as a result, is losing federal LWCF acquisition monies (§3A, this NL), clear-cutting for chip mills is rampant (§4A, B, this NL), all-terrain vehicles and other OHVs are tearing up the land, highways are invading pristine areas, and there is little political will for furnishing the funding and developing the strategies that might help to counteract these horrors.

Some hopeful prospects were discussed, such as The Nature Conservancy's recently funded project for the Cumberland, TWRA's efforts to acquire 81,000 acres that would link Frozen Head to Royal Blue WMA and even extend northward from there, and prospects that the Forest Legacy Program (NL241 §1) would include a section of the upper Cumberland Plateau. TEC's support of VISTA volunteers to encourage local communities to protect the BSF and Obed watersheds

There emerged a common interest for finding solutions and expanding shared effort on some of the following issues.

- The need to secure LWCF monies and other funds for completing authorized public lands (Obed, BSFNRA)
- Preservation of significant tracts as buffers for these lands
- Efforts to promote the natural as well as cultural resources of the Cumberlandlands
- The need for large, landscape-level efforts, involving cooperation across statelines
- Paying attention to water quality and quantity; watershed planning
- The need to license OHVs and give them "a place to play" so as to keep them out of high-quality and fragile areas.

There were also more specific suggestions for possibilities to pursue, such as securing TEA21 (Dept. of Transportation) funds for the acquisition of greenways, and investigating the feasibility of establishing another national forest in Tennessee.

The group voted to perpetuate itself under the name "Alliance for the Cumberlandlands" and to meet again in mid-March at Rugby.

## 2. BIG SOUTH FORK

### A. NPS drops proposal for prototype Mt. Helen Trail

Probably as a result of political pressure, the National Park Service (NPS) has, for the time being, dropped its plan to construct the Mount Helen Prototype Trail (SE of Zenith), deferring decisions to the General Management Plan (GMP). This announcement comes less than a month after the deadline for submitting comments on the revised Environmental Assessment (EA) for the trail.

The revised EA (NL241 §3) included a new, and "preferred," alternative under which the 9-mile loop trail was designated as a horse trail, rather than as a multi-use trail. In contrast to the original EA (NL240 §1C), which allowed use of OHVs (off-highway vehicles) everywhere on the loop except in the Gorge segments, AIVs (all-terrain vehicles) were now to be barred from the entire trail, and other types of OHVs (off-highway vehicles) were to be permitted only for access to oil & gas wells. We applauded this change.

We have heard that, just prior to the comment deadline for the revised EA, a meeting of ATV enthusiasts in the Mount Helen area was suggested (and attended) by a member of Congressman Van Hilleary's staff. It seems not unlikely that this was but part of the political pressure exerted on NPS.

In our comments, TCWP recommended that NPS should make decisions on this trail as part of the comprehensive planning of the upcoming GMP/EIS (with its included Roads & Trails Management Plan), rather than prior to this process. We did, however, applaud the proposed resource-protection activities associated with constructing a "prototype" trail (namely, one barring ATVs and most other OHVs, as in Alternative C), especially since this trail would follow the route of a "traditional" trail. Now, as a result of NPS's current "no action" decision, existing uses of open backcountry roads in the area, including those of the "traditional" trail, will continue -- and that means use by ATVs and other OHVs. NPS "will continue to enforce existing restrictions on OHVs ... in the gorge," however, it seems clear that such enforcement will be more difficult than it would have been had the upper parts of the trail been closed to OHVs, as in Alternative C.

In its news release, NPS points out that the BSNFRRRA "has been negatively impacted by a proliferation of ATV use in which riders have chosen to ride off the trail ... creating unacceptable impacts. ... Until NPS can effectively determine how to control this type of detrimental and illegal use, new OHV routes will not be designated."

#### **B. Status of General Management Plan**

The Draft GMP/EIS is expected some time in the Spring of 2002. Currently, the planners are finalizing zone prescriptions, which will define, (a) a number of types of sensitive resources to be protected with special management provisions, (b) a more general natural environment zone, (c) development and visitor-use zones, and (d) several types of transportation zones, including an OHV (off-highway vehicle) zone. NPS regulations state that OHV and ATV use must be limited to specific designated routes (rather than overall areas), that the agency must demonstrate that these routes have no adverse impact on the environment, and that the park must pass a special regulation allowing OHV use within its boundaries.

In the GMP-drafting effort, the prescriptions for types of zones will be followed by proposed localization of these zones in different parts of the National Area. Placement of some of the transportation zones, and particularly of the OHV zone, will be among the most contentious provisions of the GMP. Particularly heated controversy is expected on the designated use of the former O&W railroad, to which Scott County claims the right-of-way. It is likely that NPS will attempt to compromise on the O&W issue.

#### **C. Needed land acquisition**

An additional roughly 8,300 acres are needed to complete the 125,000-acre boundary authorized for the BSNFRRRA. While this is only about 7% of the total area, some of the actual parcels yet to be acquired are of critical importance to the whole park, being in the upper watershed of the North Whiteoak Creek, a clean and vulnerable component to the river system. Some of the current owners are threatening subdivision and other harmful developments, and bulldozers are even now at work in one of the parcels. It will be critically important for Congress to come up with the acquisition funds (estimated to total \$15 million), and we are pledged to trying to bring this about.

#### **D. Mussel diversity: loss, partial recovery, and current threats**

Not too long ago, the Big South Fork of the Cumberland River was virtually unparalleled in diversity of mussel populations. About 80 species were reported for the river system in 1914, prior to the advent of New River coal mining and of dam construction in the watershed. Now, the inventory lists 26 species, just about one-third the original number. Still, that's up from the 23 species documented in the mid 1980s, and a good sign that at least partial recovery may be possible. Among the mussel species are six federally listed ones. The U.S. Geological Survey, together with the U.S. Fish & Wildlife Service and National Park Service, is conducting a 3-year inventory of BSF mussels.

While the presence of the park is undoubtedly contributing to mussel recovery, it also brings conditions that, unless carefully controlled, can adversely affect mussel survival. Potentially the most harmful derive from large-scale crossings of streams by horses and motorized vehicles, such as ATVs. In a recent study conducted at Big Island and Station Camp, sections of the BSF River containing horse crossings were compared

with similar sections nearby that were devoid of horse crossings. Mussels were found to be absent from the former locations, but present in the latter ones.

TCWP members have documented extensive horse use of trails that are designated for pedestrian use only. Similarly, as the Park Service has recognized (see ¶2A, above), the proliferation of ATV use in which riders have chosen to ride off the trail has become a menace to the natural resources of the park.

#### **WHAT YOU CAN DO:**

Urge the National Park Service (Supt. Reed Deering, BSNRRA, 4564 Leatherwood Road, Oneida, TN 37841) to come up with effective ways to control the excessive, and often illegal use of horses and motorized vehicles. Urge your Congressman and Senators (addresses on p.2) to provide funds for NPS to carry out these enforcement activities.

### **E. Watershed protection groups in the making**

The Big South Fork will be a beneficiary of the Watershed Association Development Project (WADE) that has recently been launched by the Tennessee Environmental Council (TEC). This 3-year project will catalyze the establishment of local, self-sustaining, watershed protection groups in the Big South Fork and the Obey watersheds. The WADE project, directed by a team of several environmental groups, is pairing up with OSM (Office of Surface Mining) and the VISTA/Americorps program to help with environmental restoration and protection in the communities of these two watersheds. TEC's Elizabeth Ross (615-248-6500, or elizabeth@tecnc.org) will serve as the VISTA Watershed coordinator.

The watersheds were chosen because they are home to critically endangered habitats, are heavily impacted by acid mine drainage, and suffer from pressures of unmanaged growth, poverty, unemployment, and inadequate education. TEC will also be supervising VISTA volunteers in two additional watersheds, Coal Creek and North Chickamauga Creek.

### **F. Bear reintroduction under attack**

Starting about 5 years ago, a few black bears from the Smokies have been released in the BSNRRA, in an attempt to reintroduce this species which once roamed the Cumberland Plateau. In the first two years, 14 females, either pregnant

or with cubs, were released in the park, but the project stopped when two local county commissions passed resolutions opposing it. Records on the behavior and health of the introduced bears are now under study, but the results of a recent phone survey of area residents may turn out to be more of a factor in future decisions.

## **3. STATE PARK CLOSURES**

### **A. State losing federal funds**

Nine of the 14 state parks the Administration is proposing to close because of budget shortfalls (NR241 ¶4A) have in the past received money from the national Land & Water Conservation Fund (LWCF), with the stipulation that they "be maintained perpetually in public recreation use." Because of concern over the announced closures, the National Park Service has recently announced that \$715,000 of the LWCF allocation will be withheld from the state of Tennessee until parks are reopened. This sum is earmarked for state land acquisition, much of it for the Cumberland Trail in the Frozen Head area; the money could not be used to cover the budget shortfall. Since the LWCF freeze applies to the Tennessee allocation from last fiscal year as well as this fiscal year, the sum withheld could become much larger than the \$715,000 announced so far.

### **B. Will State protect Frozen Head?**

The president of the Friends of Frozen Head wrote to the Commissioner of Conservation & Environment requesting to receive, by Nov. 9, a copy of the State plan to protect the property of the park (no copy has yet been received). The Friends point out that, since the park and Natural Area contain over 13,000 mountainous acres and have a boundary of 30 mile (with several road accesses), it is impossible for a ranger from nearby state parks, visiting occasionally, to protect

- buildings, facilities, and equipment,
- endangered plant species,
- timber and wildlife,
- communications equipment for regional emergency response systems (tower, repeaters, antennas, wiring) that serve a number of federal, state, and local agencies.

The "Friends" group requests that the park manager and a ranger be left in residence on the park premises during the period when the park is closed.

Don Todd, a member of the Friends group, points out another serious fallout from the park closure. Construction of a major section of the Cumberland Trail, which is currently under way on the Bird Mountain portion of the park, will be interrupted when the gate is closed.

#### **C. Victor Ashe proposes source of park funding**

Knoxville's Mayor Victor Ashe has proposed that one cent out of the 21.4-cent tax on gasoline be used to go toward state parks. Even one-fifth of that amount would be sufficient to cover the \$3.2 million that the state says would be saved by closing 14 parks and eliminating 108 staff positions, and the remainder could go toward other park needs, including land acquisition.

**WHAT YOU CAN DO:** Let Mayor Ashe know of your support for his proposal, and encourage him to stand up to the TN Dept. of Transportation. He can be reached at City-County Building, 400 Main Street, Knoxville, TN 37902.

#### **D. Critical history of park system**

In 1937, the General Assembly passed an Act establishing state parks in Tennessee. The first Director of State Parks, R.A. Livingston, was the only director, ever, to have a formal education in natural resources management, and experience as a park manager. Almost since the time he left, the system has been "pummeled" by politicians, and our present problems can be traced in large part to this circumstance. This is the thesis of a fascinating, thorough, and analytical history of the Tennessee State Park System published in the October *Tennessean* by Ron Castle. We strongly recommend your reading this. If you can't get a copy, contact Ron at [roncastle@earthlink.net](mailto:roncastle@earthlink.net), or 931-967-2053.

### **4. FORESTS IN TENNESSEE**

#### **A. Forestry issues are water issues**

[Based on reports by Cielo Sand]

"How we manage our forests has a profound effect on the quality of our drinking water and the ability of our watersheds to perform their most basic functions." (Former Chief of the USFS, Mike Dombeck, speech to American Forest and Paper Industry, 2000)

Across our state flow over 15,000 miles of rivers, nourished by forested lands that absorb rain, reduce storm-water runoff, and refill under-

ground aquifers. Sediment pollution remains the primary cause of stream degradation in Tennessee, and sedimentation is all too often caused by clearcutting and other poor forestry practices.

Our forested watersheds are among North America's most biologically diverse regions. Our aquatic ecosystems are among the richest in the world (NL241 ¶4G). Both deserve protection, but our current laws fail to address the effect of the rapid sweep of industrial-scale logging that supplies the pulp & paper and chipboard industries. Clearcutting -- the harvest method used by chip mills -- is legal! Some cuts are hundreds of acres in size. A pre-harvest notification is not required, leaving the state unaware of thousands of remote logging operations. The state monitors only 8% of the total number of logging operations statewide each year to ensure that even the voluntary Best Management Practices (BMPs) are implemented to protect streams and wetlands.

The next three items (¶4B, C, and D) address steps we can take to protect our forests and the quality and quantity of our waters.

#### **B. Urge the State to strengthen chip-mill storm-water permits**

TDEC (Tennessee Department of Environment and Conservation) is about to reissue its storm-water general permits for industries, including chip mills. These facilities encourage the large-scale clearcutting that is spreading across Tennessee. We have the opportunity to voice our concerns at upcoming hearings and/or through written testimony (see below).

TDEC should include these reasonable safeguards in chip-mill storm water permits:

- Require the reporting of logging sites that supply the chip mill. The state should know where the large-scale cutting will occur. Knowledge will aid in the prevention of stream pollution, will streamline state monitoring and can save money.
- Require public participation in the issuing of these storm-water permits. TDEC has the statutory authority to do so, and has an obligation in view of the intense public concern about chip mills and the remoteness of the clear-cutting sites that supply the mills.

**WHAT YOU CAN DO:** You can express the views and recommendation outlined in ¶4A, and in ¶4B above by

- (1) Attending a hearing (details below), or

**(2) Writing a letter (details below).****Hearings:**

Nov. 26, 7 p.m., Nashville, L&C Tower, 17<sup>th</sup> floor  
 Dec. 6, 7 p.m., Knoxville, Pellissippi State Community College

Dec. 13, 7 p.m., Jackson, Environmental Assistance Center.

**Addresses:**

Gov. Sundquist (see p.2). Send copies to Commissioner M. Hamilton and Water Pollution Control Director Paul Davis, both at TDEC, L&C Building, 401 Church St., Nashville, TN 37243-1534.

**(3) For more info: Cielo Sand, 423-332-7391, P.O. Box 87, Sale Creek, TN 37373, [cielo@dogwoodalliance.org](mailto:cielo@dogwoodalliance.org)****WHAT YOU CAN DO:**

To order a guide, or discuss the training program, contact Cielo Sand, 423-332-7391, P.O. Box 87, Sale Creek, TN 37373, [cielo@dogwoodalliance.org](mailto:cielo@dogwoodalliance.org).

**5. OTHER STATE NEWS****A. Victory on Dry Fork Creek may unravel**

[Based on reports by John Noel]

On September 26, it looked like a big victory. A coalition of caving and environmental groups, led by the Tennessee Environmental Council (TEC), had been fighting the Water Quality Control Board's (WQCB's) May 2000 decision to permit a new sewage treatment plant for Spencer, Tennessee, to discharge into a clean mountain stream, Dry Fork Creek (NL237 §2A). This first-ever decision in Tennessee to permit intentional degradation of a known high-quality (Tier-II) stream was deplorable on principle, and was especially significant because Dry Fork Creek runs through an extensive and ecologically significant cave system into Fall Creek Falls State Park.

Concurrently with opposing stream discharges of the treated sewage, the environmental coalition worked with EPA to find an alternative method for Spencer to handle its waste. An EPA study showed that land-application methods for the treated sewage effluent were a feasible alternative and were indeed the most desirable option for the region.

After many months of diligent effort and a full trial fought by the coalition's legal team (Joe McCaleb and Chuck Mangelsdorf), the coalition presented its case to the WQCB on 9/26/01. Despite efforts by the Administration representative to prevent this, the Board voted 7 : 2 to rule its original permit-granting decision of May, 2000 as invalid, and to direct the state to develop a proper anti-degradation policy on which to base decisions in the future.

It was a great victory at the time. Not long thereafter, however, the town of Spencer requested to intervene in this already-decided case. Despite a strong representation made by the coalition against such after-the-fact intervention, the WQCB at its meeting of October 24 moved by a vote of 4 : 2 to allow Spencer to intervene. There was a clear indication of heavy-handed politics. In the meantime, the Spencer permit reversal is

**C. Support chip-mill permit bill**

When the General Assembly reconvenes for the second year of its session, SOCM's chip-mill bill will continue its progress, hopefully toward passage. It was tabled last year and is presently in the Senate Environment Committee and the House Conservation & Environment Subcommittee. Entitled the Tennessee Forest Protection Act, HB260 (Odom, Fowler)/SB265 requires a permit application for any new or expanding chip, pulp, or paper mill. The state would then conduct a study to determine whether such a facility would cause harm to existing wood industries, the tourism and recreation business, and the environment. During the 2001 session, observers reported that the state (Forestry Division in the Dept. of Agriculture) lobbied harder against the bill than did the industry. They used faulty data to support their claim that Tennessee has more hardwood forests now than it had in 1950, and that the state was suffering (!) from a lack of clear-cutting (NL239 §3B).

**WHAT YOU CAN DO:**

By January, contact your state legislators (see Political Guide, or call us for information) and urge them to support the Tennessee Forest Protection Act, HB260 (Odom, Fowler)/SB265.

If you would like more information on this bill, contact Daria Gere ([daria@socm.org](mailto:daria@socm.org), or 865-426-9455).

**D. Become a forest watcher**

Allofus can help by identifying and reporting water pollution problems that result from logging and other land disturbances. The Dogwood Alliance has launched a citizen-based Forest Watch Program and issued a "Field Guide to Forest Watching."

still in place but sort of "in suspended animation," according to John Noel, who has played a lead role in this effort.

#### **B. Green Power Switch adds methane**

Because of the delay in getting landfill-gas for TVA's Green Power Switch program, a new generation resource is being added. As of October, co-firing of a methane waste by-product from the City of Memphis's wastewater treatment facility is expected to produce more than 35 million kwh annually, eliminating the consumption of over 17,000 tons of coal.

#### **C. State energy planning**

By Executive Order of 7/24/01, Governor Sundquist established an Interagency Energy Policy Work Group, which is charged with developing policy recommendations on all aspects of energy, including, specifically, energy efficiency, transportation, new technologies, and power alternatives. The same Executive Order created an Advisory Committee to advise the Work Group. This Committee includes representatives from the Southern Alliance for Clean Energy, the League of Women Voters, and ORNL.

### **6. THE CHEROKEE NF AND OTHER NATIONAL FOREST ISSUES**

#### **A. Southern Appalachian Plan Revision invites public participation**

There have been some delays in the revisions required under the 1982 planning rule, but the Cherokee National Forest is working toward having a Draft EIS and Proposed Revised Forest Plan available for public review by October 2002. During the next few months, the emphasis will be on completing the Watershed Analysis Process, developing management prescription standards, and developing models for conducting effects analyses of the plan alternatives.

**WHAT YOU CAN DO:** The Cherokee NF Plan Revision Team meets the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of each month in the Forest Supervisor's office, 2800 North Ocoee Street, Cleveland, TN. Anyone interested in attending should call 423-476-9700 to determine the precise time and place of these or other, *ad hoc*, meetings.

#### **B. In lieu of logging subsidies, should fund forest restoration**

[Based on a contribution by Marcy Reed]

The National Forest Protection and Restoration Act (NEFRA), first introduced in 1997 and currently cosponsored by Cynthia McKinney (D, GA), and James Leach (R, IA), calls for an end to commercial logging on national forest lands, and for investment of the current logging subsidies into a scientifically-based restoration program that will revitalize the forests and the rural communities around them. Our national forests have been utilized commercially for over 100 years, and the impacts of this use have led to rapidly deteriorating water quality, wildlife populations, and natural plant ecosystems, and to vulnerability to wildfires (see ¶6D, below). Studies have shown that recreational use of the national forest brings in far more money to the local economy than do timber sales.

Provisions of the NEFRA include the following:

- Natural Heritage Restoration, which will put people to work restoring the native biodiversity and health of our national forests.
- Establishment of the Natural Heritage Restoration Corps, a job corps that will preferentially hire displaced timber workers or road-building crews. "If we redirected the logging subsidy, we could provide over \$25,000 for each public land timber worker for retraining or ecological restoration work and still have over \$200 million left to reduce the federal deficit in the first year alone," says co-sponsor McKinney.
- Permission to use forest materials from restoration activities for personal needs, such as firewood, posts, poles, as well as heating fuel and timber for low-income homes.

**WHAT YOU CAN DO:** Urge your Congressman (address on p.2) to cosponsor the National Forest Protection and Restoration Act.

#### **C. Criticism of Biological Evaluation procedures proposed by USFS**

Cherokee Forest Voices, of which TCWP is a member organization, recently commented on changes in biological evaluation procedures (BEs) proposed by Region 8 (Southern Region) of the US Forest Service (USFS). The agency is proposing to remove the requirements (a) that it consult inventories of species populations, and (b) that it collect species information when it is unavailable.



Without these requirements, the agency would simply "consider" whatever species information may (or may not) be available at the time. Unless the USFS makes a commitment to monitoring species populations, the agency will be vulnerable to lawsuits and other challenges under the species viability requirement of the National Forest Management Act.

The Cherokee National Forest provides an example of the danger of weak BE procedures. In the case of one proposed timber sale (Iron Mountain Gap), botanists under contract with Cherokee Forest Voices found 12 rare species, which is three times the number found by the USFS.

#### **D. Cherokee among endangered National Forests**

[Based on a contribution by Marcy Reed]

In October, the National Forest Protection Alliance (NFPA) released a report on our most endangered National Forests. NFPA, launched in 1999, has over 300 member organizations. According to the report, the staggering impacts to our National Forests, which result primarily from the federal timber sale program, include floods; mudslides; destruction of critical wildlife habitat; decline of fisheries; degradation of air and water quality; soil erosion; and the loss of nearly all our remaining old growth stands. Despite this, the U.S. Forest Service subsidizes the timber industry to log and thin about 750,000 acres of national forest lands per year at a net loss to U.S. taxpayers of over \$1.3 billion annually. Mining, grazing, and oil and gas development are also heavily subsidized in our national forests.

The Cherokee National Forest, while not in the top 10, was listed in the report as threatened primarily by logging and road construction. Further, increasing regional chip-mill capacity and production result in air and water pollution that threaten the incredible array of species that call the CNF home. Species utilizing riparian habitat in the Cherokee NF comprise over 80% of the species that are listed on the state and federal endangered species lists.

For more information or a copy of their report, contact the National Forest Protection Alliance, PO Box 8264, Missoula, MT 59807; ph. 406-542-7565, e-mail [nfpa@wildrockies.org](mailto:nfpa@wildrockies.org). Their website is [www.forestadvocate.org](http://www.forestadvocate.org).

## **7. SMOKIES**

### **A. Groups planning joint strategies**

On November 17, the Sierra Club and Smoky Mountains Hiking Club sponsored a meeting of interested groups to discuss problems that threaten the survival of the Smoky Mountains National Park as a premier wilderness area. TCWP was represented by Marcy Reed, Patrice Cole, Cindy Kendrick, and Charlie Klabunde. Problems addressed included air pollution and water quality; the proposed North Shore Road and wilderness designation (NL241 ¶5); US 321 (NL240 ¶3B) and the Foothills Parkway; the Ravensford Tract land exchange; Tremont Environmental Center/Elkmont structures. Strategies for joint action by the environmental community were discussed. The group will meet again to decide whether to operate in a coalition or other framework.

### **B. Phase-I permits for Hwy 321**

[From Marcy Reed]

Despite massive public outcry, 14,000 comments to the Park Service, a room full of people at the ARAP meeting in Gatlinburg, and a petition with over 1200 names on it, the permits have been issued for road construction on Highway 321, phase I, in Gatlinburg.

## **8. OAK RIDGE AREA**

### **A. Protecting the North Ridge Trail**

Following our report (NL241 ¶8A) of increasing ATV and other illegal use of the North Ridge Trail (NRT), we have received a most gratifying response from members who have sent contributions toward the purchase of signs to be posted at NRT accesses. Eleven such signs are needed, and money to pay for at least 8 of these has been sent by the following:

Susan Donnelly  
Bettie and Henri Levy  
Lois A. Martin  
Bob and Ginny Mintum  
Peggy Mitchell and Roger Macklen  
Lee and Bill Russell  
Myrtle M. Seno  
Tom Thomas

Our sincerest thanks to all who have so generously contributed. We appeal to an additional three donors to complete the process. (If we get too much money, it will go toward other NRT-protection efforts.)

Because we hope to be able to put some teeth into the prohibitions that will be embossed on the signs, there is going to be some delay while we work on another matter. TCWP representatives will meet with the Environmental Quality Advisory Board's (EQAB's) Greenbelts and Open Space Committee to review existing ordinances governing greenbelts and trails, and to recommend possible changes that would address the improper use of these areas. The first meeting is scheduled for November 19. In the meantime, you should notify the police of motorized-vehicle use or other violations, such as tree cutting in the greenbelt.

**WHAT YOU CAN DO:** We need just three more donors. If you can contribute \$60 (or any amount) for a North Ridge Trail sign, write a check to TCWP, Inc. (that makes it tax deductible) and designate it "forsigns." Send it to the address in box on p.2.

## **B. Oak Ridge Reservation Planning process needs improvements**

[Contributed by Dev Joslin]

The Department of Energy's Oak Ridge Operations office (DOE-ORO) is continuing with its effort to conduct "comprehensive long-range planning" for the entire Oak Ridge Reservation, with public input. The process officially began on August 29 of this year, with the first meeting of a stakeholders' group of 20 individuals. They include Oak Ridge City government (3), OR Chamber of Commerce, CROET, local citizens, TVA, US Fish & Wildlife Service, TWRA, Tenn. Dept. of Economic and Community Development, and several NGOs (Advocates for the Oak Ridge Reservation, The Nature Conservancy, OR Heritage and Preservation Association, Friends of ORNL, Tenn. Conservation League). The mission of the group is to provide recommendations to DOE as it develops a comprehensive plan for future uses of the reservation for the next 20 years.

To date, upon request from many in the group, DOE has issued a map noting what it considers to be its "core" area - i.e., what the agency considers essential to its primary missions related to national defense and research. This "core area" includes approximately 30,000 of the 36,000+ acres of the reservation. The ~6,000 acres that are excluded are all on the western end of the reservation. This area encompasses all lands north and west of Highway 58, containing East Tenn. Technology Park (formerly K-25), Horizon Center (formerly ED-1), and 3,000-4,000 undeveloped acres surrounding these developed areas, in-

cluding Black Oak Ridge and McKinney Ridge. Also excluded from the "core area" are approximately 1,000 undeveloped acres on the southeast side of Highway 58, between the former K-25 site and Bear Creek Road, on either side of Pine Ridge along its southeast end. The "excluded area" encompasses all of the proposed "ED-3" developed, for which a draft Environmental Assessment (EA) has been circulated, but no Finding of No Significant Impact (FONSI) has been issued.

The stakeholder group meets regularly on the second Friday of every month at the OR Public Works Building on Woodbury Lane (off Wilberforce, off Tulane, behind K-Mart), from 10 am to 3 pm. To date, the group has met for three full 5-hour sessions. Discussions have been decidedly polarized, with arguments for "pro-development" uses of the "excluded land" having been formally presented to the group. Presentations opposed to development will be given at the next meeting (December 14). Meetings are open to the public, but there is very limited opportunity for the public to speak.

DOE's current process has a number of shortcomings.

1. Because it is not being conducted as part of the NEPA process, the resulting plan will have no legal standing.
2. DOE has issued a timetable that implies that the process will be completed within one year. This timetable would have DOE issuing a draft report by June 2002, and it allows only four months for analysis of all the data and issues relevant to various alternative uses of the land. Alternative scenarios have yet to be developed by the group or by DOE. Many on the stakeholder group feel that four months is far too short a time to conduct thorough analyses of all the land-resource values and economic issues involved in determining future uses.
3. The process does not allow for any significant public input from outside of the stakeholder group until January or February 2002, halfway through the process and after land-use alternatives have already been proposed.

Much of the land being considered for development contains unique plant communities, which the Tennessee Natural Heritage Program is currently advocating should be designated State Natural Areas. Most of the undeveloped land also is a breeding ground for over 20 species of birds that the Southeastern Partners in Flight program has designated as of highest conservation priority and in need of management.

Some of the uses -- besides development -- being advocated include conserving the land for

future uses for scientific research; conservation of plant communities, birds, and other wildlife; buffer zones around facilities and contaminated areas; preservation of historic areas; recreational uses such as hunting, hiking, wildlife watching, and biking; and environmental and historical education.

**Editor's note:** On January 29, Dev Joslin will present a TCWP talk on the subject of ORR Planning. See ¶10A and 11.

**WHAT YOU CAN DO:** Write to Leah Dever, Manager, Oak Ridge Operations, USDOE (P.O. Box 2001, Oak Ridge, TN 37831), encouraging DOE to hold more public meetings; to allow this planning process sufficient time for thorough examination and analysis of all alternatives; and to take a long-term and global perspective on the importance of preserving this land for the future.

## 9. NATIONAL ISSUES

### A. Some senators trying backdoor to open Arctic Refuge to drilling

Now that only the U.S. Senate remains to protect the Arctic National Wildlife Refuge from losing its vast wilderness to the oil rigs (NL241 ¶9A), the pro-drilling forces in the Congress and the Administration are pulling out all stops to get their way. There have been – and probably will continue to be – repeated attempts to attach a Refuge drilling provisions (in one form or another) to a must-pass bill. First, Sen. Inhofe (R-OK) tried the Dept of Defense Authorization bill. Then, Sen. Phil Gramm (R-TX) encountered (and caused to be withdrawn) a provision to provide benefits for airline workers unemployed as a result of Sept. 11. And, most recently, the Economic Stimulus package has been targeted by Senate Minority Leader Frank Lautenberg and Sen. Murkowski (R-AK) as a vehicle for attaching pro-drilling amendments. Our Senators need constant reminders that such tactics are most reprehensible, and that the Arctic Refuge must be protected.

The Bush Administration has also embarked on a campaign of misrepresentation. It has, for example, failed to publicly release a U.S. Fish & Wildlife Service report (that had been requisitioned by Congress) which suggests that opening the Arctic Refuge to oil drilling could undermine the entire U.S. polar-bear conservation strategy and violate an interna-

tional polar-bear agreement. Earlier, Interior Secretary Gale Norton testified that caribou calving occurs primarily outside the proposed drilling area, in contradiction to USFWS information which explicitly notes that calving has occurred in the area for 27 of the past 30 years. She also ignored scientific data that calf production and survival rates are lower when caribou do not calve in the proposed drilling area.

**WHAT YOU CAN DO:** Keep contacting your Senators (see p.2 for contact info) and urge them to oppose oil exploration and development in the Arctic Refuge. Let them know that the need for Arctic Refuge protection has not changed as a result of the terrorist attack.

ANWR is an irreplaceable national treasure. Drilling there is not a solution to any energy crisis and will not give us energy independence; the amount of oil there will not lower gas prices; it would take 10 years for any oil from the Refuge to reach the market; there are alternatives, especially, increased fuel efficiency.

### B. Increases in LWCF and other Interior appropriations

The Congress has yet to pass legislation re-embelling last year's CARA (NL241 ¶9B) that provides guaranteed annual funding at the full \$900 million level authorized for the Land & Water Conservation Fund (LWCF). The Interior Appropriations bill that passed in mid-October does, however, include some welcome increases in the LWCF appropriated for FY2002. The total for all public land agencies was \$573 million, up 5.3% from last year's \$544M (but an increase of 28% over the \$448M for FY'00). The breakdown by agencies is as follows:

Agency	\$B (M)	Change
BLM	49.9	-6.6
FWS	99.1	-22.1
NPS		
Fed. acquisition	130.1	+5.3
State grants	144.0	+53.7
USFS	149.7	-1.3

The \$144M allocated to states for park and recreation projects is the highest amount since 1981.

The Conservation Spending Category of the Interior Appropriations bill totaled \$1.32 billion, \$121 million more than last year and \$64 million more than President Bush had asked for. This includes:

\$429M, LWCF federal acquisitions (see above)

\$144M, LWCF state grants (see above)  
\$85M, state wildlife grants  
\$50M, landowner incentive and stewardship  
\$96.2M, Cooperative Endangered Species Fund  
\$43.5M, N. American Wetlands Conservation Act  
\$25M, USGS state planning partnerships  
\$65M, Forest Legacy (up \$5.1M from last year)  
\$74.5M, Historic Preservation  
\$30M, Urban Park and Recr. Recovery Program  
\$36M, Urban and Community forestry  
\$7M, Youth Conservation Corps  
\$50M, Payment in lieu of taxes (+\$160M PILT funded elsewhere in the bill)  
\$185M for BLM, USFWS, NPS, USFS land and resource management and facilities maintenance

How did Tennessee fare in the LWCF appropriation? This is what we got:  
NPS federal acquisition, \$1M for Moccasin Bend,  
USFS, nothing,  
USFWS, \$1M for Reelfoot NWR,  
NPS state grants, 2.6M (estimated). However, at least \$715,000 is currently being withheld because of the state-park closures (§13A, above)

**WHAT YOU CAN DO:** Although this year's funding saw a slight increase, *guaranteed full funding of the LWCF is a necessity if we want to protect our remaining valuable lands before they disappear to development.* That's a major reason for supporting CARA. Urge your Representative and Senators to co-sponsor and support CARA, HR 701 and S 1328, respectively. (Address on p.2)

### C. Significant resources nationwide are damaged by OHVs

Swamp buggies have carved some 23,000 miles of unauthorized trails in Big Cypress National Preserve. As many as 1,300 snowmobile riders enter Yellowstone on a busy Saturday, resulting in a visible smog (that causes nausea and sore throat) and disrupting tranquility for wildlife and other park users. And in the Big South Fork NRR, ATVs (all-terrain vehicles) drive blithely through streams.

But, far from curbing these disastrous impacts, the Bush Administration is working behind the scenes to weaken the policies that would eliminate or reduce the use of these various

vehicles (collectively, OHVs) in our national parks, and is publicly touting the industry claim that cleaner and quieter vehicles are the answer. They are ignoring polls which show that, by a 67% : 29% margin, Americans want to protect their national parks from the damages caused by OHVs. (As Edward Abbey said, we have already agreed not to drive into cathedrals and other sacred places.)

Sales of OHVs are at record levels, and the industry is pouring a lot of its profits into lawyers and lobbyists. Not only are they working to increase their invasion of national parks, but they are busy trying to prevent EPA from issuing emission standards for these vehicles.

On a state level, one state, Pennsylvania, is trying to do something about it. In June, it passed a law that requires ATV and snowmobile operators to register their vehicles, to display the registration number, and to buy liability insurance. Vehicles can be used legally only on roads and trails explicitly marked for their use. Violations bring fines and possible jail time; and, as an incentive for enforcement, local governments are allowed to keep money from the fines. A committee was created to advise on a grant program for the development of ATV/snowmobile trails on non-state lands to help keep these vehicles out of state parks and forests.

### D. An interesting road map

Forest Service Employees for Environmental Ethics (FSEEE.org) have produced a fascinating road map of the continental USA that shows all roads (paved, gravel, and dirt, but excluding jeep tracks) that criss-cross the country - 7,000,000 miles in all (enough to circle the Earth ~280 times). Overall, the country appears gray, with blacker areas around cities and just a few white areas (Yellowstone, Everglades, the Bitterroot Mountains, Glacier NP, etc. - and some of the roadless national forest areas Pres. Clinton and Chief Dombek tried to protect). What is astonishing is that some of the national forests are blacker on the map than the areas surrounding them - they are crisscrossed by logging roads.

## 10. TCWP NEWS

### A. Upcoming TCWP events

[For further info, contact Marcy Reed, 691-8807, MarcyRReed@aol.com, or Sandra K. Goss, 865.522-3809, skgoss@esper.com]

- TCWP Holiday Party, Dec. 13, 7 p.m. (note change of date), at the house of Jenny Freeman and Bill Allen. Look for special announcement.
- Public meeting, January 29 (7 pm, Oak Ridge Civic Center). Dev Joslin will speak on "Oak Ridge Reservation Land Use Planning—Where is it going?" (see also ¶8B, this NL). Dr. Joslin, who is President of Advocates for the Oak Ridge Reservation (AFORR) and a member of DOE's ORR Land Use Planning Focus Group, will discuss activities of the Focus Group to date. After outlining the values of the current 55-square mile ORR, Dr. Joslin will deal with the following topics: (1) DOE's approach to the land-use planning process and its current scope; (2) the role of focus groups and public meetings in DOE's decision-making; (3) the views and stances of pro-development and pro-conservation individuals on the Focus Group; and (4) the speaker's views on the productivity of this process, where it is headed, and how you can participate and influence the outcome.

## B. Report on recent activities

- Public Lands Day activity at Worthington Cemetery, September 29. This highly successful event on a beautiful day brought out over 20 participants. TVA's Melinda Andrews, in thanking us, writes: "Because of your dedication to public land, we managed to pull up an extremely large amount of privet, finished removing exotic plant species along the access road by the pond, and planted about 130 native plants where the exotics were removed. We still have a lot to do—but not nearly as much as before."
- Annual Meeting, October 13. We heard from three excellent speakers in the morning. Bridget Ellis, TVA Vice resident for Resource Stewardship, said that more long-term planning is possible for the Resource Program now that it no longer has to get annual appropriations (it is funded by TVA's self-supporting power program). She outlined the Program's new initiatives as well as problems, and talked about the Regional Resource Stewardship Council. Randy Brown, executive director of the Foothills Land Conservancy said that 12,000 acres have been conserved by the FLC, and talked about the initiative to acquire access for the Foothills WMA (NL241 ¶4D). Bobby Fulcher was unable to come, but his place was taken by Chris Bullington, Director of Conservation Planning for the Tennessee Nature Conservancy. He gave a highly informative illus-

trated talk about INC's new initiative to the Cumberlands (see also ¶1, above).

All nominees for the 2002 Board and Nominating Committee were elected, and the proposed bylaws amendments were adopted. The silent auction netted \$861.—The afternoon was heavily overcast and blustery, but the rain held off and we enjoyed the beauties of Black Mountain, recently acquired for the State by the Tennessee Greenways and Parks Foundation.

## C. Sandra is back!

Sandra Goss is now through with her other (full-time) job and is again working (half-time) for TCWP. Good news indeed!

## D. Donations for North Ridge Trail signs

We have had a great response to our appeal for donations (NL241 ¶8A) to pay "for pedestrian-only" signs at 11 access points to the North Ridge Trail. Eight of the signs are already paid for. We are grateful to the donors, who are listed in ¶8A of this Newsletter.

## E. This year again: give a TCWP membership that costs you nothing!

Give a 2002 TCWP membership (including Newsletter and other benefits) to a friend or relative, and it'll cost you nothing! TCWP will notify the donee of your gift. A second or subsequent gift will cost you only \$10 each. Before long, you will receive a form from us for this gifting opportunity. While this program obviously entails an expense for TCWP, it could provide a substantial membership growth opportunity.

## F. Other gift ideas from TCWP

Last year, Bill Russell donated a dramatic B&W photograph of the Obed River gorge to be made into a 16 x 20" poster. These signed posters are still available for a \$12 (+\$4 S&H) donation to TCWP.

And, our tee shirts, with the design on either ecru or teal background, are available in various sizes. These, too, can be had for a \$12 (+\$4 S&H) donation to TCWP.

You will shortly receive an order blank for these various items, including the gift membership that costs you nothing (¶10E, above). If you can't wait for the form, call Sandra K. Goss at 865-522-3909, or e-mail her at [skgoss@esper.com](mailto:skgoss@esper.com).

## 11. JOB OPENINGS; CALENDAR; RESOURCES

### Job openings:

- The Cumberland Trail Conference seeks a full-time Program Coordinator to help develop the Cumberland Trail State Park. Successful applicant will provide organization and leadership for CTC's non-profit Volunteer Trail Building & Educational Programs. Must have transportation. Position based in Crossville, TN. Call 931-456-6259 for more information.
- The North Carolina Wildlife Resources Commission's Nongame & Endangered Wildlife Program will contract with 5 individuals to provide temporary assistance during the 2002 field season. Jobs involve surveys and data collection on turtles, waterbirds, and aquatic endangered species. A degree in wildlife fisheries management, zoology, or biology is required. Applications must be postmarked by 1/5/02, and interviews will be conducted in Raleigh on 1/28/02. For further details, contact John Alderman, [aldernjm@mindspring.com](mailto:aldernjm@mindspring.com)

Events and deadlines calendar (For details, check the referenced NL item; or contact Sandra K. Goss, 865-522-3809, [skgoss@spat.com](mailto:skgoss@spat.com); or Marcy Reed, 865-691-8807, [marcyreed@aol.com](mailto:marcyreed@aol.com)).

- Nov. 28-29, Energy Technology Expo, sponsored by TVA and TVPPA, Chattanooga (Contact Paula Brown, 865-632-2974, [pwbrown@tva.gov](mailto:pwbrown@tva.gov)).
- Dec. 6, 7 p.m., Pellissippi State Community College, Knoxville, hearing on chip-mill storm-water permits (14B).
- Dec. 13, 7 p.m., TCWP Holiday Party, Oak Ridge (110A).
- Dec. 14, 10 a.m., next monthly meeting of the Land Use Planning Focus Group, which is advising DOE on planning for the ORR (118B). Central Services Center, 100 Woodbury Lane, Oak Ridge (behind K-Mart).
- January 29, TCWP features Dev Joslin on Oak Ridge Reservation planning process (110A).
- February 23, TCWP hike in Oak Ridge area (details later)

### Resources

- Research Park Notes is an on-line newsletter about the Oak Ridge Reservation, put together by ORNL's Pat Parr, who manages the National Research Park. Contributors include outside scientists and students doing research on the Reservation. To subscribe, send an e-mail to [pparr@ornl.gov](mailto:pparr@ornl.gov)

- As an initial building block of a planned Southern Appalachian Regional Information System, SAMAB's Watershed Initiative has created an interactive website to identify watershed organizations of each basin in the Southern Appalachians. It is located at <http://samab.org/saris/watershedorg>

