



Taking Care of Wild Places

The BIG stories

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- Ravensford bill introduced ..... ¶13A
- North Ridge Trails decals up ..... ¶16
- New outlook for Arctic Refuge ..... ¶17A

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## 10. ACTION SUMMARY

#No	Issue	Contact	"Message!" or Action
1	Policy changes for oil regulations	TDEC	Attend public meeting on Dec. 3; or comment by Dec. 6
2A	Mussel Recovery EA revision	TCWP	Express your willingness to comment on revision
2C	BSF General Mngt. Plan Draft	TCWP	Express your willingness to comment on revision
3A	Ravensford land exchange bill	Reps. Duncan and others	"Oppose efforts to attach HR.5468 to any legislation!"
3B	North Shore Road	CEFSC (Swain Cy. Group)	Support with donation
6	North Ridge Trail	City, County staff (listed)	"I appreciate your department's help!"
7A	Arctic Wild life Refuge	Sen.-elect Alexander	"Stand strong against attempts to drill!"
7D	Recycled paper saves trees	Staples, Inc.	"Thanks for changing purchasing policy!"
10A	Holiday gifts	TCWP	Give a membership, an Obed poster, a T shirt

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  
web: <http://frist.senate.gov>, click "Contact"  
Local: 865-602-7977

Sen. Fred Thompson:  
Ph: 202-224-4944; FAX: 202-228-3679  
e-mail: [senator\\_thompson@thompson.senate.gov](mailto: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.lcv.org>  
Note that mail to Congress is very slow following the anthrax scare. Consider adding other modes of communication.

## 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: Sandra Goss, 865-522-3809; [SKGoss@esper.com](mailto:SKGoss@esper.com)  
Membership-Development Director:

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

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

# **1. OIL SPILL INTO OBED WSR IS TRIGGERING POLICY CHANGES: YOUR INPUT NEEDED**

The oil-well blow-out and fire of July 21 that resulted in oil pollution of the Clear Creek (a major component of the Obed National Wild & Scenic River) has woken up citizens, government agencies, and even the oil industry to the need for strengthening the measures that govern oil & gas exploration and extraction in Tennessee. This is especially critical since the high productivity of the well that blew out may result in a rash of development activities in areas of the Cumberland that contain high-quality waters, such as the Obed and the Big South Fork (there are hundreds of oil wells within the BSFNRRA).

## **Recommendations and state position**

On September 10, the National Parks Conservation Association (NPCA) and the Tennessee Clean Water Network (TCWN), along with TCWP and the World Wildlife Fund, sent TDEC (Tn. Dept. of Environment & Conservation) a set of recommendations regarding the permitting and regulation of oil & gas drilling activities. The Tennessee Oil & Gas Association (TOGA) had also sent recommendations to the state. On September 19, Justin Wilson, Deputy to the Governor for Policy, wrote to the Commissioners of Environment & Conservation (Milton Hamilton) and Economic & Community Development (Tony Grande) stressing that "the proximity of ... potential exploration to high quality waters and natural areas warrants close consideration." He called on TDEC to examine the feasibility of extending and broadening the interim controls that had been put in place, and that are allowed under current law. In addition, he asked both departments to set up a study group to assess longer-term measures, including rule-making or legislative changes.

## **Interim measures**

On July 31, 10 days after the spill, the Tenn. Oil & Gas Board (TOGB) in TDEC's Div. Of Geology issued special regulations (within the existing regulatory framework) for Fentress, Morgan, and Scott Counties and the region around Dale Hollow Lake. The most important of these was that all wells had to be located at least 330 ft from a stream or body of water, although this distance could be decreased to 200 ft. if a written plan was submitted reflecting how the operator would protect the surface water in case of an accident.

In response to Justin Wilson's request, an October 23 memo to all operators by Michael Burton, TOGB Asst. Supervisor, lists additional measures, based on current regulations but not specifically required before, that had been agreed upon by the industry association, TOGA. The Oil & Gas Board will require, (a) an action plan to be submitted with each new permit application, (b) a spill-prevention response in the action plan, (c) more stringent safety at each new permitted site, (d) an environmental and safety officer for each drill site who must go through a course sponsored by TOGA and erosion-control training required by TDEC. The wording elaborating most of these requirements is quite loose and allows lots of room for judgement by the permit issuer. The memo also recommends reducing the reclamation bond from \$1,500 to \$1,000.

Michael Burton, the originator of the Oct. 23 memo has since been transferred within the Division. Ron Zurawski, Director of the Division of Geology, has recently assumed the role of point person for TDEC communications regarding oil spill response and drilling issues.

## **The study group**

The study group, consisting of staff from the two departments that were contacted by Justin Wilson (see above), was convened in late October to review Tennessee's oil and gas drilling regulations and laws. Among subjects being considered are environmental performance standards and bonding.

The state will solicit public input on its preliminary findings on December 3 (see Action box, below), and plans to develop a final proposal by December 15 that the new Bredesen administration can run with. This time schedule should also permit legislative proposals to be made to the General Assembly.

As a preliminary to the December 3 public hearing, an informal working session has been organized by TDEC for representatives of the conservation community and of industry, and the state's oil & gas staff. Members of NPCA, TCWN, and TCWP will be among the attendees.

## **Issues that merit consideration**

- Need for formal notification of the public of drilling-permit applications, and opportunity for public comment. Notices of applications could be sent to requesting groups (similar to the procedure for ARAP applications) or posted on a web site.
- Need to increase the distance between drill site (and all its appurtenant structures) and nearest stream or water body. Even wider buffer zones are

needed around state and federal parks and scenic rivers, waters that flow within protected lands, and Tier-II and Tier-III waters.

- Need to involve the Division of Water Pollution Control in evaluating drilling permit applications.
- Need to increase the current level of bonding so that it covers costs of plugging, abandonment, and reclamation of the well site, as well as initial cleanup costs in the event of a spill.
- Need to increase resources to enforce requirements.

#### WHAT YOU CAN DO:

We urge everyone who values the streams of the Cumberland Plateau to attend the public hearing on Tuesday, Dec. 3, at the Central High School in Wartburg (located on Hwy 62, near junction with US27). An informal open house starts at 5 pm EST, and the more formal hearing of state presentations and citizens' statements goes from 7:30-9:30 pm EST. The hearing record will remain open until Dec. 6.

Additional information, including current proposals (including the conservation groups') may be viewed at

[www.tdec.net/spo/oilandgaspolicy/index.html](http://www.tdec.net/spo/oilandgaspolicy/index.html), where you can also record your comments. Or, send comments via FAX to 615-532-0120; or mail them to Dodd Galbreath, TDEC Policy Office, 401 Church Street, 21<sup>st</sup> Floor, L&C Tower, Nashville, TN 37243.

For possible issues to address, see last section of article above, or the conservationists' proposal on the tdec web site. If you would like to carpool, contact Sandra K. Goss at 865-522-3809, or [skgoss@esper.com](mailto:skgoss@esper.com).

can, unfortunately, exert considerable political pressure, especially in the Bush Administration.

TOGA claims that the information in the EA is not sufficient to determine potential impacts on the oil & gas industry and wants to insure that the mussel reintroduction does not place an undue regulatory burden on this industry. They request a re-draft of the EA to include effects due to activities outside the BSNRRA, and a discussion of the economic implications of expanded endangered mussel populations on the industry through accidental takings.

NPS is indeed re-crafting the EA and reissuing it (probably in December) for another 30-day comment period. It is unlikely that revision of the document will alter the proposal for a reintroduction program, but additions will be made to the information presented in the EA. These will include a listing of all consumptive uses outside the park (logging and mining, in addition to oil & gas drilling) that could affect the water quality of the BSF.

#### WHAT YOU CAN DO:

If you are able to comment on the re-crafted EA (and it is important that we do so) let TCWP know how to contact you when we receive more particulars (see box on p.2 for information on how to reach us).

### B. Damaging stripmine discharge into the Emory River watershed

(Based on a report by Frank Hensley)

The U.S. Office of Surface Mining (OSM) recently issued a comprehensive strip-mine permit renewal for the Turner Mine-1 in Cumberland County. This renewal was granted despite overwhelming testimony and written comments in opposition, and despite the fact that the mine has been out of compliance with federal and state regulations 10 times in the past four years. OSM did revise the original permit by adding significant conditions that must be met, and they refused to release a \$385,400 bond. Even with the new conditions, this mine would continue to constitute a disaster. For the OSM permit to become effective, however, a water discharge permit is required.

On October 28, in response to public requests, TDEC's Division of Water Pollution Control held a hearing at Crossville on the Cumberland Coal Company's application for reissuance of an NPDES (pollution discharge) permit. The applicant requests to discharge "treated wastewater and storm water" from Turner Mine-1 into a number of streams of the Emory/Obed watershed.

## 2. OBED AND BIG SOUTH FORK ISSUES

### A. Big South Fork mussel assessment being re-crafted

In its Environmental Assessment (EA) of a proposed mussel recovery project, the National Park Service (NPS) enumerated three alternatives and chose as its preferred one a course of action that would not only augment existing populations but potentially greatly increase diversity by reintroducing many species that had been historically reported from the Big South Fork (NL247 ¶2A). Numerous comments (including TCWP's) supporting this chosen alternative were received by the Sept. 30 deadline. There was, however, also a very strongly worded set of comments opposing the project. It came from the Tennessee Oil and Gas Association (TOGA), which

These include Millstone Branch which flows into Rogers Creek and thence into Yellow Creek which flows into Daddy's Creek (a major component of the Obed Wild & Scenic River). Discharge would also continue to enter Meadow Branch and thence enter into Island Creek which flows through Catoosa Wildlife Management Area and joins the Emory just below Nemo Bridge.

Frank Hensley and Mike Kohlenberger, presenting testimony for TCWP, urged that the NPDES permit application be denied by the Division of Water Pollution Control. Frank's testimony pointed out that some of these streams go dry in the summer, which makes them far more vulnerable to pollutants; even a relatively small discharge can destroy aquatic life. All 15 people who testified at the hearing were in opposition to the mine. Several spoke of the disastrous effects of stripping in this Sewanee coal with its high concentrations of sulfur and other minerals. People who live close to the mine were extremely upset because the water in their wells had been severely degraded.

Frank challenged the Water Pollution Control Division to see to cleaning up the Obed, Tennessee's only National Wild & Scenic River, rather than permitting continuing pollution. Already, water quality in the upper 12.4 miles of the Obed has been designated as "threatened" (NL247 ¶2D). He also questioned whether the many separate permits that have been, and are being, issued that cumulatively affect water quality and quantity in the National Wild & Scenic River might not constitute a violation of NEPA, which does not allow piecemeal actions to replace a comprehensive Environmental Impact Statement.

The fate of the NPDES permit application is not yet known.

### **C. Big South Fork General Management Draft Imminent**

The Draft of the Big South Fork GMP is expected to become available at the end of the year. There will be a 90-day review period with open-house-type meetings during that time. Look for details on these meetings and the nature of the GMP in future mailings.

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

The Water Issues Committee will be reviewing the Draft GMP and is seeking volunteers to help with portions of this task (contact Sandra K. Goss, at 865-522-3809, or skgoss@esper.com).

## **3. SMOKIES ISSUES**

### **A. Quick action needed to stop Ravensford-exchange bill**

Rep. Charles Taylor (R-NC) has for some time been supporting the Cherokees' request for the Ravensford Tract, currently a part of the national park, to build a three-school complex (NL243 ¶5B). On Sept. 25, Taylor introduced HR. 5468 (referred to the House Committee on Resources), which would swap this land for private property adjacent to the Waterrock Knob Visitor Center along the Blue Ridge Parkway. Results of studies online at

<http://www.npslandexchange.com/reports.htm>

make it clear that any development of the Ravensford Tract will cause a huge impairment of resources. Additionally, a dangerous precedent would be set for NPS's policy on exchanging land.

There is some danger that Rep. Taylor will use the rush of last-minute business during the lame-duck session to attach his bill to some other kind of legislation. One such attempt was only recently averted. It is important that we contact some or all of the people listed in the box, below, and make sure they understand the significance of the land exchange. Our message should focus on the controversial nature of the issue and should make it clear that a public process is currently ongoing (a draft EIS), and that legislation would circumvent that process. Any decision about removing land from the Smokies should be based on the quality of the resources protected (very high quality, as shown by all the studies) and on sound NPS policy. Also, point out that there are alternative locations for the schools on flat-to-rolling land, both inside and outside the Cherokee reservation.

**WHAT YOU CAN DO:** Contact some or all of the following (addresses on p.2) to oppose efforts to attach the land-exchange bill (HR. 5468) to any legislation (see arguments, above):

- Rep. Rep. Jim Duncan, Jr., a member of the House Resources Committee.
- Reps. Wamp and Jenkins, and Sen. Frist.
- North Carolinians should contact Sen. Edwards, encouraging him to contact Senators Inouye and Nighthorse Campbell, chair and ranking member, respectively, of the Committee on Indian Affairs.

### **B. Will alternative to... the North Shore Road prevail?**

One of the many excellent speakers at the October 5 NorthShore Road rally (NL 247, ¶6A) was Swain County attorney Luke Hyde, who is representing Citizens for the Economic Future of Swain County (CEFSC). This group is advocating payment of a lump sum of money (\$40 million) to the county, in lieu of constructing the road, recognizing that this would be of significantly greater economic benefit to the local area. It would also be considerably less costly to the U.S. taxpayer who, in addition to already having shelled out \$16 million for NEPA-related North Shore Road studies, would have to pay a minimum of \$150 million for construction (= destruction of the largest roadless area of mountain terrain east of the Mississippi River, an area of beautiful vistas, wonderful trails, and important wildlife).

This road proposal has a strong political component, having for some years been pushed by the Republican power structure in North Carolina (Sen. Jesse Helms and Rep. Charles Taylor). About a month before the election, candidate Elizabeth Dole was quoted by the *Washington Post* as saying "the environmental and funding realities of this project have made it difficult to complete," and she felt the federal government should compensate the community. A little later, she said she would defer to local sentiment on the issue. Will she recognize the powerful arguments advanced by the Citizens for the Economic Future of Swain County (CEFSC) - clearly a local group - in for taking a cash settlement in lieu of constructing the road? Another factor that may affect the outcome is the apparent politicization of the National Park Service (¶3D, below).

**WHAT YOU CAN DO:** To help the Citizens for the Economic Future of Swain County get their very convincing message across, you can support them by sending \$5 (or \$25 for a supporting membership) to CEFSC, PO Box 526, Bryson City, NC, 28713. Their web site is [www.fswain.com/cefs.html](http://www.fswain.com/cefs.html). To keep up-to-date on the issue, contact Greg Kidd at [gkidd@npca.org](mailto:gkidd@npca.org).

### **C. Elkmont: structure-preservation forces win latest round**

At the public workshop of Sept. 28 (NL 247 ¶6B), the three conservationists who attended were completely outgunned by 40+ members of the Elkmont Preservation Community whose objective it is to make the Park Service (NPS) retain the Elkmont structures (NL 245 ¶5B). At the work-

shop, the agenda presented by the Elkmont residents included: (a) preservation of all structures (whether contributing to the Historic District or not), (b) restoration (and modernization) of all structures, (c) rental of all cabins, (d) room rentals and dining-room service at the Wonderland Hotel, and (e) provision of all supporting services. They claimed that the waste treatment plant, as now constituted, could support all the uses advocated by them; this claim will require some research on our part to either explode or verify.

Retaining any Elkmont structures would require and amendment to the Smokies General Management Plan, and NPS is in process of generating an Environmental Assessment for such an amendment. This GMPA/EA, which will identify a preferred alternative, is scheduled for public release in June 2003.

**WHAT YOU CAN DO:** We clearly need to make a stronger representation on this issue than we did on Sept. 28. For information, contact Greg Kidd at [gkidd@npca.org](mailto:gkidd@npca.org).

### **D. Politicization of NPS evident in Smokies' superintendent flap**

The Park Service (NPS) proposed to trade Great Smokies Superintendent Michael Tollefson for Yosemite Superintendent David A. Mihalic. Tollefson will indeed go west, but Mihalic will not be coming east in his place. Both parks are under political pressure. In Yosemite, Rep. George Radanovich (R-CA), opposed the NPS decisions, (a) not to rebuild two campsites close to the Merced River, which were flooded in 1997, and (b) to halve the number of needed parking spaces by providing shuttle bus service. It is likely that Mihalic was a thorn in Radanovich's flesh, though the Congressman denies seeking his transfer.

But in the Smokies, two projects that were awaiting Mihalic also had considerable political pressures behind them. When he served as Assistant Superintendent in the Smokies from 1985-1987, NPS opposed both the North Shore Road (¶3B, above) and the Ravensford Land Exchange (¶3A, above). Revisiting these decisions," he said in an interview, "is a very bad precedent" and he felt that political pressure was behind the two projects (it may be noted that the Rep. Taylor is a senior member of the House Appropriations Interior Subcommittee). Rather than letting himself be transferred, Mihalic, who is regarded as a rising star in NPS, retired from the Service.

According to the *San Francisco Chronicle*, "his decision offers a rare glimpse into a top level shakeup in the park service and apparent political pressure from the Republican administration to reassign or replace top park service executives ... as part of an administration effort to realign the service to views more in line with the Bush administration."

#### 4. STATE NEWS

##### A. Governor dedicates and renames Cumberland Trail

[Based on TDEC's Hot List]

In a ceremony on Sept. 23, Gov. Sundquist formally dedicated the Cumberland Trail, Tennessee's 53<sup>rd</sup> state park, and renamed it the Justin P. Wilson Cumberland Trail State Park in recognition of Wilson's leadership in environmental and conservation issues as Sundquist's deputy for policy. The trail was originally announced in 1998, and about 40% of the projected 283 miles between the Georgia-Alabama and Kentucky-Virginia borders are now open to hikers. Built entirely by volunteers, the trail is scheduled to be completed by 2008. Justin Wilson walked nearly 100 miles of the trail in September to raise awareness of the new park.

##### B. Environmental study by Vanderbilt/TCL identifies need to protect natural lands

High-priority environmental issues facing Tennessee were identified and analyzed for the gubernatorial campaign by the Vanderbilt Center for Environmental Management, following a request by the Tennessee Conservation League. The study was done to focus the state's attention on these important issues that might easily take a back seat to more high-profile concerns. The Vanderbilt papers focus on three subjects:

- water pollution from nonpoint sources, including agriculture, forestry, road construction, urban runoff, livestock, and faulty septic tanks;
- major ozone pollution (Knoxville, Nashville, Memphis, and Chattanooga are among the 25 most ozone-polluted cities in the USA);
- the need to acquire and protect natural lands for future generations.

In dedicating only ~\$10 million annually to acquire land for public use, Tennessee lags badly behind other states. Florida and New Jersey, for example, dedicate \$300 million and \$98 million, respectively, to land acquisition and conservation

programs. Yet, the need for our state are critical. In just five years (1992-1997), 400,000 acres of previously open space were developed. The state projects a population of 7.8 million by 2025 (the Cumberland County population grew by >40% between 1990-2000). The Vanderbilt paper suggests exploring more creative funding mechanisms for the acquisition and protection of natural lands, including use of federal matching funds, economic incentives, and voluntary private sector initiatives.

##### C. Environmental challenges enumerated in transition document

A "quick and dirty" summary of environmental challenges that had formed the basis for questions posed to the gubernatorial candidates was subsequently included as part of a larger state-government transition document submitted shortly after the election. It. A more detailed environmental-issues summary will come out in January.

Key challenges that were identified by TDEC staff as well as outside groups include the following.

- Developing cleaner transportation and energy sources.
- Meeting more stringent federal air standards.
- Protecting rare habitats, native forests and farmlands from growth and overuse.
- Meeting growing demand for new trails, greenways, parks, and OHV areas.
- Providing stable state-park funding.
- Controlling erosion and polluted runoff.
- Protecting Tennessee rivers from out-of-state water "mining."
- Maintaining professional staff in light of impending mass retirement.

##### D. OHV committee assisting in pilot study

[From TDEC's Hot List]

In 1999, Gov. Sundquist created a planning committee to develop recommendations for better management of OHV (off-highway vehicle) recreation in Tennessee. The committee, which is comprised of federal and state agency personnel, and of motorized- and non-motorized-recreation representatives, is now assisting TWRA with a pilot study of OHV use at the Royal Blue Wildlife Management Area, and with the development of an educational program. Educational materials will address environmental protection, safety precautions, and site regulations. The committee will present its report on the findings

of the pilot study to the appropriate legislative committees.

## **E. Moccasin Bend: nucleus for a new national park?**

[Based on TDEC's Hot List]

Moccasin Bend (on the Tennessee River near Chattanooga) played a critical role in Native American culture and as a waypoint during western expansion. Features additionally present in the surrounding area strengthen proposals to create a national park there. Thus, the preserved Tennessee River Gorge is downstream of the Bend, and dramatic landscapes on the crest of the Cumberland Plateau support significant fauna and flora. Whether or not any proposals go forth depends on the level of public interest.

## **5. TVA: TRACT #78; RESERVOIR OPERATIONS**

### **A. Progress on Tract #78, adjacent to White's Creek SWA**

In mid-June, TCWP wrote to TVA requesting that the agency consider addition of Tract #78 to the White's Creek Small Wild Area (SWA), and offering to develop and maintain a trail within this tract. Tract #78, just upstream from the SWA, extends along 1+ mile of shoreline and rises to a ridge and a couple of knolls. At a meeting with TVA staff in July, we learned that certain preliminary steps could be taken toward such an addition, which might be finalized through the next update of the Watts Bar Land Management Plan (NL246 ¶2B).

Bridgette Ellis, TVA's Vice President for Resource Stewardship, subsequently responded to a briefing paper from TVA staff by giving the go-ahead to moving forward with the project. TCWP members and TVA staff have scheduled a visit to the site to map out a possible trail route.

### **B. Interesting results**

#### **of Reservoir Operations Study**

With the input of thousands of citizens, TVA is ready to define the scope of the Reservoir Operations Study. The public comment period ran from February through April 2002, with 1,300 participants in 21 community workshops, 6,000 individual written comments, 4,200 copies of form letters, and 5,400 petition signatures. In addition, about 3,600 respondents were reached in a telephone survey in March 2002.

There were considerable differences between what people perceived to be TVA's top management priority and what they preferred this priority to be. Among workshop participants, perceived vs. preferred was 48% vs. 11% for electricity production; by contrast, perceived vs. preferred was 5% vs. 21.5% for protection of the environment; i.e., participants thought that TVA's interest in electricity production hugely outweighed that in environmental protection, but they preferred that the priority order be reversed. Among telephone survey respondents, the differences were in the same direction, but not as great: 37% vs. 28% for electricity production, and 25% vs. 32% for protection of the environment (the 32% for environmental protection was the highest of any of the seven preferred priorities). The greatest difference between workshop participants and telephone respondents was with regard "providing recreation": 34% of the former, but only 5% of the latter listed it as their preferred priority. Nearly 4,000 people asked that TVA change its operating policies to protect the diversity of aquatic life and, specifically, to protect endangered, threatened, and other at-risk species.

The full scoping report may be viewed at [www.tva.com](http://www.tva.com), by calling 888-882-7675, or writing to David Nye, TVA, WT 11A, 400 West Summit Hill Drive, Knoxville, TN 37902.

## **6. NORTH RIDGE TRAIL PROGRESS**

[Based on contributions by Susan Donnelly]

Susan Donnelly, TCWP's NR Trail Steward, has made several improvements to the Trail. A new access from Wedgewood Road, near Highland Avenue, was pruned and blazed and is ready for business. The access trail below the Rocky Top Market on Illinois was cleaned up and reblazed, as has the Batley Road section. Most important are contacts made with very responsive City and County personnel that have resulted in the posting of signs, major cleanup, and installment of fences.

Josh Collins, City of Oak Ridge Parks and Recreation Department Manager, has installed at each entrance (and at several internal problem points) of the North Ridge Trail, a series of "decal" signs showing which activities are allowed and which are prohibited on the trail. The signs are an important first step in curbing prohibited activities such as horse-back riding, mountain-bike riding, and ATV use that cause significant damage to the trail. Josh's crew has also installed wooden fencing across a boulevard-wide trail connection that horse riders from nearby



Mahoney Road had recently chain-sawed into the North Ridge Trail. The riders had also started to widen the North Ridge Trail with chainsaws.

Big, big thanks also go to Jim Leinart of Anderson County Code Enforcement, Gary Long of the Anderson County Highway Department, and Frank Sewell of Anderson County Public Works for getting the Batley Road intersection of the trail cleaned up. They removed the long-standing garbage piles with a backhoe, and they plan to install a guard rail close to the road along this curve that will deter the dumping and associated problems that have plagued this spot for so long.

The Trail is receiving good use. The group Tennessee Trails will be leading an organized hike along the trail the weekend after Thanksgiving.

**WHAT YOU CAN DO:** Please contact the following individuals to let them know how much you appreciate the work that they and their departments are doing.

(1) Josh Collins ([JCollins@corn.org](mailto:JCollins@corn.org)) and Larry Bailey ([LBailey@corn.org](mailto:LBailey@corn.org)), both at Oak Ridge City Parks and Recreation Dept., 1401 Oak Ridge Turnpike, Oak Ridge, TN 37830 (Phone, 865-425-3450). (2) Jim Leinart, 865-463-6856, Anderson County Public Works Dept., Room 127, 100 N. Main St., Clinton, TN 37716. (3) Gary Long, 865-463-6835, Anderson County Highway Dept., 183 J.D. Yamell Industrial Parkway, Clinton, TN 37716.

## 7. NATIONAL ISSUES

### A. New outlook for the Arctic Wildlife Refuge

Clearly, the outlook for the Arctic Wildlife Refuge has worsened as a result of the Nov. 5 election; but it is not yet hopeless. Because Republicans realize that they are more likely to get their way in the new Congress, chances are very small that the energy bill will come up during the lame-duck session. But when the 108th Congress convenes in January, multiple threats toward the Arctic Refuge may materialize. Refuge drilling may be the centerpiece of the new "comprehensive" energy bill, or it may be part of the budget resolution (a bill that CANNOT be filibustered). For a filibuster, Arctic defenders would need only 41 votes to protect the Refuge, and it is quite likely that at least these 41 would be forthcoming. But the matter could, through a

variety of procedural possibilities, come to a straight up-or-down vote, in which case 51 votes would be needed. Of the 54 Senate votes that were cast against drilling last April, we still maintain 52, assuming two of the new Senators vote as promised.

**WHAT YOU CAN DO:** Contact Senator-elect Alexander (or potentially friendly senators of other states you may live in) and urge him to stand strong against any attempt to drill in the Arctic Refuge. It may be a litmus test of his environmental credentials if he can stand up to administration policies on this issue.

### B. The rest of the energy bill

Even prior to this election, the outlook for the remainder of our energy policy was pretty dismal. A House-Senate conference committee voted to weaken fuel economy standards and to delay miniscule improvements until 2012. Further, the current version of the energy bill threatens pristine wildlands by subsidizing energy developments, such as methane extraction from thousands of polluting wells in the Greater Yellowstone ecosystem and Wyoming's Powder River Basin.

### C. Elsewhere in Alaska

Without need for Congressional approval, the Bush administration is pushing to give away millions of acres of wild Alaska to the oil & gas industry before Americans even know what they have lost. Proposed development adds up to five times the acreage leased in Alaska over the past 50 years!

The Administration is rushing ahead with plans to lease an additional 10 million acres of the National Petroleum Reserve-Alaska for oil drilling — half the entire Reserve. Because the reserve, set aside by Pres. Harding in 1923 to serve in times of pressing national need, has never been developed, this remote region is one of the world's last pristine arctic ecosystems of great beauty.

### D. Progress in saving trees: Staples, Inc. changes purchasing policy

In response to a two-year campaign by the Dogwood Alliance and Forest Ethics, Staples, Inc., the world's largest office-supply retailer has agreed to new guidelines under which it will:

- achieve a 30% post-consumer recycled content for all paper products,

- phase out purchases of paper products from endangered forests (including key forests in the Southern USA),
- create an environmental affairs division and report annually on its progress.

The paper industry is the largest consumer of forests, and the Southern US is the largest paper-producing region in the world, with more than 5 million acres of forest (an area the size of New Jersey) destroyed each year to feed paper mills. Cutting of softwoods already exceeds growth, and cutting of hardwoods is expected to do likewise in about 12 decades. If all paper mills in the South switched 30% of their wood paper supply to recycled fiber, 15 million acres of forest would be saved over the next 10 years. For more information, visit [www.thepapercampaign.com](http://www.thepapercampaign.com). If you shop at Staples, tell them you appreciate their new guidelines.

## E. Election returns and environmentalists' support

The non-partisan League of Conservation Voters, which rates the environmental performance of incumbents, had three lists for opposing/supporting certain candidates.

Dirty Dozen: Five of the twelve were defeated (two and three in Senate and House races, respectively).

Environmental Champions: Of 16 Champions, 13 won (1/2 in the Senate; 12/14 in the House).

Endorsed Candidates (these received no financial support from LCV): Of 67 such candidates 48 (74%) won.

## 8. TCWP NEWS

### A. TCWP Board for 2003

The following were elected at TCWP's annual meeting on October 12 (\*designates new in 2003 for the indicated position).

President: Cindy Kendrick\*

Vice President: Mark Peterson

Secretary: Mary Lynn Dobson

Treasurer: Charlie Klabunde

Directors:

David Adler\*

Jason Darby\*

Carol Gramelbauer

Jimmy Groton

Ralph Harvey

Frank Hensley\*

Lee Russell

Nominating Committee:

Charlie Klabunde\*

Virginia Dale\*

Dick Radiron\*

### B. Annual Meeting; content of talks

About 50 people attended our highly successful meeting on October 12, a lovely fall day that allowed us to digger over an outdoor display of the auction items (the auction netted over \$500) and greatly added to the enjoyment of the afternoon hikes.

The morning program gave us three fine talks.

Jenny Freeman summarized TCWP's efforts, during the past decade, in land protection in the Cumberlands, such as energizing the purchase (and subsequent donation to the State) of 6,000 acres adjacent to Pickett, the encouragement of several private land-protection acquisitions in the area, the organization of two state-park forums, and the initiation, last year, of the now up-and-running Alliance for the Cumberlands.

TWRA Executive Director Gary Myers, citing some of the results of the Vanderbilt/TCL study (T4B, this NL), made the case for acquiring public land, and pointed out that Tennessee has no vehicle for addressing biodiversity protection and no strategic vision of planning priorities. A number of TWRA studies and initiatives have been directed toward addressing these deficiencies, most recently the purchase of the 75,000-acre Cumberland Forest, now part of the Royal Blue WMA (NL247 T38).

Rex Boner discussed the work of the Conservation Fund, of which he is the SE Representative. Working with foundations and government agencies (especially TWRA), the Fund has helped protect 129,000 acres in Tennessee, including the acreage near Pickett, mentioned by Jenny, and, most recently, the Cumberland Forest (Royal Blue WMA). In the latter, mineral rights were not available for purchase, having been "reserved" for 99 years (they will merge with the surface rights in 2093), and oil & gas exploration is a potential threat to the environment.

### C. Award to members

At the Annual Meeting, TCWP Secretary Mary Lynn Dobson presented two awards:

(1) A plaque to Ken and Helen Warren who, as TCWP's Trail stewards, maintained and watched over all ~11 miles of Oak Ridge's North Ridge Trail for about a decade.

(2) A candlestick to represent the unique illumination that Jimmy Groton brought to the leadership of TCWP while serving as president since 1999, a period that saw many accomplishments as well organizational improvements.

#### **D. Report on other recent activities**

##### Worthington Cemetery workday, Sept. 28

While there were fewer participants than last year, this Public Lands Day activity in the Ecological Study Area was a success, with lots of exotics (mostly privet) pulled, and lots of natives planted. Among the participants were students from Jefferson Middle School, who also joined us for the grilled hot dogs after the morning's labors.

##### Arctic National Wildlife Refuge program, Nov. 5

Two bicyclists, pedaling from St. Louis to Washington, D.C., stopped in Knoxville as part of their efforts to heighten awareness of the threats to this great wilderness. Beautiful slides and up-to-date information were enjoyed by about 20 people at the event which was co-sponsored by the Harvey Broome Group of the Sierra Club. Pres. Bush has promised to push for drilling on the Refuge as part of his legislative package for the new Congress (see 17A, this NL).

##### Greenbrier hike, Nov. 9

About a dozen people enjoyed this hike up Porter Creek on a marvelous fall day and munched their lunches at the historic Smoky Mountains Hiking Club cabin and barn.

##### Hirst Farewell, November 14

Eric and Susan Hirst were wished a fond (and sad) farewell by 50+ people, some of whom told funny little stories and made appreciative comments on Susan's and Eric's contributions to TCWP, to Oak Ridge and to the preservation of our area, and all of whom enjoyed a wonderful potluck supper. How we'll miss them! The Hirsts had requested that any farewell gifts to them should be donations to TCWP, and ~\$900 were collected in their honor that evening.

#### **E. Holiday party, November 5**

Our annual holiday party will be held Thursday, December 5, 7 p.m., at the home of Jerry Freeman and Bill Allen. Notices will be sent in a separate mailing.

#### **F. TCWP outreach to young people**

TCWP has recently made contact with two groups of young people. Sandra Goss talked to the University of Tennessee environmental organization SPEAK. Cindy Kendrick and Marion Burger visited with the brand-new Oak Ridge High School Environmental Club and are now helping the club explore possible activities. Among suggestions made by TCWP members are adoption of

specific area streams the students could monitor and cleanup; various tree- and shrub-planting activities; and restoration projects in the Mona Lane area.

TCWP is initiating *Electro-scription*, an e-mail service that students can subscribe to at no cost to them. It will bring them environmental news, e-mailed bi-monthly, e-mail alerts, and notices of upcoming meetings, hikes, and work projects. For further information, contact Sandra Goss, 865-522-3809, [skgoss@esper.com](mailto:skgoss@esper.com).

#### **G. A holiday gift idea**

You can honor your friends and relatives with a membership in TCWP. If you'll send your (tax-deductible) donation and the names and addresses of those you are honoring, we will send a card notifying them of your gift.

Our 16x20 Obed posters by Bill Russell also make fine gifts, as do our T shirts. Contact Sandra Goss, 865-522-3809, [skgoss@esper.com](mailto:skgoss@esper.com).

#### **H. Thanks to Volunteers**

[Contributed by Sandra Goss]

Football is not the only Tennessee activity that features volunteers. TCWP depends on volunteers to educate the citizenry about environmental issues through publications and meetings, calling and writing elected and appointed officials, manning the display booth, getting the newsletter ready for mailing, and many other tasks.

For recent help, special thanks go to Bill Allen for providing legal expertise in connection with our purchase of the Whites Creek tract. Ed Sonder and Hal Smith for leading our Annual Meeting hikes and Hal for leading the November Greenbrier hike, the Public Lands Committee for a successful Silent Auction; the Service Committee for great work on the Annual Meeting, the well-attended Whooping Cranes presentation, the Greenbrier hike, and the Hirst Farewell Potluck Dinner.

Many thanks also to the following who made significant contributions to the Annual Meeting Silent Auction: Tennessee River Keepers Cielo Sand and Leaf Myczack contributed the crane sailing trip; East Tennessee Whitewater Club a kayak class; and Chota Canoe Club, a canoe or kayak class.

#### **J. TCWP On Display**

[Contributed by Sandra Goss]

TCWP has a professional-quality display and presentation. Over the past several weeks,

both have been utilized. Our display was included in the Emory Watershed Tailgate Party and following TDEC meeting; Community Shares Campaign Launch celebration; and Earth Matters Justice Day. A presentation on TCWP was made to SPEAK, the UT Environmental Club, and to the Oak Ridge Garden Club. We will have the display at Wilderness Week this January in Pigeon Forge.

If you know of a display or speaking opportunity for TCWP, contact Sandra K. Goss at 865-522-3809, [orskogoss@espcr.com](mailto:orskogoss@espcr.com).

## 9. FELLOWSHIPS; CALENDAR; RESOURCES

### Fellowships/grants

1. The Rick Sutherland Fellowship, a two-year grant of up to \$12,000 annually, is awarded to "enable socio-economically disadvantaged lawyers ... to engage in public interest litigation that would benefit the environment ..." It is available to lawyers who have graduated from law school within the past 3 years and who meet other requirements. To get the details, contact Shavonne Saroyan, EARTHJUSTICE, 426 17<sup>th</sup> Street, 6<sup>th</sup> Floor, Oakland, CA 94612. Applications must be received by November 30.
2. A fellowship designed for activists, artists, musicians, filmmakers, or writers who are working for social and environmental justice in Appalachia is available from the Appalachian Center of the University of Kentucky. The fellowship is generally awarded for a two- or three-month period, with a stipend of \$3,889 per month, plus benefits. Visit [www.appalachiancenter.org](http://www.appalachiancenter.org); or contact Pam Webb, 859-257-4852/4851, or at [rock@uky.edu](mailto:rock@uky.edu).

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

- Right away, take action on: Ravensford land-exchange bill (¶3A).
- Dec. 3, Hearing on Tennessee oil drilling regulations (¶1)
- Dec. 5, TCWP Holiday Party (¶8E)
- January 24, Tennessee Conservation Voters' annual fundraiser, "NatureVotes," 5:30 - 9 p.m. at Travelers Rest in Nashville (615-269-9090, or [tcved@bellsouth.net](mailto:tcved@bellsouth.net)).

### Publication

- The DOE/EPA publication *Fuel Economy Guide 2003* (22 pp.) and its companion web site [www.fueleconomy.gov](http://www.fueleconomy.gov) explain the federal tax incentives for buying a hybrid car and other alternative-fuel vehicles. Copies will be available in all credit unions. To order an individual copy, call 1-800-423-1363.
- *Grus Americana*, Newsletter of the Whooping Crane Conservation Association, is published by Chester and Dorothy McConnell, who may be contacted at 931-762-7718, or [wmicmc@earthlink.net](mailto:wmicmc@earthlink.net).

### Other Resources

- To subscribe to the Greater Smoky Mountains Coalition (a.k.a. Save Our Smokies - SOS), send a blank e-mail to [Greater.Smoky.Mountains.Coalition.subscribe@yahoo.com](mailto:Greater.Smoky.Mountains.Coalition.subscribe@yahoo.com). If you run into any difficulty, e-mail [dixon@cs.utk.edu](mailto:dixon@cs.utk.edu).
- The Tenn. Dept of Environment and Conservation will hold 9 public workshops throughout the state on drinking water protection. For the schedule contact 1-888-891-8332, or [amanda.sluss@state.tn.us](mailto:amanda.sluss@state.tn.us).
- The Cumberland Trail Conference's *Pathways for people ... People for Nature* campaign raises funds for land acquisition. Numerous major purchases have already been made, but acquisitions that CTC is currently working on have a cumulative price tag of ~\$1,500,000 within the next year. Web site [www.cumberlandtrail.org](http://www.cumberlandtrail.org), or contact CTC, 19 East 4<sup>th</sup> St., Crossville, TN 38555.
- The web site [www.operationmigration.org](http://www.operationmigration.org) gives daily updates (with photos) on the flight of 17 whooping cranes who are being guided by four ultralight planes from Wisconsin to Florida, over 1,250 miles away. Click on "in the field."

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