



**T**ennessee  
**C**itizens for  
**W**ilderness  
**P**lanning

# Newsletter No. 250

March 30, 2003

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## Taking Care of Wild Places

### The BIG stories

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### 13. ACTION SUMMARY

§No.	Issue	Contact	"Message!" or Action
1	Big S. Fork General Mngt. Plan	National Park Service	Comments needed by May 15 -- important!
2A	Obed land acquisition funds	Rep. Wamp	"Thank you for persisting to work for full funding!"
2B,E	Obed Riverfest; clean-up		Attend events on May 3; May 17
3 B	State land acquisition funds	Gov. Bredesen	"Please leave funds intact (also see SB.1991/HB.2073)!"
4B	Abandoned Mine Lands Program	Sens. Alexander and Frist	"Re-authorize and improve the AML Program!"
5A	State's water quality program	TCWN for advice	Comment by April 4
5C	Corridor to Fall Creek Falls	Reps. Davis, Wamp; Sens.	"Support Forest Legacy Funds for Cash tract!"
5D	Moccasin Bend	Rep. Wamp	"Thank you for your efforts to add to Nat'l Park System!"
6	Bills before General Assembly	Your State legislators	Communicate your support/opposition for some bills
7A	North Shore Road in Smokies	US Rep. and Senators	"Urge USD1 to work out cash settlement in lieu of road!"
6B	Elkmont cabins	Supt. GSMNP	"I support Alternative A; I oppose resort destination!"
7C	Cades Cove Plan	Supt. GSMNP	"I support mandatory public transportation system!"
8	Cherokee NF Management Plan	Cherokee NF	Attend hearings 4/14, 4/15 and/or send comments by June 19
9A	ORR land-use planning	DOE; Wamp; Bredesen	"Support permanent preservation of 3-B Bend Area; etc."
9B	Oak Ridge Cedar Barren	TCWP	Volunteer to be Site Steward
10D	Invasive species	US Senators. and Rep.	"Support NAI SA!"
10F	Congressional "Park Friends"	Reps. Gordon and Ford	"Congratulations on being named a Friend of the Parks!"

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 Phil Bredesen  
State Capitol  
Nashville, TN 37243-9872  
615-741-2001; Fax 615-532-9711

Dear Senator Doe  
Sincerely yours,

Dear Congressman Doe  
Sincerely yours,

Dear Mr. President  
Respectfully yours,

Dear Gov. Bredesen  
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. Lamar Alexander:  
Ph: 202-224-4944; FAX: 202-228-3679  
web: <http://alexander.senate.gov>, click "Contact"  
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 still slow following the anthrax scare. Consider faxing and other modes of communication.

### WHAT IS TCWP?

Continued on p. 18

# 1. BIG SOUTH FORK: DRAFT GENERAL MANAGEMENT PLAN NEEDS COMMENTS

Because of extensive criticism of the original Draft General Management Plan (GMP) for the Big South Fork NRRRA, distributed in February 2000, the National Park Service (NPS) undertook a major effort to generate a supplement three years later. The original draft was criticized by NPCA, TCWP, and others because it was not grounded in baseline data from which carrying capacity or impacts could be deduced, and because it left the way open for almost any activity in almost any of the proposed so-called Recreation Units -- essentially writing NPS a blank check for any future management decision (NL235 ¶1). In July 2001, NPCA and TCWP presented NPS with their 33-page document, Management Recommendations and Resource Analysis for the BSFNRRRA (NL240 ¶1A).

Following withdrawal of the first Draft Plan, NPS undertook voluminous data collection, and obtained input from various user groups. The recently released resulting "Supplemental Draft" is very thorough and well-presented. It is also a massive document (321 pages plus 18 large inter-folded maps), partly because, in addition to being a GMP with a whole new alternative, it is also a Trails Plan. The new Alternative, D, which is the NPS preferred alternative, is based on the definition of a number of zones (Sensitive Resource Protection Zone, Development and Visitor Use Zones of various orders, etc.) and the localization of these zones within the National Area.

NPS conducted four information meetings (with opportunities to comment) between March 20 and 25, and will accept written communications until May 15. Your comments are very important, because the GMP will guide management of the BSFNRRRA for the next 20 years -- long enough for the Area to become gravely impaired if pressures for excessive use by various user groups should prevail.

At this time we cannot provide a complete analysis of the entire document, and thus restrict ourselves to what appear to be the most important points. A downloadable copy of the Draft GMP is available at <http://www.nps.gov/biso/gmp/gmp.htm>

1. Overall (with the caveats listed below), we support Alternative D, which allows uses according to defined zones. Establishment of the zones was based on study of the resources of the BSFNRRRA.

2. There are already almost 300 miles of road throughout the Area. No additional use of motorized vehicles should be permitted on trails. Motorized vehicles should be barred from "multi-use trails" -- only horses, bikers, and hikers should be allowed on such trails (which occupy a total of 28 miles, widely dispersed throughout the Area).

3. ATVs (All Terrain Vehicles) are permitted to use: (a) routes in the "OHV (Off-Highway Vehicle) Planning Areas" on Darrow Ridge year-round, (b) "seasonal trails" (a total of 20 widely dispersed miles) for hunting activities during big-game hunting seasons (which can occupy several months of the year). The Draft GMP refers to the OHV Planning Areas as "initially identified," implying that, at some future date, additional ones could be identified administratively (without public review) elsewhere in the Natural Environment Recreation Zone, which covers the bulk of the BSFNRRRA.

The GMP should make it clear that no additional OHV Planning Areas will be identified in the future. Within the Planning Areas, OHVs should be limited to defined trails.

4. The Draft GMP proposes a major proliferation of trails and accesses. Accesses would almost double (from 24 to 44). Trail mileage would increase by 32% overall over current designation, and horse trails by a whopping 44%. Altogether, 205 miles (+ 20 miles seasonally) would be available for horses; this seems excessive.

The Draft should be modified so as to allow a significant portion(s) of the BSFNRRRA to have lower trail densities and fewer accesses.

5. We support recommendation that the O&W railroad West of the O&W Bridge, including the segment between the Big South Fork and North White Oak Creek, be used as a bike-horse-foot trail, with all motorized traffic barred.

**WHAT YOU CAN DO:** Your comments are very important. Send them by May 15 to Superintendent, Big South Fork NRRRA, 4564 Leatherwood Road, Oneida, TN 37841, or e-mail to [biso\\_superintendent@nps.gov](mailto:biso_superintendent@nps.gov). If you have questions, call Chris Stubbs at 423-569-2404 ext. 231. For a printed copy of the Draft GMP, call 423-569-9778.

## 2. OBED NEWS

### A. Obed land acquisition: the continuing fight for funds

As you may recall, 2002 ended with a "Continuing Resolution" for almost all FY2003 appropriations. The bills were then considered early in 2003 by the newly elected Congress. This included the Interior Appropriations bill, which, thanks to Rep. Zach Wamp had contained \$1.5 million acquisition funds for the Obed in the House version (NL246 §1A). In February, almost \$300 million were slashed from the Interior Appropriations bill during conference, with acquisition projects being affected in many park units across the country.

On 2/20/03, Rep. Wamp sent the following hand-written note to Lee Russell: "While I worked hard to get the Obed money in the House Appropriation Bill last year, the U.S. Senate did not agree to it so it did not make it in the final bill last week. I just want you to know (and the 'League') that I will keep fighting for this even though they took it out of my district. I believe we can get it in this year. All the best, Zach Wamp". [The Obed WSR is now entirely in Rep. Lincoln Davis' 4<sup>th</sup> District.]

It is indeed good news that Rep. Wamp, who has considerable influence in the House, will continue fight for the Obed. He will, in fact, have something to work with because \$1.6 million for Obed acquisition funds are contained in the Administration Budget. This is all the more significant because the Obed is one of only five National Park Service acquisition items in the budget nationwide! NPCA has put it on its list of priority appropriations for which to lobby, and the Nature Conservancy will also lobby for it.

**WHAT YOU CAN DO:** Contact Rep. Zach Wamp (address on p.2) to express your sincere thanks and your confidence in his seeing this to a successful conclusion (the full \$1.6 million).

and performances and presentations by area students. Lincoln Davis, the new 4<sup>th</sup> District representative, has been invited.

TCWP has contributed \$200 toward the start-up cost. Local businesses have signed on as sponsors. Any money left over from the event will be donated to the science program of Morgan County schools for water-quality education and for student field trips to the Obed and Emory Rivers.

**WHAT YOU CAN DO:** *rk your calendar. If you need info, contact Del Scruggs at [dsruggs@utk.edu](mailto:dsruggs@utk.edu) or 865-319-8242; or Mark Petersen at [MPete@comcast.net](mailto:MPete@comcast.net) or David Luinstra at [dluinstratwlakes.net](mailto:dluinstratwlakes.net), 931-863-3592.*

### C. Slanted water-supply questionnaire

Because most of the headwaters of the Obed WSR are located in Cumberland County, the county's perceived water-supply problems have been, and continue to be, a threat to the water quantity (and quality) in the Obed system. In the past decade, there has been a veritable proliferation of headwater impoundments, and TCWP has been involved in several battles over proposed dams, such as the ones on Clear Creek (we won, NL198 §2A; NL226 §1A), on Cove Creek (we won, NL289 §5A), and on Otter Creek back in 1993 (we were too late to stop it, NL190 §2C). The whole issue is further complicated by local politics pertaining to separate utilities in Cumberland County and Crossville. In December 1998, a Corps of Engineers study identified a number of alternatives (water conservation, pipelines from existing large reservoirs, ground water, etc.) for addressing the water-supply needs of the county (NL226 §1A).

A few months ago, the Southeast Water Policy Initiative at the University of Tennessee mailed a lengthy questionnaire, designed by a graduate student, to a random sample of about 1,200 Cumberland County residents. The response rate was 43%. After asking 9 questions about general perceptions of water supply problems for the county, and 10 questions about the alternatives that have been suggested (mostly in the Corps of Engineers' study), the survey devotes the great bulk of its questions to the proposal of a new dam. These 37 questions are introduced with the statement, "Many residents seem more familiar with building a dam than other options ... we want to examine this water supply option more thoroughly."

### B. Obed-Emory River Fest 2003

The Emory River Watershed Association (ERWA) is hoping to build on the success of recent Paddle Fests and continue a celebration of the beautiful Obed-Emory River system. The event, to be held on May 3, will be centered in Wartburg, while offering a variety of fun outdoor activities in the watershed, as well as river clean-up and water-quality sampling. The Fest will celebrate and promote the communities of Morgan County by featuring local bands, regional arts and crafts,

While respondents are provided with the opportunity to express degrees of approval/disapproval with individual statements, the overall design of the questionnaire cannot help but focus attention -- and subsequent publicity -- on the "new dam" alternative, to the exclusion of others. Dam proponents will undoubtedly make extensive political use of this, an outcome that was surely not intended by the very excellent U.T. Energy, Environment and Resources Center in which the Southeast Water Policy Initiative is lodged. Although another part of the study (designed by a different graduate student) involves conducting individual interviews with opinion makers (including some TCWP members), it is unlikely that the unfortunate political outcome of the questionnaire will be much counteracted. It will be important for us to acquaint decision makers with what happened.

#### **D. Obed Junction tract to be acquired by citizens**

The umbrella group American Whitewater is taking the lead in working to acquire a ~29-acre tract at Obed Junction from willing sellers and donate it to the National Park Service. Obed Junction, at Ramsey Creek, is an important access point in a beautiful part of the river, just downstream from the mouth of Daddy's Creek. The appraised value is likely to be high, and American Whitewater will be calling on other groups to help raise funds for this purchase. TCWP volunteers have already conducted the environmental site review that is required for acquisition of this property.

#### **E. Obed clean-up day scheduled**

The Obed WSR will participate in National River Cleanup Day, May 17. If you can help, beat the Visitor Center in Wartburg at 8:30 a.m. Eastern Time to be assigned cleanup areas. To find out what to wear, bring, etc., contact Arthur McDade, Park Ranger, Obed WSR. 423-346-6294, or [Arthur.McDade@nps.gov](mailto:Arthur.McDade@nps.gov).

state budget information, see [www.state.tn.us/governor](http://www.state.tn.us/governor). Gov. Bredesen has stated that he does not view the cuts as mere temporary patches to survive a tough revenue period, but as a way "to reset things down to a level so we're not always chasing our tail."

TDEC (Tenn. Dept. of Environment and Conservation) has proposed to eliminate 46 full-time positions, eight of which are filled and two that qualify for retirement. Total: \$5 million. While the department is not receiving more of a percentage reduction than other departments, these proposed cuts are particularly troubling in light of Tennessee's notoriously low level of spending on environmental protection, and in light of the federal government's virtual declaration of war on the protection of air, water, and land.

#### **B. Dedicated acquisition funds to be dumped into General Fund**

A very disturbing aspect of the proposed Bredesen budget is that it would take the whole reserve dedicated to the wetland acquisition fund, the state land-acquisition fund, local parklands acquisition fund, and the agricultural resources conservation fund (funds that were enacted to be derived from a small portion of the real-estate recodaction tax) and use it to offset the general state deficit. Even more troubling is the apparent intention to make this a permanent taking, as evidenced by a bill before the legislature (SB1991/HB2073, "Statutory changes to fund state government," see ¶6, below).

Such funds have most recently been used to purchase critical land adjacent to Frozen Head, and to pay toward the acquisition of the 75,000-acre Cumberland Forest (NL247 ¶3B). They are often needed to qualify for matching federal funds. Tennessee's land-acquisition funds are extremely small to begin with, compared to those of other states. It would be bad enough to take a 9% cut, comparable to that sustained by the departments (¶3A, above), but a total wiping out seems unconscionable.

#### **C. State Parks director appointed**

In mid-February, Gov. Bredesen named Jim Fyke as state parks director. Fyke has worked for Metro Parks (Nashville) for 38 years, serving as Director for 24. He has a great reputation for professionalism and for being easy to work with. Stewart Clifton, head of Tennessee Conservation Voters, who served for 12 years on the Metro Council, notes that Fyke has always been considered one of the best department heads in Metro, and has managed to lead his department through

### **3. THE BREDESEN ADMINISTRATION: ACTIONS AND CHALLENGES**

#### **A. Budget cuts**

With very few exceptions, each department of the State has been asked to come up with 9% reductions in spending so a balanced budget can be presented to the General Assembly (to review

various mayoral administrations without getting caught by political factionalism. He has a penchant for being able to keep morale up and is known for his sense of humor. His choice as State Parks Director should be a popular one with environmentalists, parks advocates, and probably most everyone.

#### **D. Changes in TDoT**

Tennessee's new Commissioner of Transportation, Gerald Nicely, has appointed Ed Cole to be TDoT's first Chief of Environment and Planning. Mr. Cole, currently serves as executive director of Cumberland Region Tomorrow, a 10-county regional planning organization responsible for development of a regional vision for land use, transportation, historic sites, social services and other factors that influence regional development in the Nashville area. He has previously served as deputy and interim commissioner of Environment & Conservation.

Commissioner Nicely has put a number of road projects on hold, following requests of citizens' groups. He has outlined \$54.8 million in potential cuts to the state's mammoth transportation budget for this fiscal year, the largest portion being \$19.8 million in highway construction funds. (Reallocation of those resources would require statutory action by the state legislature.) Nicely proposed no personnel cuts since he said TDoT had already reduced its state workforce by 650 people over the past few years, with most of the jobs transferred to contracted services.

#### **E. Oil & gas regulations**

The recommendations of the state's study committee that was instituted a few months after last summer's major oil spill into the Obed system (NL249 ¶18) were presented to Governor Bredesen and Commissioner Child. It will be up to them to accept, reject, or modify them. For more information on the committee and its recommendations, visit <http://www.state.tn.us/environment/epo/oilandgaspolicy/>.

### **4. RESURGENCE OF STRIP MINING**

#### **A. Reprieve on Braden Mountain; but lots more potential surface mining near/in the Royal Blue WMA**

Comments (including TCWP's) received by TVA on its draft environmental assessment (EA) for lease of a surface coal mine on Braden Mountain

in the Royal Blue Wildlife Management Area (NL249 ¶2A) have caused the agency to withdraw the document. (Thank you, all who sent comments!) Instead, TVA will generate a full EIS (Environmental Impact Statement) that covers the entire 53,000-acre Koppers Coal Reserve in Campbell and Scott counties, including the ~600-acre Braden Mountain site, to help evaluate potential cumulative impacts and sensitive resources over the whole area. It'll be about a year before the EIS is released.

Significantly, the Braden Mountain project would have involved removing a mountain top and rebuilding it. This so-called "Cross Ridge Mining" (which is addressed in ¶4C, below), has major adverse impacts on watersheds. In the case of the Koppers Coal Reserve, such watersheds drain into the Big South Fork River, via the New River.

#### **B. Abandoned Mine Land (AML) program needs re-authorization now**

Unless re-authorized, the federal AML program will end in 2004. If that happens, \$1.4 billion that have been collected over the years (as a small fee on active coal operations) will be absorbed into general revenues, instead of being expended for their stated purpose. AML funds were intended to be used for reclamation of abandoned (orphaned) mine lands. In Tennessee alone, there are over 50,000 acres of such lands.

Tennessee is worse off than most other states because it does not have its own coal regulatory program (primacy). In the 1980s, Tennessee chose to be federally regulated and thus does not qualify for the 50% of the AML money that automatically comes back to the state in which it is collected. Similarly, our state does not receive most of the other distributions from the AML fund, and we receive only about \$1 million per year; at this rate it would take the next 40 years to clean up our 50,000 acres of orphan mines.

Not only does the AML program need to be re-authorized, it also needs to be improved so that states that do not have state regulatory programs do not get penalized so severely. Legislation that would accomplish these purposes has been drafted by SOCM and the Citizens Coal Council.

**WHAT YOU CAN DO:** Contact Senators Frist and Alexander (addresses on p.2) and urge them to support the SOCM-drafted bill. It could bring 10,000 new jobs to the people of Tennessee. Sen. Alexander serves on the Energy and Natural Re-

sources Committee, where an AML re-authorization bill would have to originate.

### C. **Cross Ridge Mining threatens Cumberland**

Like Mountaintop Removal (§4D, below), Cross Ridge Mining operations mine through the top of a mountain to remove the entire seam of coal beneath it. Instead of leaving the mountain decapitated and flat, however, these operations theoretically put back what they removed, minus the coal. But where is the mountaintop stored while the coal beneath it is being removed? Where else but in the valleys between the mountains? And not all the stored material can be put back. The ~600-acre Braden Mountain project (§4A, above) would have involved 90 acres of fill areas, of which 33 acres were to be valley fills. If operations in the Koppers Coal Reserve and on Zeb Mountain turn out to be profitable, most of the peaks in the Cumberland Mountains could become Cross Ridge Mining sites.



### D. **Court reinstates Mountain Top Removal**

In May 2002, U.S. District Judge Charles Haden II ruled to strictly limit Mountain Top Removal (MTR) as a method of coal mining. At the end of January, however, a federal appeals court overturned the Haden ruling, lifting the injunction that had blocked the Corps of Engineers from authorizing valley fills. Under the Bush Administration, the Corps of Engineers and EPA had re-interpreted the definition for "fill material" and rewritten their regulations so as to specifically allow valley fills under Section 404 of the Clean Water Act.

As as yet unpublished federal study has found that between 1985 and 1999, MTR buried at least 562 miles of Appalachian streams; and that, absent tougher regulations, it would eventually destroy 350 square miles of Appalachian forests.

## 5. AROUND THE STATE

### A. **State's water-quality standards up for review**

The federal Clean Water Act requires states to provide regular opportunities for public involvement. Every three years, the State of Tennessee holds public hearings on the adequacy of its water quality standards. During this so-called Triennial Review, the entire state water

quality standards system is up for analysis, debate, and revision. This system includes:

- the state's designated uses and classifications;
- the criteria associated with these classifications;
- the classifications of specific water bodies and any site-specific criteria; and
- the antidegradation policy and implementation system.

To view the proposed revisions to standards go to [www.state.tn.us/environment/water](http://www.state.tn.us/environment/water)

Unfortunately this Newsletter will reach you too late to provide usable information about the 13 public meetings that are being held across the state. The close of the deadline for written comments is April 4. If some of you are still in a position to send e-mail comments, please contact the Tennessee Clean Water Network at 865-522-7007 or [kim@tcwn.org](mailto:kim@tcwn.org) for information and advice.

### B. **Buffer for White's Creek SWA about to become reality**

The contract with Bowater was signed in November for TCWP to purchase, at \$1000/acre approximately 46 acres of Bowater lands that abut on TVA's White's Creek Small Wild Area. These lands are an essential buffer for the SWA, now that the entire Bowater tract is up for sale and potential development (NL238 ¶6A). A recent survey, paid for by TCWP, shows the purchase area to be 47.105 acres, but TCWP has collected sufficient funds for this slightly enlarged acreage, and we thank all of you who so generously contributed to make this possible.

TCWP will donate the land to TVA. The draft deeds being checked by a TVA expert.

### C. **Scott's Gulf - Fall Creek Falls connection?**

Efforts have been under way to connect the 10,000-acre Bridgestone/Firestone Centennial Wilderness in Scott's Gulf with the 20,000-acre Fall Creek Falls State Park. The Friends of Scott's Gulf's have conducted a complex and multifaceted campaign to acquire the 194-acre Clark property, which runs with the Caney Fork River for 1.75 miles. This finally came to fruition thanks to the substantial help of the Tennessee Parks & Greenways Foundation which now owns the property. The Friends of Scott's Gulf contributed about 42% of the cost, but now have to repay a \$40,000 loan.

Much of the remaining link is contained in the 2,048-acre Cash Tract, which could be acquired if 2004 Forest Legacy Funds are approved for it. The Tract was rated No.2 out of 11 tracts

submitted for approval by the Tennessee State Forest Legacy Board in 2002. A protected corridor between Scott's Gulf and Fall Creek Falls would restore riparian vegetation, reduce erosion and hence siltation of the Caney Fork River, provide contiguous hardwood forest that is essential to the survival of many species, and form the corridor for a spectacular hiking trail.

**WHAT YOU CAN DO:** Contact Representatives Lincoln Davis and Zach Wamp, and Sens. Alexander and Frist (addresses on p. 2) and ask for their help in getting the Cash Tract approved for 2004 Forest Legacy Funds.

#### **D. New approach to adding Moccasin Bend to Park System**

Moccasin Bend, the relatively undeveloped peninsula formed by a big hairpin curve in the Tennessee River just west of Chattanooga, is the location of continuous cultural occupation for over 10,000 years, as well as of the Union siege on Chattanooga during the Civil War. It is tremendously rich in archeological sites that are in danger of degradation.

Rep. Zach Wamp has for some time been working to make Moccasin Bend into a stand-alone park unit, but the presence of a state psychiatric hospital and a city-owned golf course have made protection strategies quite difficult. In a recent compromise, Rep. Wamp introduced a bill that would preserve 780 acres of the Bend by adding it to the Chickamauga and Chattanooga National Military Park as the Moccasin Bend Archeological District. Passage of the legislation was temporarily derailed in November, when several other bills were attached to it; but Rep. Wamp hopes for passage before long. Soon after the bill passes, interpretive programs could begin, and a management plan would be initiated.

**WHAT YOU CAN DO:** Thank Rep. Wamp for his efforts to get Moccasin Bend protected. Address on p.2.

#### **E. Tennessee River Blueway designated near Chattanooga**

The 50-mile Tennessee River Blueway was recently dedicated by NPS Director Fran Mainella at Chattanooga. Interpreted by a guide and map, it stretches downstream from Chickamauga Dam, past the limestone bluffs across from Chattanooga's revitalized riverfront, around Moccasin Bend (p.5D, above), and through the Tennessee River Gorge. The trace was developed

by the Tennessee River Gorge Trust, NPS's Rivers, Trails & Conservation Assistance Program, the City of Chattanooga, TVA, and local stakeholders. For further information, call the Tennessee River Gorge Trust at 423-266-0314.

#### **F. Volunteers help protect land in the Northern Cumberland**

(Contributed by Frank Hensley and Sandra Goss)

A new gate has been erected to protect the Dobbs Creek Preserve and Tally Wilderness in Tennessee, and the Chimney Rock Tract in Kentucky – privately purchased preserves adjacent to Pickett State Forest. The Tennessee State Forestry Division gave The Nature Conservancy permission to place the gate in a location that would be most effective in stopping A TV traffic.

Charlie Burger designed and fabricated the gate, a job that required considerable time and effort. Subsequently, all equipment, including generators and drills, had to be transported through deep mud to the site. The Nature Conservancy's 4-wheel-drive truck got stuck several times and finally had to be winched out of the deep mud. Gate installation entailed drilling in solid sandstone.

Charlie Burger spent three long days installing the gate, sleeping in his truck at night. Frank Hensley and Chris Bullington helped for two days on the installation. Frank and Charlie spent an additional day cleaning trash from the area.

A special thanks to Charlie because, without him, a contractor costing many thousands of dollars would have been required to build and install this gate.

#### **6. IN THE STATE LEGISLATURE**

This article is excerpted from the excellent weekly "2003 TCV Legislative Report" prepared by Tennessee Conservation Voters' Stewart Clifton and Jennifer Walker. We have copied information for only those bills on which TCWP readers are most likely to take action. If you are interested in seeing the TCV report in its entirety, e-mail: [stewartclifton@comcast.net](mailto:stewartclifton@comcast.net).

You can review or copy a bill from the free legislative webpage, [www.legislature.state.tn.us](http://www.legislature.state.tn.us); there is a word-search mechanism if you don't know the bill number. The 2003 TCWP Political Guide (with legislators' contact info) should reach you shortly.

- \* **Board Equity Act of 2003**, SB0564/HB1776 (S: Doug Jackson; H: Russell Johnson).



Adds additional person to four environmental boards to be selected from a list of three suggestions provided by Tennessee Conservation Voters. TCV-initiated bill.

Senate Status: S. Government Operations deferred to 4/16/03

House Status: Referred to H. Government Operations

- **TN Forest Management and Economic Development Act of 2003**, SB0391/HB1045 (S: Jeff Miller; H: Joe McCord)

Senate Status: Referred to S. Environment, Conservation & Tourism.

House Status: Companion bill introduced.

- **"Tennessee Forest Resources Conservation Act of 2003"**, SB0934/HB1159 (S: David Fowler; H: Michael McDonald)

Senate Status: Referred to S. Environment, Conservation & Tourism.

House Status: Introduced 2/19/03

- **Tennessee Environmental Policy Act of 2003**, SB0782/HB1462 (S: James Kyle; H: Carol Chumney).

Requires that an environmental assessment report be submitted to commissioner of environment & conservation prior to start of any proposed government action (such as construction or purchase of land) that could potentially affect the state's natural resources. Requires commissioner to conduct public hearing on the report 30 days prior to commissioner's approval or denial of findings. Requires commissioner's determination to be a final order under UAPA. If the environmental assessment report concludes that a proposed governmental action may significantly adversely affect the quality of the environment, the government agency responsible for such project is required to prepare an "environmental effects" report detailing the impact.

Senate Status: Referred to Senate Environment, Conservation & Tourism.

House Status: Set for 03/25/03, H. Government Operations.

- **Beverage container deposit**, SB1277/HB0991 (S: Randy McNally; H: Russell Johnson)

Senate Status: Referred to S. Environment, Conservation & Tourism.

House Status: Introduced 2/19/2003

- **Inventory of wetlands**, SB0074/HB0049 (S: Joe Haynes; H: Mike Turner)

Senate Status: Referred to S. Environment, Conservation & Tourism.

House Status: Caption bill held on H. clerk's desk.

- **State Park Funding Act of 2003**, SB0265/HB0412 (S: Tim Burchett; H: Harry Brooks).

Establishes a super park fund whereby all payment of fees, fines, penalties, and forfeitures pertaining to state parks shall be placed. Specifies that this fund is to be used only for state park expenditures to purchase land suitable for state parks, for maintenance and upkeep, and for construction of suitable buildings and parking lots. Directs that the division of parks be authorized to assess and collect a user fee beginning on January 1, 2004 in all state parks of Tennessee. Specifies that this particular act is to make the parks self-sufficient.

Fiscal Note: \$566,950 one time.

Senate Status: Referred to S. Finance, Ways & Means.

House Status: H. Parks & Tourism Subcommittee, reseto 4/9/03.

- **State Park Funding Act of 2003**, SB0303/HB0893 (S: John Ford; H: Barbara Cooper).

Creates a dedicated fund under the control of the Division of Parks in TDEC, which is to be used for park-related expenditures, including maintenance and upkeep as well as the purchase of lands for parks. Authorizes the division of parks to assess and collect a user fee beginning January 1, 2004, in all state parks with the exception of the Tennessee Bicentennial Mall in Nashville.

Fiscal Note: \$566,950 one time.

Senate Status: Referred to S. Finance, Ways & Means.

House Status: H. Parks & Tourism Subcommittee reseto 4/9/03.

- **State Parks Management and Preservation Act of 2003**, SB0465/HB0658 (S: Jo Ann Graves; H: Michael McDonald).

Establishes commission to study sources for funding state parks and make recommendations to general assembly. Defines master plan (to be prepared for each state park as needed) as a ten-year period, updated every five years, with detailed needs analysis for parks and specific facilities. Authorizes public hearings to be conducted in nine districts regarding master plan. (TCV thinks this is the bill environmental groups plan to focus on this year relative to parks.)

Senate Status: Referred to S. Environment, Conservation & Tourism.

House Status: Referred to H. Conservation's Parks & Tourism Subcommittee.

- **Additions to state scenic rivers system, SB 0070/HB 0040 and SB 0071/HB 0038** (S: Haynes; H: Turner M.)  
Add segment of Cumberland River in Davidson County and Stones River to the state scenic rivers system, with classification as Class II Pastoral River Areas.  
Senate Status: Referred to Senate Environment, Conservation & Tourism.  
House Status: Caption bill held on House clerk's desk
- **Rails to trails program, SB1181/HB1210** (S: Bill Ketron; H: Tom DuBois).  
Provides for "rails to trails" program to use abandoned rail rights of way for recreation purposes.  
Senate Status: Referred to S. Transportation.  
House Status: Caption bill held on H. clerk's desk.
- **Resources protection council, SB1376/HB1217** (S: Ward Crutchfield; H: Sherry Jones).  
Creates Statewide Resources Protection Council; gives this council authority to certify local government that zoning ordinance or subdivision regulations adequately protect statewide resources. Establishes provision for review and approval by council for any change in land use proposed to occur within the protective area of a statewide resource. Purpose of bill is to give state a voice in local zoning and subdivision decisions which might impact state resources such as parks.  
Senate Status: Referred to S. Government Operations.  
House Status: Referred to H. Government Operations.
- **Natural area designations, SB1958/HB2033** (S: Ward Crutchfield; H: Kim McMillan)  
Designates Stones River Cedar Glade and Barrens and Gattinger's Cedar Glade and Barrens as natural areas. Changes description of Shelby Farms-Lucius E. Burch, Jr. natural area. Increases acreage of Couchville Cedar Glade from 84 acres to 122 acres. Also increases acreage of North Chickamauga Creek Gorge from 3,852 acres to 4,864 acres. *An administration bill - one of only two bills offered by TDEC this year.*  
Senate Status: Referred to S. Environment, Conservation & Tourism.  
House Status: H. Parks & Tourism, 4/2/03
- **Statutory changes to fund state government (recording tax to general fund), SB1991/HB2073** (S: Crutchfield; H: McMillan). Omnibus bill enacts changes throughout code to reallocate earmarked

funds to general fund. Among other changes, redirects the portion of the recording tax to the general fund which is currently directed to the wetland acquisition fund, the state land acquisition fund, local park lands acquisition fund and the agricultural resources conservation fund. There is no time limit on this raiding of the fund!

Senate Status: Referred to Senate Finance, Ways & Means.

House Status: Introduced 3/13/2003

- **Creation of the office of ombudsman in TDOT, SB0085/HB0051** (S: Joe Haynes; H: Mike Turner)  
Senate Status: Referred to S. Transportation.  
House Status: Caption bill held on H. clerk's desk.
- **Use of state shared private roads for mass transit, SB1163/HB1879** (S: Roscoe Dixon; H: Edith Langster)  
Permits counties/cities to use state shared gas taxes for mass transit. Ultimately could have beneficial impact on urban sprawl.  
Senate Status: Referred to S. Finance, Ways & Means.  
House Status: Referred to Public Transportation and Highways subcommittee.
- **Reorganization of TDOT, SB1977/HB2013** (S: Ward Crutchfield; H: Kim McMillan).  
Removes requirement that general assembly authorize reorganization, creation, or elimination of any departmental units of the department of transportation after July 1, 1981. *Administration bill. Environmental groups may wish to look closely at supporting this bill, as much of the entrenched support for business-as-usual comes from key legislative supporters of road-building. TCV is in support.*  
Senate Status: Referred to S. Transportation.  
House Status: Referred to H. Public Transportation and Highways subcommittee.
- **Dangerous bill for water quality advocates! Soil Conservation, SB0839/HB0951** (S: Doug Jackson; H: John Tidwell)  
Removes state control of creeks, streams and ditches when water crosses or borders agricultural or forestry lands. Requires county legislative bodies to establish boards to oversee and regulate such maintenance activities. Defines agricultural or forest activity to include use of most practical equipment to remove downed trees, debris, gravel and sandbars from creeks, streams and ditches that traverse or border agricultural or forestry lands.

SenateStatus: Referred to S. Environment, Conservation & Tourism  
House Status: Referred to H. Conservation's Environment Subcommittee

- **Water quality board hearings**, SB1692/HB1778 (S: Larry Trail; H: Russell Johnson). Broadens categories of person who may be heard before water quality board to include any person rather than only permittees or applicants. *TCV-initiated bill*. Senate Status: Referred to S. Environment, Conservation & Tourism. HouseStatus: Referred to H. Conservation's Environment subcommittee.

## 7. SMOKIES: SEVERAL MAJOR ISSUES UNDER CONSIDERATION

### A. North Shore Road: momentum gathers for cash settlement

The series of public meetings held under the recently initiated EIS process for the North Shore Road has just been completed (see <http://www.NorthShoreRoad.info/>). This process is the result of a \$16-million appropriation for the road that Rep. Charles Taylor (R, NC) quietly managed to get enacted late in 2000 (NL26 ¶3A). Reportedly, the following alternatives will be considered for the EIS: completing the entire 37 miles to parkway standards, building a gravel road, completing a short segment with some visitor facility at the end, or doing nothing (obviously, the conservationists' choice). At the meetings recently completed, clear majorities of attendees appeared to favor a cash settlement in lieu of a road.

A resolution to that effect was passed in mid-February by a 4:1 vote of the Swain County Board of Commissioners. Subsequently, Senators Edwards (D, NC), Dole (R, NC), and Alexander (R, TN), and Knoxville Mayor Ashe have voiced support for this position. What is now needed is for the signatories of the 1943 Agreement (US Dept. of the Interior, TVA, North Carolina, and Swain County) to generate a new agreement that provides for a settlement in lieu of the road.

**WHAT YOU CAN DO:** Ask your Congressman and Senators (addresses on p.2) to urge the USDOT to meet with the othersignatories of the 1943 Agreement (see above) and work out a new agreement that provides for a settlement in lieu of the road. Suggest that the \$16 million that have al-

ready been appropriated for the road (which would cost >\$150 million to complete) be applied toward the cash settlement instead.

### B. Elkmont comments still badly needed

At the well-attended public meeting on February 1, NPS presented a series of alternatives ranging from removal of all structures, through keeping a few of them for interpretation, to restoring most of them and the hotel for a lodging concession (i.e., a resort destination in the Park) (NL249 ¶4D; NL245 ¶5B; NL248 ¶3C). TCWP, along with the whole environmental community, strongly opposes the development of a resort destination at Elkmont, and supports Alternative A, which spells out the details of this position. Applicable to all alternatives is our opposition to overnight stays and/or food service in any of the Elkmont structures that are retained.

It should be noted that restoration of the Elkmont structures would be very costly. They have been described as rotting shacks, with sanitary, electrical, water, and heating systems that would probably have failed to meet the building codes of a third-world country (Tenne-Sierran, vol.43, No.3).

**WHAT YOU CAN DO:** Send comments to Superintendent, Great Smoky Mountains National Park, 107 Park Headquarters Road, Gatlinburg, TN 37738; e-mail [ElkmontComments@nps.gov](mailto:ElkmontComments@nps.gov) or phone 865-436-1227. For additional information, contact Greg Kidd at [rkidd@nps.org](mailto:rkidd@nps.org).

### C. Cades Cove Planning

The first round of alternatives for the Cades Cove Opportunity Plan (NL249 ¶4E) will be presented at three upcoming public meetings (see Action box, below). Conservationists support a clean-fuel public-transportation alternative. A plan presented at a recent meeting of the Greater Smoky Mountains Coalition recommends that a public-transportation system in the loop be mandatory and operate year round. It suggests that this system could be paid for by a fee per vehicle parked at the terminal (the ride around the loop would be free).

**WHAT YOU CAN DO:** Public meetings were scheduled for March 31, April 1, and April 3. You may receive this NL in time for the last of these, to be held at the Pigeon Forge High School, 414 Tiger Drive, from 6:00-8:30 p.m.

Your comments can be entered on the website <http://www.cadescove.org/> (click on "Your comments"). Or write to Superintendent, Great Smoky Mountains National Park, 1074 Park Headquarters Road, Gatlinburg, TN 37738. For additional information, contact Greg Kidd at [jkidd@npsca.org](mailto:jkidd@npsca.org).

## D. Sen. Alexander and the Smokies

In a letter to Dr. George Mayfield, a long-standing TCWP member and friend of the Senator's from younger days, Sen. Alexander wrote: "As a member of the Senate Committee on Energy and Natural Resources, I'll make it a priority to eliminate the \$5 billion National Park maintenance backlog so that Great Smoky Mountains National Park will have the staff and funding it needs to be maintained." See also ¶7A, above, for Sen. Alexander's position on the North Shore Road. You may wish to express your appreciation to the senator (address on p. 2).

Recently, Sen. Alexander and his neighbors donated a conservation easement on 769 acres in Blount County that will protect 2 miles of the boundary of the Park. Gift of the easement is an outgrowth of a conservation master plan created by the Conservation Fund's Center for Conservation and Development.

## B. CHEROKEE NATIONAL FOREST RELEASES DRAFT MANAGEMENT PLAN

[Abbreviated from a communication from Cherokee Forest Voices]

The Cherokee National Forest (CNF), together with several other southern national forests, released its long awaited draft management plan on March 21. The draft Plan contains some good and some bad, and it is very important that citizens provide comments to improve the final Plan. The future of the Cherokee National Forest for at least the next 10 years, and probably much longer, is at stake: will the outstanding scenic and recreational areas of the Cherokee be protected from road building and clearcutting, or will they disappear?

We urge you to submit oral and/or written comments, using the information summarized below (see Action Box for details). You can view the Draft Plan at [www.southernregion.fs.fed.us/planning/sap/default.htm](http://www.southernregion.fs.fed.us/planning/sap/default.htm). You may also wish to visit the web sites of the environmental groups that have been following this issue: Southern Environmental Law Center at [www.southernenvironment.org/](http://www.southernenvironment.org/);

Southern Appalachian Forest Coalition at [www.saf-nc.org/](http://www.saf-nc.org/); or Cherokee Forest Voices at <http://www.klammco.org/cfvoices>.

Here are the issues and concerns formulated by Cherokee Forest Voices, of which TCWP is a member organization.

### A. Wilderness designations

The draft CNF Plan recommends only one new wilderness study area (Upper Bald River) and a few additions to existing wilderness. Wilderness study areas (listed as Management Categories 1.B in the draft Plan) are managed to protect their wilderness characteristics pending Congressional designation.

Thank the USFS for the areas they recommended but request that the number of Wilderness study areas (1.B) be significantly increased. New Wilderness area recommendations should be made, including Flint Mill, Rogers Ridge, Bald Mountain, Devils Backbone, Iron Mountain, and Slide Hollow. Existing wilderness areas that should be expanded include Gee Creek Addition, Citico Creek Addition, Unaka Mountain Extension, and Maple Camp Lead. With your comments, provide any personal stories you may have on the attributes of any of these areas.

### B. Other special designations and roadless area

Request that the Roadless Areas and Special Areas contained in the publication "Tennessee Mountain Treasures" and recommended by Cherokee Forest Voices be placed in "prescriptions" (management categories) that do not allow any logging or road building (including temporary roads). These prescriptions include:

- Natural Processes in Remote Area (12.C)
- Scenic Areas (4.F)
- Remote Backcountry Recreation Non-Motorized (12.B)

For a listing of the specific areas that should be placed in each of these categories, contact Catherine Murray, 423-929-8163 or e-mail her at [cfcv.catherine@worldnet.att.net](mailto:cfcv.catherine@worldnet.att.net).

### C. Riparian designation and special watersheds

Ask the FS to go back to the original interim standards (before these were weakened for intermittent and ephemeral streams) concerning the widths and buffers for riparian designations, and to make these permanent. Ephemeral streams should be returned to the riparian prescription, thus regaining some protection.

Furthermore, additional protection is needed, for the following watersheds: Conasauga, Citico Creek, lower Hiwassee, Noli-

chucky, and South Fork of the Holston. Part of the standard would be no new roads in these key watersheds.

#### D. Old-growth forest

Request that the Forest Service identify, map, and protect existing and potential patches of old growth forest. Areas having such patches include, but are not necessarily limited to, Laurel Mountain, Wolf Creek, Ripshin Ridge, Street Gap to Big Bald, and Crest of Holston Mountain.

#### E. Road construction

The CNF should be in compliance with the national USFS policy to reduce roads to the amount that can be adequately maintained. An adequate Roads Analysis needs to be done, with emphasis on decommissioning unneeded roads, and upgrading or closing roads that are problems. Construction of new roads in riparian areas should be restricted.

#### F. Black bear habitat

Bear thrive best in forests that are uneven-aged. The Draft Plan's prescription calls for 4-10% of the forest to be in the 0- to 10-year age class. There is no biological basis for increasing the amount of open space to 10%. The percent of forest in the 0- to 10-year age class should be 4% or less in bear habitat.

#### G. Fire policy

The draft plan calls for prescribed burns for restoration of fire-dependent communities. Areas ranging in size from 1,100 to 5,200 acres would be burned for each of four types of forest communities. The amount seems excessive and the process would be repeated. Ask the USFS to cite references to document that these are fire-dependent communities.

#### H. Natural resource agenda

Ask the FS to address the following items: Restore degraded ecosystems and attain desirable plant conditions. Prevent exotic plants from spreading. Restore degraded riparian ecosystems. Conserve and recover threatened, endangered, sensitive, and locally rare species and their habitat. Close or rehabilitate recreation sites showing unacceptable damage. Allocate resources to curtail unauthorized recreation use including illegal OHV trails. Where scenic integrity condition is Low, Very Low, or Unacceptably Low, work to raise scenic integrity.

**WHAT YOU CAN DO:** Your comments can be registered in one (or both) of the following ways:

- (1) Attend one of two scheduled public hearings:  
 April 14, 1:30-4:00 and 6:30-9:00 pm at Central Church of Christ, 200 25th Street, NW, Cleveland, TN  
 April 15, 1:30-4:00 and 6:30-9:00 pm at Boone's Creek Community Church, Gray, TN (Johnson City area).
- (2) Send written comments before June 19, 2003, to Cherokee National Forest, Content Analysis Team, PO Box 221150, Salt Lake City, UT 84122, and/or Fax them to (801) 517-1015. E-mailed comments must go to [cherokee@fs.fed.us](mailto:cherokee@fs.fed.us). For further information, contact Catherine Murray, 423-929-8163, or e-mail her at [cvmurray@worldnet.att.net](mailto:cvmurray@worldnet.att.net).

## 9. OAK RIDGE ISSUES

### A. Oak Ridge Reservation Land-Use Planning:

#### meeting with DOE Manager Boyd

[Contributed by Dev Joslin]

Several representatives of Advocates for the Oak Ridge Reservation, Foundation for Global Sustainability, and TCWP, met with new DOE Manager Gerald Boyd on March 14. One of the main issues in the discussion was the continuation of comprehensive land use planning. Mr. Boyd assured the group that "We plan to do land use planning using a similar process to that used during Focus Group planning for the western end of the reservation last year" (see NL247 ¶8A). He said that any newly-appointed Planning Process Coordinator will answer directly to him. He cautioned the group that it would be a few months before that process got started. There ensued some discussion about the selection process for stakeholders in the previous Focus Group, and Mr. Boyd offered to review that process and try to improve upon it.

Mr. Boyd said that the ED-1 transfer (of approximately 450 acres of Horizon Center property to CROET for private sale) is the only land transfer transaction that will be undertaken before a transparent process for future land-use planning has been developed. He assured the group that DOE currently has no plans to transfer any proposed ED-3 parcel (land originally proposed for development near the former K-25 site) to CROET. The original proposed transfer of one version of ED-3 was the catalyst for a previously threatened lawsuit that eventually led to the

formation of the first Focus Group. Boyd characterized the cleanup at the former K-25 site as "going well."

Plans for the future protection of the Three Bends Scenic and Wildlife Management Area were discussed. Mr. Boyd assured the group that no plans for transfers of any portion of the area for residential development were currently being considered. However, there was also no information given on future extensions to the current agreement between DOE and the Tennessee Wildlife Resources Agency (which now manages Three Bends), which expires in about 2 years.

Boyd said that the transfer of 3,000 acres on the west end of the reservation to the state of Tennessee was proceeding as agreed in a previous memorandum of agreement announced in Oak Ridge by Governor Sundquist last fall (NL 249 ¶6A). The transfer is intended as partial remuneration by DOE for damages to Watts Bar Reservoir via water and sediment contamination. The land is to be set aside by the state under a conservation easement, but details of the arrangement have still not been finalized. The fate of 200 acres adjacent to Wisconsin Avenue, removed from this 3,000-acre parcel by DOE at the request of the City of Oak Ridge, remains undecided.

Also discussed was the possibility of trading a remote 40-acre parcel located in an environmentally sensitive area within ED-1 (Horizon Center), access to which would require rebuilding over 1 mile of road with its own major impacts. Boyd said he would encourage discussions to consider possible alternatives. Afterwards, the group deemed the meeting as positive and encouraging. We will continue the communications process with DOE officials to highlight the importance and unique value of the reservation's size, biodiversity, and scientific research opportunities.

**WHAT YOU CAN DO:** Write to the officials listed below, urging (1) continuation of land-use planning for the entire DOE Oak Ridge Reservation, (2) long-term preservation of the Three Bends Scenic and Wildlife Management Area, (3) supporting transfer of 3,000 acres to the state of Tennessee for conservation, and (4) opposing any further land transfers for development. People to contact: Gerald Boyd, Manager, Dept. of Energy, Oak Ridge Operations, P. O. Box 2001, Oak Ridge, TN 37831-8700; U.S. Representative Zach Wamp, Federal Building, Suite 100, 200 Administration Road, Oak Ridge, TN 37830; Governor Phil Bredesen, State Capitol, Nashville, TN 37243-0001.

## B. Cedar Barrens Plan to City Council

The Oak Ridge Cedar Barrens Management Plan, recently approved by the TCWP Board (NL 249 ¶6B), is being sent to the Oak Ridge City Council for their first meeting in April. It will be accompanied by a recommendation by EQAB and a request from TCWP to reaffirm the 15-year old agreement between TDEC, TCWP, and the City of Oak Ridge to "manage the described land in a manner which will perpetuate or enhance the cedar barrens conditions..." The Oak Ridge Cedar Barrens is a Registered State Natural Area.

At the workday organized by TCWP on March 15 (early in the season, in order to beat the emergence of the rare plants this area supports), the effort was directed toward removing exotic pest plants, such as bushy lespedeza. Volunteers included Larry Pounds, Jimmy Gorton, Babs McBride, John Kubarewicz, Cindy Kendrick, Sandra K. Goss, Ellen Keene, and Chuck Estes.

**WHAT YOU CAN DO:** We still need a site steward, as required by the Plan. The steward, with the help of volunteers, will carry out actions such as monitoring the needs of the area, organizing appropriate workdays, working with state and city officials, etc. (NL 249 ¶8A). For more information on the Barren, call Sandra K. Goss at 865-522-3809.

## 10. NATIONAL ISSUES

### A. Arctic Refuge victory -- for now

[From Natural Resources Defense Council]

We won a huge victory on March 19 when the U.S. Senate voted 52-48 to block oil development in the Arctic National Wildlife Refuge. The pro-environment vote was all the more remarkable coming as it did on the eve of war, with every senator under enormous pressure to approve this centerpiece of President Bush's energy plan. For months, NRDC has been making the case that drilling in the Arctic is the slowest, most expensive and most destructive way to ensure America's energy security. Tens of thousands of pro-refuge messages buttressed our cause. In the end, eight Republicans joined most Democrats and stood in defense of America's most spectacular birthing ground for Arctic wildlife.

Needless to say, this fight is not over. What we've won is a life-saving reprieve for the Arctic Refuge, not permanent protection. The champions of big oil are sure to be back within weeks, if not days, with more pro-drilling bills. But March 19

was nothing less than a banner day for the environment. In the most-watched Arctic vote to date, under the very toughest circumstances, a bipartisan majority of the U.S. Senate refused to sacrifice our nation's premier wildlife refuge.

Editor's explanatory note. The March-19 vote reported above was precipitated by the Bush Administration having created a budget item out of Arctic Refuge drilling by including a projected income of \$2.4 billion from leasing fees in 2005. In the past, pro-drilling forces had been unable to muster the 60 votes needed to cut off debate on a regular Senate bill. Hence, the Administration's strategy of inserting the vote into a must-pass budget bill.

## **B. NAS study on Arctic drilling**

[From N.Y. Times 3/10/03]

The National Academy of Sciences has now released its long-awaited study of the environmental consequences of three decades of oil drilling along Alaska's North Slope. The report concludes that these consequences have been largely unfavorable and are likely to get worse, despite efforts by the oil companies to minimize damage. The NAS report did not address the likely effect of drilling in the Arctic National Wildlife Refuge, an adjacent property coveted by the oil companies and the Bush administration. But it presents a disturbing picture of what could happen, even with improvements in drilling technology, and is thus another good argument for leaving the refuge alone.

The reproductive rates of certain bird species have declined. Female caribou are producing fewer calves, while offshore seismic activity has driven whales out to sea ... The report also says that thousands of acres of tundra vegetation have been destroyed and that "wilderness values" have been compromised in a much larger area.

## **C. Oil and Gas Industry exempt from new Clean Water rules**

[Excerpted from N.Y. Times, 3/9/03]

The Environmental Protection Agency has exempted the oil and gas industries from new clean water regulations that require small construction sites (down to one acre) to develop plans for handling storm water (which can carry chemical and metal runoff from the disturbed soil).

Senator James M. Jeffords (I-VT), the ranking minority member of the Environmental and Public Works Committee, criticized the exemption. "While small communities and small construction projects in every other sector of the econ-

omy must comply with strong storm water standards," Mr. Jeffords said, "the Bush administration is giving a free ride to the oil and gas industry." Critics of the exemption granted by EPA believe that the oil and gas industries are taking advantage of close ties to the administration to lay political groundwork for broader exemptions from the Clean Water Act.

## **D. To control aquatic invasive species**

[Information from Union of Concerned Scientists]

In 1990, in response to the arrival of the highly invasive zebra mussel in the Great Lakes, Congress adopted the law that is now the National Invasive Species Act of 1996. Bills to reauthorize NISA were introduced but did not pass in 2002. In February of this year, the National Aquatic Invasive Species Act (NAISA), which enjoyed broad bipartisan support, was reintroduced by Sen. Carl Levin (D-MI) and Reps. Wayne Gilchrest (R-MD) and Vernon Ehlers (R-MI).

About 7,000 invasive plant and animal species are now established in the US, with damage and control measures costing billions of dollars each year. Scientists now consider invasive species second only to habitat loss in factors contributing to imperilment of species native to the United States.

**WHAT YOU CAN DO:** Contact your Representative and Senators in support of NAISA (addresses on p. 2), citing some of the above arguments

## **E. Habitat restoration by private landowners**

A new Interior Department program will make available \$34.8 million in grants to states to encourage private landowners to help restore habitats for endangered species. Recipients of the money, such as state fish & wildlife agencies, landowners, or nonprofit groups, must put up at least 25% of the cost of an approved project.

## **F. Congressional "Park Friends"**

The National Parks Conservation Association has recognized members of the 107th Congress who voted to preserve and protect national parks (similar awards had been given to members of the two previous Congresses). Nine key votes were chosen -- three for the Senate and six for the House -- and a score of at least 67% was needed to earn the NPCA award. Only two of Tennessee's 11 members (2 senators, 9 Congressmen) got on the list: Rep. Bart Gordon (D-6th) and Rep. Harold Ford (D-9th).

**WHAT YOU CAN DO:** Tell Reps. Gordon and Ford that you were delighted that each was named a Friend of the National Parks by NPCA. Let them know that you are happy that these issues, which are important to you and your family, are important to them. (Addresses on p.2)

## G. Greenscam and spin control

[From N.Y. Times Editorial/Op Ed, 3/15/03]

In a memorandum recently described by *The New York Times'* Jennifer Lee, Frank Luntz, a respected Republican strategist, warns the GOP that after two years of regulatory rollbacks, environmental issues have become "the single biggest vulnerability for the Republicans and especially for George Bush."

Mr. Luntz's remedy is not to change policy but to start using comforting words like "balance," "common sense," "safer," "cleaner" and "healthier," a strategy followed by Pres. Bush in his State of the Union address and on other occasions.

On global warming, Mr. Luntz says that "the scientific debate is closing against us." His advice is to emphasize that the evidence is not complete. "Should the public come to believe that the scientific issues are settled," he writes, "their views about global warming will change accordingly. Therefore, you need to continue to make the lack of scientific certainty a primary issue."

Here is an interesting example of another kind of spin control (from NRDC's *onearth*). For over 50 times during the past two years, the Bush Administration has chosen 5 p.m. on Fridays to break news that's bad for the environment. This strategy keeps the news item out of the press. It is not in time for the nightly network news, and there is little time for journalists to call environmental experts who could counter the White House spin.

## 11. TCWP NEWS

### A. Upcoming activities

[Contributed by Sandra Goss]

#### April 12, Frozen Head wildflower hike

Gary Grametbauer and Keith Mertz will lead a wildflower hike on the Panther Branch/North Old Mac loop, which is about 5-1/2 miles long (including about a mile of paved-road walk); total climb is slightly more than 1,100 feet. The hike will start from the Park Visitor Center at 10 a.m. If you wish to carpool from Oak Ridge, meet 9:00 a.m., Food City parking lot at the cor-

ner of Oak Ridge Turnpike and S. Illinois Ave. (meet near NW corner of parking lot). Participants are asked to bring a lunch, wear sturdy shoes, and bring appropriate weather protection.

#### May 27, Kathleen Williams to speak

Kathleen Williams, Executive Director of Tennessee Parks and Greenways Foundation, will be our speaker for the Spring Membership Meeting. Join us for this informative program on Tuesday, May 27, 7:00 p.m., at the Social Room in the Oak Ridge Civic Center. Williams, who has been active in environmental efforts for a long time, will speak on state environmental issues, including the legislative season and current land acquisition efforts.

### B. We need Env'tl Ambassadors

[Contributed by Sandra Goss]

In the next few weeks there are several opportunities to spread the word about current environmental challenges. Anyone can be an Environment Ambassador, with the help of the professional-quality TCWP display, handy tip sheet for frequently asked questions, and a friendly smile.

The TCWP display will be at three festivals this spring and there are shifts available for volunteers.

- (1) EarthFest at Concord Cove Park, Knoxville, Saturday, April 26  
Shifts: 10:00--1:00 or 1:00--4:00
- (2) Obed-Emory RiverFest, Wartburg, Saturday, May 3  
Shifts: 11:30--2:30 or 2:30--5:30
- (3) Secret City Festival (formerly MayFest), Oak Ridge, May 16 and 17  
Shifts: 11:00--2:00 or 2:00--5:00 on Friday;  
10:00--1:00 or 1:00--4:00 on Saturday

We're seeking two people per shift. The booth has a cover and chairs. Bring a little flat cushion and enjoy the camaraderie and fellowship while helping our environment and TCWP.

### C. Other volunteers needed

To volunteer, or get more information, contact Sandra K. Goss at 865-522-3809, or [skgoss@esner.com](mailto:skgoss@esner.com).

- (1) TCWP representative on TDoT Reform Campaign. Many severe environmental threats to Tennessee come from unneeded and damaging road projects, while mass transportation is languishing. Gov. Bredesen has appointed a possibly reform-minded and acces-



sible Transportation Commissioner (§3D, this NL). A TDoT Reform Campaign got under way early in the year (NL249 §2B). TCWP would like to be represented in this Campaign.

- (2) **Help ORHS Environmental Club** by contributing old cell phones and toner cartridges. Bring to any TCWP event, or drop off at Homeland Foods (Tennessee Ave. near New York Ave., Oak Ridge).

#### D. Gift certificates

##### help TCWP financially

[Contributed by Sandra Goss]

Kroger shoppers can help support TCWP financially by paying for their purchase with a Kroger gift certificate bought from TCWP. TCWP receives 10% of the groceries-purchase price. Certificates are available in \$25 and \$50 denominations and can be redeemed at any Kroger store. Shoppers receive change in cash if the purchase amounts to less than the denomination of the gift certificate. They can also use the "change" to charge up their KrogerCard, but note that TCWP no longer receives any benefits from use of the Card. Call 522-3809 for more info, and to get your gift certificates.

#### E. Community Shares - another way to help

[Contributed by Sandra Goss]

TM NOT ASKING FOR MONEY!! THERE'S ANOTHER WAY TO HELP WITH OUR FINANCES!

TCWP is a member of Community Shares, a statewide fund-raising organization. Much like United Way agencies, some 40-odd Community Shares members benefit from a fall fundraising campaign, with the bulk of the monies coming from workplace giving.

Community Shares can become a strong part of TCWP's financial future. Every new workplace that is recruited to participate in an employee-giving campaign, conducted similarly and simultaneously to the United Way campaign, yields a one-time incentive to the recruiting member group. When TCWP recruits a workplace, we will get all undesignated funds from the first year's contributions of that workplace. Previous successful recruiting groups have netted \$1,200-9,400 through these efforts.

We need entry into workplaces, and therefore audiences with decision-makers who can authorize such a campaign and payroll deductions. WHOM DO YOU KNOW? WHOM DO YOU DO BUSINESS WITH? WHERE DO YOU WORK? All you have to do is get Community Shares introduced. You don't have to ask for money; you don't

have to make the call. We need help getting in doors. Contact Sandra K. Goss at 865-522-3809 or [skgoss@esper.com](mailto:skgoss@esper.com).

The Community Shares web site is at <http://www.kornnet.org/cshares/index.html>

#### F. Helping Kornnet

The TCWP Board voted to contribute \$200 to Kornnet, which has been our faithful (and free) internet service provider for the past several years.

#### 12. CALENDAR; PUBLICATIONS; RESOURCES

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

- April 4, Deadline for comments on Tenn. Water Quality Standards (§5A).
- April 5, 1:00 Big South Fork raft trip (Call Sandra)
- April 12, Wildflower hike in Frozen Head (§11A).
- April 12, 5:30 p.m., Oak Ridge Garden Plaza, Cumberland Trail Auction and dinner. The proceeds from this year's auction will go toward "The Big Dig 2003," which should add 30 miles to the 120 miles of trail already completed. Tickets are \$25. Call Carol Grametbauer, 376-2708
- April 14 Cherokee National Forest Plan Hearings (§8).
- April 21-27, Smoky Mts. NP Annual Spring Wildflower Pilgrimage. Visit [www.wildflowerpilgrimage.org](http://www.wildflowerpilgrimage.org).
- April 26 10:00--5:00 EarthFest Concord Cove, Knoxville
- April 19, 26; May 26, Community Nature Walks on Oak Ridge Reservation. Call Lissa Clarke, American Museum of Science and Energy, 576-3218.
- May 3, Wartburg, Obed/Emory Riverfest (§2B).
- May 15 Deadline for comments on BSF GMP (§1).
- May 16, 17 all day Secret City Festival Oak Ridge Civic Center,
- May 17, Obed Cleanup Day (§2E).

- May 27, Oak Ridge. Kathleen Williams talk (T11A).
- June 19, Deadline for comments on Cherokee National Forest Plan (T8).
- October 11, Rugby, TCWP Annual Meeting

#### Publications

- *Conservation Directory*, compiled by the National Wildlife Federation, provides detailed contact information on environmental organizations, government agencies, colleges and universities, etc. \$70 + S&H from Island Press, [www.islandpress.org/nwfi](http://www.islandpress.org/nwfi), or 1-800-828-1302.

"Rewriting the Rules," a report by NRDC, lays out more than 100 environmental protections that the Bush Administration has undone. Download the report at

[www.nrdc.org/legislative/collbacks/collbackenx.asp](http://www.nrdc.org/legislative/collbacks/collbackenx.asp) or order a copy for \$7.50 by calling 1-212-727-4486.

- *Oak Ridge Barrens Natural Area: History, Significance, and Management*, January 2003, 13 pp. And appendices, can be obtained by calling Sandra K. Goss, 865-522-3809.
- *How to save forests through environmentally and socially responsible procurement*, a handbook for forest activists, has been published by the Consumer's Choice Council ([www.consumerscouncil.org](http://www.consumerscouncil.org)). To receive a free copy of the handbook send an e-mail to Cameron Griffith, Director of Government & Labor Relations at the Consumer's Choice Council, [cameron@attglobal.net](mailto:cameron@attglobal.net), including your name and mailing address.
- *How to win land development issues: a citizen's guide to fighting sprawl and advocating smart growth* is now available free for download from [www.cwds.org](http://www.cwds.org).
- *Hyperthought*, is a book of speculative science fiction about a future Earth devastated by global warming. Its author is known to many of us as past TSRA president Mary Buckner. Published by Penguin Putnam/Ace, 192 pages, paperback, \$5.99. You can read more about it at [www.marybuckner.com](http://www.marybuckner.com).
- A special issue on Cades Cove appears in SIGHTLINE (vol.3, No.1), a publication of U.T.'s Energy, Environment and Resources Center, 865-974-4251.

#### Web sites and other resources

- EnergyNet is a new electronic network aimed at advancing clean energy solutions. It provides free access to reports, fact sheets, testimony, presentations, backed by rigorous scientific and technical analysis. EnergyNet also helps you contact policy makers or the media about upcoming legislation and regulatory decisions. Visit [http://www.ucsusa.org/clean\\_energy/energynet/index.cfm](http://www.ucsusa.org/clean_energy/energynet/index.cfm)
- Mail to Congress. Personalized letters, still the most effective way to communicate with your Congressman, should be faxed before being mailed. Why? All mail going to Congress is now routed to Ohio for irradiation to address any anthrax contamination; a mailed letter to your Congressman may arrive weeks after the issue you are writing about has been decided.

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#### 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.

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