



Taking Care of Wild Places

The BIG stories

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Upper Little-T watershed protection ..... ¶3A

Cumberland Plateau named BioGem ..... ¶4A

Oppose road through Cherokee NF ..... ¶6

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# 11. ACTION SUMMARY

| JNo  | Issue                           | Contact                        | "Message!" or Action                                     |
|------|---------------------------------|--------------------------------|--|
| 1A   | Obed acquisition funds          | Reps. Wamp, Davis; Senators    | "Thank you very much!"                                   |
| 1B   | Coal mine in Obed watershed     | TDEC; state rep. and sen.      | "Much stricter enforcement is needed to protect Obed!"   |
| 2A,B | State land acquisition          | Gov. Brodesen                  | "Thank you! But please end Fund diversion!"              |
| 2C   | Bills in the General Assembly   | Your legislators; sponsors     | Support SB.3225/HB.3193. Voice opinion on other bills.   |
| 3A   | Weakening of mining regulations | Attend <u>March 30</u> hearing | "Rule change would allow mine waste dumped in streams!"  |
| 4C   | Protecting Cumberland's BioGem  | Various organizations          | Join a protection campaign. Shop at committed stores.    |
| 4D   | Bill to limit deforestation     | State legislators              | "Support: SB.934/HB.1159!"                               |
| 5A,B | (A) N.Shore Road; (B) Elkmont   | GSMNP (2 diff. addresses)      | Support (A) Monetary Settlement, (B) Alternative A       |
| 6    | Road through Cherokee NF        | Gov.; fed. and state legisl.   | "Oppose 'build' alternatives! Hold additional hearings!" |
| 7A,B | Watts Bar Mngt. Plan revision   | Attend <u>March 23</u> meeting | Comment on natural resource protection.                  |
| 8A   | Conservation Trust Fund         | US rep. and senators           | "Fully fund the CTF! Urge inclusion of Tenn. projects!"  |
| 9C,D | TCWP                            | Sandra Goss                    | Chose from various ways you can help.                    |

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  
202-456-1414; Fax 456-2461  
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Governor Phil Brodesen  
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Nashville, TN 37243-9872  
615-741-2001; Fax 615-532-9711  
[phil.brodesen@state.tn.us](mailto:phil.brodesen@state.tn.us)

Dear Senator Doe  
Sincerely yours,

Dear Congressman Doe  
Sincerely yours,

Dear Mr. President  
Respectfully yours,

Dear Gov. Brodesen  
Respectfully yours,

Sen. Bill Frist:  
Ph: 202-224-3344; FAX: 202-228-1264  
e-mail: <http://frist.senate.gov/contact.cfm>  
Local: 865-602-7977

Sen. Lamar Alexander:  
Ph: 202-224-4944; FAX: 202-228-3398  
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Local: 865-545-4253 (FAX 545-4252)

Rep. Zach Wamp:  
Phone: 202-225-3271  
FAX: 202-225-3494  
Local: 865-576-1976  
Web: [www.house.gov/wamp](http://www.house.gov/wamp)

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.hcv.org>  
Note that mail to Congress is still slow following the anthrax scare. Consider faxing and 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: Cindy Kendrick, 86-386 6382 (h.).

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

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

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

# 1. OBED AND WATERSHED; BIG SOUTH FORK

## A. Obed land-acquisition progress

The need for Obed WSR land acquisition is great, so it is good to have \$750,000 at last on hand (NL254 ¶1A), even though this is only about one-quarter of the amount needed. But many steps remain to be taken before a few critical tracts actually get purchased. Fortunately, local NPS staff, fully aware of the great need and opportunity (and of the fate that may befall unspent funds) has acted expeditiously to get the ball rolling.

In mid-February, local supervisory personnel visited the South East Regional Office of NPS in Atlanta, bringing along the Obed Land Protection Plan, status maps, and lists of potential willing sellers. They had a productive meeting with staff of the Regional Lands Office, and a realty specialist, Kathy Christoph, was assigned to work with the Park on land acquisition. Contacts have been established with one willing seller. Letters about to be sent to other prospective willing sellers will determine the landowners' continued interest and, if so, request their permission to do an appraisal.

**WHAT YOU CAN DO:** If you have not done so already, please express your sincere appreciation to Reps. Wamp and Lincoln Davis, and to Senators Frist and Alexander (addresses on p.2) for securing an Obed appropriation in the face of severe odds. Let them know that, thanks to their support, it will now be possible for NPS to protect at least some of the Obed lands that are threatened by adverse development.

## B. TDEC allows expansion of non-compliant mine in Obed watershed

(Information from SOCM newsletter, contributed by Cindy Kendrick)

TDEC recently issued permits for expansion of a 500-acre strip mine and beginning of underground mining on Smith Mountain (Cumberland County). The Cumberland Coal Company operation on this site has a deplorable compliance record: during the first five years of its operation, the company was in compliance with water-quality requirements for less than 1 1/2 years. The new permits do acknowledge that the mine is in the watershed of the Obed Wild & Scenic River and must have additional water-quality monitoring. However, in view of the company's

dismal compliance record, many fear that the requirements will not be met.

**WHAT YOU CAN DO:** Write to Paul E. Davis, TDEC Director of Water Pollution Control, 6th Floor, L&C Annex, 401 Church St., Nashville, TN 37243-1534 (615-532-0625), as well as to your state senator and representative (see Political Guide), asking for strict enforcement of permit requirements for the Smith Mountain mine so as to protect the Obed WSR.

## C. Crooked Fork restoration project funded

[Contributed by Mark Petersen and Del Scruggs]

The Emory River Watershed Association (ERWA, ¶1F, below) has just received word that it will be a recipient of Tennessee Department of Agriculture "319" funds for implementing the Crooked Fork Restoration Project.

Crooked Fork is a spectacularly beautiful stream with a rich cultural, recreational, and economic history. The stream is, however, cited on the State's 303(d) list for impairments due to habitat alteration and siltation. Flat Fork, a tributary to Crooked Fork, is also on the 303(d) list for the same failings, plus nutrients. Pasture grazing, channelization, and the impact of abandoned mines near the streams are cited as pollutant sources.

Two waterfalls, Laymance Falls and Potter's Falls, are located on Crooked Fork downstream of the confluence of Flat Fork. These sites are of considerable interest and concern to the citizens of Morgan County for their past recreational and scenic significance. Furthermore, Crooked Fork drains into the Emory River (downstream from the Obed WSR), which has been identified by the Nationwide Rivers Inventory as a "scenic pastoral stream that flows through an impressive gorge area, supports a game fishery, and is a designated component of the National Wild and Scenic River system."

The objective of the restoration project is to identify and help remediate nonpoint-source impairments to Crooked Fork and its tributaries in order to restore the creek to a condition of supporting its designated uses. ERWA staff will help develop a plan for addressing these impairments and, in particular, will be working with TDEC and the City of Wartburg to address creek impacts from the town's sewage-treatment facility. Another major goal of the project will be to engage the local community and stakeholders in helping to identify and correct

the specific sources of nonpoint source pollution within the Crooked Fork watershed. We congratulate Mark and Del for securing these important funds!

#### **D. Obed WSR Cleanup Day, May 15**

[Contributed by Arthur McDade]

The Obed Wild and Scenic River will be hosting its annual National River Cleanup Day on Saturday, May 15, 2004, from 8:30 a.m. to Noon (EDT). This will be the fourth annual river cleanup at the Obed, and the event is a registered component of National River Cleanup Week.

In the past, volunteers from the East Tennessee Whitewater Club, Chota Canoe Club, Tennessee Scenic Rivers Association, Tennessee Citizens For Wilderness Planning, Emory River Watershed Association, and others, have graciously shown up at the Obed for this cleanup day.

Everyone is cordially invited to sign up as a volunteer for this event at the Obed WSR visitor center in Wartburg at 8:30 AM on May 15. Participants should bring gloves and be prepared for outdoor conditions. For more information, please contact park ranger Arthur McDade at 423-346-6294, or [arthur\\_mcdade@nps.gov](mailto:arthur_mcdade@nps.gov)

#### **E. Big South Fork NNRA Cleanup Day, May 22**

Another river cleanup day, also scheduled during National River Cleanup Week, will be held at the Big South Fork, starting from the Leatherwood Pavilion. Registration, from 8-9 a.m.; cleanup, 9am-1pm. Lunch provided. For additional info, call Greg Love at 423-569-1599

#### **F. ERWA needs your help**

[Contributed by Mark Petersen and Del Scruggs]

The Emory River Watershed Association (ERWA) is looking for volunteers to help with a variety of upcoming organization activities. ERWA is currently involved in aquatic monitoring, riparian planting, educational demonstrations, and soliciting community involvement in protecting water quality in the Emory River watershed (see also ¶1C, above). If you don't have much time available, donations or membership (for only \$15) are also appreciated! Send your address to Emory River Watershed Association, P.O. Box 634, Wartburg, TN 37887. For more information, call Del Scruggs (Director) at 865-617-0984, or Mark Peterson (President) at 865-483-1291. ERWA's mission is to restore, main-

tain and safeguard the water quality of the Emory River and its tributaries.

#### **G. Obed "RiverFest": the annual tradition continues**

[Contributed by Mark Petersen and Del Scruggs]

The annual celebration of the Obed and Emory rivers will continue this year on Saturday, April 24th, but it will be a more low-key event than last year's. As in years past, there will be outdoor recreational activities near the Obed and Emory rivers -- paddling, climbing, wildflower walks etc. (Assemble at the Jett Bridge boat input area at 9 a.m. EDT, or do your own thing if you prefer.) This year, however, there will be no downtown-Wartburg event. Instead, during the afternoon and evening, the celebration will be centered at the Del Scruggs Campground just up the hill from Lilly Bridge on Clear Creek. The Emory River Watershed Association (ERWA) will provide a main course and, if people will bring a potluck dish or chips, there should be enough food and drink for a good social get-together after a day of outdoor activities. All folks interested in river conservation are invited. The hope is that such a low-key get together will provide a good forum for getting to know one another better and will help unite folks and organizations in the common cause of maintaining the integrity of the Obed-Emory watershed. For more information regarding the day's activities, contact Del Scruggs, Emory River Watershed Association, P.O. Box 634, Wartburg, TN 37887. E-mail: [dsruggs@utk.edu](mailto:dsruggs@utk.edu); Ph: 865.617.0984.

Funds that were donated to the ERWA during the May 2003 RiverFest celebration are still being put to good use. This spring, Morgan County teachers will be using RiverFest funds to transport their students to local creeks and rivers for hands-on learning activities, as well as to provide water quality monitoring supplies for their classrooms. One of the most popular events in the Morgan County school year is the annual "Kids in the Creek" program, which is now in its fourth straight year. This program has enabled students to see first-hand how water quality data and biological monitoring information are gathered. This year, biologists, ecologists, foresters, and water-quality professionals from TVA, NRCS, TWRA, Tennessee Department of Forestry, and ERWA will hold the two-day seminar at Clifty Creek. In the past, students from Oakdale, Coalfield, Wartburg, Morgan County VoTech, and Sunbright have participated and enjoyed the time outdoors.

## H. Big South Fork license plate

Friends of the Big South Fork NRRRA are engaged in a campaign to get a Big South Fork license plate added to Tennessee's specialty plates. Proceeds from the sale of such plates will be used to maintain trails and visitor facilities, preserve cultural history, and support educational programs.

The state requires 1,000 pre-paid plate orders before they will proceed with the manufacture of a specialty plate. If you'd like to purchase a BSF plate, send \$35 per vehicle, along with your full name and address (including county), to Friends of the Big South Fork NRRRA, P.O. Box 5407, Oneida, TN 37841. Once the state has received the list submitted by BBSF, they will send you a notice saying your tag has arrived. You will then trade old plate for new plate. If you have any questions, contact Greg Love at 423-569-1599, or [info@friendsofbigsouthfork.com](mailto:info@friendsofbigsouthfork.com)

## 2. STATE GOVERNMENT

### A. Good news on acquisition funds

About 6 weeks ago, Gov. Bredesen announced that his 2004/05 budget would contain an additional \$10 million for environmental funds, namely, the state lands acquisition, local parks, wetlands, and agricultural-resources-conservation funds (derived from the real-estate "recording" tax). This is a huge step in the right direction, although it does not yet get us back to where we were, let alone where we need to be. TCWP had recently written the governor urging him not only to restore, but to increase, acquisition funds.

A year ago, when Tennessee had about \$17 million in the fund, the budget included a plan to divert 100% of it permanently into the general fund (in contrast to a temporary across-the-board cut of only 9% being made in most other functions of state government to get out of a fiscal crisis). Considerable effort by conservation leaders eventually succeeded in reducing last year's cut from 100% to 79% (\$3.5 million was left) and in keeping the diversion to 4 years instead of making it permanent (NL252 ¶2C; NL254 ¶2C).

In announcing the partial fund restoration in February, Gov. Bredesen made the following statement: "For me, one of last year's most personally painful cuts was in the land acquisition fund. While I was not able to fully restore these funds, I am proposing to allocate \$10 million of this year's surplus as a one-time contribution to

begin making that fund whole once again." The \$10 million is in addition to the \$3.5 million left over from last year and just beginning to be spent (¶2B, below), but evidently, the governor has not yet agreed to an annually continuing contribution. A bill currently in the Legislature, SB3225 (Miller)/HB3193 (Garrett), would reinstate dedicated funding after the 2004/05 fiscal year (¶2B, below).

**WHAT YOU CAN DO:** Thank Gov. Bredesen (address p.2) for partial restoration of the acquisition funds and for starting to spend some of the \$\$ (see ¶2B). Urge him to end diversion of the dedicated wetlands fund.

### B. TDEC awards over \$2 million in matching

#### Land & Water Conservation grants

Federal money to the tune of \$2,373,875 from the state-grant portion of the Land & Water Conservation Fund will be equally matched by the state to pay for 46 state-parks projects. Of these, two are land acquisitions:

- \$750,000 for the Cumberland Trail SP: acquisition of Bowater Phase II Stinging Fork, Piney River, and Laurel Snow segments.
- \$350,000 for Radnor Lake State Natural Area: acquisition of ~6 acres to protect the viewshed. These federal acquisitions grants (totaling \$1.1 million) will be matched by the State Lands Acquisition Fund, for which \$3.5 million were available in the 2003/04 fiscal year (see ¶2A, above).

The remaining half of the money will go to 44 state parks for renovation projects ranging in cost from \$2,000 to \$108,750. The federal renovation money will be matched with state park access-fee funds.

### C. Bills in the legislature

Tennessee Conservation Voters (TCV) issues a frequently updated report on the status of environment-related bills in the Tennessee General Assembly. To get on their e-mail distribution list so you can receive updates and alerts, contact [stewart.clifton@comcast.net](mailto:stewart.clifton@comcast.net). The following is a summary of selected bills that are currently moving (Abbreviation: EC&T = Environment, Conservation and Tourism Committee)

#### Recording tax distribution,

SB3225 (Miller)/HB3193 (Garrett).

Would sunset last year's enacted legislation which diverted dedicated funding for wetland, local parks and state lands acquisition and the

agricultural resources conservation fund to the general fund for 4 years. Bill as amended reinstates dedicated funding after the 2004/05 fiscal year.

Referred to Senate Finance, Ways & Means.  
Set for House Conservation & Wildlife Subcommittee 3/09/04.

**Natural area designation reviews,**  
SB3270(Norris)/HB3096(Todd, Kent).

Requires commissioner of environment and conservation to review all areas that have been protected by the natural area designation for 20 years or more. Insures that such areas continue to meet the criteria established by the designation. A report shall be made to the general assembly as to any changes in these areas that may require departmental or legislative action.  
Referred to Senate EC&T.

Set for House Parks & Tourism Subcommittee, 3/10/04.

**Stop work order for surface mining activities,**  
SB2521(Trail)/HB3206(Coleman).

A Sierra Club bill, also supported by TCV, it allows commissioner of TDEC to issue stop-work order when surface mining activities cause violation of water-quality regulations.  
Set for Senate EC&T 3/10/04.

Set for House Environment Subcommittee 3/09/04.

**State Park Funding Act of 2004,**

SB2431(Burchett)/HB2274(Brooks).  
As originally filed would create a dedicated "state park fund" for park-related expenditures. House committee amendment rewrites the bill. Clarifies legislative intent that the following types of revenue-generating facilities at state parks shall be self-sufficient by fiscal year 2007/08: marinas, campgrounds, golf courses, cabins, giftshops, restaurants and inns. Provides for any revenues collected in regards to activities at state parks to be deposited in the state park fund.

Set for Senate EC&T 3/10/04.

Set for House Finance Budget Subcommittee 3/10/04.

**Water re-defined as "legally navigable,"**  
SB2515(Southerland)/HB2525(Hawk).

A seriously bad bill, it would change definition of "water" in Water Quality Control Act to those waters that have been adjudicated as legally navigable in a court of competent jurisdiction. Recent opposition by groups, concerned citizens, and TDEC has led to this bill being taken

off notice in Senate committee. It is unlikely to reappear, at least in the Senate.  
Taken off notice in Senate EC&T.  
House Environment Subcommittee deferred to last calendar day.

**Off-Highway Motor Vehicle Act,**  
SB875(Ramsey)/HB1568(McCord).

As originally introduced, this bill required owners of off-highway motor vehicles (OHVs) to annually register with executive director of TWRA, imposed a \$45 registration and renewal fee, required TN Wildlife Resources Commission to establish safety requirements for riders on publicly-owned or -leased lands, and required riders 18 years of age to wear a helmet.

Both House and Senate committee amendments deleted registration and permit requirements and seriously weakened other requirements as well, leaving only an authorization to develop guidelines on land selection, trail design and maintenance.

Passed Senate with amendments 5/12/03.

House voted deferred to 3/29/04.

**Fee exemptions - Sundquist Wildlife Management Area,**

SB2167(McNally)/HB2672(Winningham).  
Exempts residents of counties in which Sundquist wildlife management area lies from paying special-use fee for horseback riding, bicycling, and off-highway vehicle use.

Senate EC&T deferred to 3/10/04.

Referred to House Conservation & Environment.

**Water pollution control,**

SB2770(Graves)/HB2584(McDonald).  
As introduced, authorizes Commissioner of Commerce and Insurance to deny wastewater treatment discharge permit if alternative means for disposal exists. Amendment were made by House Conservation & Environment Committee.  
Referred to Senate EC&T.

Set for House Calendar & Rules Committee 3/09/04.

**Federal attainment - air quality,**

SB2773(McNally)/HB2668(R. Johnson).  
Authorizes counties to create regional air-quality authority to regulate air contaminant sources and establish air-quality standards more stringent than state law for counties in federal attainment area, provided such counties voluntarily submit to be governed by such standards and regulations by action of respective legislative bodies.

Senate EC&T deferred to 3/10/04.

Referred to House Conservation's Environment Subcommittee.

**WHAT YOU CAN DO:** There surely are bills in the above list that you feel should be supported or opposed (see especially SB3225/HB3193). Voice your opinion by contacting your own legislators and the bill's sponsors (see Political Guide). Calls are easiest and most effective, but if you must e-mail, the address is [sen.firstname.lastname@legislature.state.tn.us](mailto:sen.firstname.lastname@legislature.state.tn.us) (for House members, substitute [rep.firstname.lastname@legislature.state.tn.us](mailto:rep.firstname.lastname@legislature.state.tn.us)). To get up-to-date information on timing or other details, contact the TCV lobbyist Stewart Clifton, 615-35-2946, [stewart-clifton@comcast.net](mailto:stewart-clifton@comcast.net).

#### **D. Tennessee legislators evaluated on their environmental records**

The nonpartisan Tennessee Conservation Voters (TCV), a coalition of 17 groups (including TCWP), has for the first time issued a scorecard for members of the General Assembly modeled on the scorecards put out by the national League of Conservation Voters for members of Congress. The TCV scorecard examined 24 environmental bills introduced in 2003. Because only three of these 24 ever made it to the House or Senate floor, the rating was based not only on final votes but on bill sponsorship and on whether the legislator actively promoted (or tried to defeat) the measure. Many legislators never get the chance to vote on a bill or (unless they are members of the pertinent committees) to do anything for or against it. Analysis is further hampered by the circumstance that, in Tennessee, committee votes are not always recorded. For all these reasons, ratings are approximate.

The scorecard may be found at [www.tnconservationvoters.org](http://www.tnconservationvoters.org). Top ratings went to Sen. Jerry Cooper (D-Morrison), Sen. Ward Crutchfield (D-Chattanooga), and Rep. Russell Johnson (R-Loudon). Bottom scorers were Senators Charlotte Burks (D-Monterey), Mae Beavers (R-Mt. Juliet), and Tommy Kilbey (D-Wartburg). This last was a problematic rating, since Sen. Kilbey did not join the Senate until mid-April 2003 (after a special election), when the Senate Environment, Conservation and Tourism Committee had already closed down for the year. Notably, he recently co-sponsored the SOCM Chipmunk bill -- ¶4D, this NL.)

TCV noted that, overall, there is too little positive action in the Tennessee legislature for protecting or enhancing the environment. With

very few good bills to support, environmentalists spend most of their effort on stopping bad bills.

### **3. AROUND THE STATE**

#### **A. Come to March 30 hearing on proposal that would fill our streams with mine waste**

(Contributed by Cindy Kendrick)

The federal surface mining law (SMCRA) currently prohibits surface mining or mining activities within 100 feet of perennial or intermittent streams unless the government finds that the activity won't adversely affect the water quality or quantity (30 CFR 816.57). The current Administration is not enforcing this rule, most notably in the case of mountaintop removal, which fills entire streams with waste, and thus very clearly violates the law. Now, as a result of citizen lawsuits against non-enforcement, the Administration is proposing to change the rule so as to essentially eliminate the existing protections of the law. Companies would be allowed to mine right up to or even through streams if they can show, whatever the damage, that mining operations won't increase suspended solids within 100 feet downstream and will minimize the destruction of fish and wildlife "to the extent possible." This is a non-enforceable standard that provides *no protection*. Mountaintop removal would go rampant in the Cumberlands, destroying our streams.

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

- (1) Come to a public hearing on the proposed rule change, Tuesday, March 30, 6-9 pm, at Roane State Community College, O'Brien Building, Rm 101, near Harriman TN. (Call us if you need directions.) Or, by April 7, send written comments to Office of Surface Mining, Administrative Rm 101, 1951 Constitution Ave. NW, Washington, DC 20240.
- (2) Urge Gov. Bredesen (address on p.2) to stand up against this rule change, which would be so devastating to Tennessee.

#### **B. Dam re-licensing leads to land protection in Little-T watershed**

Four hydropower dams on the Little Tennessee River that supply power for the Alcoa Aluminum plant are up for re-licensing by the Federal Energy Regulatory Commission (FERC). All dams and significant associated land holdings are owned by Tapoco, with two of the pro-

jects (Calderwood and Chilhowie) in TN, and two (Santeetlah and Cheoah) in NC. Under FERC rules, the cultural and environmental impact of these projects must be mitigated for the life of the next license (30-50 years). Groups in TN and NC have worked for 4 years to design a mitigation settlement (NL254 92E), and an Agreement in Principle, reached for TN, was signed last September. NC has agreement on most points.

The Settlement recognizes the affected area to be a critical ecological link worthy of conservation and protection, and assures that this unique ecological landscape remain undeveloped. Highlights of the agreement for the Calderwood and Chilhowie impoundments are as follows:

- Permanent conservation easement (5,700 acres) to be donated to The Nature Conservancy, with an immediate option to purchase the underlying fee lands. These property interests will be transferred to the US Forest Service, the National Park Service, or TWRA, as appropriate.
- Permanent conservation easement (~200 acres) to be donated to The Nature Conservancy comprising 200-foot buffers along lakeshores.

For additional details, contact TNC at 615-282-9909, or go to [www.tncwn.org](http://www.tncwn.org).

#### **C. Bill Russell River-Hero Award to be announced**

The Tennessee Clean Water Network has announced that it will annually honor a person who has shown great "dedication to protecting, restoring, or enhancing the watersheds of Tennessee and the communities that depend on them." The first of these awards, named the "Bill Russell River-Hero Award," will be announced on April 7.

#### **D. Tribute to Victor Ashe**

[From The Conservation Fund's "Common Ground"]

"Victor Ashe, who stepped down Dec. 20 as mayor of Knoxville, TN, has left an impressive conservation legacy. Since 1967, 18 new parks totaling more than 700 acres have been added to the city park system, and the greenway network has increased from just three miles to more than 30 miles. In one of his last initiatives, Ashe convinced the city council to place an amendment to the city charter on the ballot next August that would require \$250,000 in spending each year for parks and historic preservation. Ashe's involvement with conservation stretches back to the mid-1980s, when he served as director of the President's Commission on Americans

Outdoors." We should also add that he was the chief sponsor of the Tennessee Natural Areas Act back in 1971 when he was a young state legislator [Ed.].

### **4. THE VERY SPECIAL CUMBERLAND PLATEAU**

#### **A. Cumberland Plateau named a BioGem**

The Cumberland Plateau has made it into a select list — the 12 BioGems that are annually named by the Natural Resources Defense Council (NRDC) because they are the most significant endangered wild places in the Western Hemisphere. The very feature that makes the Plateau extra special — its enormous plant diversity (second only to that of China's temperate zone) — is the one most severely threatened.

Southeastern US forests currently supply 25% of the world's paper products, and 60% of America's wood products. The big timber companies moved from the Pacific Northwest to the politically friendlier regulatory atmosphere of the south, and, since 1990, there has been a 500% increase in the export of virgin hardwood chips from the region.

The timber companies maintain that there has been no decrease in the number of trees, and, indeed, this may be so. The problem is that the industry is rapidly replacing the slow-growing ecologically vital hardwood forests with ecologically sterile even-aged plantations of pines (mostly loblolly, which aren't even native), planted in rows. These are not really forests — they are the equivalents of agricultural fields that are treated with fertilizers and pesticides, and that encourage enormous pine-beetle infestations. The rate of hardwood-to-pine conversion doubled between 1997 and 2000, and a recent report estimates that by 2040 there will be a 67% increase in pine plantations.

The cutting of the hardwood forest and the periodic harvesting of the pine plantations is accomplished through large clearcuts that open the soil to severe erosion. According to a recent EPA- and USFWS-funded 7-county study led by Dr. Jon Evans at the University of the South, Sewanee, the average size of clearcuts in Van Buren County (on the Southern Cumberland Plateau) was 186 acres, 50% beyond even timber company recommendations. Small family-owned sawmills have just about disappeared from the area, and the large-scale pulpwood



logging operations bring little or no economic benefit to the local area.

### B. Official reports aren't much help

Last year, the Tennessee General Assembly ordered the Tennessee Forestry Committee to report on the federal Southern Forest Resource Assessment (NL243 ¶6B). Interestingly, the 7-county Sewanee study on the Cumberland Plateau (¶4A, above), which had been funded as part of the federal study, was not included in the reports. The committee's conclusion was that urban sprawl is the main, though not the only, threat to Tennessee forests. They failed to see that, while there may be a little urban sprawl on the Cumberland Plateau, there is certainly a lot of clear-cutting and hardwoods-to-pine conversion.

### C. Citizen action

Those of us who have long loved the Cumberland are delighted that one of the most special places on Earth has now achieved Hemisphere-wide BioGem status. Many good activists have fought the chip-mill battle for some time. High on the list is Cielo Sand, who in 1996 was one of the founders of the Dogwood Alliance, an umbrella group of 72 grassroots organizations concerned with protecting the forests of the South. Last year, the Alliance and other groups succeeded in getting Staples, the office supply company, to commit to phasing out products from endangered forests and to using an average of 30% post consumer recycled fiber for all its paper products.

NRDC, which designated the Cumberland Plateau a BioGem, along with the Dogwood Alliance as its local partner, is organizing a campaign that will invest \$5-7 million into saving the Cumberland Plateau over the next 10 years. At least part of the campaign will be a "market strategy," like that used with Staples.

There are others efforts directed at protecting the Cumberlands, which have always been a major concern for TCWP (see our mission statement on p.2). The area has recently become a prime focus for The Nature Conservancy (see ¶4E, below), and the World Wildlife Fund has a Cumberland initiative. TCWP is proud of its role in starting the Cumberland Alliance in 2001 (NL243 ¶3A; NL246 ¶5A). This wonderful area needs all the help it can get.

**WHAT YOU CAN DO:** Join a campaign to protect the Cumberlands. You may wish to read "The Tennessee Tree Massacre" in the Winter is-

sue of NRDC's *on earth* (request copy from Sandra Goss, 865-522-3809).

Shop at Staples and tell them you are doing so because of their commitment (see above).

### D. Forest Resource Conservation Act (SB.934/HB.1159): a state bill to support

State legislation has been introduced that could give some protection to Plateau forests. The bill requires new or expanding wood-chip mills of >80,000 tons/year capacity to obtain a permit from the Tennessee Dept. of Environment & Conservation. TDEC would perform a forest-resource review for the area in question and, based on their assessment of the impact of the facility on local industries, the environment, tourism and recreation, would either grant or deny the permit. Permits would be administered and enforced by TDEC. The bill does not put any regulation on local sawmills, landowners, or loggers.

The measure was introduced in February of 2003 but has not yet come up before any committee or subcommittee. It was referred to the Senate Environment, Conservation & Tourism Committee and to the House Conservation & Environment Committee, which assigned it to its Environment Subcommittee.

**WHAT YOU CAN DO:** Call Rep. Tim Garrett, chairman of the House Environment Subcommittee (1-800-449-8366, ext.16811) to voice your support for this bill. Call SOCM for other ways you can help (1-865-426-9455).

### E. Nature Conservancy involvement

Over the past few years, The Nature Conservancy has taken an increasing interest in the Cumberlands. They have acquired several significant areas near Pickett (e.g., Jim Creek and the Talley wilderness) (NL238 ¶2A; NL244 ¶2B). And only a short while ago, they were able to purchase a highly significant large area in the Southern Cumberlands, the 21,227-acre Walls of Jericho, which straddles the Tennessee-Alabama line).

In mid-February, TCWP Board member Frank Hensley and The Nature Conservancy's Chris Bullington led a group of TNC and Oak Ridge National Laboratory staff on a 2-day tour of the forests and waters of the northern Cumberlands to view wild areas at risk. The purpose of the trip was to explore some of the wilder natural areas of the plateau, to observe threats fac-

ing these sites, and to introduce TNC's new Cumberland Program Director, Alex Wyss, to the area. Departing from the historic town of Rugby, the group visited Big South Fork NRR, Pickett State Park, TNC's Tally Wilderness Preserve, Obed WSR, the Obed River gorge, timber holdings of Forestlands Group LLC near Wartburg, and Frozen Head State Park. The group was joined for dinner at Rugby by staff of the National Park Service, TWRA, Tenn. Div. of Forestry, and by several members of TCWP, NPCA, and Historic Rugby.

Conservancy ecologist Alex Wyss has become the new Cumberland Program Director for TNC. He is filling the position recently vacated by Chris Bullington who is leading the TNC's partnership with the Tennessee Wildlife Resource Agency (TWRA) to conduct a State-wide Wildlife Planning Project. Alex has directed the Conservancy's conservation efforts in West Tennessee for the past 5 years. His office is located within NPCA's office in the Walnut Building in Knoxville (awyss@tnc.org).

## 5. SMOKEY ISSUES

### A. North Shore Road: send comments by April 2

The third in a series of five sets of meetings held in conjunction with the North Shore Road NEPA process was concluded a fortnight ago. Attendees at the meetings were reminded that an Environmental Impact Statement (EIS) is a disclosure document, with no requirement that the most environmentally benign alternative be chosen. Of the 6 alternatives that remain under consideration (whittled down from 9), 4 would be "alternatives, with all but one of these (a picnic area at the existing road terminus) being very far from environmentally benign. These three involve constructing roads of various lengths (up to 27 miles) through the largest remaining mountain wilderness east of the Mississippi. The difficult topography, the underlying acid-producing geology, and the necessity to cross numerous streams and wetlands would, in addition to contributing to the severe land impacts, cause waters to become polluted with sediment and eventoxic materials.

The draft includes two "no-build" alternatives: No Action, and Monetary Settlement. The latter, which TCWP supports, would satisfy the so-called 1943 Agreement by compensating Swain County and NC for loss of an eastward road to Fontana (NC288) that was inundated by

the filling of Fontana Reservoir (subsequently, NC28 was constructed south of the reservoir). The Swain County, NC, Commission and the Bryson City Board of Aldermen have recently passed resolutions supporting a \$52 million cash settlement in lieu of the road, and NC Governor Easley has sent a letter to Interior Secretary Gale Norton in support of a cash settlement. This alternative really makes economic sense, too, since interest from the settlement (which, at 5%, would amount to \$26 million annually) is very significant in the light of a current county budget of \$7.6 million. The interest would provide a steady, assured income, in contrast with the short-time revenues associated with road construction and some very dubious tourism benefits.

But Rep. Charles Taylor (R-NC), who got the latest North Shore Road construction push underway by quietly attaching \$16 million to a must-pass appropriations bill late in 2000 (NL236 §3A), is continuing to work all angles for the road, including garnering support from fellow Congressmen (Being chairman of the Interior and Related Agencies Subcommittee of the House Appropriations Committee puts him in a very powerful position.) Never mind that the road would cost US taxpayers a minimum of \$150 million and would produce less long-term benefits for his constituents in Swain County!

#### WHAT YOU CAN DO:

- (1) By April 2, support the Monetary Settlement. Go to [www.northshoreroad.info](http://www.northshoreroad.info); or, write to North Shore Road Project, Gt. Smoky Mtns. National Park, PO Box 30185, Raleigh, NC 27622.
- (2) Contact your Congressman and Senators (addresses on p2) and let them know some of the reasons given above why they should support a cash settlement to Swain County in lieu of the North Shore Road. It's time to lay this issue to rest once and for all!

### B. Elkmont alternatives outlined. Comments needed.

In May 2002, the Park began an Environmental Assessment (EA) of the proposal to retain "historical" cabins at Elkmont (NL245 §5B). This EA was elevated to a full EIS process in the Spring of 2003. At public meetings held this past week, NPS presented detailed alternatives and provided opportunities for the first public input to the EIS process. This will be followed by an impact analysis and preparation of the Draft EIS on which hearings will probably be held late September.

There are almost 70 structures in various stages of dilapidation in the Elkmont Area, including the old hotel and club house. According to the Park's 1982 General Management Plan, all were to be removed and the area restored to its natural condition. But a politically powerful group of former weekend-cabin owners has been agitating for retention, and even commercialization, of the structures, which, in the meantime, NPS must pay to maintain.

Last week, NPS presented 7 alternatives: A through F, plus No Action (namely, implementation of the General Management Plan). Alternative A, in addition to removing all structures (like No Action), calls for active restoration of native plants, removal of exotics, and hemlock protection strategies. It is certainly the alternative to support.

**WHAT YOU CAN DO:** The comment period extends to April 8. Mail comments to Superintendent, GSMNP, 107 Park Headquarters Road, Gatlinburg, TN 37738, or e-mail to [ElkmontComments@tnainc.com](mailto:ElkmontComments@tnainc.com). The web site is [www.elkmont-gmpa-ea.com](http://www.elkmont-gmpa-ea.com).

### C. Smokies capsules

- **Ravensford land exchange -- an unjust quote.** Local park staff spent countless hours, on top of regular duties and on their own time, documenting the severe impacts from the then proposed (and now, alas, enacted) Ravensford land transfer. In our last Newsletter (NL254 ¶58), we quoted the president of Friends of the Smokies who said that the Park Service failed to protest the land trade, and that the local NPS provided only "grumbings." This may well be true for higher NPS levels, but certainly does not apply to the local Park staff. If our citing the unqualified quote caused any anguish to these great folks, we sincerely apologize.
- **Le Conte Lodge.** The current contract, which is limited to 50 overnight occupants, will be up for renewal this year. The concessionaire wants to fill more beds.
- **Most endangered.** For the sixth consecutive year, the GSMNP has made it into NPSA's list of the 10 most endangered National Parks. "Pollution from coal-fired power plants threatens the health of park visitors, plants and wildlife, and diminishes scenic views; administration rollbacks of clean-air protections compound threats."

### D. New superintendent named

During the '18 months following the transfer of Superintendent Michael Tollefson to Yosemite, Phil Francis carried on valiantly as acting superintendent of the Great Smoky Mountains National Park (GSMNP). Early in March, a new superintendent, Dale Diltmanson, was announced. Diltmanson has held position as acting, assistant, or full superintendent at Glen Canyon National Recreation Area (AZ and UT), Fossil Butte National Monument (WY), and Florissant Fossil Beds National Monument (CO). Most recently, he has been located in Philadelphia as associate director of NPS's 13-state Northeast Region.

Diltmanson comes to GSMNP at a time of numerous controversial issues, including the North Shore Road, the Elkmont controversy, and the Cades Cove transportation study. Horrendous air pollution is constantly worsening. On top of everything, the Park, which must handle over 9 million visitors a year and which faces horrendous resource threats (air-pollution damage, the hemlock woolly adelgid, theft of ramps and ginseng, etc) is grossly underfunded. At least 25 additional rangers are needed, as well as other personnel.

### 6. CHEROKEE NF: MORE HEARINGS NEEDED ON PROPOSED ROAD

[Contributed by Cindy Kendrick]

The preferred options in a draft Environmental Impact Statement (DEIS) prepared by the Tennessee Department of Transportation (TDOT) push construction of a major, interstate-style, highway through a rugged section of the Cherokee National Forest (NL254 ¶4A). The project, "Appalachian Development Highway System Corridor K (Relocated U.S. 64)," proposes to reroute through-traffic that currently uses the Ocoee River gorge ([www.tdot.state.tn.us/information-projects.htm](http://www.tdot.state.tn.us/information-projects.htm)). Two public hearings, held in January in Benton and Ducktown, were well attended, with many citizens, including local residents, raising concerns about the project. TCWP sent three representatives to one of the hearings and submitted comments on the project. We requested that additional hearings be conducted in larger cities, including Knoxville, Chattanooga, and Cleveland, to enable more recreational users of the National Forest to attend. TCWP comments advocated the "no build" op-

tions and enumerated alarming problems with the proposed construction:

- exorbitant cost to taxpayers (\$1.5 billion for the 20.5-mile segment, 20% to be state funded);
- outdated project purpose (low-priority segment of a huge southeastern road-network project conceived in mid-1960s);
- exceedingly difficult construction terrain (would require deep cuts and unsightly engineered structures);
- high potential for severe degradation of water quality (due to acid leaching from pyritic shales common in the area, despite the newest engineering and management practices);
- degradation of wildlife habitat (permanent deleterious effects, especially to black bears); and
- reduction of recreational value (impacts from noise, litter, exhaust, degraded views, trail disruptions, and THREE O'Clock river crossings).

TCWP is one of many organizations (including the Sierra Club, paddling groups, mountaineering groups and others) fighting this road, but political pressures are strong. U.S. Rep. Zach Wamp and State Rep. Chris Newton are both purporting economic development value. We believe economic value will be non-existent or minimal, because the road will damage the recreational values that form the basis for a thriving recreational business, which has become a major force in the local economy since the mid-1960s proposal for the project. Politicians also assert the new road will improve safety; however, the EIS cites a study showing that accident rates for this section of U.S. 64 actually fall below the state average. Especially considering the exorbitant cost of this damaging project, the arguments for building the road are very weak.

**WHAT YOU CAN DO:** Write Gov. Bredesen, U.S. Rep. Zach Wamp, Senators Frist and Alexander, and your state legislators (who would have to approve state funding), expressing opposition to the "build" alternatives and requesting that additional public hearings be held in larger cities.

## 7. TVA NEWS

### A. Scoping Meeting for revised Watts Bar Reservoir Land Mngt. Plan

[Based on a contribution from Sandra Goss]

TVA is updating the 1988 Watts Bar Land Management Plan so as to reflect new recommendations for managing the property for optimum public benefit. The scope of this revised Plan will include all of the TVA-managed land — approximately 14,000 acres — on Watts Bar Reservoir. An environmental review, conducted in accordance with NEPA to generate an Environmental Impact Statement (EIS), is included in the Plan revision.

An early step in this process is public "scoping" to gather information from diverse agencies, organizations, and individuals in order to identify key issues and concerns. This ensures that the Plan will address public issues while meeting TVA's objectives. We urge your attendance at the scoping meeting on March 23 (see Action box for details). Remember issues such as protection of natural lands (including, for example, the White's Creek Small Wild Area and Tract #78 -- 77B, this NL), shoreline protection, and water quality.

Clinch River Breeder Reactor (CRBR) site is part of the Plan. Advocates for the Oak Ridge Reservation (AFORR) members JoAnn Thompson, Dev Joslin, and Jim Evans, TCWP Board member Frank Hensley, and TVA's Mark McCreedy and Wes James toured the 1300-acre tract last month. The group was impressed with the land's beauty, abundant wildlife (especially wild turkey and deer), wetlands, scenic shoreline, and acres of undisturbed hardwood forest. TWRA is involved with wildlife management of the area, including limited hunting. Some infrastructure (waterline) is in place. DOE operates a firing range next to the site on its East boundary.

TVA is rethinking its strategy of marketing the tract as an industrial site, because efforts to do so have to date been unsuccessful. Planning is underway to reclassify the CRBR tract from industrial use to multiple use. Some possible uses identified by TVA are: (1) residential, (2) habitat protection, (3) wildlife management, (4) forestry, (5) natural areas, and (6) commercial industrial. The compatibility between allocated uses of adjacent areas and that of the site will be a major concern in the designation process. One adjacent tract of 103 acres has already been designated the Grassy Creek Habitat Protection

Area for the permanent protection of the bugbane (*Cimicifuga rubrifolia*).

**WHAT YOU CAN DO:** Attend TVA's scoping meeting on Tuesday, March 23, 7:00 p.m. in the Social Room at the Oak Ridge Civic Center. For information, contact Richard L. Toennissen, 865-632-8517, or [rtoennissen@tva.gov](mailto:rtoennissen@tva.gov). Send written comments to TVA, NEPA Administration, 400 West Summit Hill Dr., Knoxville TN 37902.

## B. TCWP caring for TVA Tract #78

Some time ago, TCWP requested that TVA designate its Watts Bar Tract #78 as a Small Wild Area (SWA) and offered to develop and maintain a trail through it (NL246 ¶2B). This ~90-acre tract, which is just upstream (north) of the Whites Creek SWA, is a wooded ridge that extends along 1+ mile of shoreline. We plan to submit an estimate to TVA for the work required on the trail. The major problem is where the trail starts at the TWRA boatramp that separates Tract #78 from the Whites Creek SWA, and where steps need to be constructed down a steep embankment.

Rhea County has taken an interest in getting this trail developed as a recreational asset to citizens of the county. Frank Hensley has scheduled an on-site meeting between county officials, and representatives of TVA, TWRA, and TCWP.

**WHAT YOU CAN DO:** Attend TVA's scoping meeting on the Watts Bar Plan revisions (see ¶7A). It should be pertinent to both the Whites Creek SWA and Tract #78.

## C. Reservoir Operations Study: FEIS available for review

The final EIS for the Reservoir Operations Study identifies the Preferred Alternative recommended by TVA staff. This alternative identifies changes in the policy that guides operation of the Tennessee River and associated reservoir system (NL252 ¶5A). TVA would no longer target specific summer pool elevations. Instead, reservoir operations would be aimed at managing the flow of water through the system so as to meet part of the 8 objectives identified during the scoping process (NL252 ¶5A). One major change in operations is to limit the drawdown from tributary reservoirs during the period between June 1 and Labor Day. This could result in a slight increase in shoreline erosion.

Comments on the FEIS can be submitted through April 12 to the ROS web site at [www.rva.com/ros](http://www.rva.com/ros), or by fax to 1-865-632-3146. The TVA Board will make its decisions soon after the comment deadline.

## 8. NATIONAL ISSUES

### A. Speak up for the Conservation Trust Fund

For many years, it has been an annual struggle to secure needed funding for critical land acquisition and other land protection programs. To help solve this problem, Congress in 2000, took a major, bipartisan, step in the direction of what everyone hoped would secure guaranteed funding for a while. They established the Conservation Trust Fund (CTF), which encompasses a fully funded Land and Water Conservation Fund (LWCF), State Wildlife Grants, the Forest Legacy program, and the Urban Park and Recreation Recovery Program. Altogether \$14 billion over six years were dedicated to the CTF.

In the first two years of the CTF's existence, the Congress provided something close to full funding; but for each of the past two years, Congress cut the CTF by over \$500 million (almost one-quarter). The LWCF has fared the worst among the CTF's major components (see ¶8B, below). According to the 2000 legislation, the Fund is intended to receive \$2.24 billion in FY2005, but the President's budget proposes to again lop over \$500 million from the range of programs that comprise CTF. Congress must be urged to remember the promised \$2.24 billion!

The final decision on budget levels will, as always, depend on the Congress, and more specifically on the Interior Appropriations Committees of the House and Senate. Members of Congress are allowed to weigh in with requests for funding for specific projects and programs. Senators have only until mid-March to get their letters to the Senate subcommittee chairman; the House deadline is in early April. We, their constituents, need to let them know of projects that are in urgent need of funds (e.g., for completing land acquisition for Obed and BSF, for protecting tracts in the Cumberland via Forest Legacy funds, etc.).

**WHAT YOU CAN DO:** Without delay, contact your Congressman and both your Senators (see p 2) and ask them, (1) to fund the CTF at the full promised FY2005 level of \$2.24 billion;

- (2) tourge the chairmen of the Interior Appropriations Committees to include worthy Tennessee projects their bills.

## B. The downward slide of the LWCF

The Land & Water Conservation Fund (LWCF), is our nation's premier tool to create and preserve parks, forests, wildlife refuges and open space, and to ensure that people can enjoy them. Of all the major components of the CTF (§8A, above), it has been hit the worst.

The data below are from *Common Ground*, March 2004

| Agency    | FY'02 | FY'03 | FY'04 | Change from '02 |
|-----------|-------|-------|-------|-----------------|
| BLM       | 49.9  | 32.2  | 18.5  | -63%            |
| FWS       | 99.1  | 72.9  | 43.4  | -56%            |
| NPS-total | 274.1 | 171.3 | 141.6 | -48%            |
|           |       |       |       | 64%             |
|           |       |       |       | 57%             |
| USFS      | 149.7 | 132.9 | 66.8  | -55%            |
| TOTAL     | 572.9 | 410.4 | 270.3 | -53%            |

Last year's \$270.3 million for the total LWCF land acquisition is the lowest funding since 1997. Hardest hit of all the programs is that for the National Park Service's federal land acquisition.

## C. National Park Service mission in jeopardy

[Information from NFCA's *Inside Report*, Spring 2004, and from J.G. Mitchell in *Preservation*, 1/04]

In August 2003, more than 120 high-level former NPS officials called on Pres. Bush, Interior Secretary Norton, and NPS Director Mainella to stop the Administration's destructive policies toward the parks. The group included 4 former National Park Service national Directors, numerous Regional directors, superintendents, chief rangers, and other managers. The group found that the Administration:

- was not living up to its promises, nor to the ideals described in the mission of the National Park Service; and most importantly, not living up to the intent of the law (one example was a proposed rule that would allow local governments to claim rights-of-way in national parks);
- disregarded professional, scientific, and public opinion in policy decisions (example: allowing snowmobiles in Yellowstone and Grand Teton National Parks);

- misled the public by its claim to have spent \$2.9 million to tackle the maintenance backlog when, in fact, only about \$300 million was new money;
- has been guilty of "organizational restructuring and management practices ... that devalue or ignore the advice and opinion of professional career leaders," prompting "the premature departure of a number of highly-respected senior employees ..."

Administration policies even in non-park matters are often harmful to our parks. One example is the Clear Skies Initiative, which, in addition to reducing pollution more slowly than is required under the Clean Air Act, also reduces the special attention given to parks. Under the Clean Air Act, park managers have the authority to review applications for new or upgrading power plants and to provide scientific data if visibility and the resources within the park might be affected. Clear Skies abolishes this authority, except for power plants located within a ridiculous 31 miles of a park.

National Park Service policies are being subverted even in the area of public education. As charged by its mandate, NPS is to promote the use of sound science in all its programs, including public education. However, in catering to religious fundamentalists, the Administration has decreed that bookstores and museums in national park visitor centers must sell, under the "natural history" classification, a Creationist book that, among other things, claims that the Grand Canyon developed on a biblical, rather than geological and evolutionary time scale. Top NPS leadership also blocked publication of guidance for park interpretive staff that labeled Creationism as lacking any scientific basis.

## D. "Outsourcing" threatens our public lands missions

The Administration is hard at work to downsize federal government by privatizing big chunks of it. This is happening in several agencies, including (in a big way) those caring for our public lands. In the US Forest Service, 75% of the workforce is potentially targeted for "outsourcing." Biologists, soil scientists, fisheries experts, hydrologists, and other scientists are not exempt.

In the National Park Service, the privatization policy is mightily contributing to the already low morale (§8C, above) and is likely to have a destructive effect on our unique National Park System. Of 1,700 jobs that the Administra-

tion considered potentially "commercial," \$59 have already been classified as suitable for outsourcing, including some engineers, scientists, archeologists, curators, etc. NPS funds dedicated to important park uses have been diverted to pay private consultants to study which federal jobs could be privatized.

Civil service is based on the notion of hiring government employees for merit rather than political connections. Federal employees are regulated by strict conflict-of-interest and ethics rules, which don't always apply to private corporations. And outsourcing does not necessarily save money. Thus, a US Forest Service study showed that contracting out the analysis of public comments would cost \$425,000 more than doing this work in-house (Source: FSEEE).

And, outsourcing allows the Administration to receive answers it would like to get (perhaps from analysis of public comments?), instead of unbiased answers. A telling example: the study of the status of the northern spotted owl (the need for whose survival led to logging restrictions in the Pacific Northwest) was outsourced to a private company that gets 44% of its revenues from the timber industry.

## 9. TCWP NEWS

### A. Upcoming activities

[Contributed by Sandra Goss]

[For additional information on any of the listed events, call Sandra K. Goss at 865-522-3809 or e-mail skgoss@esper.com.]

#### Oak Ridge Barrens Workday, Sat., March 20

Volunteers are needed to help get rid of invasive exotic pest plants that threaten the quality of the barren. TCWP is the steward for this registered State Natural Area.

Cedar barrens are small woodland openings with vegetation similar to that of the Tall Grass Prairies of the Midwest and Great Plains. These prairie species cannot tolerate shade, and without regular workdays, the grasses and forbs in the barren would give way to woody species, eventually resulting in a shading oak/pine canopy.

The Oak Ridge Barren is located on Fairbanks Road, southwest of Jefferson Junior High School. Volunteers should meet at 9 a.m. and bring gloves, clippers or loppers, and water.

#### Savage Gardens Walk, Saturday, March 27

Welcome Spring with a special wildflower walk and geology lesson combined!

TCWP and the Oak Ridge Garden Club will co-sponsor this outing to Savage Gardens in Anderson County.

Savage Gardens, located along a tributary of the Clinch River between Norris and Lake City, is a private wildflower landscape graced with unusual natural rock formations. It was started in 1930 by Arthur Savage of Knoxville, who cultivated it as a public garden but was not able to maintain it during the Depression. It is currently owned and maintained by Rebecca and David Carl Dew, who live on the property and open it to the public each spring. The wildflower collection is one of the most extensive in the United States.

State Geologist Martin Kohl will accompany our walk through the garden to discuss the rock formations. Garden club members will help us identify wildflowers.

To carpool, meet at 1 p.m. at Elza Gate on the east end of Oak Ridge. Those who prefer to drive directly should plan to meet the group at the entrance to Savage Gardens at 1:45 p.m. Driving directions: Take I-75 northward to Exit #128 at Lake City. Cross Highway 441 to Lovely Bluff Road. (NOTE that the road sign says Cob Hollow Road at one point.) Follow Lovely Bluff Road and turn right onto Savage Garden Road. Go up the hill to the first driveway on the left. Parking is in the turnout of the driveway.

#### A.T. through-hike slide show, Thurs. April 8

TCWP's quarterly meeting will feature a slide show presentation by member Beth McPherson on her 2003 Appalachian Trail through-hike. An East Tennessee native with degrees in Environmental Engineering and English Literature, Beth launched her trek on March 9 and reached the summit of Mt. Katahdin on August 14, completing the 2,172.6 miles in one of the rainiest seasons on record. Beth says she had wanted to hike the AT since she was 19 years old, but she didn't get around to it until the year of her 50<sup>th</sup> birthday, which she celebrated on the trail. Beth's slides and stories include stunning vistas, remote natural treasures, fellow hikers, trail angels, black bears, black flies, falling trees, heavy snowfall, intermittent large quantities of food, and peaceful sunsets. She is currently writing a book about the trail experience. The April 8 meeting (co-sponsored by the Smoky Mountains Hiking Club) is scheduled for 7 p.m. at the Oak Ridge Civic Center, Craft Room (note change from our usual location) and everyone is welcome.

### Johnson City Outing, Saturday April 17

TCWP member Glenn Marshall invites us to a leisurely Johnson City-area outing to enjoy beautiful displays of bluebells and other wildflowers at Winged Deer Park and large numbers of unusual trees at the East Tennessee State University Arboretum.

Participants can meet either at the Food Lion on Asheville Highway (Knoxville) at 8:30 to carpool, or at the Super WalMart parking lot (southeast corner) near I-26 Exit #36 at 11:00. We'll first visit the park (where we'll also eat our lunch), then proceed to the arboretum. Those interested only in the Arboretum tour, should meet the rest of the group at 1:30 at the McDonald's on the corner of State of Franklin Road and University Parkway.

You should bring water, lunch, rainwear, and sturdy shoes. For more information, contact Sandra (see above) or Glenn Marshall at 1-423-733-0559.

### **B. Selected TCWP actions, January/February 2004**

[Contributed by Cindy Kendrick]

We thought our readers might enjoy a periodic update on what keeps the TCWP Board, staff, and committee members busy. Here is a (probably incomplete) list for the first two months of this year.

#### Letters (L)/comments (C)

Mountain top removal EIS (C)  
Restoration of state land acquisition fund (L)  
U.S. 64 (Occee) EIS (C)  
(Protesting) Exemption of Tongass from Roadless Rule (L)  
Retaining TVA's Natural Areas Coordinator (L)  
Obed acquisition funding (L)  
Cash settlement in lieu of Northshore Rd (C)  
Public hearings for mercury pollution rules (L)  
Opposition to "new" Energy bill (L)  
Support for full funding of Conservation Trust Fund (L).

#### Meetings attended and/or organized

Obed Supt and Resource Mgr re: land acquisition  
Tennessee Nature Conservancy, new Cumberland  
Program Director  
TDEC's NSR air quality public hearing  
Friends of the Forest  
TCWP quarterly program (water quality)  
Greater Smoky Mountains Coalition  
Cherokee Forest Voices  
1DoT public hearing on U.S. 64 (Occee)  
TCWP/Greenways O.R. North Ridge Trail hike

TCWP Water Issues Committee  
TCWP Service Committee  
TCWP Mailing Committee

#### Actions

Led Cumberland's tour for TNC/ORNL research team  
Submitted nomination for TCWN's Bill Russell River Hero Award  
Presented Obed program for Wilderness Wildlife Week  
Presented Obed program for East TN Whitewater Club  
Scouted/marked new trail at White's Creek  
Monitored cleanup on North Ridge Trail  
Enlisted in Rivernetwork  
Donated to SOCM's forestry issues education campaign (excluding billboards)  
Distributed/posted action alerts and flyers

### **C. Reminders**

- e-mails to members. If you would like to help us increase TCWP's effectiveness by being able to reach members quickly, when necessary (for urgent alerts and timely reminders), please send your e-mail address to [skgoss@esper.com](mailto:skgoss@esper.com).
- Take a look at TCWP's web site, [www.kornet.org/tcwp/](http://www.kornet.org/tcwp/). The Action Alerts are striking, with great pictures; and there is a new feature, a Scrapbook with photos of recent activities. Thanks to web master Francis Perey and to Sandra Goss!

### **D. Two easy ways to help TCWP**

[Contributed by Sandra Goss]

One easy way to give to TCWP is via payroll deductions through a Community Shares campaign at your workplace. If your company is not enrolled, a Community Shares representative will be happy to visit with you and someone from your management about expanding the giving opportunities for you and your coworkers. We are currently looking for TCWP members who work in Middle Tennessee companies, no matter the number of employees. TCWP gets all the undesignated funds the first year of any workplace campaign that you can help initiate.

The second easy way of giving is with Kroger Gift Certificates. They cost you nothing — you use them like cash — but Kroger gives TCWP 5% of the value of the certificates we buy from them. You can also use your certificates to buy U.S. Postage stamps at the store. Or, you can present them as practical gifts to friends or rela-



tives. For more information on either of these topics, call Sandra K. Goss, 865-522-3809.

## E. Report on last Quarterly Meeting

[Based on contribution by Sandra Goss]

On February 3, Tennessee Clean Water Network executive director Rene Hoyos, spoke to a group of 25 people interested in the latest developments in water protection (or lack thereof). Two of the topics discussed are briefly summarized.

(1) Under the Bush Administration's new narrow definition of "waters of the U.S.," many types of waters would lose federal Clean Water Act protections (see NL254/8B).

(2) EPA is relaxing restrictions on discharging inadequately treated sewage into waterways during heavy rain events. During such events, full secondary (biological) treatment would be bypassed for a portion of the sewage which would then be "blended" with fully treated wastewater prior to discharge. This could allow viruses and many parasites to survive, causing water-borne disease outbreaks.

## F. AMSE-sponsored nature outings

Again, this year, the Museum of Science and Energy is sponsoring nature outings in the Oak Ridge Reservation. For all outings,

- a. pre-register at least 3 days prior to an event by calling AMSE at 576-3218, and
  - b. dress in layers, bring bug spray and water, wear sturdy shoes, and bring appropriate field guides, binoculars, etc.
- Sunday, 3/28, 2-5 p.m., Wildflower Walk (Larry Pounds) on North Boundary Greenway (Bluffs of Poplar Creek). Meet at west guardhouse, Oak Ridge Turnpike. Distance, 1-2 miles overall, up and down hill.
  - Saturday, 4/24, 7-10:30 a.m. Bird Walk (Jim Evans, TWRA) in Three Bends Scenic and Wildlife Refuge. Meet at south parking lot of ORAU's Scarboro Operations Site. Distance, 1-2 miles over level dirt roads
  - Saturday, 5/1, 7-10:30 a.m. Bird Walk (Jim Evans, TWRA) in Solway Bend, Three Bends Scenic and Wildlife Refuge. Meet at south parking lot of ORAU's Scarboro Operations Site. Distance, 1-2 miles over level dirt roads

- Tuesday, 5/4, 5-7:30 p.m. Floodplain Walk (Mark Peterson, ORNL) on North Boundary Greenway. Meet at west guardhouse, Oak Ridge Turnpike. Distance 1-2 miles overall, up and downhill.
- Saturday, 5/8, 7-10:30 a.m. Bird Walk (Jim Evans, TWRA) on Lower East Fork Poplar Cr. Meet at west guardhouse, Oak Ridge Turnpike. Distance, 1-2 miles overall, up and down hill.

## 11. JOB OFFERING; CALENDAR; RESOURCES

- **Job opening.** 10-week summer position at the Great Smoky Mountains Institute at Tremont to support the efforts of the Citizen Science Program aimed at involving young people in scientific research. One year or more of college education required; college degree preferred. Application packets are available by contacting GSMIT (865-448-6709) or on the Web at <<http://www.gsmit.org/Tremont/jobs.html>>.
- **Events and deadlines calendar.** (For details, check the reference DNL item; or contact Sandra K. Goss, 865-522-3809, [skgoss@esper.com](mailto:skgoss@esper.com))
  - March 20, TCWP work day at Oak Ridge Cedar Barrens (§9A).
  - March 23, Oak Ridge, TVA scoping meeting for Watts Bar Plan (§7A).
  - March 27, TCWP outing to Savage Gardens (§9A).
  - March 27, Knoxville, Second Annual Tennessee Solar Stakeholders Meeting. (Call 865-637-6055, ext.15 for info.)
  - March 27-28, Canton, NC, National Forest Protection Training. (Contact [kate.smolski@sierraclub.org](mailto:kate.smolski@sierraclub.org), or call 404-607-1262x222.)
  - March 28, Oak Ridge, AMSE bird Walk (§9F).
  - March 30, Harriman, hearing on stream damage from mountain-top removal (§3A).
  - April 2, deadline for comments on North Shore Road (§5A).
  - April 8, TCWP slide-show program on A.T. (§9A).
  - April 8, Elkmont comments due (§5B).
  - April 17, TCWP Johnson City outing (§9A).
  - April 18, deadline for comments on Elkmont.
  - April 24, Obed River Fest (§1G).
  - April 24; May 1, 4, 8: AMSE-sponsored outings (§9F).

- May15, Obed River cleanup (§1D).
- May22, Big South Fork cleanup (§1E).

•• **Web sites**

- You can take quick and easy action on issues related to our National Park System by visiting NPCA's Take Action Center at [www.npca.org/takeaction/](http://www.npca.org/takeaction/). Pull down the Action Alert menu to read the latest info about the issue. Then fill out a brief form and click "send." NPCA does the rest.
- The Natural Resources Defense Council's web site [earthaction@nrdc.org](http://earthaction@nrdc.org) brings you national Action Alerts with background information and a link (<http://www.nrdc.org/action/>) whereby you can send your comment directly to the appropriate legislators or officials.
- A similar service is performed by the Wilderness Society's Website [action@tws.org](mailto:action@tws.org), which directs you to the appropriate link for sending your own message very quickly and easily.
- A highly informative source from which to get information about candidates for public office and about the performance of currently serving politicians is the website of the non-partisan League of Conservation Voters (LCV), <http://www.lcv.org/Campaigns>. Features include the Presidential Candidate Profiles and the Presidential and Congressional Scorecards on environmental issues.
- A TVA web site with excellent information on native plants may be found at <http://www.tva.gov/river/landandshore/stabilization/plantsearch.htm>

•• **A word of advice on communicating with Congress**

Note from Senator Frist (2/21/04): "Due to the recent ricin incident in my Washington, DC, office, we are temporarily unable to process postal mail and emails. If you have an immediate need to contact my office, please call our main office at (202) 224-3344 or fax your request to (202) 228-1264." Prior to that, for the month of January, Sen. Frist's e-mail was down for "upgrading." Some other members of Congress, also, do not like to get e-mail, and surface mail has been slowed by anthrax scares. Until some reforms are instituted, fax and phone may be the best way of communicating with members of Congress.

*The love of earth can be at once the most primitive and the most sophisticated of religions, and it deserves the same respect as the other credos by which men shape their lives. ----*

----Joshua Lederberg, 4/20/70

