



Tennessee
Citizens for
Wilderness
Planning

Newsletter No. 260

March 14, 2005

Taking Care of Wild Places

The BIG stories

Call today to save
Arctic Refuge!!! ¶7

Initiatives offer hope
for Cumberlands ... ¶1B, C

BSF Plan published .. ¶2C

State land acquisition
funds restored ¶4A

N. Shore Road; last
chance to comment ... ¶5A

TWRA opposes
TVA land sales ¶6A

1. Initiatives offer hope for the Cumberlands... p. 3
 - A. Plateau's special qualities D. Frozen Head: State actions
 - B. National Heritage Corridor? E. Loss of hardwood forests
 - C. Cumberland Plateau Conservation Foundation?
2. Obed and Big South Fork p. 4
 - A. Obed acquisition update D. Staff news
 - B. Damage assessment for oil spill E. Festival plans
 - C. BSF General Management Plan is published
3. Bills in the state legislature p. 6
 - A. Chip mills B. Water permits C. List of other bills
4. Other State news p. 7
 - A. Acquisition funds restored C. Huge landslide at strip mine
 - B. O & G moves to Water Pollution Control D. AML Program
5. Smokies: an important deadline to meet... p. 8
 - A. North Shore Road comments due April 3 B. Park Plans
6. TVA news p. 10
 - A. TWRA joins opposition to sale of public lands B. Natural Areas Coordinator
7. Arctic Refuge in imminent peril: Red Alert! p. 11
8. Other national issues p. 12
 - A. Tax proposal threatens private land conservation C. Budget for environmental programs
 - B. Rabid anti-environmentalist nominated to be judge for life
9. Oak Ridge Reservation: see AFORR Newsletter p. 14
10. TCWP news (Web site; Political Guide; Activities; Pat on the back; Actions; Honors) .. p. 14
11. Calendar; Resources p. 16
12. ACTION SUMMARY p. 2

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

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

11. ACTION SUMMARY

J No	Issue	Contact	"Message!" or Action
1D	Frozen Hea acquisition	Deputy Commissioner Fyke	"Thank you, and please persevere!"
3A	Excessive timbering on Plateau	Sen Fowler; your rep. & sen	"Support SB.1945/HB.318!"
3B	Appeal of water permits	Sen Fowler; your rep. & sen	"Support SB.610/HB.1994!"
4A	Stuteland acquisition funds	Gov. Bredesen	"Thanks for restoring! Thanks for other initiatives, too!"
5A	North Shore Road	National Park Service Rep. Zach Wamp	Submit comments by April 3 "Keep Rep. Taylor from making further appropriations!"
6A	Land divestiture by TVA	TVA Board; newspapers	"Sale of public lands betrays TVA's mission!"
7	Arctic Refuge in imminent peril	Call US sent. and rep. NOW	"Keep drilling revenues out of budget bill!"
8A	Privateland conservation	Sen. Frist. Rep. Tanner	"Oppose proposed tax changes!"
9	Oak Ridge Reservation	Various	See AFORR Newsletter for issues
10B	Political Guide		Enter omitted instruction for e-mail addresses

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
president@whitehouse.gov

Governor Phil Bredesen
State Capitol
Nashville, TN 37243-9872
615-741-2001; Fax 615-532-9711
phil.bredesen@state.tn.us

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
e-mail: <http://frist.senate.gov/contact.cfm>
Local: 865-602-7977

Sen. Lamar Alexander:
Ph: 202-224-4944; FAX: 202-228-3398
e-mail: <http://alexander.senate.gov/contact.cfm>
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

To call any Rep or Senator, dial Congressional switchboard, 202-224-3121 To find out about the status of bills, call 202-225-4772
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, phoning, 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, 865-386-6382 (h).

Executive and Membership Development Director: Sandra Goss, 865-522-3809; SKGoss@espei.com

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

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

1. INITIATIVES OFFER HOPE FOR THE CUMBERLANDS

A. Cumberland Plateau's special qualities attract helpful attention

Two recent initiatives (§1B and §1C, below) provide hope for protecting some of the outstanding natural and cultural resources of the Cumberland Plateau. The area is virtually unparalleled in its ecological richness and biodiversity (worldwide, its plant diversity is second only to that of China's temperate zone), but it is also seriously endangered (e.g., §1E, §4C, below). The combination of these two circumstances led to the Cumberland Plateau's inclusion in NRDC's 2004 list of 12 BioGems (NL255, §4A).

In Tennessee, the region (which covers part or all of 21 counties) encompasses 3.8 million acres of forest, 164 waterfalls, and 280 caves. Within it are the Big South Fork National River and Recreation Area, the Obed National Wild and Scenic River, 15 state parks (encompassing 17,000 acres), 14 state natural areas, 7 state forests, and several Wildlife Management Areas (including Catoosa, Royal Blue, and Don Sundquist).

Ever since TCWP's inception (motivated by the need to save the Obed from a dam), and throughout our nearly 40-year history, we have put a great deal of emphasis on the Cumberland Plateau (see, also, our Mission Statement on p.2). Three years ago, TCWP started the Alliance for the Cumberland Plateau (NL242 §1), which has come to include quite a number of organizations and agencies. TCWP's executive director, Sandra Goss, has been the energetic Coordinator for the Alliance. It is largely as an outcome of the Alliance's activities that the two initiatives described in §1B and §1C have come about.

B. Cumberland Plateau may become a National Heritage Corridor

The National Park Service's National Heritage Areas Program recognizes places where natural, cultural, historic, and scenic resources combine to create a cohesive, nationally distinct landscape. There are 23 federally designated Heritage Areas and Heritage Corridors across the USA. In February, the Tennessee Department of Environment and Conservation (TDEC) received a \$31,500 federal grant to study the Cumberland Plateau as a potential National Heritage Corridor. TWRA (Tennessee Wildlife Resources Agency) and TDOT (Tenn. Dept. of Transportation) have joined TDEC

in providing matching funds for generating a feasibility study.

The program puts emphasis on input from a diverse range of local stakeholders, and the authority to implement the plan rests in local hands. A major goal of the suitability study is to develop plans for environmentally sustainable, recreation-based and heritage-based tourism industry in the area. (Hopefully, it will be recognized that stripmining and poorly managed forestry practices that currently afflict the Cumberland Plateau are incompatible with this goal.) If designated a National Heritage Corridor, the Plateau would receive ~\$1 million annually for 10 years as startup funding for interpreting and marketing natural and historical resources.

C. A bill to create the Cumberland Plateau Conservation Foundation

One of three environmental initiatives proposed by Gov. Bredesen in his State of the State address January 31 (see §4A, this NL) could be implemented through passage of a bill currently making its way through the legislature. SB.2259 (Kyle)/HB.2274 (McMillan), which has been referred to the Senate Government Operations Committee, would establish the Cumberland Plateau Conservation Foundation, composed of TDEC and private citizens, to "protect, conserve, and restore the region's physical, cultural, archeological, historical, and living resources," and for other enumerated purposes. Of the 7-member Board, three would represent environmental conservation, or recreation interests, and two would represent the interests of the Cumberland Plateau.

A very important one of the enumerated purposes of the Foundation is the awarding of grants to further the named objectives. The Foundation's Fund (to be kept wholly separate from the state general fund) would receive money from appropriations as well as from contributions, bequests, etc., from private individuals or other sources. An important use of the Fund would be acquisition of real property (through outright purchase or protective easements) from willing sellers. The entity applying for a grant to make such acquisition must specify the manner in which the property will be managed and this must be approved by the Foundation.

WHAT YOU CAN DO: Watch the TCWP's web site for information of when and how to support SB.2259/HB.2274.

D. Protecting Frozen Head: the State is working on it

Recently, SOCM joined TCWP in urging Governor Bredesen and State Parks Director Jim Fyke to take swift action to protect Frozen Head State Park and Natural Area by acquiring the 1,100-acre Love Mountain tract. The tract, which flanks the State Park and Natural Area along a border running a mere 75 yards behind the Park visitor center, is owned by the Forestland Group and may be threatened by timber cutting and other developments.

Jim Fyke, who is Deputy Commissioner in charge of State Parks and Conservation, has responded to the TCWP and SOCM letters. It appears that our problem may not be with the State but with the Forestland Group. Several years ago, the State approached Forestland for the purchase of two tracts (Love Mountain and Bird Mountain), totaling 3000 acres, that flank Frozen Head. Because of the funding possibilities associated with the Cumberland Trail (CT) State Park, a major portion of Bird Mountain was purchased first, in 2002. Even though federal money for the CT became available to buy the remaining 600 acres of Bird Mountain, Forestland refused the offer as not being high enough. The state is "still talking with Forestland Group for this purchase as well as the purchase of the Love Mountain Tract. We hope to move forward in the near future with these critical acquisitions," writes Mr. Fyke.

WHAT YOU CAN DO: Thank Deputy Commissioner Jim Fyke for his efforts and express your hope that he may soon carry them to a successful conclusion. (Address: TDEC, L&C Annex, 1st Floor, 401 Church Street, Nashville, TN 37243-0435.)

E. Large-scale loss of hardwood forests is a major threat to the Cumberland Plateau

[Based on information from the Dogwood Alliance]

The devastating practices of industrial logging are rapidly destroying the beautiful landscapes and rich ecosystems of the Cumberland Plateau. The timber industry has moved to the South, partly because of the paucity of regulatory restrictions in this region. Nearly 6 million (1) acres of Southern forests are logged every year, primarily for the production of paper.

The Dogwood Alliance, a network of 70 organizations seeking to protect southern forests from the impacts of unsustainable industrial for-

est practices, is targeting the largest paper company operating on the Cumberland Plateau and Southern Appalachian region, Bowater, Inc.

Bowater owns ~260,000 acres on the Plateau (in addition to other holdings in 4 Southern states). On about 2/3 of these lands, the native mixed hardwood forests have been converted to biologically sterile pine plantations that are harvested on short rotation. Dogwood Alliance is urging Bowater to:

- Stop logging and buying wood from endangered forests.
- End unsustainable forestry practices, including large-scale clearcutting and conversion of natural forest to pine plantation.
- Maximize the use of post-consumer recycled waste.

WHAT YOU CAN DO: To find out more about the campaign in Tennessee, contact Caroline Keicher at 615-248-6500 ex.101, or ckeicher@greencorps.org, or visit www.dogwoodalliance.org. Also, see §3A, this NL.

2. OBED AND BIG SOUTH FORK

A. Obed acquisition update

[Contributed by Sandra Goss]

Efforts to purchase land or easements within the authorized boundary of the Obed Wild & Scenic River continue to progress. Obed Unit Manager Phil Campbell reports, "We have completed appraisals on seven properties, with an additional two in process." Campbell indicated that offers had been tendered for the tracts on which appraisals are complete. Once an offer is accepted, the next step is to order hazardous materials studies and title searches. Only after those come back clear can the acquisition be completed.

B. Damage assessment for Obed WSR oil spill

The oil spill of July 19, 2002 dumped "an undetermined amount of oil" into Clear Creek and White Creek. Now, the National Park Service (NPS) and the State of Tennessee have conducted a pre-assessment screen from which they collectively concluded that the response actions taken to date have not adequately addressed the resource injuries resulting from the spill and subse-

quentfire. As a result, they will collaboratively conduct a natural-resource damage assessment and will begin natural resource restoration planning. The data needed for these purposes are outlined in a recently completed Damage Assessment Study Plan, which is posted at www.nps.gov/obed, along with the Preassessment Phase Final Report. A printed copy is available for a nominal cost by calling 423-346-6294.

C. **BSF General Management Plan is finally published**

The National Park Service began work on a General Management Plan/EIS for the Big South Fork National River and Recreation Area in 1998 (NL225 ¶1), 24 years after the Area was authorized, and 8 years after it became a unit of the National Park System (having previously been managed by the Corps of Engineers). The first draft, issued February 2000, was abandoned when fundamental flaws in the approach were pointed out by several organizations, including TCWP (NL240 ¶1A). A totally revised version, based on analyses of resources, use and impact patterns, and carrying capacity, was opened for comments in early 2003 (NL250 ¶1). This version also incorporated a trails-management plan.

Release of the final document was announced for late summer 2004 (NL257 ¶2D), but while the document had, in fact, been completed, approval from Washington to print and distribute it was delayed by several months. It was finally released in mid-February. In an upcoming Newsletter, we hope to let you know whether, and how, any of the alternatives were modified as a result of comments received on the Draft.

According to the NPS announcement, the GMP "will guide the management of the park for the next 20 years and will serve as the overarching policy under which site-specific plans will be prepared."

Hard copies or CD-ROMs (in PDF format) are available by contacting Superintendent, Big South Fork NRR, 4364 Leatherwood Road, Oneida, TN 37841, 423-569-9778, or BJSO.Superintendent@nps.gov. (NPS advises that each printed copy costs the taxpayer \$40 and encourages you to request a CD-ROM if you have access to a computer.) The document may be viewed at public libraries in Fentress, Scott, McCreary, and Morgan counties. The GMP will also be available on-line at www.nps.gov/biso, but will not download efficiently if you have a dial-up connection.

D. **Staff news**

Chris Stubbs, Community Planner, has played a major role in many of the studies and resulting documents in which TCWP has been involved in recent years (e.g. the Obed Climbing Plan, the BSF Mussel EAF, the BSF General Management Plan). His intelligence, background knowledge, and ability to represent different points of view without compromising basic Park Service values have made it a great joy to interact with him. Chris was also the National Park Service representative to the Alliance for the Cumberlands and served on its steering committee. Sad to say, he is soon leaving for Virginia to be closer to his family. TCWP recently presented Chris with a plaque designating him a "Partner in Conservation." We wish him much happiness in his new job.

Arthur (Butch) McDade, Park Ranger at the Obed WSR, transferred in mid-February to the Gt. Smoky Mountains National Park. It'll save him a lot of weekend commutes to Pigeon Forge, where his wife works and lives, but the educational outreach work he does on behalf of the Obed (presentations to schools and civic groups) will be greatly missed.

This next one is good news – instead of a sad good-bye: Nancy Keohane has a newborn – a boy adopted practically newborn in mid-December. After a short leave of absence, she is back doing her great job as Resource Management Specialist at the Obed WSR.

E. **Morgan County**

Discovery Festival being planned

April 9 has been set as the date for the Morgan County Discovery Festival, currently being planned by a group of local people and other friends of the area. Mornings and early afternoon will be devoted to a number of activities conducted by expert leaders. They may include introduction to paddling, backpacking, hiking, rock climbing, mountain biking, etc., and activities such as wild-flower walks, bird watching, photography, waterfall tours, litter cleanup, etc. There may also be talks (e.g., on aspects of Morgan County history) and displays (e.g., photography). Then, at 3:30 p.m., the groups will reconvene in Wartburg for a festival of food, music, displays, and performances.

If you can help, or if you want further information, contact Casey Kennedy at 346-5740, ckennedy314@hotmail.com or Del Scruggs at 617-0984, dscruggs@utk.edu.

3. BILLS IN THE STATE LEGISLATURE

Special note on contacting legislators:

Important information on e-mail addresses for state legislators was inadvertently omitted from our recently mailed Political Guide. Each legislator's address can be constructed as follows

title.firstname.lastname@legislature.state.tn.us

For example,

sen.randy.mcnelly@legislature.tn.us

Information for the part of the address that precedes the @ can be found in the righthand column of each list in the Political Guide.

A. Tennessee Forest Conservation

Act reintroduced (HB.0318/SB.1945)

(Information from SOCM dispatches)

In Tennessee, and especially on the Cumberland Plateau, highly mechanized clear cutting of large acreages annually removes virtually all forest cover and causes soil erosion, damage to creeks and streams, and loss of wildlife habitat. The damages are not only environmental but also economic, inasmuch as current timbering practices are to the detriment of the value-added wood products industries, like cabinetry and flooring, that contribute significantly to employment in Tennessee. Thousands of jobs rely on a steady, sustainable supply of hardwood saw timber. Some areas are already being harvested at a rate that cannot be sustained.

Support for the Tennessee Forest Conservation Act has grown over the years since it was first introduced into the legislature. The bills for the current General Assembly, HB.0318 (McDonald)/SB.1945 (Fowler), have been referred to the Senate Environment, Conservation & Tourism Committee and to the House Government Operations Committee. The chairman of the former, David Fowler, is also the Senate sponsor of the bill. The legislation would require that:

- new chip, pulp, or paper mills (or proposed expansion of existing industrial mills) apply for a permit, indicating which counties will be involved and how many acres will be cut;
- the Tennessee Department of Environment and Conservation perform a forest-resources review to determine the impact of an additional chip mill on local industries, the environment, and local tourism & recreation;
- the state deny a permit if the counties in the drain area of the facility are already "over-cut," or projected to become "over-cut," with the additional mill;
- the public is informed and has an opportunity to comment on the impact of new and expanding mills;

- existing chip, pulp, and paper mills that have the capacity to use 50,000 tons/year of pulpwood register their capacity and usage annually with the state.

The bill does not put any regulations on local sawmills, landowners, or loggers. There would be no cost to the taxpayer; fees paid by the businesses covered under the bill would cover the costs of the forest-resources study and the registration and permitting process.

WHAT YOU CAN DO: Contact Senator Fowler, and your own senator and representative (see Political Guide) in support of this important bill.

B. Procedures for appeal of water permits

[Sources: Tennessee Conservation Voters (TCV) and Tennessee Clean Water Network (TCWN)]

By federal law, any source that discharges pollution directly into US waters must obtain an NPDES permit. Such permits limit the amount of pollution that industries and municipalities can discharge, and they impose record-keeping and monitoring requirements. Even under the permit system, considerable pollution goes into the nation's waters. In Tennessee, for example, large industrial facilities and sewage treatment plants dumped an estimated 3 million pounds of toxic chemicals into our waterways in 2001, according to EPA's Toxic Release Inventory.

Under current Tennessee law, only the permit applicant can appeal the denial or granting of a permit. This is at odds with the Federal Clean Water Act, which requires states to allow both the permit applicant and other affected persons to appeal approved or denied permits. A bill in the General Assembly, SB.610 (Jackson)/HB.1994 (R. Johnson), would open the water permit appeals process to all affected parties. Passage of this bill, which is one of the priorities of TCV, would accomplish the following:

- raise Tennessee's program up to federal standards;
- offer the same protection that exists in surrounding states;
- ensure that new facilities are built after (not before) valid concerns are addressed.

The bill has been referred to the Senate Environment, Conservation & Tourism Committee.

WHAT YOU CAN DO: Contact Senator Fowler (chairman of the Senate Environment Committee), and your own senator and representative (see Political Guide) in support of SB.610.

C. List of other bills

[Source: Tennessee Conservation Voters]

In addition to bills discussed in more detail elsewhere in this NL (§1C, §3A, and §3B), there are numerous other bills of potential interest to TCWP members. Here we merely list them. For information on their content or current status, contact Tennessee Conservation Voters, at sclifton@tals.org.

Timber and forest issues

- Timber harvesting by master logger, SB.0019/HB.0919.
- Impact study required before clear-cutting, SB.0167/HB.0138.
- Inventory of Tennessee forest resources, SB.0748/HB.0617.
- Comprehensive plan to inventory forest resources, SB.1271/HB.1258.
- Tennessee Industrial Chipmill Facility Impact Review, SB.1687/HB.0164.

Water issues

- Stop-work order issued when mining pollutes water, SB.0142/HB.1328. *This bill is one of the priorities of TCV.*
- Wetlands inventory expansion, SB.0170/HB.0140.
- Water quality control, SB.0498/HB.0659.

Land protection

- Development of plan for protection of natural areas, SB.1207/HB.1027.
- Conservation easements, SB.1869/HB.2029.
- Permanent conservation easement, SB.2005/HB.2080.

Environmental protection boards

- Adds member to environmental protection boards, SB.0611/HB.1994. *This bill is one of the priorities of TCV.*
- Review proceeding by water quality control board, SB.2258/HB.2273.

Miscellaneous

- Tennessee Deposit Beverage Container Recycling Act of 2005, SB.1240/HB.1578. *This bill is strongly supported by Scenic Tennessee, which urges you to contact the sponsors, Sen. McNally and Rep. R. Johnson.*

environment. He proposed the following initiatives.

- Restoring more than \$18 million from the real-estate transfer tax proceeds into the state's lands acquisition pool. TDC is responsible for managing two funds supported by these dollars – the State Lands Acquisition Fund and Local Parks and Recreation Fund.
- Establishing a new public-private land conservation foundation able to work with private groups and land trusts in ways that enhance our responsiveness, flexibility and ability to leverage conservation resources from various sources.
- Investing \$10 million of "seed money" into this new land conservation foundation.

Restoration of the real-estate transfer-tax proceeds to the land-acquisition pool is very good news indeed. The state may now again be able to protect many fragile that could fall victim to adverse development (see story on Frozen Head in §1D, this NL).

As to the second one of the proposals, the legislature is now moving toward implementing it for the Cumberland Plateau (see §1C, above), which the Governor described as an "internationally recognized and celebrated gem of biodiversity." Hopefully, the third proposal will be implemented during this session, as part of the budget.

WHAT YOU CAN DO: Contact Gov. Bredesen to express your appreciation for his important environmental initiatives (address on p.2)

B. State Oil & Gas enforcement moves to Water Pollution Control

[Contributed by Cindy Kendrick]

In response to comments on proposed regulation revisions last summer (NL 258 §2A), the state Oil & Gas Board granted an additional public hearing and traveled from Nashville to Oneida on Thursday, January 27, to accommodate the request for a local forum. Board Supervisor Mike Hoyal explained that the purpose of the revision was to get rid of old, frivolous rules that didn't apply and to reduce the rules to those that could be enforced with limited state resources. The proposed rules were indeed approved by the Board last summer and are moving through the lengthy, official rulemaking process. However, the Board is able to begin new rulemaking at any time, so public input continues to be relevant. TCWP will continue to seek modifications that will guard against environmental damage, such

4. OTHER STATE NEWS

A. Gov. Bredesen's focus on protecting natural resources: land-acquisition funds are restored

In his State of the State address on January 31, Gov. Bredesen focused on three "fundamentals" of state government, one of which was the

as that brought about by the oil-well blowout of July 2002 whose impact on the Obed WSR is ongoing.

The state is moving the enforcement function of Oil & Gas from the Division of Geology to the Division of Water Pollution Control, more specifically under Paul Schmiederbach, who oversees Mining out of the Knoxville Office. This move may be viewed as a huge step toward increasing the influence of environmental protection in enforcement matters, and we applaud the Commissioner for this action. Several issues remain high on our list of what needs to be done.

1. Drastic increase in state resources for O&G oversight. Currently we have only one geologist and two field inspectors. No matter how good they are, they can't handle the load.
2. Shift in O&G Board membership to reflect Water Pollution Control oversight.
3. Significant increase in required buffer zones around streams and other water bodies. Currently, only a 100-ft distance is required from the well head, and oil retention pits need only be 25 ft from high-water marks of streams!
4. Codification of protective requirements currently implemented as "policies" to protect them from easy reduction by future administrations.
5. Notification of adjacent landowners, including NPS, when drilling applications are received.

C. Massive landslide that started at a strip mine should put in question TVA's mining plans for Royal Blue

A landslide that covers nearly 25 acres, is 800 feet wide at the top, and spans 900 feet of elevation (from the top at 2800 feet to the bottom at 1,900 feet), originated at a reclaimed strip mine on High Point Mountain in the Sundquist Wildlife Management Area. Sedimentation that was found in the New River led to the discovery of the slide way upstream. The New River is one of the two main stems of the Big South Fork Cumberland, and its lower reaches are within the Big South Fork National River and Recreation Area. Heavy sediments can smother all the aquatic life in a stream.

The mine at which the landslide started had been reclaimed under the federal surface mining law, with reclamation approved in 1993.

As pointed out by Don Barger, director of the SE Regional office of NPSA (National Parks Conservation Association), the incidence puts into question the wisdom of approving permits for strip mines on steep slopes in the area. In turn, this has major implications for TVA's proposal to

sell or lease mineral rights to about 53,000 acres in the Royal Blue Wildlife Management Area and nearby.

TVA is currently engaged in generating an Environmental Impact Statement (EIS) on its proposal. The mineral rights transfer could result in the mining of an estimated 82 million tons of coal, with about half of it to be strip-mined. The EIS is expected to be released in April.

D. Abandoned Mine Land (AML) program still alive -- barely

(This is not strictly state news, because AML is a federal program. It is, however, a program of considerable importance to Tennessee.) The federal surface-mining law (SMCRA) of 1977 established the Abandoned Mine Lands (AML) Fund for the reclamation of those sites that were "orphaned" prior to passage of SMCRA, and which constitute a threat to safety and welfare. The AML program was slated to "sunset" (expire) in 2004, even though much of the money collected (from a small fee on coal mined subsequent to 1977) had never been spent for its intended purpose. Fewer than 20% of AML sites across the country have so far been reclaimed, and Tennessee (which has a federal rather than a state surface-mining program), has received an even smaller share than other states.

In 2004, there was hope that the AML program would be extended by way of bills that would also have made other needed changes in the program (NL257 §3B). Unfortunately, this did not come about. Finally, late in November, when Congress at long last passed the Omnibus Appropriations Bill, AML received a very short new lease on life: it was extended until June 30, 2006 (though it really needs reauthorization for 25 years). Who will run with the issue in this new, and even less sympathetic, Congress, and under this administration?

5. SMOKIES: AN IMPORTANT DEADLINE TO MEET

A. North Shore Road comments due April 3

[Please read at least the first paragraph!]

Between Feb. 22 and March 3, the National Park Service (NPS) hosted a series of public workshops for the North Shore Road EIS. The purpose was to review information on the final alternatives that have been recommended for detailed study in the upcoming Draft EIS (DEIS).

Between now and April 3 is our *last opportunity* for providing input prior to NPS's selection of a preferred alternative. After hearing and seeing the presentations at the workshop, it is increasingly clear that *the only logical alternative is the monetary settlement to Swain County in lieu of a road.* If you don't have time to read the rest of this article, go to the Action Box and send your comments. But if you are interested in some of the findings, read on.

Background: In the so-called "1943 Agreement" -- a four-party contract between TVA, the US Department of the Interior, the State of North Carolina, and Swain County, NC -- USDI undertook to build a new road to replace a primitive road that was inundated by Fontana Reservoir, provided the Congress appropriated funding for such construction. Short segments were constructed north of the Reservoir (in the Park) in 1948 and by 1962, respectively, namely, 0.93 miles at the Fontana Dam end (in the west) and 6.2 miles at the eastern end, near Bryson City. In the meantime, a very good road connecting the two ends (NC 28) was completed south of the reservoir (outside the Park). Construction of the 6.2-mile segment in the Park had caused severe environmental damage, and NPS convened an expert advisory panel, which in 1962 concluded that "continuation of such damage to natural park values is indefensible from either the standpoint of conservation or visitor use." USDI therefore requested no further funding for North Shore Road construction.

And that is how matters stood until late in 2000, when Congressman Charles Taylor (R-NC) attached a rider to a must-pass Transportation Appropriations bill (thus avoiding public notice or congressional debate) that appropriated \$16 million for further road construction. It was this action that forced NPS to undertake the current study. The NEPA process that will culminate in the EIS is, in fact, funded from part of the \$16 million.

The final alternatives. The number of alternatives proposed in an earlier round of meetings (NL 255/15A) has been shrunk to five. However, each of the two alternatives that require road construction has two sub-alternatives which differ in rather major ways from each other.

Three alternatives require no extensions of existing road segments:

- (a) No action;
- (b) Monetary settlement to Swain County;
- (c) Laurel Branch picnic area, just east of the present terminus of the existing 6.2-mile segment.

There are two road-build alternatives (involving 4 possible routes).

- (a) Partial-build from the end of the existing 6.2-mile segment to Bushnell. If routed around the impounded waters of Forney Creek (i.e., more inland), the road would be 8 miles long; if a major (expensive) bridge crossing Forney Creek embayment is constructed, it would be only 4 miles long.
- (b) Full-build. If run near the northern shore of the reservoir, this road would be roughly 29 miles in length and would require very major bridge construction to cross the wide and deep Forney Creek, Hazel Creek, and Eagle Creek embayments. The spans of some of these bridges would equal or exceed that of Brooklyn Bridge. The alternate route goes deeper into the Park (thus becoming environmentally even more destructive), around the northern ends of the embayments in order to avoid the major bridge construction; this routing increases the length to 38 miles.

Estimated costs range for \$5 million for the Laurel Branch picnic area to over \$374 million (depending on which bridges are built) for the full-build alternative. The estimates do not include all mitigation costs and they assume that construction is continuous over the 15 years required for the full-build. Even without these likely add-ons, the upper estimate appears unduly optimistic. The EIS for US 64, which runs through similar terrain in the Ocoee River gorge, puts the cost for a 20-mile segment at two billion dollars. Though the full-build road in the Smokies would be narrower, it would be twice as long.

The choices. The government of Swain County (the County Commission) has informed the other three parties to the "1943 Agreement" that it will accept a cash settlement of \$52 million in lieu of building the North Shore Road to resolve the controversial contract. The State of NC supports Swain County and has informed the Dept. of Interior of this position. TVA has deferred to the Dept. of Interior on the issue. The problem of resolving this contract now lies with the Dept. of Interior, as represented by NPS.

Swain County, the aggrieved party, would reap greater economic help from the monetary settlement than from any "build" alternative. The proposed settlement, invested at 5%, would yield the county \$2.6 million annually, equal to the amount the county currently expects to collect in *ad valorem* taxes, and greatly exceeding any sales taxes the county could collect from purchases by tourists traveling on the new road. (Ac-

cording to one estimate, Bryson City would have to sell about 36,000 tee shirts or mugs every day, year-round, to equal the interest income from the settlement!)

There is also the realistic consideration that in this day and age Congress is extremely unlikely to appropriate the huge sums needed for road construction. Even the partial-build alternative comes close to \$100 million. Thus, Swain County would end up with nothing, and the contract, already 62 years old, would go on being unresolved. The amount Swain County is willing to accept in compensation is a small fraction of what it would cost to build the road (not even counting the inestimable costs of the environmental damages the construction would cause).

Environmental considerations. Experience with the past construction of the 6.2 miles of road at the eastern end demonstrated the extremely adverse impacts in this type of terrain, and the NPS advisory panel inescapably concluded that "continuation of such damage to natural park values is indefensible ..." (see above). The terrain consists of numerous finger ridges, all precipitous, necessitating mammoth cuts and fills in unstable rock of the anakesta formation.

The impact analyses presented at the recent workshops also pointed out possible environmental damages from heavy metals in the bedrock, and from sedimentation and turbidity that would occur somewhere all of the 13 streams that would be crossed, all of which currently have excellent water quality. The projected road corridors encompass 11 vegetative communities, habitat for rare or endangered species, and for species new to the Park and even new to science, and they are valuable to bears and migratory birds. Invasive exotics are likely to be increased and/or introduced. The full-build and partial-build alternatives would, respectively, affect 141 and 35 streams, and 400 and 100 acres of terrestrial communities.

As it presently exists, the southwest quadrant of the Park is the largest roadless mountain tract in the eastern US. Its forests provide unbroken habitat for numerous animals and plants. They are a haven for neotropical migratory birds. Who would even think of destroying such a treasure!

WHAT YOU CAN DO:

- (1) By April 3, submit comments either in writing or electronically to:
North Shore Road Project, Great Smoky Mountains National Park, PO Box 30185, Raleigh, NC, 27622, or

www.NorthShoreRoad.info/comments.htm. Your communication need not be long, and hopefully this Newsletter has provided enough information for you to pick a reason(s) for backing the Monetary Settlement alternative.

- (2) Contact Rep. Zach Wamp (address on p.2) and urge him to use his position as a prominent member of the Interior Appropriations Subcommittee to help prevent Rep. Charles Taylor, the chairman, from finessing any further appropriations (even piecemeal ones) for construction of the Road. Rep. Taylor must also be prevented from exempting the project from provisions of NEPA.

B. Park Plans available

[From a communication by Gregory Kidd, NPCA]

The park's Strategic Plan for FY 2004 through 2008, and the Annual Performance Plan for 2005, are available for public review, as required by the "National Parks Omnibus Management Act of 1998." These documents detail Great Smoky Mountains National Park's fundamental mission and provide a long-range view of what outcomes NPS needs to achieve to more effectively and efficiently accomplish that mission. The park's Strategic Plan identifies and describes a number of program activities and lists goals and objectives for each. The Annual Performance Plan establishes objective, quantifiable, and measurable goals that provide a basis for comparing program results with plan goals on an annual basis. Copies of these reports are available on the park's website at:

www.nps.gov/grsm/gsm/site/perfplan.pdf (Annual Performance Plan, 116 pages), and www.nps.gov/grsm/gsm/site/strategicplan.pdf (Strategic Plan, 47 pages), or by writing to Superintendent, Great Smoky Mountains National Park, 107 Park Headquarters Road, Gatlinburg, TN 37738.

6. TVA NEWS

A. TVA sales of public land for private development generate more opposition (including TWRA's)

Recent actions by TVA have led to, or may lead to, the sale of some of its ~293,000 acres of public lands for private development (NL259 ¶4A). In fact, one member of the TVA Board, Bill Baxter, believes that if the public lands are not generating revenue, they should be sold, and the agency is currently aggressively marketing these

lands to potential buyers. Two years ago, Tellico Reservoir lakefront land went to Rarity Pointe Resort; and now, TVA is proposing to auction off ~700 acres on Nickajack Reservoir (including significant Native American sites) for a residential development, and is studying private proposals for developing presently public lands on Watts Bar.

At a mid-January TVA Board meeting, several people voiced opposition to these initiatives, among them Billy Minser (a member of the policy board of the large Tennessee Wildlife Federation), who has compiled almost a dozen examples of TVA's aggressive marketing of lands (for details, contact him at wminser@twf.edu). As eloquently stated by *The (Nashville) Tennessean*, this practice is a betrayal of TVA's mission, especially so since, in years past, the agency had asked people to give up family lands, held for generations, so that they might serve the public good.

A very important voice in opposing land sales is the Tennessee Wildlife Resources Commission (TWRC), which oversees the Tennessee Wildlife Resources Agency (TWRA). On January 20, TWRC passed the following resolution (abbreviations substituted):

WHEREAS, The TWRC has statutory responsibility for the protection, management, and conservation of Tennessee's wildlife resources and habitat; and,

WHEREAS, it has come to the attention of the TWRC that the Tennessee Valley Authority (TVA) is currently reviewing requests to transfer ownership of TVA public lands along TVA reservoirs in our state; and,

WHEREAS, TVA public lands provide significant natural resource benefits to Tennessee's fish and wildlife and the citizens of our state and nation who enjoy and value these resources; and,

WHEREAS, moving forward without adequate consideration of impact of disposal of these properties can result in permanent damage to our wildlife resources;

NOW THEREFORE, be it resolved, the TWRC strongly objects to the proposed transfer/sale of TVA public lands, pending a thorough review and consideration of the comprehensive impact of such transfer/sale to wildlife resources.

The resolution has been sent to the TVA Board and to Tennessee's congressional delegation. Because of TWRC's political clout, and its

long cooperative relationship with TVA, this is a powerful message.

WHAT YOU CAN DO (1) Write a letter of protest to the TVA Board (West Summit Hill Drive, Knoxville, TN 37902). (2) Submit that letter as a letter-to-the-editor so that numerous people may become aware of what's going on.

B. A Conversation with Jason Mitchell, TVA Natural Areas Coordinator

[Contributed by Sandra Goss]

Jason Mitchell, formerly with the Melton Hill Watershed Team, is now serving as the Natural Areas Coordinator for TVA, a position last held by Nancy Fraley, and before that by Judith Bartlow. Over the years, as TVA's natural resource funding has gradually declined, TCWP has worked to assure that the Natural Areas Coordinator position be maintained, lest the agency forget its responsibility for preserving natural areas on its public lands. TCWP Board and staff are frequently in communication with the Natural Areas Coordinator about various TVA actions and holdings, especially the Whites Creek Small Wild Area.

When asked to describe his responsibilities, Mitchell commented, "I serve as project leader and technical expert for the management of TVA natural areas. TVA's network of 147 Natural Areas includes Habitat Protection Areas, Small Wild Areas, and Ecological Study Areas, and nearly 40 miles of trails.

Mitchell's functions include: planning coordination, technical evaluations, and reviews of TVA natural areas. "I would like to heighten public awareness of the values and opportunities offered by TVA's natural areas," he said.

Before coming to TVA in 1996, Mitchell had worked for the Oak Ridge National Laboratory and later for the Tennessee Wildlife Resources Agency. He has focused on natural resource management with emphasis on endangered species and ornithology. At TVA, he worked as a zoologist and project manager before assuming his current duties. For more information on TVA's Natural Areas, call him at 865-632-6414.

7. ARCTIC REFUGE IN IMMINENT PERIL: ACT TODAY!

Shortly after the election, Interior Secretary Gale Norton stated that oil & gas drilling in the Arctic Refuge remains a Bush priority. And now,

the President is personally pushing that agenda in public appearances.

Unfortunately, the election brought about changes in the composition of the Senate that immensely magnify the danger that Congress might no longer be able to prevent the Administration from having its way. With four new GOP senators expected to support Refuge drilling, and the loss of a Republican moderate who opposed it, drilling advocates believe they now have at least 52 votes in the Senate. This is still not enough to prevent a filibuster, but drilling proponents in both Houses are hoping to circumvent one by including revenues from ANWR drilling in the budget bill for the next fiscal year. Because income for the government would be generated, drilling would qualify as a budget measure, and, by Senate rules, budget measures cannot be filibustered.

Polls have consistently found that a solid majority of Americans oppose drilling in the Arctic Refuge. The budget maneuver is thus a sneaky, undemocratic way to ignore the will of the people. The issue is too important to the American public and to future generations to be snuck through by circumventing the established legislative process. If it is to be considered at all, it should be discussed and brought to a vote on its own merits. The vote on the budget resolution is imminent so it is very urgent that you take quick action (see What You Can Do, below)!

Some people are unfortunately fooled by promises that only limited acreages would be directly disturbed. Congressman Wamp, for example, recently wrote: "While a limited and sterile exploration of the Arctic National Wildlife Refuge is not an unreasonable step, it is not the only solution. We must do much more in the area of conservation and the advancement of renewables..." We greatly applaud the latter sentiment, but we must point out that "limited and sterile exploration" is a meaningless concept. By the nature of the operation, drilling the Arctic Refuge would result in a sprawling industrial complex of drilling sites spread throughout one and a half million acres of critical wildlife habitat. The harm to habitat for polar bear, caribou, and millions of migratory birds would be permanent and irreparable. Hundreds of miles of pipelines and roads, airstrips, power lines, pumping stations and housing for workers would be needed, as well as tankers to transport the oil — risking further oil spills in critical habitat.

At a more basic level: there are some places in the world that should be off-limits to development, and the Arctic Refuge is definitely one of them. We have a moral responsibility to save

marvelous wild places like this for future generations. That's why our country has remained committed to the Refuge's protection for nearly 50 years.

Realistically, drilling the Refuge would not solve our energy problems. According to a February 21 article in the NY Times the major oil companies are largely uninterested in drilling in the refuge, skeptical about the potential there. Any oil from the area would be but a drop in the bucket (far less oil than the USA consumes in a single year), and even the oil companies admit that none of the oil would reach the market for 10 years. The best ways to reduce our dependence on foreign oil are to promote energy savings through conservation and efficiency, and to invest in renewable forms of energy.

WHAT YOU CAN DO. Time is extremely short. Congress could act the day after you receive this. If possible, make a call (or send a fax) to your senators and representative to keep Arctic Refuge drilling revenues out of the budget bill (for phone or fax numbers, see p.2, this NL and/or the Political Guide; or call the Capitol switchboard at 202-224-3121). Even if you have called before, call again.

8. OTHER NATIONAL ISSUES

A. *Major land-conservation tool is threatened by tax proposal in Congress*

As federal and state funding for protective acquisition of ecologically significant and fragile lands and waters has decreased, private protection efforts have become increasingly more important. Major tools for this purpose are land donations and conservation easements. Much land in Tennessee has been preserved in this manner (see e.g., NL269 ¶1 ; NL259 ¶1D; NL257 ¶4C).

Conservation easements allow perpetual protection for the most important and vulnerable natural features of a property while the lands on which they occur remain in private ownership and management. The very significant tax advantages of donating a conservation easement often encourage people to use this method for protecting lands they own and love. Such tax considerations can also offset any financial need that may exist to sell property to a potential developer.

Now, Congress's Joint Committee on Taxation is proposing changes in the tax code (visit

<http://www.lta.org> for details) that would virtually eliminate the financial incentives for donating conservation easements. In addition, one of these changes would disallow any deduction for an easement on property that is used by the taxpayer as his/her personal residence, and it is not infrequently just such properties on which easements are sought. Clearly, the various proposed tax-law changes, if enacted, would cripple voluntary conservation.

Conservation easements and land donations are essential tools that help protect watersheds, preserve critical habitat, and provide public access to our state's most precious places. The changes that are being proposed by the Joint Committee on Taxation would result in landowners receiving little, if any, tax reward for making extremely valuable donations of development rights. The Committee's proposals would in many cases make it impossible for a landowner to make such a donation, and fewer of our state's vulnerable areas would be protected. Our natural resources are the backbone of Tennessee's economy. To drastically curtail opportunities for conservation is not in our citizen's best interests.

WHAT YOU CAN DO: Contact Senator Frist (Finance Committee) and Congressman John Tanner (House Ways and Means), as well as your own US representative and senators and urge them to oppose these proposed tax changes. E-mail or fax is the best way to get letters to them (see Political Guide), or contact their local offices.

B. Do you want this man to have a lifetime job as a federal judge?

The Circuit Court of Appeals is the second highest court in the land. President Bush has nominated William Myers III, a man who has spent most of his career as a lobbyist for the cattle and mining industry, for a position on this court. Myers has never been a judge. His lack of sufficient legal credentials caused the American Bar Association to give him its lowest passing grade for a nominee. He has written that all habitat conservation laws are unconstitutional because they interfere with potential profit.

In 2001, Bush appointed him as Solicitor for the Department of the Interior. In that role he continued as a champion of corporate interests. Some of his key decisions were rebuked and overturned by the Federal bench and his own Department of Interior.

Virtually all of the nation's environmental groups have argued that Mr. Myers's extreme

anti-environment positions make him an unfit candidate for the federal bench, especially as a Court of Appeals judge for the Circuit Court (the Ninth) whose jurisdiction contains more National Parks, National Forests, and other federal public lands than any other circuit. His nomination was up before the Senate Judiciary Committee, and everything may be over one way or another before you read this, but you need to know the background.

C. How environmental programs fared in the Budget

[Excerpted from dispatches by the Union of Concerned Scientists and the League of Conservation Voters]

The president's recently released budget request for fiscal year 2006 (FY06) takes advantage of the budget deficit to cut a number of important environmental programs, and fails to support several environmental initiatives the president has said he supports.

EPA

The nation's top environmental agency sees its budget chopped by \$450 million -- nearly 6%. Clean water initiatives are among the most severely affected. EPA's own estimates forecast a lean up the nation's water pot the tab in the hundreds of billions. But the Bush Administration has slashed the program by nearly half since 2004. The President's budget also shirks the Superfund, opting to continue to shift the burden of toxic cleanups to taxpayers instead of having polluters foot the bill.

National Parks

A modest increase to address a backlog in maintenance in the National Park system comes up woefully short of what is needed. President Bush has fallen \$4 billion short of his 2000 campaign pledge of \$5 billion to take care of the problem.

Endangered species

The budget cuts forest fire management funding that protects vital habitat, and cuts the already woefully underfunded Endangered Species programs by \$3 million.

Energy

Just days after a State of the Union speech touting a budget with "strong funding" for renewables, the President offered a plan that cuts renewable energy and energy efficiency programs by 4%. While the budget includes some increases for wind and hydrogen energy, it cuts other forms of

renewable energy research. The administration continues to heavily subsidize the polluting fossil fuel industry, while underfunding clean energy development, reducing energy efficiency programs, and undercutting NASA's climate-change research.

Clean Vehicles

Hydrogen fuel cell vehicle research received significant funding – but how will the hydrogen be produced? The president's plan lacks any incentives or requirements to produce hydrogen from clean renewable technology. The focus on nuclear- and coal-based hydrogen sources conflicts with the environmental promise of hydrogen-based transportation.

While the budget request includes clean-vehicle tax credits, opaque language leaves the door open for the credits to be used for vehicles that do not offer any real fuel efficiency or pollution-reduction benefits. EPA funding for older diesel vehicle cleanup presents an opportunity to address some of the dirtiest vehicles currently in operation.

9. OAK RIDGE RESERVATION: A NOTE

Instead of including an Oak Ridge item in this TCWP Newsletter, we draw your attention to the newsletter just published by the Advocates for the Oak Ridge Reservation (AFORR), which was mailed to all geographically appropriate TCWP members. This AFORR newsletter provides updates on the Black Oak Ridge Conservation Easement, the Three Bends area, ED-6, and other items.

If you failed to get a copy of the AFORR newsletter, visit their website at www.korrnet.org/AFORR or call Frank Hensley at 865-483-0849.

10. TCWP NEWS

A. Please visit our web site

Remember to visit our new web site, www.tcwp.org. It is an important place to find announcements about actions that are needed, or activities that are planned, between Newsletters. You can also look up past Newsletters to find out about the history of an issue. The site has new features, including a scrapbook of recent event photos.

B. Political Guide

Thanks to the work of wonderful volunteers, we were able to mail this year's Political Guide in good time for the start of the General Assembly. The masses of information contained in the Guide – both federal and state – were updated by Linda LaForest, who has a demanding job and two kids. She must have spent untold hours on the Internet and the phone. Katherine Hensley (with some advice from Frank, she says) entered all the information into the computer. We are immensely grateful to these wonderful people.

Please keep the Guide in an accessible place so you can use it often to communicate with people in government. Also, please enter the information (about e-mail addresses) from the box below.

Important information on e-mail addresses for state legislators was inadvertently omitted from the recently mailed Political Guide. Each legislator's address can be constructed as follows:
title.firstname.lastname@legislature.state.tn.us

For example,
sen.randy.mcnelly@legislature.tn.us
Information for the part of the address that precedes the @ may be found in the right-hand column of each list in the Political Guide.

C. 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.]

Two of our April activities center on wildflower. Both are free and open to the public.

Wildflower Photo Show, April 7

Our Spring Membership Meeting will feature beautiful wildflower photos by Kris Light, an Oak Ridge nature enthusiast and avid wildflower fan and photographer. The meeting on Thursday, April 7 starts at 7:00 p.m. in the Oak Ridge Civic Center Craft Room. Kris will be showing photos of some of the flowers that can be seen on the April 16 wildflower tour (see below).

Wildflower Tour/garlic mustard pull, April 16

On Saturday, April 16, TCWP Service Committee member and locally renowned botanist Larry Pounds, and Greenways Oak Ridge Vice President Roger Macklin will lead a combination wildflower tour/garlic mustard pull. Assemble at 9:00 a.m. in the parking lot behind the Garden Apartments on West Vanderbilt Ave.

The Service Committee asks that participants enjoy the flowers and further their future growth by pulling a sackful of garlic mustard, a rampant exotic pest plant. Last spring, several volunteers worked several Saturdays in April to get rid of this pest, but plenty of it is left for you to tackle this year.

Participants should protect themselves from poison ivy by wearing long pants, long sleeves, and sturdy shoes. Bring gloves and water.

National Trails Day event: North Ridge Trail Work Project, June 4

TCWP developed the North Ridge Trail in the 1960s, and has been the trail steward ever since. The Trail was designated both a National Recreation Trail and a State Trail in the early 1970s. TCWP Trail Steward Susan Donnelly has noted areas that need clearing of brush, and she is currently adding to the list of other chores that may need to be done to keep this signature trail maintained.

Details of the June 4 Work Project will be announced later, but put the date on your calendar now.

Community Shares Circle of Change Award Banquet, Saturday, June 11

This banquet at the Knoxville Expo Center, honors people and organizations that have been instrumental in working for social change and justice in the greater Knoxville area. There will be both a silent and live auction, featuring a wide array of services and goods. Tables of eight are available for \$200. To reserve a seat at the TCWP table, call Sandra K. Goss.

Events organized by others

- Saturday, March 26 and Saturday, April 2, TVA's annual wildflower walks will be held at River Bluff Small Wild Area in Norris. Walks begin at 10:00 a.m. and 1:00 p.m. each day. The trail is a 3.2 mile loop and is moderately difficult.
- Sunday April 3, TDEC is organizing an interpretive walk on the Black Oak Ridge Proposed State Conservation Area. Dr. Larry Pounds, plant ecologist, will lead the walk, and interpret the spring wildflowers. Meet at 1:30 p.m. in the parking area at the west guardhouse on the Oak Ridge Turnpike, just east of Wisconsin Ave. We will carpool to the Poplar Creek Water Gap. From there, we'll walk for about one mile (round trip) on a gravel road with an optional short off-trail trip. Return about 4:30. For more information, call Larry at 865-483-8635.

- Nature walks (wildflowers and birds) in the Oak Ridge National Environmental Research Park (managed by ORNL in the Oak Ridge Reservation) will be held on 4 successive Saturdays, starting April 23. More information is available by calling Neil Giffen at 865-241-9421.

D. Report on recent activities

[Contributed by Sandra Goss]

These events were planned by TCWP's Service Committee. Chaired by Carol Grametbauer, the group meets about every 6 weeks. Members are welcome to attend a meeting.

Alley Ford Work Day, February 12

On this lovely day in February, about a dozen folks participated in trail maintenance repairs on the Alley Ford part of the Cumberland Trail. Water bars were cleaned out, intrusive branches were lopped off, and a great day was enjoyed by all. This part of the Cumberland Trail has been adopted by TCWP and we will be scheduling more work days in the future. A segment of the trail is going to be rerouted in order to prevent crossing private property.

Gallagher Bend Hike Provided Winter Break

On Feb. 27, fourteen hardy souls braved rain threats and overcast skies to hike Gallagher Bend Greenway. Hikers saw buzzards, a flock of wild turkeys, and the largest hackberry tree on the Reservation. Also observed were a peculiar witch's broom in a pine, as well as a skunk in the parking lot when the party returned to the trailhead at the end of the hike.

Whiter Creek SIVA work days twice had to be canceled because of terrible weather. Look for future plans.

E. Patting ourselves on the back

As we report in ¶1A-1C of this Newsletter, potentially exciting things are happening for the Cumberland Plateau. The Cumberlands have been a TCWP focus since our organization's beginning in 1966. Three years ago, we started the Alliance for the Cumberlands (NL242 ¶1), which has been coordinated and kept energized by TCWP's executive director, Sandra Goss. It is largely as an outcome of the Alliance's activities that the two initiatives described in ¶1B and ¶1C have come about.

F. Selected TCWP actions since NL259 (mid-January through mid-March, 2005)

[Contributed by Cindy Kendrick]
We are continuing our periodic update on what keeps the TCWP Board, staff, and committee members busy.

Letters (L)/Comments (C)

- Letter (with TCWN and others) to Governor on citizen appeals of NPDES permits (L) (see ¶3B, this NL)
- Letter and material to DOE contractor on economic value of Black Oak easement (L) (see NL259 ¶7A)
- Several letters of thanks for federal land preservation funding to senators and representatives (L) (see NL259 ¶2A)
- Letter on proposed changes in National Forest Planning (C) (see NL259 ¶5)
- Letter (with SMHC) to Rep. Wamp concerning North Shore Road (L) (see ¶5A, this NL)

Meetings attended and/or organized

- TCWP winter forum on Green Power: Wind Energy
- Public Meeting on Black Oak Ridge Conservation Easement (see NL259 ¶7A)
- Conference w/TVA on Whites Creek planning
- Meeting with Rep. Wamp's staff re: North Shore Road (see ¶5A, this NL)
- Workshop on North Shore Road EIS (see ¶5A, this NL)
- Watershed Network Conference Call
- Cherokee Forest Voices Annual Meeting
- Meeting with Obed Wild and Scenic River staff
- Celebration of Combined Federal Campaign
- Circle of Change Awards Banquet Planning Meetings
- The Health and Value of Cumberland Plateau Forest
- Meetings with representatives from Tennessee Wildlife Federation, Tennessee Wildlife Resources Agency, and Tennessee Department of Environment and Conservation Recreation Division
- Community Shares Coordinating Meeting
- Conference Calls on Water Permit Appeals legislation
- Alliance for the Cumberlands Steering Committee meeting
- Public hearing on TN Oil & Gas regs (see NL259 ¶1B)
- TCWP Board
- Mailing and Service Committees

Actions

- Issued Political Guide to membership (see ¶10B, this NL)
- Alley Ford work day (see ¶10D, this NL)
- Gallaher Bend hike (see ¶10D, this NL)
- Scouting and research on Obed watershed
- Obed talk delivered at Wilderness Wildlife Week
- Display at Wilderness Wildlife Week
- Survey of Whites Creek SWA

G. Honors for TCWP members

The outside world has bestowed well-deserved honors on three individuals who happen to be members of TCWP.

Virginia Dale

At the invitation of the National Academy of Sciences, Dr. Virginia Dale has been appointed as chair of the United States National Committee (USNC) of SCOPE (Scientific Committee for Problems on the Environment -- see <http://www.icsu-scope.org/>). SCOPE was established in 1969 by the International Council for Science (ICSU) to be an interdisciplinary body of natural and social science expertise focused on global environmental issues. Its program is focused on maintaining the life-support system of human kind by safeguarding the natural resources over time.

Pat Parr

Pat Parr has been elected vice-chair/chair-elect of the executive committee for the Southern Appalachian Man and the Biosphere Cooperative, an organization composed of Federal and state agencies (including the University of Tennessee) that identify and implement a broad range of resource management and sustainability initiatives. Pat oversees natural resource management and land-use planning integration at Oak Ridge National Lab (including the National Environmental Research Park on the ORR). Among her numerous extracurricular positions is president of the Tennessee Exotic Pest Plant Council.

Ann Tidwell

Gov. Bredesen and Commissioner Betsy Child recently presented Ann with TDEC's annual Conservation Stewardship Award. She has been tirelessly active in TSRA since its beginning, and a list of her past environmental involvements would fill pages. Among other things, she chaired the Commission on Tennessee's Outdoors. Some of us were particularly appreciative of her leadership role in a committee that studied the status of the Tennessee Scenic Rivers program. Ann's sister, Mary Lynn Dobson is a wonderfully active member of the TCWP Board.

11. JOBS; CALENDAR; RESOURCES

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

- TODAY, Call about the Arctic Refuge (§7, this NL).
- March 26 and April 2, Norris, Hikes on River Bluff Trail, Norris (§10C, this NL).
- April 3, deadline for North SD Shore Road comments (§5A, this NL).
- April 3, Walk in Black Oak Ridge Conservation Easement (§10C, this NL).
- April 6, Stearns, KY, Alliance for the Cumberlands.
- April 7, Oak Ridge, Wildflower Photo Show (§10C, this NL).
- April 9, Morgan County Discovery Festival (§2E, this NL).
- April 17, Oak Ridge, Wildflower Walk/Garlic Mustard pull (§10C, this NL).
- April 23 and three successive Saturdays, Oak Ridge National Research Park walks (§10C, this NL).
- April 25, Great Smoky Mountains National Park, 55th Annual Spring Wildflower Pilgrimage (contact Greg Kidd at NPCA, 865-329-2424, ext. 26).
- May 2-4, Orlando, FL, Southeast Green Energy Summit. Leaders in business, environmental and governmental sectors will offer insights on strategies to expand renewable energy markets throughout the region. Call Stephen Smith, SACE, 865-637-6055; or visit: www.southeastgreenpower.net or email southeast@cleanenergy.org.
- June 4, North Ridge Trail Work Day (§10C, this NL).
- June 11, Circle of Change Banquet (§10C, this NL).
- May 17-19, Chattanooga, Southeast Land Trust and Watershed Conference, Hosted by the Tennessee Land Trust Alliance. Visit www.southeastwaterforum.org.
- Sept. 20, "A Voice for Water," a TCWN conference to build public participation in the Triennial Review Process (slated for February 2006). More details later.
- Sept. 21-23, Knoxville, "Looking Back, Moving Forward" (planning, landscape architecture, transportation). Contact Kelley Segars, 865-215-3815, www.knoxpc.org.

•• Resources

- A new report entitled *Pollution on the Rise: Local Trends in Power Plant Pollution*, chronicles power plant emissions of smog-forming nitrogen oxide (NO_x), haze-forming sulfur dioxide (SO₂) and global-warming-causing carbon dioxide (CO₂) from 1995 to 2003. The report finds a 9% increase in CO₂ emissions from power plants over the 8-year period. Additionally, the report concludes

that while NO_x and SO₂ emissions had decreased nationwide, many power plants in the Southeast actually increased their emissions. The report can be found at

<<http://en.groundspring.org/EmailNow/pub.php?module=URLTracker&cmd=track&j=19245325&u=173634>> www.cleartheair.org

A Member of



