



Tennessee
Citizens for
Wilderness
Planning

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Newsletter No. 261

May 16, 2005

Taking Care of Wild Places

The BIG stories

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at TDEC ¶2A.B

A tax threatens
land protection ¶2F

Bad news for ANWR,
but it isn't over yet ¶6A

Administration repeals
Roadless Rule ¶6B

3,000-acre conservation
easement finalized ... ¶7A

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

10. ACTION SUMMARY

JNo.	Issue	Contact	"Message!" or Action
2D	Corridor K through Cherokee NF	Dept. of Transportation	"Do not include this in Long-Range Transportation Plan!"
2F	Property tax on conservation lands	State senator (and others)	"Support SB.1088!"
2G	Appeal of water permits	State senator and rep.	"Support HB 2273/SB 2258!"
4A	Camporee against N. Shore Road	Ted Snyder	Register to attend
6A	Drilling in the Arctic Refuge	U.S. Senators	"I'm disappointed in your vote. Please do better!"
6B	Protection of Roadless forests	Your U.S. Rep.	"Cosponsor the 2005 Roadless Area Conservation Act!"
6D	National Park Centennial Act	Your U.S. Rep.	"Co-sponsor Souder-Baird bill!"
8C	TCWP Public Lands Committee	TCWP	Volunteer to work on committee

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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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 202-225-1772
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, 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.

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1. CUMBERLANDS; BSF; OBED

A. *Big South Fork Watershed Association receives grant*

The Big South Fork Watershed Association is one of several watershed stakeholder groups organized under the auspices of the Tennessee Environmental Council, following a Cumberland River Compact (CRC) model (NL245 ¶1A). The group has met frequently during the past several months to discuss the threats, challenges, and available opportunities for the South Fork of the Cumberland.

Recently, the Association received a Tennessee Department of Agriculture "319" grant for purposes of educating water users about how to preserve the quality of drinking water, and of promoting source-water protection. Award of this grant assures that the group can have staff support for several months to come. Application for a Kentucky "319" grant is also being submitted.

B. *Yet more staff changes at the Obed*

In our last issue (NL260 ¶2D) we reported that BSF/Obed staff with whom we'd had many happy and fruitful associations were moving to other units of the National Park System: Chris Stubbs, Community Planner to head up a new park in Virginia, and Arthur (Butch) McDade, Park Ranger, to the Gt. Smoky Mountains National Park. TCWP executive director, Sandra Coss, attended the Park-sponsored farewell dinner for Chris Stubbs on April 14 and presented the TCWP plaque honoring Chris as a "Partner in Conservation." He has written a lovely note of appreciation.

Now, we must report yet another loss: Nancy Keohane, Resource Management Specialist at the Obed WSR, who has a 4-month old, as well as an older boy, decided to resign her position as of the end of May to stay home and raise their children. We wish her a rewarding time, but we'll surely miss her!

A biologist, Amy Mathis, has been hired for a one-year appointment to serve as the oil-and-gas contact for the park. Ms. Mathis is pursuing her doctorate at UT in Resource Management. She has already started working in the Wartburg office and will thus have some overlap with Nancy.

C. *Actions by the Tennessee Nature Conservancy contribute to preservation of the Cumberland Plateau*

We recently reported the amazing fact that the area of Pickett State Park and Forest – 9,922 acres in 1994 – had almost doubled thanks to pri-

vate efforts (in which The Nature Conservancy [TNC] had frequently been an intermediary), and that, moreover, the state land was now surrounded by 2,410 acres owned by TNC (NL259 ¶1C).

Since the time of our report, another big TNC purchase has been completed – the 3720-acre Pogue Creek tract, adjacent to Pickett and just east of the previously purchased 1,541-acre Jim Creek Tract (which has now been transferred to state ownership as part of Pickett State Forest). The Pogue Creek tract is an ecological jewel, and includes incredible bluff views overlooking wild stream gorges, as well as sandstone arches and waterfalls.

Greater Pickett now encompasses ~25,000 acres. Since it adjoins the (potentially) 125,000-acre Big South Fork NRR and the Daniel Boone National Forest, the entire area is becoming highly significant in preserving the Cumberland Plateau BioGem.

Among other recent TNC acquisitions and dispositions around the state:

- Alexander Cave in Perry County, a significant summertime nursery for the federally endangered Gray bat, was donated to TNC.
- Preserves totaling 141 acres were transferred by TNC to Tennessee's Natural Heritage Division. They include two cedar glades, one white cedar stand, and a 40-acre tract with two bat caves.

D. *NRDC, a national organization, champions the Cumberlands*

Last year, the Natural Resources Defense Council (NRDC) designated the Cumberland Plateau as one of 7 BioGems in the USA and one of 12 in the Americas (NL255 ¶4A). Within a year, petitions from 14,000 BioGem Defenders encouraged Bowater, the single largest landowner on the Plateau, to negotiate with NRDC to stop converting hardwood forests into sterile pine plantations.

John Adams, the long-time dynamic president of NRDC, has announced that he will next year pass the torch of leadership. He will, however, stay on as senior advisor, "putting [his] heart and soul into three environmental issues [he] feels [most passionately about ...] – one of these is "ending the clearcutting of the great hardwood forests of the Southeast." We couldn't wish for a better champion.

2. STATE GOVERNMENT AND LEGISLATURE

A. *Jim Fyke new TDEC Commissioner*

The Tennessee Department of Environment and Conservation has a new Commissioner. Betsy L. Child, appointed by Gov. Bredesen in

January 2003, left state service on April 15 to take an executive position in the private sector. She has been succeeded by Jim Fyke, formerly Deputy Commissioner in charge of State Parks and Conservation.

Before joining the Bredeesen Administration in February 2003, Fyke had worked for Metro Parks (Nashville) for 38 years, serving as Director for 24. He has a great reputation for professionalism and for being easy to work with. Stewart Clifton, head of Tennessee Conservation Voters, who served for 12 years on the Metro Council, noted that Fyke had always been considered one of the best department heads in Metro, and had managed to lead his department through various mayoral administrations without getting caught by political factionalism. He has a penchant for being able to keep morale up and is known for his sense of humor. Jim Fyke spoke at the TCWP annual meeting in October 2003, and we were greatly impressed with his dedication to preserving Tennessee's natural landscape. We look forward to working with him.

B. Other key appointments at TDEC

Jim Fyke has filled his former position as Deputy Commissioner for Parks and Conservation by promoting two people to Assistant Commissioner level. Mike Carlton, the former manager at Radnor State Park and Natural Area, assumes the title of Assistant Commissioner for Parks and Conservation Operations; Andy Lyon - former manager at Cumberland Mountain State Park (famous for its wonderful restaurant) - will serve as Assistant Commissioner for Hospitality Services and Special Events.

The other Deputy Commissioner position, that for Environment, had formerly been held by Karen Stakowski (who is moving to an Assistant Commissioner position). Gov. Bredeesen has appointed Paul Sloan an entrepreneur and environmental leader, to that position. Sloan, a graduate of Vanderbilt University law school, is founder and CEO of Partners-In-Conservation LLC (a conservation investment organization) and of other enterprises. He helped found Cumberland Region Tomorrow and serves as a trustee of The Nature Conservancy.

All around, Governor Bredeesen and Jim Fyke appear to have picked outstanding people for the various top TDEC jobs.

C. TDO's scenarios for the Long-Range Transportation Plan

In an extensive series of public meetings held last fall, the Tennessee Department of transportation (TDO) collected comments from more than 2,500 people from almost every county in the state. Among various transportation priorities, eight were listed as "high priority" by more than 50% of the respondents. These include:

- preserving or protecting the environment,
- ensuring public input is included in projects,
- increasing public transportation options,
- insuring pedestrian walkways are included in projects.

Building on input from these meetings, TDO's technical team developed three scenarios:

1. Performance of our transportation system in 25 years with current funding.
2. Nature and cost of our transportation system if maintained at the existing level of performance.
3. Nature and cost of a future transportation system based on public input and technical analysis.

Visit www.tennessee.gov/tdot for more information.

Between April 11 and 14, TDO held another series of public meetings at 9 locations across the state to obtain input on these scenarios for the Long-Range Transportation Plan. For additional input, e-mail to PlanCo@state.tn.us, or call 1-800-389-8443.

D. Oppose proposed road through Cherokee National Forest

TDO may be caving in to political pressure on the so-called Corridor K, a 20-mile northern bypass of the Ocoee-gorge section of Hiway 64. This 4-lane divided highway would inflict severe environmental damage to the Cherokee National Forest (NL254 14A; NL259 12B).

In December, TDO stated that the project was of very low priority for the long-range State Transportation Plan (T2C, above). Reasons cited were the exorbitantly high cost and the low level of public support. Recently, however, a TDO spokesperson was quoted as saying "more people have come forward since then ... announcing their support for the corridor," and "If we can come up with a resolution that would make this project more economically feasible and more environmentally friendly, then it is possible that it may go forward." Significantly, TDO's 3-year Highway Improvement Proposal includes FY 2007-08 funding for 5.1 miles of US 64 west of Ocoee Gorge.

WHAT YOU CAN DO: Send comments to PlanCo@state.tn.us, or call 1-800-389-8443, urging that the destructive and exorbitantly expensive Corridor K project not be included in the long-range transportation plan. In view of our state's fiscal challenges that have even necessitated removal of multitudes of people from TennCare rolls, does it make sense to spend billions on a project that will severely damage our only national forest? A letter to the paper would be very effective also.

(The TDO long-range plan website is <http://www.tdot.state.tn.us/plango/home.htm>)

E. State Parks going to green power

Gov. Bredesen has announced that 54 state parks will start buying green power, produced from renewable resources (see also ¶5C, this NL). Much of the extra cost, estimated at \$55,000 per year, will be made up through implementation of conservation measures.

F. SB.1088 would reverse an Impediment to private land protection

SB.1088 (Henry) would undo major damage done last year to private land-protection efforts. Last year, the Tennessee General Assembly passed a bill that forces charitable non-profit institutions to pay property taxes on any undeveloped tracts of land they acquire over 100 acres per county. Non-profit organizations generally use such land for educational, recreational, historical, scientific, or conservation purposes, and have traditionally been exempt from paying property taxes. These land holdings do not generate profits or utilize government services, and they can add greatly to citizens' quality of life, especially in rapidly developing areas. Now however, charitable organizations are taxed the same as businesses and developers for their land.

Environmental groups like the Tennessee Nature Conservancy are hit especially hard by last year's law. These groups' primary mission involves the purchase and protection of undeveloped land, and these additional property taxes will use up funds that could better be spent to protect threatened landscapes and ecosystems in Tennessee.

SB.1088 (Henry) would help remove these recently imposed property taxes on non-profit land-holdings. This would allow non-profit charitable organizations to continue their good work of protecting Tennessee's ever-shrinking tracts of undeveloped land!

Our appeal to TDEC to support the bill brought this encouraging response from Commissioner Jim Fyke: "... Governor Bredesen is also greatly interested in land conservation as evident by legislation introduced this year that created the Tennessee Heritage Conservation Trust Fund..." (see NL260 ¶1C)

G. Review of water permits needs support, HB.2273/SB.2258

HB.2273 (McMillan)/SB.2258 (Kyle) would provide citizens and other affected parties with a direct process to appeal incomplete or inadequate pollution discharge permits issued by the Tennessee Division of Water Pollution Control. Currently, only applicants seeking the permits have this right.

By excluding third parties from direct appeals, Tennessee's National Pollution Discharge Elimination System (NPDES) permit program fails to meet the minimum requirements outlined under federal law. Concerned community members face a multi-step process -- so lengthy that the discharges can begin or continue before grievances are addressed. It is time to make this a less complicated and more inclusive process.

WHAT YOU CAN DO: Without delay, contact your state senator and representative (see Political Guide) in support of this bill. Point out that, if ever needed, you would like to have access to an appeals process that lets you protect your local waters (you may want to mention streams or lakes near you).

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 first name last name@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 right-hand column of each list in the Political Guide.

3. OTHER STATE NEWS**A. Tennessee one of 32 states with State Conservation Voters**

State Leagues of Conservation Voters work independently from the national LCV, but resemble the latter in holding elected officials (on the state level) accountable on important environmental issues. They also work to educate voters about the records of elected officials and to turn out environmentally-minded voters at election time.

We are indeed fortunate in having the non-partisan Tennessee Conservation Voters (www.tnconservationvoters.org) that provide all these services. TCV, supported by 17 groups (including TCWP), publishes weekly (or more frequent) e-mailed updates on environment-related legislation in the Tennessee General Assembly.

WHAT YOU CAN DO: There are three ways in which you can support passage of SB.1088.

- (1) Contact your state senator (Sen. McNally is especially important -- sen.randy.mcnelly@legislature.state.tn.us).
- (2) Urge TDEC Commissioner Jim Fyke (ask.tdec@state.tn.us) to provide Administration support.
- (3) Urge Sen. Henry to keep pushing his bill (sen.douglas.henry@legislature.state.tn.us).

The organization also issues a scorecard of state legislators' voting records, modeled on the scorecards for members of Congress put out by the national LCV. TCV performs another set of important functions: (a) they lobby the Legislature (and Administration) on behalf of the environment; (b) they educate voters about environmental issues; and (c) they try to influence selected elections when there is a clear difference in environmental attitudes and records.

TCV's work is accomplished with a part-time staff member, a part-time contract lobbyist, and a small group of dedicated volunteers. Their address is: 2021 21st Ave, S, Suite 431, Nashville, TN 37212.

B. Kudos to Tennessee legislators for support of parks issues

The National Parks Conservation Association (NPCA), has recognized 238 members of Congress who voted correctly on at least 4 of 6 park-related issues as Friends of the National Parks. Of the small subset of legislators who voted correctly on all 6 issues, we are proud to have one from Tennessee – Rep Jim Cooper (D-6).

NPCA also presented Park Achievement Awards to three Tennesseans – two Representatives and one Senator. Rep. Zach Wamp earned the award for his work in designating Moccasin Bend (near Chattanooga) our nation's first National Archeological District. This bend in the Tennessee River has been occupied by humans since 10,000 BC, and contains centuries-old Indian Burial grounds and Civil War relics.

The second Award went to Senator Lamar Alexander and Congressman Duncan, for their leadership in legislation authorizing the Tapoco Land Exchange with ALCOA (NL255 ¶3B; NL256 ¶5A).

C. Second annual Bill Russell River Hero Award announced

Tennessee Clean Water Network will present its 2005 Bill Russell River Hero Award to Chester McConnell on July 18 in Memphis. For over 30 years, McConnell has been an unwavering champion of watershed protection, fighting hard against channelization in West Tennessee. For more information, contact Courtney@tcwn.org.

D. The fight against invasive exotics

Tennessee's forests have been among the most diverse in the world. Now, in addition to being under major assault from clear-cutting and pine conversion, they are also being threatened by invasive exotic plants that hinder the normal regeneration of forest ecosystems and decimate the biodiversity.

In its 2003-2006 program of Work, the Southern Appalachian Man and the Biosphere

(SAMAB) published a list of 12 plants that pose significant ecological and/or economic threats.

You can view these at

<http://samab.org/Focus/Invasive/1PhotoGallery/photos.html>. (In TCWP's April 17 outing, we concentrated on garlic mustard, the 2nd item on the SAMAB list.) Other good sources of information:

- UT's Jack Ranney, at jwranney@utk.edu;
- Andy Brown at andy@equinoxenvironmental.com;
- J.H. Miller's *Nonnative Invasive Plants of Southern Forests: A Field Guide for Identification and Control*, which can be requested (free of charge) from pubrequest@srfs.fs.usda.gov or 828-257-4830.

E. Staff changes at the Cumberland Trail Conference (CTC)

Rob Weber, the dynamic executive director of CTC, left his job in December 2003 to return to his pharmacy career. His wife Susan continued until June 2004 to share the duties of CTC office manager by long-distance. Rob and Susan had managed to establish the CTC as a vital and highly effective organization, and brought the Trail back to life decades after the concept originated in the Tennessee Trails Act of 1971. Their skills and efforts served to implement the Trail's new status as a linear state park.

After Rob's departure, Barry Spearman, greatly helped by his wife Barbara, became interim executive director of CTC until July 2004, when Paul Freeman was hired as the new executive director. Freeman, who has a degree in recreational planning with a minor in urban and regional planning, has 20+ years experience in cost/schedule engineering and project management.

Other staff changes: Arleen Scheller Decker, CTC office manager and development director, has been replaced by Nora Beck. Mark Stanfill continues to coordinate trail construction projects. To participate, call 931-456-6259, or visit www.cumberlandtrail.org.

4. SMOKIES

A. Camporees against the North Shore Road

[Based on a notice from Ted Snyder]

In order to give its supporters an opportunity to hike in the heart of the Smokies threatened by the North Shore Road, the Great Smokies Coalition will hold a camporee July 23-24. Participants can set up their tents on Friday, July 22 at the Smoky Mountain Meadows Campground near Bryson City.

On Saturday, 23 July, there will be a mix of hikes, from short to long, some supported by boat or ferry across Fontana Lake. Depending on demand, a series of shorter hikes will be held on Sunday. Note that a full moon falls on 21 July, a solace to hikers of long trails after sundown.

A Bar-B-Que supper, standard fare for camporees, will be held Saturday night. The campground fee is \$6 per person, per night. The Bar-B-Que will be on a break-even basis, estimated around \$10 per person. For those taking hikes supported by boat or ferry service, that cost will be split among the users.

WHAT YOU CAN DO: Registration is necessary; contact Ted Snyder, 864-638-3686, or [tedsnnyder@nuvox.net](mailto:tedsnyder@nuvox.net). Directions to the campground can be obtained from him.

B. Cades Cove Planning: Phase II

The Cades Cove Development Concept and Transportation Management Plan (what a mouthful!) has now entered Phase II. Phase I, which was essentially a scoping exercise with numerous public meetings, resulted in 5 preliminary alternatives, as follows:

- #1 No action.
- #2 Roadway improvements. This would include such items as pull-offs, parking, signage and other visitor communications, plus a minor visitor center at the Cove's entrance. We are pleased to report that the planners specifically ruled out the suggestion of adding a second lane to the Loop road because this would change the visitor experience and harm wildlife and plants.
- #3 All of the improvements of #2, plus a reservation program for private vehicles during peak visitation periods.
- #4 All of the features of #3, plus a voluntary transit system (based outside the Park) during peak periods. Visitors could choose to ride transit vehicles to a new visitor center at the Loop Road entrance. There, they could board "open air" tram-style vehicles to travel the Loop. At any of the currently envisioned 17-18 stops, riders could get off and board a later tram as convenient.
- #5 Access limited to transit vehicles (as described in #4) during peak periods. During off-peak periods unrestricted private vehicle access would continue, but the transit vehicles would be available for voluntary use.

Over 1,800 individual comments were received during Phase I, the bulk of them related to traffic congestion, overcrowding, and air quality impacts. During Phase II, which has already begun and is scheduled to be conducted over a 22-month period, the preliminary alternatives will be refined and assessed for their potential envi-

ronmental impacts. After a round of public meetings, the study will move into Phase III, which includes the release of a draft EIS, public involvement, and a final EIS. To learn more and stay abreast of developments, visit www.cadescoveplanning.com

C. Mother Nature aborts

President's Smokies visit

President Bush had announced that he would deliver his Earth Day address from Cades Cove in the Great Smoky Mountains National Park. Groups of demonstrators gathered to highlight the irony of the president, who has consistently attempted to weaken the Clean Air Act, delivering his speech from the nation's most air-polluted park. More than 60 concerned citizens from Tennessee and North Carolina stood in the pouring rain to demonstrate to the President and to the national media their desire to protect the Smoky Mountains and our air quality. But the storms kept Pres. Bush away, denying him the beautiful backgrounds for his Earth Day address.

The National Park Service now has \$52,000 in "out-of-pocket" costs for preparations for the presidential visit. According to an A.P. release, most of this money should be recouped from the White House and from an NPS contingency fund.

5. TVA NEWS

A. White's Creek GWA buffer

The ~50-acre tract that TCWP purchased over 2 years ago from Bowater as a buffer for TVA's Whites Creek Small Wild Area is just one step away from being donated by us to TVA. TVA requires that a Site Assessment Survey be done before they will accept the land, and part of the money donated to TCWP for purchase of the buffer will pay for this. We are now seeking a firm to perform this survey.

B. TVA Heritage Resources Program Uses New Technique to Keep Track of Biodiversity

[Contributed by Sandra K. Goss, from information provided by Peggy Shute, TVA]

The Tennessee Valley Authority (TVA) Heritage Resources Program, established in 1976, is a member of an association called NatureServe, which includes heritage programs from the U.S. and Canada. For more than a decade, TVA and this entire Natural Heritage Network worked in a data management system entitled Biological Conservation Data (BCD). The BCD, developed by The Nature Conservancy, was used to track state- and federally-listed plant and animal species.

In May 2004, TVA began using Biotics, a new data management system developed by NatureServe for the Natural Heritage Network. This new system incorporates a Geographical Information System (GIS) spatial interface with a tabular component to better track biodiversity and aid in conservation planning.

The new methodology provides much more accurate representations by allowing biologists to incorporate ecology of the element in their records. The data, which cover the 205 counties in the TVA service area, are used not only by TVA, but also by various federal and states' agencies and private groups for conservation planning purposes. This ongoing research activity is handled by Heritage Database Managers Susan Jeffers and Kenny Gardner.

C. Green Power progress

[Information from Green Power Switch News]
Largest wind installation in Southeast now in operation near Oak Ridge

TVA's expanded wind farm on Buffalo Mountain (near Oak Ridge and Oliver Springs) was inaugurated on December 9. The facility, which was started in October 2000 with three turbines, has now added 15 larger turbines, increasing the total capacity to 29 megawatts, enough for about 3,780 homes. The "capacity factor" -- namely, the ratio of electricity actually generated to the amount that *could* be generated at continuous, full-power generation -- is expected to have increased to an average of 28% (because the new turbines are taller, the factor would be higher if there were more winds in the Southeast). Energy is generated when wind speeds reach 9-10 mph, and turbines generate at their rated capacity with wind speeds of 25 mph.

The Buffalo Mountain Wind Farm now contributes about two-thirds of the total Green Power Switch electricity generated. Most of the remaining one-third comes from the Memphis Wastewater Treatment Facility.

Lowe's stores are largest purchasers of Green Power

In 2002, Lowe's made a commitment to purchase green power at every available location in the TVA service area. Lowe's stores are now buying over 300,000 kwh of Green power each month, an amount that has the environmental benefit of removing 495 cars from the road, or planting over 750 acres of trees in the Tennessee Valley.

6. NATIONAL ISSUES

A. Bad news for the Arctic Refuge - but glimmers of hope remain

The Administration pulled out all stops to gain Congressional approval for Arctic drilling.

Interior Secretary Gale Norton and Energy Secretary Samuel Bodman toured the Refuge during the bleak winter months with members of Congress whose votes could be decisive, and pointed out what a barren wasteland it was. They probably did not point out that industry already has access to 95% of Alaska's Arctic coastal plain.

Congressional proponents of Arctic Refuge drilling used a clever maneuver to avoid debating the issue on its merits: they included revenues from ANWR drilling in the budget bill for the next fiscal year. Because income for the government would be generated from the oil leases, drilling would qualify as a budget measure; and, by Senate rules, budget measures cannot be filibustered.

Hope flickered when Sen. Maria Cantwell (D-WA) introduced a Senate amendment to delete budget language that assumes wildly speculative drilling revenues. In fact, on March 16, seven Republicans did support this amendment -- McCain (AZ), Snow (ME), Collins (ME), Chafee (RI), Coleman (MN), Smith (OR), DeWine (OH); but three Democrats voted against it -- Akaka (HI), Inouye (HI), and Landrieu (LA). The final vote was thus 49-51, and the Cantwell amendment failed.

The next vote came late at night on April 28. Despite 11,500+ emails and faxes, and thousands of calls made to Capitol Hill, Congress narrowly passed a budget resolution that would permit drilling in the Arctic National Wildlife Refuge. The House vote was 214-211, and the Senate vote 52-47.

Although this is a huge setback, the fight to keep the refuge off-limits to oil drilling is not over -- Congress must still pass a "budget reconciliation" bill later this summer that specifically authorizes Arctic drilling. If leasing is approved in that bill, the matter may move into the courts.

We are now a couple of steps closer to the destruction of an irreplaceable national treasure -- for the sake of less than a year's supply of oil that would not even become available for a decade or more (NL260 ¶7). The Refuge would supply less than 4% of the country's projected daily needs.

There are even broader implications. As the Arctic goes, so goes every other special place where industry wants to drill, such as the Greater Yellowstone ecosystem, Utah's redrock country, New Mexico's Otero Mesa, and others of our western wildlands, as well as off the shores of Florida and California. In fact Rep. Tom DeLay's stated reason for approving Arctic Refuge drilling is that it would constitute a precedent.

WHAT YOU CAN DO. If your senators voted against the Cantwell amendment (and both Tennesseans did), tell them how disappointed you are, and that you hope they'll do the right thing in the future on this issue that has such far-

reading implications. See p.2 for contact information.

B. Administration repeals Roadless Rule that protected forests

[Based in part on information from the American Lands Alliance]

After using every conceivable approach to undoing the Roadless Area Conservation Rule (NL257 ¶1), the Bush Administration on March 5 formally repealed it and substituted a convoluted two-step State petition and rulemaking process. Under the new Bush plan, State Governors are required to petition the Forest Service with their recommendations for which roadless areas in their States should be considered for protection. These petitions are a phony, non-binding process, whereby the Forest Service is free to accept, reject, or modify the request at will. The policy is a wholesale reversal of protection for nearly 60 million acres of America's last intact wild forests and puts millions of forest acres immediately at risk.

Never mind that a huge number of comments was submitted in opposition to this new scheme (which, among other things, constitutes an unfunded mandate). Never mind that the legality of the original Roadless Rule was upheld by an exceptionally strong ruling from the 9th Circuit Court of Appeals. Never mind that the original rule was the product of exhaustive studies and of expert scientific and economic input. And never mind that citizen input was obtained at ~600 public meetings and that the proposal generated 10 times more public comments than any federal rule in history.

There is some hope. Members of the House of Representatives will soon introduce legislation that would protect forests that are now on the chopping block due to the Bush Administration's repeal of Roadless area protection. Forest champions, Representatives Jay Inslee (D-WA) and Sherwood Boehlert (R-NY), are leading this charge.

WHAT YOU CAN DO. Contact your Representative (see p.2) and urge him to become an original cosponsor of the 2005 National Forest Roadless Area Conservation Act.

Activist Tools:

To view the congressional "Dear Colleague" letter asking Representatives to become co-sponsors, go to

<http://www.ourforests.org/risk/DearColleague-5-10-05.pdf>

For sample talking points about the Roadless Rule and about the Bush Administration's recent actions go to

http://www.americanlands.org/documents/1090963619_samptalkrdless.pdf

To find out how many acres of inventoried Roadless Areas exist in your State go to <http://www.ourforests.org/local/>.
For more information in general go to: <http://www.ourforests.org>.

C. Will private interests make policy for the Park Service?

A recent job add by the National Park Service (NPS) has raised concerns about future NPS policy making. The advertised job was "special assistant to the associate director, tourism," and the job description said that this person would act as "liaison between the NPS and the tourism industry." The candidate would have to be able to "expand tourism programs that promote private sector support of the NPS mission."

The Coalition of National Park Service Retirees and the Public Employees for Environmental Responsibility (PEER) have raised concerns that NPS plans to give private interests a permanent seat at the agency's policymaking table. One outcome of tourism industry involvement would be the recruitment of more visitors to the national park at a time when the capability of NPS to protect resources - even without an increased visitor load - has been drastically reduced by under-funding.

D. The National Park Centennial Act

[From NPCA-SE Region Field Report]

The National Park System will celebrate its 100th birthday in 2016. HR.1124, introduced in March, would make the System fiscally sound by that date. It is designed to:

- Eliminate the non-road maintenance backlog, leaving the road portion to be addressed through the transportation bill.
- Provide needed resources for natural resource protection (combat invasive species, conduct research, complete environmental restoration projects).
- Provide needed funding for cultural resource projects.

The Act establishes a new Park Centennial Fund to support these objectives.

This bipartisan legislation is being spearheaded by Reps. Mark Souder (R-IN) and Brian Baird (D-WA). Among its co-sponsors are 4 Tennesseans, Reps. Bill Jenkins (R-TN), John Duncan, Jr. (R-TN), Bart Gordon (D-G), and Harold Ford (D-G).

WHAT YOU CAN DO. Contact your Congressman (addresses on p.2) and thank him if he is a co-sponsor; if not, urge him to become one. If we don't act now, irreplaceable resources will be lost to posterity. For more information, contact NPCA-SE at 865-329-242, or visit www.npsa.org.

E. Air quality: good and bad news

[Sources NRDC and Southern Alliance for Clean Energy]

- Goodnews (for now) on "ClearSkies." Pushed hard by the big polluters, this deceptively named legislation is the single greatest direct attack on the Clean Air Act in the past thirty years. In a mid-March vote of the Environment and Public Works Committee, Sen. Chafee (R-RI) and Sen. Jeffords (I-VT) joined the committee's 7 Democrats to reach a 9-9 tie. Although this tie vote means the bill failed to pass out of committee, Senate Majority Leader Frist (R-TN) could use a special procedure to bypass the committee and bring the bill directly to the Senate floor.
- Bad news on mercury

On March 15th, the EPA issued a rule that allows power plants to continue spewing harmful amounts of mercury for more than a decade to come. Recognizing mercury's health risks, the EPA in 2000 decided to require maximum achievable controls that could reduce mercury pollution by 90% by 2008. The EPA's new rule overturns their earlier one, and allows power plants to emit more than seven times as much mercury, for a decade longer, than current law allows.

More than one-third of U.S. rivers are already under the "do-not-eat-the-fish" mercury advisory. In 2004, EPA's own scientists found that one of every 6 women of childbearing age has elevated levels of mercury in her blood, putting hundreds of thousands of babies born each year at risk for developmental delays, learning disabilities, and problems with fine motor coordination.

7. OAK RIDGE RESERVATION:

A. DOE and State finalize Black Oak Ridge Conservation Easement

On April 13, two days before Betsy Child stepped down as IDEC Commissioner, she met with Gerald Boyd, manager of DOE's Oak Ridge Reservation, and with other State, City, and DOE officials, in a ceremony to finalize the Agreement establishing the Black Oak Ridge Conservation Easement (BORCE). The event was announced only the day before, and no conservation groups received an invitation, although a handful of citizen-conservationists attended. For comments on the agreement and the event, visit www.ellensmith.org/borce/borcesignedeasement1.pdf.

DOE manager Gerald Boyd said: "We think it's exactly the right thing to do." The easement will run indefinitely. Its roughly 3,000 acres encompass mature forests, streams, wetlands, river bluffs, caves, and several rare plant species. Mr. Boyd noted that these ~3,000 acres were being

added to the existing ~3,000-acre Three-Bends easement designated in June 1999 by former Energy Secretary Bill Richardson. Together these areas constitute about one-fifth of the 33,749-acre Oak Ridge Reservation.

The easement area will be managed by the Tennessee Wildlife Resources Agency (TWRA), but DOE can still patrol the property, and can carry out fire control and forest management, providing its actions help to preserve and protect the land. A detailed land management plan remains to be drafted and approved, but will undoubtedly include scheduled hunts in addition to access for hikers. Efforts will be made to rid the area of exotic plant species, while native plants will be encouraged. DOE will pay TWRA \$20,500 a year to manage the property, plus providing \$16,500 annually in many kinds of services such as environmental reports.

B. Environmental representatives meet with City Council

Representatives of 4 groups with environmental concerns were invited to attend an Oak Ridge City Council Workshop session on April 4 to discuss issues facing the City. Three of the groups were semi-governmental (the City's Environmental Advisory Board, DOE's Site Specific Advisory Board, DOE's Local Oversight Committee), and one was a citizens' group (Advocates for the Oak Ridge Reservation, AFORR). TCWP was not invited. Even without us, the meeting was very busy, with many comments yet remaining to be made.

Mayor Bradshaw felt the workshop session with environmental groups had been very useful and wants to schedule another one in 6 months. It is probable that TCWP will be invited. In the meantime, we have scheduled informal meetings with individual City Council members to discuss issues of concern for the Oak Ridge Reservation.

C. Biodiversity of the Oak Ridge Reservation

[Partly extracted from an ORNL brochure dated 9/26/00]

The Oak Ridge reservation (ORR) is visible in 1984 satellite imagery as an island of green. Manhattan Project secrecy allowed these lands acquired by the federal government in 1942 to escape the urbanization that has affected the surrounding region and to mature over the past 63 years into a unique ecological treasure. Many rare species and communities that have disappeared elsewhere have been preserved.

With over 1,100 species of vascular plants, the ORR rivals the Great Smoky Mountains National Park in species diversity. In 1995, The Nature Conservancy identified rare species in over 270 locations on the ORR, and 81 sites were ranked as having very high or high significance.

nationally for conservation. There are 7 registered State Natural Areas on the Reservation.

Among the elsewhere less common ecological communities that are found on ORR are cedar glades and barrens, forested river bluffs, cove hardwood forests, and wetlands. The almost 600 acres of wetlands are perhaps the largest refuge for rare plants, as well as providing critical habitat for amphibians, reptiles, and fish. There are more than 315 species of mammals on the Reservation, 20+ of them considered rare.

As one of the few large tracts of unfragmented forestland remaining, ORR plays an important role in the nesting and migration of songbirds. Of 25 priority-for-conservation bird species in this region, 23 are present on the ORR during breeding season. Altogether, nearly 200 species of breeding birds have been documented on the ORR—more than in any other single tract of land in Tennessee.

Last year, an Oak Ridge National Laboratory (ORNL) study revealed the existence of a 20- to 40-acre virgin forest in the ORR, with trees over 230 years old that started their growth many years before this area was settled (NL258 18B). ORNL Lab Director, Jeff Wadsworth, writes of his recent hike "through this unique old-growth cove hardwood forest" that it "is one of the finest examples of an old-age deciduous forest in all of the ridge and valley region in Tennessee."

6. TCWP NEWS

A. Foreclosure alerts between

Newsletters, visit our web site

Our web site, www.tcwp.org 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, or view special features, such as the scrapbook of photos from recent events.

B. 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.]

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.

We will commemorate National Trails Day by doing some needed maintenance work along the Trail. TCWP's Trail Steward, Susan Donnelly, reports that the chore calendar calls for trimming

trailside vegetation from Key Springs to Wedgewood Rd. to North Walker Lane to Illinois, including the access trail.

Volunteers should meet at 9:00 a.m. at the Children's Museum of Oak Ridge, 461 W. Outer Drive. From there, we will divide into work teams for various areas. If there are enough participants, some of us will go pick up trash at the Illinois entrance to the trail. Volunteers should wear sturdy shoes and bring water, gloves, clipper or pliers. For more information, call Sandra.

Tennessee RiverKeeper featured speaker at June 9 meeting

Leaf Myczack, a 15-year veteran Tennessee RiverKeeper, will share the highlights and memorable moments of RiverKeeping at TCWP's Summer Membership Meeting on Thursday, June 9 at 7:00 p.m. in the Oak Ridge Civic Center Craft Room.

For the past several years, Myczack has donated a sailing trip to view the said hill cransome Annual Meeting Silent Auction. The folks who have been on that trip have thoroughly enjoyed the stories of his experiences. He is known for his humorous take on life's vicissitudes, and the program is sure to entertain, inspire, and inform.

Community Shares Circle-of-Change Awards Banquet, June 11

Make plans now to attend one of summer's nicest events, the Circle-of-Change Awards Banquet, sponsored by Community Shares. This banquet, scheduled for Saturday June 11 at the Knoxville Expo, 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 a live auction, featuring a wide array of services and goods, and a cash bar. If we get 6 more attendees, the cost per person is \$25.00. For more information, or to reserve your ticket, call Sandra.

C. Public Lands Committee seeks New Members

[Contributed by Sandra Goss]

TCWP's Public Lands Committee is seeking additional members to help the group with current pressing projects. One of the projects is identifying tracts of land that are vulnerable to development and that might be for sale. Over the past several months, several members have alerted us to threatened land. We would like to develop a more systematic approach to this issue, including ways to rank the importance of the land and to identify possible techniques or resources for preserving the land.

For more information about getting involved in the important work of this committee,

call Sandra K. Goss at 865-522-3809, or
skgoss@esper.com

9. CALENDAR; RESOURCES

- **Events and deadlines calendar.** (For details, check the referenced NL item; or contact Sandra K. Goss, 865-522-3809, skgoss@esper.com)
- May 27, Tickets go on sale for the June 23 appearance of Garrison Keillor at the Knoxville Civic Auditorium (<http://prairiehome.publicradio.org/programs/schedule/>).
- June 4, TCWP's North Ridge Trail Work Day (§8B, this NL).
- June 9, Oak Ridge, Leaf Myczacks speaks at TCWP Membership meeting (§8B, this NL).
- June 11, Knoxville, Community Shares Circle-of-Change Banquet (§8B, this NL).
- July 18, Memphis, Second Bill Russell River Hero Award ceremony (§3D, this NL).
- July 23-24, North Shore Road Camporee (§4A, this NL).
- 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.
- October 7-9, CTC's Sixth Annual Trail Training Workshop. Call 1931-456-6259, or visit www.cumberlandtrail.org (see §3E, this NL).
- **Resources**
 - Volunteer Pilots Needed - SouthWings relies on highly qualified flight professionals who are willing to donate their time and their aircraft's operations to provide a conservation flight experience in their area. Founded in 1996, SouthWings is a non-profit conservation organization that uses a network of volunteer pilots and small aircraft to provide a bird's-eye view of the natural wealth of the region's forests and watersheds, and to expose environmental degradation and illegal land management practices that would not otherwise be known. SouthWings, headquartered in Asheville, NC, works across the Southeast. To learn more about becoming a Volunteer Pilot, please email SouthWings at taylor@southwings.org, or call 1-800-640-1131.
 - The Union of Concerned Scientists's (UCS) web site contains a wealth of information on invasive species and on actions we can take to slow their introduction and spread. To learn more, visit, www.ucsusa.org/global_environment/invasive_species/index.cfm

- UCS is looking for scientists working on invasive species issues who are interested in getting more involved in efforts to promote solutions to this problematic issue. Read about UCS's Sound Science Initiative (SSI) at www.ucsusa.org/global_environment/invasive_species/page.cfm?pageid=1101
- Kris Light's wonderful web site of East Tennessee wildflowers and hiking trails may be viewed at easttennesseewildflowers.com.
- *Natural Resource Year in Review—2004: A portait of the year in natural resource stewardship and science in the National Park System* is available from Natural Resource Information Division, WASO-NRDI, P.O. Box 25287, Denver, CO 80225-0287.
- **News for Coffee Drinkers** (from information contributed by Marion Burger)

Environmentally-conscious coffee drinkers will be interested to learn that shade-grown coffee, or fair-trade coffee, is now available at the area Kroger stores (Millstone brand), Anderson County Habitat for Humanity office, and the Epicurean in Oak Ridge. Purchase of this coffee supports traditional small coffee farms which have many species of plants, including crops, and fruit and shade trees. These farms provide songbird habitat and prevent mudslides and erosion. The Fair Trade Certified trademark is the one independent consumer guarantee that by 7 criteria products have been fairly produced and traded. Workers and producers are organized into cooperatives that are transparent, accountable and democratic.

Consumers can use TCWP Kroger Gift Certificates to purchase the shade-grown products (as well as prescription drugs, U.S. postage stamps, and other groceries). Gift certificates are available in \$25 and \$50 denominations, and 5% of your purchase goes directly to TCWP. For more information, call Sandra K. Goss at 865-522-3809, or skgoss@esper.com

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