



Taking Care of Wild Places

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13. ACTION SUMMARY

#No.	Issue	Contact	"Message!" or Action
4A	Mountaintop removal	EPA	"Reject OSM's plan to dump waste into streams!"
5A	Smokies: North Shore Road	US Dept. of Interior & others	"Complete monetary settlement without further delay!"
5C	Smokies: Invasive pests	US rep. and senators	"Provide resources to combat these tree killers!"
6B	Corridor Kand 1-3	Hugh Irwin, SAFC	"Notify me about DoT meetings, etc.!"
9A	Protection of wilderness, rivers, etc.	US senators	"Support the Omnibus Public Lands Management Act!"
9B	Mega-corridors thru' fragile areas	Sec. of the Interior	"Avoid sensitive lands. Accommodate renewable energy!"
11B	TCWP's part-time position	TCWP	Spread the word
11C	North Ridge Trail	TCWP	Volunteer for Adopt-A-Section Program

Senator John Doe
United States Senate
Senate Office Building
Washington, DC 20510

The Hon. John Doe
U.S. House of Representatives
House Office Building
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 615-502-9711
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. Bob Corker
Ph: 202-224-3344; FAX: 202-228-0566
e-mail: http://corker.senate.gov/contact.cfm
Local: 865-637-4180 (FAX 637-9886)
800 Market St., Suite 121, Knoxville 37902

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.tcwp.org>
With mail to Congress still slow following the anthrax scare, consider faxing, phoning, and other modes of communication.

There is much connect information in our up-to-date Political Guide. Visit the TCWP web site (<http://www.tcwp.org>)

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. OBED and BIG SOUTH FORK

1A. New superintendent at BSNFRRRA

Since mid-June, when Superintendent Reed Detry left the BSNFRRRA and Obed WSR (NL280 ¶3A), there have been two acting superintendents, Stuart Johnson and Jim David. A new permanent superintendent has now been appointed – Stennis Young, formerly the Assistant Superintendent at Natchez Trace. Mr. Young will assume his new duties on January 19.

1B. TCWP publishes 2nd edition of "Obed WSR In Peril"

Last year, TCWP published an informatively illustrated booklet entitled "Obed Wild and Scenic River in Peril," summarized in NL274 ¶3A, to make the case for acquisition of the currently unprotected lands remaining within the authorized boundaries of the Obed WSR. This booklet was distributed to the staffs of Senators Alexander and Corker, and to Rep. Lincoln Davis, with all of whom we met (NL274 ¶3A, NL275 ¶1A, NL279 ¶1A), to NPS personnel we talked to in the SE Regional Office (NL281 ¶1A), and to other interested parties.

Because our efforts continue, we have recently had a small 2nd edition printed. This contains updated information, very slight text revisions, and improved picture quality.

1C. 130 acres burn near Obed Junction

[Contributed by Cindy Kendrick]

A fire burned for about a week in early October and left over 130 acres scorched on the north side of the Obed River. The burned area stretches from Obed Junction upstream and includes both public and private land. Crews came from out of state to join local firefighters, including our own Ranger Matt Hudson from the Obed WSR. According to Rebecca Shapansky, the Obed's Resource Manager, this wildfire was the second of the season to affect the Park. In June, the "Rock Quarry Fire" burned over 100 acres upstream of Jett Bridge on Clear Creek. Causes of both fires are undetermined.

1D. Woolly adelgid found

In Obed hemlock trees

[Contributed by Cindy Kendrick]

The highly destructive hemlock woolly adelgid was found early last summer on hemlock trees at Rock Creek Campground. About \$15,000 that had previously been requested and approved for an early detection survey for the exotic pest will likely be diverted to treatment, said Rebecca Shapansky, Resource Manager for the Obed WSR. She said the Obed WSR includes about six stands of hemlock trees. Priority will probably be given

to trees in developed access areas, and treatment options will be evaluated. Hemlock woolly adelgid infestations have also been found in other regional forested areas, including Catoosa Wildlife Management Area, Frozen Head State Park and Natural Area (¶2C, this NL), and the Oak Ridge Reservation.

1E. Fringe tree at Nemo

Obed Manager Phil Campbell reports that one of the two native white fringe trees that Lee Russell received on the occasion of her recent River Hero Award (NL281 ¶4C) has been planted at the Nemo picnic area. "It looks rather forlorn now that its leaves have shed," writes Phil, but when it blooms next spring we'll pay it a visit.

1F. Holiday Concert at the Obed Wild and Scenic River

On Friday evening, December 5th, 6:30-7:30 EST, the Mystery Mountain Boys will be playing traditional yuletide songs at the Obed Wild and Scenic River Visitor Center in Wartburg. This free concert will feature bluegrass, country, and folk Christmas songs. Visitors are encouraged to arrive early, browse through the Park's bookstore, and enjoy Christmas cookies, hot apple cider, and hot chocolate. This concert marks the final special event of the 2008 season at the Obed. For more information, contact the Obed WSR at 423-346-6294.

2. THE GREATER FROZEN HEAD

[Section contributed by Cindy Kendrick]

2A. Visitor guide and map posted for Emory River Lands. Management Plan delayed

As previously reported (NL276 §1A), the 2007 "Connecting the Cumberland" initiative added ~8,000 acres of land in the Emory River Valley to Frozen Head State Park. Tennessee State Parks has led a group, including representatives of the local community and stakeholder organizations, toward developing an interim management agreement for this new tract (NL280 ¶2A). TCWP recently thanked TDEC Commissioner Fyke for the process. Unfortunately, with state agencies (including the Parks) struggling under the economic crisis, that initiative is temporarily suspended, according to State Parks Manager Mike Carlton.

In the interim, information about allowed and restricted activities has recently been posted on the Frozen Head web site. This information is based on agreements reached during the acquisition process and should serve to guide use of the area for the next year. The question-and-answer format addresses topics such as vehicle access, ATVs, hunting, safety zones, camping, backpack-

ing, fishing, horseback riding, and pets. In addition, a map with key landmarks and points of interest has been provided, http://www.tennessee.gov/environment/parks/frozenhead/pdf/emoryriver_faqs.pdf.

The colorful map posted on Park kiosks is also available at <http://state.tn.us/environment/parks/gis/pdf/printmaps/frozenhead.pdf>

28. Park monitors oil & gas wells within its boundaries

Frozen Head Park Manager David Engebretson said he is "keeping an eye on wells within the Park" and is in regular, direct contact with companies that have wells on site. One abandoned bermed area, which had fallen into disrepair and filled with filthy water and trash, was removed, and a leaking well was repaired. The Park has also advocated for additional protective pilings and posts around equipment. Goals are protection of the resource and public safety.

2C. Beetles released to combat hemlock wooly adelgid

In July we reported that the devastating hemlock wooly adelgid, first reported in Roane and Morgan Counties in January 2008 had spread to many areas of Frozen Head (NL280, §2B). Since then the deadly, exotic pest has become pervasive. Park Manager David Engebretson said that he has been working with the University of Tennessee and in the past month they have released predatory beetles in the Park's day-use area and in the Rayder Creek area (Emory Land). Additional approaches for combating the adelgid are also being evaluated, and measures will be deployed as funding allows.

2D. New CT connector trail open between Rocky Fork and Ross Gap

A wonderful new trail has recently been completed to connect Frozen Head's Rocky Fork field and the Cumberland Trail at Ross Gap. Hikers may park in the field, where indicated by signs. Access to the trailhead is at the back of the field. Cross the creek near the Rocky Fork Jamboree, pass the green gate, and immediately take the left fork upward. The trail connects to an old road, which leads upward to Ross Gap. The Cumberland Trail crosses the road just prior to reaching the Ross Gap sign. Turn right (east) to hike to Castle Rock and the Bird Mountain trails. Continuing north past Ross Gap leads to the new Emory/Coby tract. A great horned owl was heard at the trailhead near dusk in September.

2E. Bear sightings and evidence!

Infrequent bear sightings and evidence at Frozen Head have been reported over the past

year. In October a bear was seen at midday in Rocky Fork Field. Mart Fields and the main gate have also yielded bear sightings, and scat was seen near Bald Knob.

2F. Remaining Frozen Head Work Day

December 6 is the only Volunteer Trail Work Day remaining in this calendar year. Meet at the Visitor Center at 8:45 a.m. EST and expect to work till 3:00 p.m. Bring daypack, lunch, water, sturdy hiking boots, and weather-appropriate clothing. (For more information, call 423-346-3318.)

3. ELSEWHERE IN THE CUMBERLANDS

3A. Rock harvesting on the Cumberland Trail: update on the lawsuit

(Contributed by Sandra Goss)

A Florida company that owns mineral rights in a section of the Cumberland Trail State Park started removing sandstone rocks from the surface, devastating the area. In April 2007, the Hamilton County Court ruled in favor of the miners, and the state appealed the ruling 6 months later. Earlier this year, TCWP was among several groups that filed an *amicus* brief in support of the state with the State Court of Appeals. The case was favorably decided (i.e., against the mining company) and remanded back to the Chancery Court in Hamilton County. (See NL281 §3A for background and progress report.)

With the case now back in chancery court, the Cumberland Trail Conference, SOCM, and the Harvey Broome Group of the Sierra Club last month filed a motion to intervene. This move supports the state's efforts to forestall rock harvesting on the Cumberland Trail. The intervention motion will be heard on December 15.

The final outcome of the rock-harvesting case could have broad implications, since many landowners on the Cumberland Plateau and other East Tennessee mountain regions do not own the mineral rights to their property.

3B. Alliance for the Cumberland embarks on path to independence

(Contributed by Sandra Goss)

In 2001, TCWP catalyzed formation of The Alliance for the Cumberland as a partnership of public and private organizations with a mission "to bring people together to achieve the ecological and economic sustainability of natural and human communities in the Cumberland region." After being sustained by TCWP during its early years, the Alliance, operating with a steering committee, acquired an executive director supported by The Nature Conservancy and by grants.

This year, at its October meeting, the Alliance elected a Board of Directors and ratified bylaws.

The new Board will shepherd the group's efforts to become a 501(c)(3) organization and will oversee the work of Katherine Medlock, the Alliance's continuing Executive Director, who will be supported by Alliance funds.

The new Board members are Robert Bell, president of Tennessee Tech; Marion Burger, conservation advocate; Sandra Goss, TCWP executive director; Oliver Jarvis, retired attorney, Grundy County; Lana Rossi, president, Pickett County Chamber of Commerce; Barbara Stagg, executive director, Historic Rugby; Randy Williams, Upper Cumberland Development District; and Chuck Womack, Tennessee Parks & Greenways Foundation.

Mark your calendar for the third annual Plateau Conference, Monday, February 23, at Fall Creek Falls. For more information about this or other Alliance activities, visit

www.allianceforthecumberlands.org.

3C. Another place of the Cumberlands protected

The Nature Conservancy has acquired Pumplog Hollow, 1,012 acres of rugged hardwood forest on the southern Cumberland Plateau. The tract is located in Franklin County between two other TNC-protected areas - Walls of Jericho and the David Carter Lands. A portion of the funding came from the now defunct Tennessee Heritage Conservation Trust Fund.

4. OTHER TENNESSEE NEWS

4A. Mountain-top removal coal mining: OSM scrapping restrictions

The practice of mountaintop removal coal mining (conducted by blowing the tops off forested mountains and pushing the overburden over the side, filling the creeks and streams at the bottom of valleys) is spreading from West Virginia and Kentucky into the Cumberland Mountains of Tennessee. Last year's efforts at the state level to bring this to a halt were unsuccessful (NL279 ¶2D; NL281 ¶4A). At the federal level, things are about to get even worse.

Currently, a largely ignored "stream buffer zone (SBZ)" rule of 1983 bars mining companies from dumping debris within 100 feet of any waterway. Despite conclusive evidence of hugely extensive stream destruction, and in the face of thousands of protests, the Bush Administration has been embarked on changing the wording so as to effectively gut the SBZ rule. Before the Office of Surface Mining (OSM) can do so, however, the Environmental Protection Agency (EPA) must give its written concurrence.

WHAT YOU CAN DO: Without delay, urge EPA to reject the Office of Surface Mining's plan to allow mining companies to destroy America's streams. Address: Stephen Johnson, Administrator, EPA, 1200 Pennsylvania Ave., NW, Washington, DC 20460; 202-564-4700, www.epa.gov.

4B. Retirements of friends in State Government

The next several months will see the retirement of several prominent persons in state government with whom TCWP has had valuable interactions.

- **Gary Myers**, Executive Director of the Tennessee Wildlife Resources Agency (TWRA), is planning to retire in March, 2009. Looking far beyond game species, his focus has long been on habitat conservation and ecosystem protection, and he has been most effective in finding funding for land acquisition and other strategies that can achieve these goals.
- **Ed Cole**, Chief of Environment and Planning for the Dept. of Transportation, is retiring in December. Over the past 6 years, he has played a key role in the transformational improvements at TDoT in terms of environmental awareness and planning. He has often played effective roles interfacing between citizens and state government in other environmental areas, such as surface mining.
- **Reggie Reeves**, head of the State Natural Areas program in TDEC, retired from state service on October 20th after 30 years. We have enjoyed working with him in caring for the Oak Ridge Cedar Barrens and other conservation projects.

4C. Gov. Bredesen receives award

The National Recreation and Parks Association (NRPA) has given its 2008 National Humanitarian Award to Gov. Phil Bredesen, citing specifically his creation of the Heritage Conservation Trust Fund (NL262 ¶3A), and the megaproject that has come to be known as Connecting the Cumberlands - protection of ~127,000 acres on the northern Cumberland Plateau (NL276 ¶1A). Last year the NRPA rated Tennessee's State Park System the best in the nation.

5. SMOKIES NEWS

5A. Help sought for finalizing North Shore Road monetary settlement during the current Administration

[Contributed by Tim Bigelow]

The negotiations for a monetary settlement of the 1943 Agreement with Swain County NC are at a critical stage. The talks are now being conducted by the staffs of Congressman Heath Shuler (D-NC)

and Assistant Secretary of Interior Lavery. We need to support the completion of these financial settlement negotiations during the current administration to avoid the potentially long delay of having to start over with new administrations, both at the federal and state levels.

The lengthy process of generating the North Shore Road Environmental Impact Statement came to a close over a year ago, with the National Park Service's choice of a monetary settlement with Swain County as the agency preferred alternative (NL274 ¶2A). There has been more than enough time to implement this decision.

WHAT YOU CAN DO: The followings should be urged to bring about an IMMEDIATE SETTLEMENT with Swain County:

Dirk Kempthorne, Secretary of the Interior
1849 C Street, N.W.
Washington, DC 20240
exsec@ios.doi.gov

Lyle Lavery
Assistant Secretary for Fish, Wildlife and Parks
1849 C Street, N.W., Room 3161
Washington, DC 20240
Lyle.Lavery@ios.doi.gov
202-208 5347

Dale A. Ditmanson
Supt Great Smoky Mountains National Park
107 Park Headquarters Road
Gatlinburg, TN 37738
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865-436-1201
865-436-1204 FAX

northern Europe. Unfortunately, the Park's trees are plagued by a large number of invasive exotic forest insects and pathogens. Well-known examples include the balsam wooly adelgid (an insect), which has killed most of the Fraser firs within the past 45+ years, the dogwood anthracnose (a fungus), the butt rot canker (a fungus) that is killing white walnut, and now the hemlock wooly adelgid, which threatens to kill one of the most important tree species (the Park has over 14,000 acres of hemlock-dominated forest). The Great Smokies briefing statement on the issue may be found at www.nps.gov/grsm/parkmgmt/upload/Brief-Forest%20Insect-Disease.pdf.

WHAT YOU CAN DO: Don't let the hemlocks, and other trees, die! Urge your Congressman and Senators (see p.2) to provide the National Park Service with resources desperately needed to combat invasive, exotic pests.

5D. Public Briefing on Cades Cove Paving Plans

[Contributed by Tim Bigelow]

Another Oct. 20 NPS press release announced that plans for re-paving the 11-mile Cades Cove Loop road are being finalized for a start date in early 2010. A presentation was held Nov. 13 to outline the various options under consideration for the paving process. Supt. Ditmanson indicated that the paving will proceed independent of the broader Cades Cove planning process that has been underway since 2002 in which a number of alternative transportation options are being discussed.

5E. Tour Cades Cove without adding to air and noise pollution

Visitors can now take guided educational tours of Cades Cove in a fuel-efficient vehicle. This service came into being through the joint effort of local citizens and non-profit groups, including NPCCA (National Parks Conservation Assoc.). Tours depart from the Great Smoky Mountains Heritage Center at Townsend.

5B. Recruiting volunteers for 75th anniversary Smokies trail projects

[Contributed by Tim Bigelow]

In an Oct 20 press release, the National Park Service announced a program to recruit volunteers to assist with the maintenance and improvement of a number of trails in the Smoky Mountains. Volunteers will work with paid staff to upgrade the trail's condition. Currently the Andrews Bald and Rainey Cascade trails are being worked on. Funding for the projects is supported by the Trails Forever Program organized by the Friends of the Smokies and sponsored by the ASLAN Foundation. Interested volunteers may contact the Parks 75th Anniversary Volunteer Coordinator, Jeremy Sweat, at 865-436-1711, or go to the Parks website at <http://www.greatsmokies75th.org> and click on the Trails Forever icon.

5C. Invasive exotic pests in the Park

Biological diversity is one of the great claims to fame of the Great Smoky Mountains National Park. The Park is home, for example, to 135 tree species, more species than in all the countries of

6. THE CHEROKEE and NEARBY NATIONAL FORESTS

6A. Update on Upper Tellico ORV area, Nantahala National Forest

[Based on contribution by Tim Bigelow]

Though the Upper Tellico area lies in the Nantahala National Forest of North Carolina, it drains into the Tellico River that flows into Tennessee. Last winter, District rangers decided to close 11 miles of severely eroded OHV (off-highway vehicle) trails in order to minimize heavy

silt run-off. Each mile of these trails annually sends an average of 35 tons of sediment into watershed streams. TCWP submitted comments in support of this decision (NL280 ¶7C), but several OHV groups sued the US Forest Service (NL280 ¶7D).

The *Chattanooga Times* of Nov 10, 2008 reports that the lawsuit has been dropped. The Forest Service proposes to close 11 miles of the current OHV trail system and to upgrade another 5 miles for street vehicles, thus minimizing runoff. About 24-25 miles will remain for OHVs, with several sections improved to reduce run-off. According to some sources, the Service plans seasonally to close the entire system and to make short-term closures after major rain events. A public meeting is planned to hear comments on these proposals.

6B. Corridor K would literally pave the way for Interstate-3 through fragile national forest

(Based on information from Hugh Irwin, Southern Appalachian Forest Coalition)

Corridor K, is being proposed to upgrade the road between Tennessee and North Carolina that now runs along the Ocoee River. But, there may be a hidden agenda: as presently planned, this corridor would provide an essential component of a new Interstate Highway, I-3, which politicians in three states are promoting as a link between Savannah, GA, and Knoxville, TN. Locating and four-laning Corridor K in the region currently under consideration (see below) would complete some of the most technically challenging and most expensive portion of I-3. For more detailed information, go to

http://www.stopi3.org/corridor_k.html.

The comment deadline has recently passed for a Draft Supplemental Final Environmental Impact Statement (DSF EIS) by the North Carolina Department of Transportation. (TCWP submitted comments.) This DSF EIS pertained to a specific route for a 4-lane segment between Stecoah and Robbinsville, traversing the Nantahala National Forest. As proposed, the highway would impact numerous mature forest communities and wildlife habitat, would spoil pristine mountain vistas with its large cut-and-fill banks, and would cut through acid-bearing rock, potentially causing lasting damage to stream health in the drainage. The sight and sounds of the highway would have strongly negative impacts on visitor experience in the National Forest, on the Appalachian Trail, and in an inventoried Roadless Area (Cheoah Bald). Economically, too, the cost (\$378 million, not counting maintenance of the highway) cannot be justified.

It should be possible to provide for transportation needs while safeguarding our environment and our communities. Rather than promoting just one alternative, upgrades with far less impact

along the existing route should be thoroughly evaluated and considered.

WHAT YOU CAN DO: The NC Dept. of Transportation is holding a public meeting early next year. To be notified of particulars, contact Hugh Irwin, hugh@safc.org.

6C. New Tennessee Appalachian Trail specialty license plates

(Contributed by Joe DeLoach, AT Committee Chair of the Tennessee Eastman Hiking & Canoeing Club)

In June 2008, the Tennessee Legislature approved establishment of new specialty license plates. One of these was designated in support of the Appalachian National Scenic Trail. Nearly 280 miles of the A. T. run through Tennessee and along the border with North Carolina in the Cherokee National Forest and the Great Smoky Mountains National Park.

Passage of legislation is only one step towards establishment of a specialty license plate. State law requires sale of 1000 plates within one year of legislative passage in order for a new plate to be officially adopted. The cost of the plate is \$35, with personalized plates available for an additional \$35. Vehicle registration fees are not included and should be handled through normal means, but there is no need to wait until your registration is due to purchase a plate. From the sale of each plate \$15.56 will go to the Appalachian Trail Conservancy (ATC) to be used for programs in Tennessee and along the North Carolina border. The remaining costs go towards production of the plate and support of the arts in Tennessee.

Those purchasing plates who are not current ATC members will receive a year's membership to the Appalachian Trail Conservancy, a \$35 value. Should the requirement of 1000 plates sold not be met, all sales will be refunded.

Information on the plate, including an application, is available through the Appalachian Trail Conservancy web site at www.appalachiantrail.org/tllicenseplate, or by contacting Leanna Joyner at 828-254-3708.

6D. New Regional Forester

The new Regional Forester for the Southern Region is Elizabeth Appao. She is moving from the Pacific Northwest to a region with very different attributes (e.g., great biological diversity), problems, and opportunities.

7. ELECTION RETURNS and THE ENVIRONMENT

7A. The Presidency

The bad deeds of the Bush Administration, which has arguably the worst environmental re-

cord in many decades (if not ever), are not over yet (see ¶8B, this NL), but the end is in sight. We can now look forward to a much better future, though the effort will have to be spent simply trying to undo the damages. One good early sign is that the 12-member board advising the Obama transition team includes the Clinton Administration's Environmental Protection Agency (EPA) director Carol Browner, who has been an ally of Vice President Gore and is well informed about environmental priorities.

We refer you to the extensive environmental assessment of Presidential and Vice Presidential candidates that was published in NL281 ¶5A and that now allows us to look forward to a bright future with the Obama Administration. We covered voting records, positions on climate change, and positions on selected other major issues. Here, to complete the assessment, we add two issues we missed — positions on the LWCF (Land & Water Conservation Fund) and on NEPA (National Environmental Policy Act). Both were covered in a League of Conservation Voters (LCV) questionnaire (visit www.presidentialprofiles2008.org).

On the LWCF, Obama stated: "... [I] have signed letters of support urging more money for the fund every year that I have been in the US Senate." McCain said: "The Land and Water Conservation Fund has a record of accomplishment. ... Added funding, however, for this program, as with all others must be examined in the context of an overall federal budget ..."

On NEPA, Obama stated: "I support NEPA, and do not think changes are necessary." McCain said: "I strongly support NEPA's goal Nevertheless, I believe instances occur in which legal procedures invoking NEPA are employed more for the purpose of delaying or obstructing a project than to achieve the law's goal of helping produce a fully informed decision. ..."

7B. The US Congress, nationwide

During the year leading up to the election, the nonpartisan LCV had developed two lists: (1) the Dirty Dozen (actually, 13), namely, incumbents who had the worst anti-environmental records, and (2) endorsed candidates, both incumbents and challengers, who had outstanding environmental records.

In the November election, more than half the Dirty Dozen were defeated: Sen. Elizabeth Dole (R-NC), Rep. Dean Andal (R-CA), Rep. Joe Knollenberg (R-MI), Anne Northup (R-KY), Rep. Steve Pearce (R-NM, who ran for the open NM Senate seat), Rep. Bob Schaffer (R, who ran for the open CO Senate seat), and Tim Walberg (R-MI). This is an achievement since incumbents usually have little trouble getting themselves reelected. Five members of the Dirty Dozen did, in fact, escape defeat: Sen. Jim Inhofe (R-OK), Senate Minority Leader Mitch McConnell (R-KY), Rep. Don Young

(R-AK), Rep. Sam Graves (R-MO), Sen. Mary Landrieu (D-LA, whose LCV score of 43%, though not extremely low, was the lowest among Democrats running for re-election), the election of Sen. Ted Stevens (R-AK) is still uncertain as we go to press.

Among the LCV-endorsed Senate candidates, 7 won (6 Democrats and 1 Republican), 1 lost (D-OK), and the status of 2 is still undecided (D-MN and D-GA). In the House, 39 won (31D and 8 R), 14 lost (10D and 4R), and 1(D) is undecided. For details, visit

<http://lcv.org/campaigns/endorsements/>.

7C. Tennessee delegation in Congress

The Tennessee delegation is returning unchanged except for the 1st District, where the incumbent, David Davis, lost the primary. He'll be replaced by Phil Roe, another Republican, who won with 72% of the vote. The recent LCV scores for the remainder of the Tennessee delegation are listed below.

Name	Distr.	2008	2007	Lifetime
SENATE				
Alexander	--	18	33	17
Corker	--	27	27	27
HOUSE				
Roe	1-R	--	--	--
Duncan	2-R	8	10	13
Wamp	3-R	15	10	10
Davis, L.	4-D	85	75	59
Cooper	5-D	100	80	76
Gordon	6-D	85	80	65
Blackburn	7-R	0	5	2
Tanner	8-D	85	70	43
Cohen	9-D	100	95	97

7D. State legislature

Both Houses will be in Republican hands when the Tennessee General Assembly reconvenes in January. In the Senate, Republicans gained three seats, two that had been Democratic and one Independent. For the first two cases, it is not yet clear how this will play out in terms of environmental votes; the two Democrats who have left the Senate, had negative 2008 TCV (Tennessee Conservation Voters) scores: -2 for Tommy Kilby (Distr.12), who retired, and -1 for John Wilder (Distr. 26), who was defeated. Taking their places will be, respectively, Ken Yager, who has no legislative record, and Dolores Creshatt, who had a 20 8 TCV score of -1 while serving in the House.

The loss of Independent, Mike Williams (Distr. 4) is, however, bad news. In 2 08, Williams sponsored two important bills: SB.3651 that would have authorized TDEC to issue stop-work orders for violations of the Water Quality Control Act, and SB.3622 (the Scenic Vistas Act) that would restrict issuance of coal mining permits relative to altering ridge lines above 2, 00 ft elevation (thus

stopping mountaintop removal). He managed to get the latter bill passed in Senate Environment Committee, but it failed in a House subcommittee.

In the House, the party lineup changed from 53D : 46R to 49D : 50R. We do not yet have sufficiently detailed information to analyze this result in terms of probable environmental votes.

8. ASSAULTS ON THE ENVIRONMENT IN THE BUSH ERA (and it isn't over yet)

8A. Report summarizes Bush legacy of assaults on public lands

On October 22, Rep. Grijalva (D-AZ), chairman of the National Parks, Forests and Public Lands Subcommittee, released a report appropriately titled "The Bush Administration Assault on our National Parks, Forests and Public Lands (a partial list)." Even though partial, the lengthy list of cases amply documents the administration's strategy to turn public lands into resource commodities. To that end, career professionals were replaced by political appointments.

For each of the major federal agencies, the report cites a shameful roster of attacks on conservation. For the National Park Service, for example, the outsourcing of thousands of jobs to private contractors, the attempts to rewrite the agency's mission (replacing the emphasis on conservation with one on visitor services), and the move toward commercialization. For the Forest Service, the downgrading of proper forest planning and the widespread use of categorical exclusions, i.e., the increase in projects that are excluded from full review under NEPA. For BLM, allowing ORVs to destroy fragile lands, relinquishing control of many lands to states and even counties, prohibiting the designation of new wilderness areas.

The report is intended not only as an indictment but also as an aid to leading the incoming administration into a very different path: after they have become well acquainted with the harm that has been done to (or intended for) our public lands, they should have no trouble seeing the need for a radical change in agenda and approach (such as a return to the use of science and professionalism).

8B. The Bush Administration isn't through yet; damages may be concentrated in these last few weeks.

End-of-term rule making is proceeding at a feverish pace, with the objective of locking in policies that would have been difficult to enact in the regular way. Agencies are working feverishly to push through rule changes with shamefully abbreviated comment periods so that Pres. Bush can sign them by the following deadlines: November

20 for "economically significant" changes, and December 20 for any others. Under the Congressional Review Act of 1996, anything signed at a later date can be easily reconsidered and undone by the next Congress. (Note: according to a recent report, which we hope is accurate, the actual deadline was May 15, 2008.) Here is a sampling of the most egregious rules changes pertaining to environmental policies. (Other examples may be found in ¶9 of the NL.)

*** Mountaintop removal.**

The Office of Surface Mining (OSM) is changing the decades-old stream buffer zone rule (which bars mining companies from dumping debris within 100 feet of any stream) so as to make it easier for mining companies to push blasted mountaintops into natural waterways below. Currently this proposal is awaiting EPA approval (see ¶4A of this NL).

*** Endangered Species Act**

In August, Interior Secretary Dirk Kempthorne moved to eliminate the requirement for independent scientific review. The agency that is proposing to conduct, fund, or authorize an action (e.g., a dam, a highway, or a mine) would decide on its own whether the project poses a threat to any species (NL281 ¶7A). One consequence of this rules change (which may already be finalized by the time you read this) will be to relieve USD of the need to assess the impact of global warming on at-risk species.

USDI is also rushing to remove the gray wolf from the endangered species list. This is their second attempt to do this, since the wolves were re-listed when a federal judge ruled that the government had not lived up to its own recovery plan (NL281 ¶7B).

*** Emergency powers to protect public lands**

A longstanding if rarely used regulation gives Congress and the Interior Secretary emergency powers to protect public lands when commercial development seems to pose immediate environmental dangers. During the summer, Chairman Grijalva (D-AZ) and members of the House Natural Resources Committee, invoking this regulation, ordered Sec. Kempthorne to withdraw about 1 million acres near the Grand Canyon from new uranium mining claims in order to provide time for assessing potential damage to the air and water. The Secretary notoriously refused to obey the order but is now proposing to trash the entire "emergency powers" provision.

*** Utah lands**

This outrage is not a rules change but a set of 6 resource management plans (each more than

1,000 pageslong) that the Bureau of Land Management (BLM) dumped on an unsuspecting public, allowing very short comment periods and other inputs. These plans cover 11 million acres of federal land in Utah, ~9 million of which would be opened to oil and gas drilling (eventhough Utah hasless than 1% of the country's known oil reserves) and off-road vehicles. Over 17,000 miles of dirt routes would be designated as motor trails or roads (including 1,600 miles within ~3 million acres of roadless areas), risking priceless cultural artifacts and some of the most breathtaking open spaces in America.

Why the rush? A *New York Times* editorial (10/18/08) says: "What we are ... seeing is the last gasp of the Cheney drill-now, drill-everywhere energy strategy; one last favor to the oil and gas drillers and the off-road vehicle enthusiasts before a more conservation-minded president ... comes to town." There is also concern that Mr. Kempthorne will open up even more acreage in the West to the commercial development of oil shale, a hugely expensive and environmentally disastrous process.

* **Air quality for public lands**

The Environmental Protection Agency (EPA) is expected to issue a final rule that would weaken a program created by the Clean Air Act, which requires utilities to install modern pollution controls when they upgrade their plants to produce more power.

EPA is also expected to issue a final rule that would make it easier for coal-fired power plants to locate near national parks in defiance of longstanding Congressional mandates to protect air quality in areas of special natural or recreational value, i.e., Class-I areas. NPCA has issued a report ("Dark Horizons" at www.npca.org/darkhorizons) that identifies the 10 national parks most at risk from more than 100 new coal-fired power plants currently in various stages of planning and development. (You guessed it, Gt. Smoky Mtns. is among the 10, as is Shenandoah and Mammoth Cave)

9. OTHER NATIONAL ISSUES

9A. Major wilderness bill is possible

[Information from The Wilderness Society]

If Congress acts immediately (during the lame duck session), this could be a historic year for wilderness. The Omnibus Public Lands Management Act would designate nearly two million acres of wilderness in 8 states (including Virginia, West Virginia, Michigan, and western states), and protect hundreds of miles of river. This measure, which is an amalgam of 150 public-lands bills, would enact the largest expansion of wilderness in over a decade. The bill also would prevent new

oil and gas leasing along the Wyoming Range and make permanent the 26-million-acre National Landscape Conservation System made up of unspoiled lands in the West. The vast majority of the measures contained in this bill have little to no opposition, strong local support, and broad, bipartisan support in Congress.

WHAT YOU CAN DO: Urge your U.S. senators to support the Omnibus Public Lands Management Act, oppose any weakening amendments, and work with the Senate leadership to make the bill's passage a priority during the remainder of this session.

9B. West-wide energy corridors

[Information from The Wilderness Soc.]

West-wide Energy Corridors is the name for corridors averaging 3,500 ft. (but possibly up to 5 miles) in width and covering almost 3 million acres of public land -- corridors that would accommodate up to nine 500-kv electric transmission lines, 35 massive liquid petroleum pipelines, and 29 natural gas pipelines. The Department of the Interior (DOI) is proposing to have the corridors cut through or skirt the borders of Grand Staircase-Escalante National Monument, Arches National Park, and roadless areas throughout the West, for a total of 6,000 miles.

According to the Department of Energy's (DOE's) Draft Programmatic Environmental Impact Statement (PEIS), the corridors would not transmit renewable energy. The Wilderness Society believes that "the draft plan essentially provides no more than a power plug for dirty, coal-fired power plants." Further, there is no opportunity for citizens to appeal the PEIS, nor is there opportunity for a formal governor's consistency review.

WHAT YOU CAN DO: Tell Secretary of the Interior Dirk Kempthorne (1849 C Street, N.W., Washington, DC 20240; exec@ios.doi.gov) that, while creation of energy corridors is important for our energy future, such corridors should accommodate renewable energy transmission, and must avoid environmentally sensitive and iconic lands such as Grand Staircase-Escalante National Monument, national wildlife refuges, roadless areas and the edges of Arches National Park. Send copies to your US Senators and Representative.

9C. National Park Service raising awareness about climate change

[From NPCA's Field Report -- SE Region]

NPCA and the National Park Service (NPS), in conjunction with EPA, have launched an innovative program to raise awareness about climate change and the parks. To date, 40 of the Parks have pledged to become Climate Friendly Parks,

and 15 of these are participating in the "Do Your Part" program to inspire visitors to lower their global carbon pollution. Parks have much at stake; glaciers are disappearing from Glacier NP in Montana, and from Glacier Bay NP in Alaska; Joshua trees are disappearing from Joshua Tree National Monument, and major portions of the Everglades are gradually disappearing under water as sea levels rise. Visit www.nps.gov/climatefriendlyparks to get details about parks near you.

9D. Illegal ORV use in national parks

[Information from NPS's *Inside Report*]

More than 250 responses from park managers have revealed widespread destruction of park resources from illegal ORV (off-road vehicle) use. Major damages are being inflicted on ecological, cultural, wildlife, and aesthetic resources as well as on the park experience of other visitors. Due to limited resources, and to pressure from ORV manufacturers, NPS proposed no more than continuing studies of the problem.

NPS and allied organizations filed a lawsuit, which has now (after 2½ years) resulted in a settlement. NPS will (a) conduct training programs on ORV issues for park officials; (b) work to increase fines and improve other enforcement efforts against ORV violators; and (c) develop a pilot outreach program in 10 national park units to educate various local agencies and groups, and to seek their help in stopping illegal ORV use. In an additional two units, NPS must also bring itself into compliance with laws regulating ORV use. This settlement is just a first step. If it is not effective, more legal action may be required.

9E. Rules change would jettison mountain bike policy for national parks

[Contributed by Tim Bigelow]

Mountain biking on narrow trails may damage resources and conflict with visitor enjoyment. For this reason, the National Park Service (NPS) adopted regulations for bicycles in 1987 (during the Reagan administration) that allow mountain bikes on specific trails only after an individual park follows a stringent decision-making process that allows for closer scrutiny.

A proposed "Lame Duck" rule change at the US Dept. of Interior would effectively side step the current review policies for permitting mountain bikes on trails in national parks. The new plan would eliminate the public review and comment process called for under NEPA and would give NPS unit managers the authority to designate almost any trails for mountain bike use. This rules change would cap a long-standing campaign by the International Mountain Bicycle Association (IMBA) to weaken current park protections.

10. THE OAK RIDGE RESERVATION

10A. DOE discusses Implementation of NEPA on the Oak Ridge Reservation

[Contributed by Frank Hensley]

More than 20 citizens attended a workshop on the National Environmental Policy Act held by the Dept. of Energy's (DOE's) Oak Ridge Operations on November 3. Attendees included representatives of Advocates for the Oak Ridge Reservation (AFORR), TCWP, The Nature Conservancy, Southern Environmental Law Center, Foundation for Global Sustainability (FGS) and Oak Ridge Reservation Local Oversight Committee.

DOE's Gary Hartman (NEPA Compliance Manager) presented "NEPA 101," an overview of the law and how ORO implements it, and Susan Cange (Economic Development Team Leader) discussed land use considerations related to the DOE reindustrialization program. They told the group that DOE has decided to prepare a new environmental assessment (EA) under NEPA to address additional development in the East Tennessee Technology Park area. Susan Cange said that DOE had determined that with most heavy industry/manufacturing moving overseas, it no longer made sense to restrict potential development of these areas for industrial uses. Therefore, DOE intends to evaluate areas of the Heritage Center, the parcel previously designated ED-3, and additional acreage along Bear Creek Road for commercial and recreational use as well as industrial use. DOE expects to issue a draft of the EA for the Transfer of Land and Facilities in the Northwestern Portion of the Oak Ridge Reservation in early 2009. It was a surprise to learn that an additional ~175 acres of reservation land running 7,000 feet along the North side of Bear Creek Valley Road have been added to the land being considered for transfer.

In new information concerning the Horizon Center, Susan Cange stated that deed restrictions could not be changed to enable CROET to sell the property for mixed use (including commercial and residential) without a new EA, an action that is not presently contemplated by DOE. AFORR, TCWP, TWF and FGS have always contended that development of Area 4 of Horizon Center did not meet NEPA requirements since it contained endangered birds and the access road would destroy a mile of the North Boundary Greenway.

AFORR, TCWP, and other partner organizations intend to continue to press their concerns about ecological and other adverse impacts of development, the lack of a demonstrated need for new land for economic development, and the need for a comprehensive environmental impact statement on Oak Ridge Reservation land use.

Note: Of the 58,575 acres of land that were originally expropriated for the Manhattan Project, only about 20,000 acres remain in a relatively un-

disturbed state. Habitat fragmentation is one of the most serious and constant threats to the Reservation.

10B. "What's so special about the Oak Ridge Reservation?"

[Contributed by Frank Hensley]

That's the title of a talk to be presented at the annual meeting of AFORR (Advocates for the Oak Ridge Reservation) by Pat Farr, National Resources Manager at the Oak Ridge National Laboratory. The public is invited to hear Pat describe the incredible biodiversity on the Oak Ridge Reservation, right here in our own back yard.

The meeting will take place Tuesday, December 9, at 7:00 PM in the Fellowship Hall of the First Presbyterian Church (1051 Oak Ridge Turnpike, on the corner of Lafayette Drive). Light refreshments will be available. Pat, who has an MS in ecology from UT Knoxville, is past President of the Association of Southeastern Biologists, past President of the Tennessee Exotic Pest Plant Council, and currently Chair of the Executive Committee for the Southern Appalachian Man and Biosphere Cooperative.

For additional information call Frank Hensley, 865-250-1158

11. TCWP NEWS

11A. 2009 Board, Nominating Comm.

The following were elected unanimously at our November 1 Annual Meeting:

President: Jimmy Grotton
Vice President: Frank Hensley
Treasurer: Charlie Klabunde
Secretary: Carol Grametbauer

Directors:

Tim Bigelow	Pat Mulholland
Mary Lynn Dobson	Larry Pounds
Jenny Freeman	Liane (Lee) Russell
Cindy Kendrick	

Nominating Committee:

Jean Cole
Linda LaForest
Hal Smith

11B. TCWP offers part-time position

TCWP is seeking candidates for a part-time position that is expected to require about 20 hours of work per month, with weekly work hours varying with scheduled events. Work will involve recruiting/coordinating volunteers and organizing events. Applicants should have people skills, some knowledge of (or willingness to learn about) environmental issues, and the ability to express themselves in writing.

Please forward this announcement to anyone whom might be suitable and interested. Candidates

should send resumes or questions to Sandra@sandrakgoss.com or call 865-522-3809.

11C. Help us maintain the North Ridge Trail

In NL281 #8A, we described an Adopt-A-Segment Program developed by TCWP's Trail Steward, Susan Donnelly, to encourage a broader effort for maintaining our great North Ridge Trail.

WHAT YOU CAN DO: Volunteer for the Adopt-A-Segment program for the North Ridge Trail. Contact Sandra at sandra@sandrakgoss.com or 865-522-3809.

11D. Upcoming activities

[Contributed by Carol Grametbauer]

TCWP Holiday Party - Thursday, December 11

Long-time TCWP members Jenny Freeman and Bill Allen will once again open their home at 371 East Drive, Oak Ridge, to TCWP members and friends for what has become one of the most enjoyable holiday events of the year.

All members and friends are welcome. The hours are 7-9:30 p.m. Please bring an hors d'oeuvre or dessert to share. Beverages will be provided.

Field trip to Hiwassee Wildlife WMA - Saturday, January 17

Each fall and winter several thousand migrating sandhill cranes find their way to TWRA's Hiwassee Wildlife Refuge in Meigs County. TCWP is organizing a field trip to watch the cranes and other wildlife species, perhaps including one or more of the reintroduced whooping cranes that stop at, and occasionally stay at, the Refuge.

Participants should meet at 9:00 in the NOAA parking lot, 456 S. Illinois Ave. in Oak Ridge. Call 865-522-3809 to preregister.

Whites Creek Trail workday - Saturday, Jan. 24

TCWP will sponsor its annual trail cleanup at Whites Creek in Rhea County as part of its ongoing stewardship of this TVA Small Wild Area. The trail loops onto land previously owned by Bowater, and (thanks to the generous support of our members) purchased by TCWP two years ago. For additional details, see January newsletter.

Program by Margie Hunter, TN Exotic Pest Plant Council - Thursday, February 26

The Tennessee Exotic Pest Plant Council raises awareness about the spread of invasive exotic plants into our state's natural areas. One way to help combat the spread of such plants is to replace "bad guys" in our home landscapes with native plants. TN-EPPC President Margie Hunter, author of *The Native Plants of Tennessee: The Spirit of Place*, will discuss native plant gardening in a TCWP-sponsored talk in the AB Room at the Oak Ridge Civic Center. The program will begin at 7 p.m.

Alley Ford Cumberland Trail workday - Saturday, February 28

A day of trail work and hiking will take place on the 2.5-mile section of the Cumberland Trail that TCWP adopted in 1998. It is located between Nemo Picnic Area and Alley Ford at the Obed Wild and Scenic River. Watch for details in the January newsletter.

Additional information on all TCWP activities may be obtained from TCWP Executive Director Sandra K. Goss at Sandra@sandmkgoss.com or at 865-522-3809.

11E. Report on recent events

[Contributed by Carol Grametbauer]

National Public Lands Day cleanup - Sept. 27

An eight-person work crew helped to remove invasive exotic plants at the TVA Ecological Study Area at Worthington Cemetery at the east end of Oak Ridge. Our annual efforts are helping to eradicate wisteria from the cemetery, and privet and other invasive exotics from the area. This event was the subject of a color picture in *The Knoxville News Sentinel* of November 2.

Black Oak Ridge Conservation Easement hike - October 19

Botanist and TCWP board member Larry Pounds led a group of 12 on this 3.5-mile hike on the Dyllis Orchard Trail. We enjoyed beautiful fall weather and (with the help of Larry and TCWP President Jimmy Groton) saw 33 species of wildflowers still blooming, including four species of goldenrod and five species of asters.

TCWP Annual Meeting - November 1

Our annual meeting, held at Cove Lake State Park, featured presentations on the Cumberland Trail State Park by Bobby Fulcher, Park manager; Tony Hook, manager of the Cumberland Trail Conference; and Del Truitt of Friends of the Cumberland Trail. A highlight of the meeting was our recognition of Mack Prichard (who retired from Tennessee State Parks in August after more than 30 years' service) for his involvement in the development of the Trail. Although Mack was unable to attend the meeting, we will be sending him a Kroger gift card as a token of our appreciation.

12. CALENDAR; RESOURCES

[Contributed by Carol Grametbauer]

•• CALENDAR

(For details, check the referenced NL item; or contact Sandra Goss, 865-522-3809, or Sandra@sandmkgoss.com)

- December 5, Traditional Yuletide songs by the Mystery Mountain Boys at the Obed WSR Visitor Center in Wartburg (see ¶1F, this NL).

- December 6, Frozen Head State Park Volunteer Trail Work Day (see ¶2F, this NL).
- December 9, talk by Pat Parr about ORR (see ¶10B, this NL).
- December 11, TCWP Holiday Party (see ¶11D, this NL).
- January 10-17, Wilderness Wildlife Week in Pigeon Forge, a week of talks, exhibits (including one by TCWP), and outings. For more information, contact Hal Smith, 865-483-5731.
- January 17, Viewing cranes at Hiwassee WMA (see ¶11D, this NL).
- January 24, Whites Creek Trail workday (see ¶11D, this NL).
- February 23, Alliance for the Cumberlands Annual Conference, Fall Creek Falls State Park (see ¶3B, this NL, or contact kmedlock@tnc.org).
- February 26, Talk by Margie Hunter, Tennessee Exotic Pest Plant Council, on native plant gardening (see ¶11D, this NL).
- February 28, Alley Ford Cumberland Trail workday (see ¶11D, this NL).

•• RESOURCES

- The Tennessee Department of Environment and Conservation is offering free single-use radon test kits and brochures on radon-resistant new construction techniques. Call 1-800-232-1139 or send e-mail requests to TDEC.Radon@state.tn.us.
- Recycling used oil is important to land and groundwater. To locate the nearest oil collection site, go to www.tn.gov/environmental/oil.
- "Explore the Parks" is a new website created by the National Parks Conservation Association that provides park-specific information on every unit of the System. Visit www.npsa.org/parks.
- The subject of NPCA's most recent *State of the Parks* report is "Glacier Bay National Park and Preserve." For natural resources, overall conditions were judged "good," but for cultural resources only "fair." About 30 park reports are available (including one on the Smokies) and may be viewed on www.npsa.org/stateoftheparks/.
- "Stormwater and You" is the title of the latest fact sheet published by the Obed Watershed Community Association (OWCA, 185 Hood Drive, Crossville, TN 38555, 931-484-9033). Land use can have a major effect on whether stormwater becomes a vital water source or a polluting runoff.

