

# Tennes-Sierran

The monthly state newsletter for the Tennessee Chapter Sierra Club

Volume 36, Number 1 - January, 2005

## Johnson City Sierra Residents Take a Stand Against CAFOs

By Dennis Shekinak

Dean Whitworth, Tennessee Chapter Sierra Club CAFO Chairman attended a Thursday December 9th legislative breakfast along with 15 other members of Johnson County Citizens Committee for Clean Air and Water (JCCCCAW) and the State of Franklin Sierra Group (SOFG) hosting Rep. Jason Mumpower and Senator Ron Ramsey. The meeting took place at the Main Street Cafe in downtown Mountain City, TN.

Before the talk got going, Steve Ferguson presented both representatives with their own copy of Empty Pastures, a book covering the state of corporate agriculture and family farming today.

Steve Ferguson, president of JCCCCAW, covered the topic of the ongoing concern about the unregulated spreading of human waste from the Mountain City treatment plant and violations of the Clean Water Act, like the large open asphalt dump on Hwy 421, run off from which, culverts into Roan Creek. There is also another location near Forge Creek where asphalt has been piled up. "We now have 6 streams in our county on TDEC's 303d contaminated list for 2004 because of these and other questionable practices."

The Johnson County Citizen's Committee's pending lawsuit against EPA and TDEC was mentioned, but the focus stayed on the main challenge of investigating and enforcement of regulations covering pollution violations citizens are reporting in Johnson County. All agreed TDEC staff from the Johnson City Environmental Assistance office were willing to do their jobs, but the lack of a workable penalty system within the state agency, appears to make compliance by industrial corporations and other entities unattainable.

Both Jason Mumpower and Ron Ramsey seemed surprised at the lag between the time a violation is reported and the time TDEC will issue a penalty (up to a year in some instances). Even when penalties are exacted, they are often insignificant and not a deterrent.

In JCCCCAW's opinion, TDEC is violating federal law by not allowing citizens to have a real voice in the permitting and appeals process. TDEC agreed to listen to citizens in two "informal gatherings" in Mountain City in August, but none of the evidence presented by citizens and consultants was taken into consideration when the permit was issued within the minimum time possible. Citizens were actually told by officials that their input would not influence TDEC's CAFO permit decision. Anyone who was at these meetings saw the arrogance and unconcern for the welfare of local residents that TDEC officials displayed. This behavior was also evident at the meeting on the Butler Asphalt Plant Permit held some weeks ago. Citizens were told by TDEC officials that though they "feel our pain", the permit was going to be issued. It is just this behavior that must be called into account. The Petition and NOI submitted by the Johnson County Citizen's group, gives EPA 60 days to bring TDEC into compliance before a lawsuit is filed. TDEC is facing vigorous criticism from citizens all over the state.

Johnson County folks attending the meeting, also expressed a desire to have state officials discontinue General CAFO Permits in TN altogether and require that all NPDES CAFO applicants apply for an Individual Permit. A General Permit allows operators to regulate themselves during construction and operation, whereas Individual Permits require supervision by state experts from day one and on a regular basis during operation. No continuous agency scrutiny increases the likelihood of soil, air and water contamination



Photos by Dennis Shekinak

and places the burden of policing onto local residents.

TDEC issued a permit for a CAFO near Mountain City and for the asphalt plant in Butler in the shortest possible time frame. Frustration was expressed that TDEC has rarely held up a permit for further consideration and study. TDEC officials, under the supervision of Betsy Child, seem to rubber stamp every permit application that comes across their desk. Any input from stakeholder citizens seems to be ignored as is current scientific data concerning the potential for harm to local residents that these industrial entities can cause.

The gathering lasted, over coffee and breakfast, for about 1 1/2 hours. Important points made were:

- there is a large voting population in Johnson County who are determined to keep this CAFO and Asphalt Plant out
- reform TDEC creating an agency where citizen input is heard and actually considered when decisions are made
- demand higher permit fees to be paid by applicants
- permit fees should help fund TDEC's enforcement division. Polluters should pay the price for their pollution, not citizens.
- fair environmental impact assessments must be made on existing and proposed polluting business and municipal operations
- consideration of the welfare of residential citizens as a first priority in consideration of any permit to polluters

Both representatives understand Johnson County's economic future depends on tourism and home construction and a clean environment. The legislative representatives also discussed with attendees, the value of some form of land use planning. Ferguson said that "all citizen's must be guaranteed property rights" if we expect folks to want to live here.

As the meeting closed the two state representatives were given the following detailed written statements reinforcing some of the topics discussed at the table:

69-3-101, et.seq., the Water Pollution Control Act, does not comply with federal law because it does not address any rights of citizens to appeal permits. It can be changed in two venues:

1. 69-3-108 which discusses permits and that only permit applicants can appeal to the Board or the Court for review; or

2. 69-3-118 which discusses right of citizens to file a complaint with the Commissioner which she has 90 days to act on.

Neither of those two are adequate. Also, the act must allow permits appealed to be suspended, during the appeal process, or the appeal is for naught.

Permits issued by a state agency which openly violate the very CWA law they are supposed to uphold and regulate, invalidates those permits. The violations are laid out in the JCCCCAW NOI and Petition.

Understand that the NPDES program is a Federal program (not a state program) which Tennessee has been delegated authority to administer and federal funding to implement in Tennessee. To do that, the Tennessee Water Quality Control Act MUST be comparable to the Federal Clean Water Act and regulations. IT IS NOT, and the 6th Circuit has said so. The reason it isn't, is the lack of real public participation in agency decision making, required by the U.S.Congress.

Reform is the ONLY cure.

### No CAFO in Johnson County



Factory farm attempt to jeopardize Tennessee's fresh water is countered by an extraordinary grassroots movement.

Get the full story at the SOFG program meeting -

7pm, January 24, 2005  
Johnson County Welcome Center  
716 South Shady - Mountain City, TN

Presenter: Steve Ferguson  
Co-Chair state CAFO Committee  
& President of the  
Johnson Co Citizens Committee



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The monthly newsletter of the  
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3. Hard-copy handwritten or typewritten articles may be accepted; however, pre-approval from the Editor is required.
4. Any materials submitted via USPS mail cannot be returned unless a stamped, self-addressed envelope is provided.

The opinions expressed in the Tennes-Sierran are those of the contributors and do not necessarily reflect the official views or policies of the Tennessee Chapter, or the Sierra Club.

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Explore, enjoy and protect the planet

# Power To Burn?

By Rick Gebhe  
Rick.gebhe@comcast.net



With the 2004 presidential election behind us, the Arctic National Wildlife Refuge (ANWR) is back on the menu for petroleum development. While the distribution of political power has changed, the harsh realities of energy use, limited resources, and environmental consequences have not. The ANWR conflict is just one example of one aspect of a much bigger issue. My fellow Americans, it's time to wake up and smell the future burning.

Debates on wars, oil and money aside, I think most of us can at least agree that our dependency on petroleum, imported and domestic, is a serious problem. We need to face it with open minds and a willingness to tighten our belts. We should also consider things about oil that frequently escape attention, and how they affect us.

Oil isn't just used for heating and driving. It's vital to the organic chemical industry. That includes plastics and rubber, agricultural chemicals, fertilizers, medicine, textiles, detergents, vitamins, medical equipment and supplies, and much more. Petroleum drives our food production and delivery infrastructure. Considering our dependence on oil, isn't it crazy to be in such a hurry to burn it all up, wherever we get it?

Recent headlines suggest that opening up ANWR to petroleum extraction is this administration's number one energy priority. If true, this indicates continued emphasis on increasing production rather than improving efficiency. Current policy is summarized in the 2001 Report of the National Energy Policy Development Group, "Reliable, Affordable, and Environmentally Sound Energy for America's Future", available at <http://www.whitehouse.gov/energy/National-Energy-Policy.pdf>. If you think this policy promotes conservation and sustainability, please read it. It's 170 pages, so get comfortable. People, an energy policy that encourages increased consumption of crucial and finite resources is not planning for much of a future.

The report describes how high energy costs impact viability of agriculture, while simultaneously promoting using crops to make fuel. Now think about that, consider how much land is already in crop production, remember that water is frequently in short supply, and imagine how much more water, cleared land, fertilizer, pesticides, etc. would be required to make a significant dent in the growing demand for fuel. Bio-fuels, e.g. gas made from soybeans, are frequently referred to as "renewable". In a sense they are, but the real costs must be taken into account.

Hydrogen is also advertised as a viable alternative, but here's the catch: hydrogen isn't an energy source, it's just a storage device. There are two main sources for the hydrogen that would run the hypothetical fleet of the future. The first one is fossil fuels. No solution here, obviously. The second source is water, but to get the hydrogen out of the water, you have to put more energy into it than you get back out. No solution here either, at least until we have a sufficient supply of renewable, cheap, clean electricity. Yes, I'm out to bust your bubble!

We simply can't keep burning more and more fossil fuels and expect the environment to improve. Human-induced global warming is a fact no reasonable researcher today will try to refute. Incidentally, I'm amazed how when science yields new technology that makes our lives better, we hail it as a boon to mankind. Yet when the same science later indicates that technology is harming us, we dismiss it as "junk science". How smart is that?

Rather than focus on increasing energy supplies, we need to reduce demand. That's where we find the real savings, and viable plans for the future. There's no sustainable plan for petroleum consumption. When it's gone, it's gone. Rather than scrambling to grab all the remaining oil we can and burning it up as fast as we can, we should conserve what's left, using that energy and other resources to convert our vital infrastructures to more sustainable forms.

Meaningful alternatives include carpooling, transit oriented development, telecommuting, lighter vehicles, and controlling sprawl. One theme pervading our energy policy is that growth in oil consumption is inevitable. This is a total copout, not worthy of our nation. It's only inevitable if we make it so.

The heart of the solution to this energy problem isn't more legislation. Salvation lies, as with all things, in our individual choices to make changes in our own behavior. This is a bitter pill to swallow, given our cultural tendency toward instant gratification and willingness to incur long-term debt in exchange for temporary satisfaction. However, unlike our politically driven legislation, the laws of thermodynamics are inescapable. As Albert Einstein said, "Intellectuals solve problems. Geniuses prevent them." Let's be geniuses, and prevent this from becoming a crisis.



## Up in Smoke

by James H. Baker  
Conservation Chair - Chickasaw Group

In late September 2004, Don Richardson, a fellow Gulf Coast Regional Conservation Committee (GCRCC) delegate and I were travelling to Mountain View, Arkansas for the fall GCRCC meeting. As we traveled west, along U.S. Highway 64, we counted at least five large smoke plumes that rose thousands of feet into the clear blue sky. As we entered the town of Wynne, Arkansas, we saw the source of the smoke. Between Wynne and Augusta, Arkansas; we saw a number of rice fields had been harvested, and the rice straw was being burned off. Several of these plumes drifted across U.S. 64, filling the car with a strong odor of smoke and reducing the sunlight levels to that of a cloudy day.

As stated on the Sierra Club web page, <http://www.sierraclub.org/cleanair/>, clean air is a basic right for all of us. However, the smoke from these fields is getting into the air that you and I breathe. It will travel for many miles. The smoke from this burning contains fine particles of soot that are inhaled deeply into our lungs, and for some, cause or contribute to their having an asthma attack. Consider this fact, as published by the National Center for Health Statistics. "Asthma Prevalence, Health Care Use and Mortality, 2000-2001" January 28, 2003: 'By 2001, more than 31 million people had been diagnosed with asthma at some point in their lives, and 12 million Americans (including 4.2 million children) had an asthma attack the previous year.' Looking at these statistics, one wonders how many residents in and between the towns of Wynne and Augusta were experiencing asthma attacks in late September and early October. One wonders if affected residents were complaining to the Arkansas Department of Environmental Quality (ADEQ). One also wonders what ADEQ is doing "to protect, enhance and restore the natural environment for the well-being of all Arkansas", as is stated on their web page. See: [http://www.adeq.state.ar.us/air/branch\\_planning/monitoring.htm](http://www.adeq.state.ar.us/air/branch_planning/monitoring.htm) There are no air quality monitors in Cross and Woodruff counties, but there is no doubt in my mind that the 24-hour, 2.5 and 10 micron Fine Particle-National Ambient Air Quality Standards were being violated in these two counties.

The Sierra Club is not about complaining about pollution. The Sierra Club is about offering solutions that not only protect human health and the environment, but also are about enhancing our environment, as well as our country's economy. In a Sierra Club handout, "Sensible Replacements for Everyday Wood Products", there is a section on "agricultural residue". Consider the burning of rice straw, as well as wheat straw and corn stalks. These can be harvested as well and used to make paper. The United States generates an estimated 280 million tons of agricultural residue that is suitable for making paper. Using this fiber to make paper generates at least four benefits:

**Above: Many pounds of fine particle air pollution and carbon dioxide rise from the burning rice**

- Stops the burning of wheat and rice straw that contributes to air pollution and asthma attacks.
- Stopping the burning of the wheat and rice straw reduces carbon dioxide emissions that are increasing the concentrations of carbon dioxide in the atmosphere and contributing to global climate change.
- The sale of this agricultural residue can provide extra money for rice and wheat farmers.
- It reduces the need to log our National Forests, for corporate profit, at taxpayer expense.

Why are we not using this win-win proposition?

## Tennessee Water Sentinels Highlights For 2004

by James H. Baker  
Project Director - Tennessee Water Sentinels

For the Tennessee Water Sentinels, 2004 can be best described as a roller coaster. There were many ups and downs, some of which are highlighted below.

- A highlight was the release of "Fouling the Father of Waters", which was a combined follow-up report of the Cypress Creek and Wolf River watershed reports that were released in 2003. The report was sent to Commissioner Betsy Child of the Tennessee Department of Environment and Conservation (TDEC) as a Formal Complaint. Commissioner Child's lackluster response was just one low point for the year.
- Another highlight was Charlie Rond-the Chair of the Chickasaw Group and myself meeting with the entire Editorial Board of the Memphis Commercial Appeal newspaper and then being invited to write an Op-Ed column on industry's lack of compliance - and TDEC's lack of enforcement. This Op-Ed resulted in a Letter to the Editor praising the work of the Tennessee Water Sentinels. That letter was from Gary Bridgman-the President of the Board of Directors of the Wolf River Conservancy, a local river conservation group.
- Tennessee Water Sentinels was the lead group and then partnered with Memphis City Beautiful and Memphis Public Works in two litter clean-ups in the Spring. A total of 56 people worked these two cleanups and collected an estimated 1,200 pounds of recyclable

Continued on page 6

# Meetings

## HARVEY BROOME GROUP (Knoxville)

**ANNUAL PLANNING RETREAT AND POTLUCK DINNER:** Saturday, January 8, 10:00 a.m. at the home of David Reister, 10366 Rather Road, Knoxville. Directions: travel toward Oak Ridge on Pellissippi Road. A little over a mile beyond the Hardin Valley exit, turn right on George Light Road, just after a small office building. Go about 200 feet on George Light and turn right on Rather Road. Travel about one mile on Rather Road to the driveway into David's subdivision. The driveway is the second road on the right. Pass a barn and three house before you reach David's garage at the end of the driveway (0.3 miles) from Rather Road. His house is behind the garage. The house and garage look like a barn with Tulip Poplar siding and a tin roof. Call David at 670-8991 if you get lost. And don't forget to bring a dish for the potluck supper which will follow the meeting.

**PROGRAM MEETING:** Tuesday, January 11, at 7:30 p.m. at the Tennessee Valley Unitarian Church, 2931 Kingston Pike, Knoxville. "Kilowatt Ours" - a documentary by Jeff Barrie. What would you discover if you traced the wires from your light switch to its energy source? Jeff Barrie journeyed across the southeastern US to find out. This important documentary vividly exposes energy-related problems like childhood asthma, air pollution and mountaintop removal. "Kilowatt Ours" explores the environmental and human toll of our region's appetite for electricity and presents solutions that may surprise you. Call 690-3257 for more information.

**STRATEGY MEETING:** Tuesday January 25, 7:30 p.m., Tennessee Valley Unitarian Church, 2931 Kingston Pike, Knoxville. If you're interested in getting more involved or in finding out about what drives the Sierra Club in this area, this is the meeting to attend. Call Axel Ringe at 865-397-1840 for more information.

## MIDDLE TENNESSEE GROUP (Nashville)

**PROGRAM MEETING:** Thursday, (January 13) at 7:00 p.m. at Radnor Lake Visitor Center in Nashville. The Harpeth River Watershed Association (HRWA) is dedicated to preserving and restoring the ecological health of the Harpeth River through such means as forging partnerships among homeowners, landowners, families, farmers, businesses, researchers, and government agencies. The HRWA has conducted stream restoration projects, designed and conducted the first watershed-wide assessment of stream habitat health and erosion problems, held watershed workshops for science teachers, and maintained watches on developments that might endanger the health of the river, among many other projects. The Harpeth flows into the Cumberland River; thus, the health of this river affects all of us who depend on the Cumberland for our water. Join us as we welcome GWEN BLANTON of the HRWA, who will present a slide show about rain gardens, storm water, and land use practices. Light refreshments will be served; please feel free to bring your favorite reusable cup. For more information on this program, contact Shelli Dimarco at (615) 260-0030. (Enter the Radnor Lake area on Otter Creek Road, accessible only from Granny White Pike.) Everyone is always welcome!

**STRATEGY MEETING:** Wednesday, January 26<sup>th</sup>, 2005 at 6:30 p.m. Conservation issues are first on the agenda! Bring your re-usable cup and sack dinner, or snack on refreshments provided by our group and get the news on what's happening in our Middle Tennessee Group. All members are invited to attend our conservation and administrative meeting at 2021 21st Avenue South (the old St. Bernard Academy Building). We meet on the 4th floor. We welcome you to be with

us to learn of the group's conservation initiatives and community activities. For additions to the agenda or for more information regarding the meetings, send a message to Katherine Pendleton at [Katibug1959@aol.com](mailto:Katibug1959@aol.com) or call 943-6877.

## ANNUAL PLANNING RETREAT:

Saturday, February 19th - We will have a follow up meeting from last year to plan for our year ahead. We will meet on Saturday, February 19th somewhere in the Nashville area from 9 AM to 4 PM. Potluck dinner so bring something to share with others. Would you like to participate with the Executive Committee on where our Group focus should be? Do you have ideas for improvements? Any new ideas for outings, volunteer activities, new topics of concern? Join us. We would like to hear from you! NO COST and no sleepovers.

Call Katherine Pendleton at 943-6877 or email at [katibug1959@aol.com](mailto:katibug1959@aol.com) to let her know that you will attend. More precise info to follow in the February issue, but mark your calendars now to attend!

## UPPER CUMBERLAND GROUP (Cookeville)

**PROGRAM MEETING:** Contact Peggy Evans at 931-432-6680 or [maevans@TWLakes.net](mailto:maevans@TWLakes.net) for more information on program meeting dates and times.

## STATE OF FRANKLIN GROUP (Tri-Cities)

**POLITICAL COMMITTEE MEETINGS:** First Monday of every month, 7pm, Holston Valley Unitarian Universalist Church. All SOFG members are encouraged to get active now to help us organize for environmental victory in November! FMI: Dan Grace, Pol.Com. Chair, (423) 926-7035, [dangrace@worldnet.att.net](mailto:dangrace@worldnet.att.net).

**STRATEGY MEETINGS:** Second Monday of every month, 7pm, Holston Valley Unitarian Universalist Church. These Executive Committee/Conservation meetings are open to everyone interested in helping to protect upper east TN's air, water, forests & family farms. To place an item on the agenda, or for directions to the Church, please contact Linda Modica, Group Chair, (423) 753-9697, [lcmmodica@aol.com](mailto:lcmmodica@aol.com).

**PROGRAM MEETINGS:** Fourth Monday of every month, 7pm, Holston Valley Unitarian Universalist Church. Programs on environmental issues, travel, nature photography are among the many topics featured at SOFG program meetings. FMI: Mary Gavlik, Vice Chair, (423) 434-9535, [mlgav@yahoo.com](mailto:mlgav@yahoo.com).

## CHEROKEE GROUP (Chattanooga)

**PROGRAM MEETING:** For additional information, contact Rick Gehrke 423-843-9625 or email [rick.gehrke@comcast.net](mailto:rick.gehrke@comcast.net)

## CHICKASAW GROUP (Memphis)

**MONTHLY MEMBERS GATHERING:** Thursday, January 6, 2005, 6:00 - 8:00pm - Otherlands, 641 South Cooper, Memphis, Tennessee. Join us for Chickasaw Group's "FIRST THURSDAY" monthly gathering where Sierra Club members, activists and friends can meet in a casual setting to talk about issues and interests. Contact Membership Chair Jill Johnston <[jdjhnstn@memphis.edu](mailto:jdjhnstn@memphis.edu)> at (901) 278-2713 for more information.

**CONSERVATION COMMITTEE MEETING:** Sunday, January 9, 2005, 1:00 - 3:00pm - Otherlands, 641 South Cooper, Memphis, Tennessee. Join James Baker, the Conservation Chair in a casual setting to discuss conservation issues and interests that affect the Chickasaw Group. Contact James Baker at (901) 372-6717 or [aubrey\\_kimo@worldnet.att.net](mailto:aubrey_kimo@worldnet.att.net) for more information.

**STRATEGY MEETING:** Monday, January 10, 2005, 6:30pm - University of Memphis Alumni Center, 635 Normal Street, Memphis, Tennessee. This meeting of the Executive Committee is open also to all members of the Sierra Club. For more information, contact Charlie Rond <[chasrond@bellsouth.net](mailto:chasrond@bellsouth.net)> (by January 5 to place items on the agenda) at (901) 452-8150.

**THIRD TUESDAY GATHERING:** Tuesday, January 18, 2005, 6:00 - 8:00pm - Cafe Francisco, 400 North Main, Memphis, Tennessee. Join us for Chickasaw Group's "THIRD TUESDAY" monthly gathering where Sierra Club members, activists and friends can meet in a casual setting to talk about issues and interests. Contact Membership Chair Jill Johnston <[jdjhnstn@memphis.edu](mailto:jdjhnstn@memphis.edu)> at (901) 278-2713 for more information.

**TENNESSEE CHAPTER MEETING:** Friday-Sunday January 21-23, 2005. Tennessee Chapter Quarterly Meeting, Cedars of Lebanon State Park, Tennessee. A beautiful way to spend a fall weekend. The Chickasaw Group is host for this annual meeting at a Middle Tennessee state park renowned for its vast cedar forest. This forest actually consists of juniper trees mistaken for cedars by the first arrivals. Botanists began to notice unique natural ecosystems found in and around Cedars of Lebanon State Park and Forest. These areas are natural rock gardens called cedar glades. The presence of glades is due to limestone rock coming so close to the surface of the ground that it causes the soil to be thin or absent. What little soil is there builds up along cracks and potholes in the limestone slab. Nineteen rare and endangered species of plants grow profusely here and no where else in the world. Cedars of Lebanon State Park is located approximately 31 miles east of Nashville in Wilson County. It is 6 miles south of I-40 on U.S. Highway 231 (State Route 10). For \$30 and a little KP you get a bunk, meals, and the chance to see and hike some beautiful middle Tennessee wilderness. See the registration form in the TenneSieran. Contact Chickasaw Group Chair Charlie Rond at (901) 452-8150,

**PROGRAM MEETING:** Wednesday, January 26, 2005, 6:00pm - Memphis and Shelby County Library and Information Center, 3030 Poplar Ave., Memphis, Tennessee. The program will feature a PBS-produced video, THE RACE FOR OPEN SPACE. America is in a race that will shape the future - a race between development and open space preservation. With the environmental clock ticking fast, many government officials, environmentalists and developers are looking at New Jersey to see what the future may hold. THE RACE FOR OPEN SPACE, narrated by ABC News' Charles Gibson, examines the complex issues surrounding the development boom and how the phenomenon is tied with the American dream. Archival footage dramatically illustrates how the landscape has evolved over the past century. The program also documents the need for positive change by enacting solutions that utilize "smart growth" and open space preservation to manage development. The program THE RACE FOR OPEN SPACE airs Friday, January 21 at 8:00pm on WKNO/Channel 10. For more information, contact Teri Sullivan at (901) 320-7191.

**TELEVISION PROGRAM:** Every Monday at 1:30pm, Tuesday at 4:00pm and Wednesday at 11:30am, CST, The Library Channel, Memphis Cable 18, WYPL, "The Nature of Conservation" is sponsored by the Sierra Club. For January TV host Judith Rutschman will interview Park Director Steve Smith of Meeman-Shelby Forest State Park to discuss what the park has to offer, its challenges and its history.

Earlier Judith interviewed Debbie Bruce who talked about Backyard Birding and what efforts can be made to attract and feed and water songbirds in our backyards. A different program is aired, usually each month, with the program repeating every Monday, Tuesday and Wednesday throughout the month. If any groups or individuals in the community have a special problem or concern, or would like to see a program on a special issue or subject, please contact Judith Rutschman [RUTSCHMAN@rhodes.edu](mailto:RUTSCHMAN@rhodes.edu) at (901) 767-5916.

# The Future of the Cumberland Plateau

## A Short Environment Essay on the Cumberland Plateau

By Jim Bennett,

Belmont University Student

Reading and Writing About the Environment - Robbie Pinter, Instructor

The late singer/songwriter Joni Mitchell wrote a line that may unfortunately come true for Tennesseans, "You don't know what you got till it's gone." Arguably, the Cumberland Plateau is one of Tennessee's richest natural resources. That is why sustaining its rich biodiversity is vital for the future of Tennesseans. Many industries, colleges, and private citizens use the Cumberland Plateau's natural resources to better the lives of Tennesseans and other people throughout the world. As a result, many business opportunities to financially profit from the Cumberland Plateau develop everyday and are wisely harvested. However, not all businesses are responsible users of the Cumberland Plateau. In fact, new studies by Professor John Evans of the University of the South in Sewanee, Tennessee show that the native forests of the southern United States are suffering. In recent years, "Urban sprawl and the creation of pine plantations have emerged as dominant forces of change and have been predicted to be major causes of native forest loss in the future" (iii).



A major reason the abuse is so rampant is that close to 80 percent of the Cumberland Plateau is privately owned. Due to private land ownership, the majority of the land on the Cumberland Plateau is not protected by the rules and regulations that apply to public land. Instead, Forest Certification systems have been developed by environmental groups and industrial groups in an attempt to influence landowners to manage their forests in a sustainable way. However, no standard Forest Certification system exists in the United States and the differences regarding acceptable forest management are significant. In order to secure a healthy and profitable Cumberland Plateau for future Tennesseans, private landowners must be held to higher standards. Being aware of three topics is essential to Tennesseans who wish to cultivate responsibility and positive change on the Cumberland Plateau: 1. The value of biodiversity on the Cumberland Plateau and 2. The significance of Forest Certifications that accurately identify abuse on the Cumberland Plateau.

### The Value of Biodiversity on the Cumberland Plateau

Arguably, one of Tennessee's most valuable assets regarding the Cumberland Plateau is its rich biodiversity. Tennessee's most significant piece of the Cumberland Mountains is a vast 6,875 square mile region called the Cumberland Plateau. It stretches from the West side of Chattanooga all the way through the northwestern side of Knoxville. Also, the Cumberland Plateau extends south to Birmingham, Alabama and to the northwest corner of Georgia, as well as north to West Virginia, Virginia, and Kentucky. The Cumberland Plateau is considered one of the world's most diverse eco-systems because on it may be found a wide variety of animals, birds, flora, trees, and insects.

It should be no surprise to Tennesseans that massive clear-cutting is predicted to grow on the Cumberland Plateau. Considering that over a quarter of the world's paper and 60% of America's wood products are being produced in the South, there is a lot of money to be made by chopping down Tennessee's forests. As a matter of fact, about 80 percent of the Cumberland Plateau is privately owned and the largest part of that private property is owned by the paper industry giants: Bowater, International Paper, Huber, and Mead.

### Forest Certifications

Compared to the other forest certification systems that exist the SFI has low standards. An interesting question to discuss forest certification systems is "Don't the paper companies have to follow the regulations of a forest certification system when they clear-cut trees from the Cumberland

Plateau?" Unfortunately, the answer leans toward "no" regarding the trees on the Cumberland Plateau that are theoretically under the protection of the SFI. All of the major paper companies chopping down the Cumberland Plateau are members of the Sustainable Forestry Initiative, "SFI", is the forest certification system. The SFI standard supposedly keeps the average clear-cut area around 120 acres. However, the SFI standard regarding clear-cutting is aimed at pleasing the eye of passers by instead of being aimed at protecting the health the forest. The policy underpinning the SFI standard is to "minimize the visual impact by designing harvests to blend into the terrain by restricting clear-cut size and/or by using harvest methods, age classes, and judicious placement of harvest units to promote diversity in forest cover."

In contrast, the Forest Stewardship Council, "FSC", another forest certification system, strongly discourages clear-cutting. However, the FSC's standard has a limitation of 40 acres (some exceptions allow for 80 acres) if the clear-cutting can "maintain a diversity of physical structures in the forest, responds to the silvicultural needs of dominant species, and does not compromise a forest's ecology." The policy regarding the FSC standard is to "minimize damage to the forest during harvesting and other operations." Clearly, these two certification systems have a different set of goals concerning the harvesting of trees. Unfortunately, the lower standards set by the SFI govern the trees being harvested from the Cumberland Plateau.

Almost every one would agree that Tennessee's economy needs a healthy forest products industry. However, the massive clear-cutting on the Cumberland Plateau destroys its rich biodiversity. Clear-cutting is the current process the paper industry uses to harvest trees. Clear-cutting is similar to General Sherman's mass destruction of Southern landowner's property during the Civil War. Not only does clear-cutting annihilate the trees and vegetation in a particular forested area but it also takes from the soil an unhealthy amount of its vital re-growth nutrients.

It is not likely that Tennesseans would tolerate the gross abuses committed by the paper industry if Tennesseans were aware of the magnitude of the devastation on the Cumberland Plateau. The problem is that "beauty strips" are used to conceal the clear-cutting sites. A "Beauty Strip" is the small strip of native forest surrounding the parameter of the clear-cutting sites. "Beauty Strips" are left behind because they are more aesthetically pleasing than a bull-dozed forest.

### Conclusion

Tennessee needs to hold the paper companies accountable for their massive abuse of the Cumberland Plateau and insist that they change upgrade their forest certification system membership. The SFI standards have the wrong focus if Tennesseans want to keep the biodiversity on the Cumberland Plateau. Their allowances that permit the paper companies to average 120 acre clear-cuts have already resulted in 14% of the Cumberland Plateau to be chopped down. In place of the hardwood forests being clear-cut, the

Continued on page 8

## Sign on to Save Our Smokies!

To subscribe to the Greater Smoky Mountains Coalition (a.k.a. Save Our Smokies - SOS) listserve, just send a blank email to:

**Greater\_Smoky\_Mountains\_Coalition-subscribe@yahoogroups.com**

You will receive a subscription confirmation message. Just reply to the confirmation message, and your subscription will be complete.

If you run into any difficulties, just email Liz Dixon at [dixon@cs.utk.edu](mailto:dixon@cs.utk.edu)

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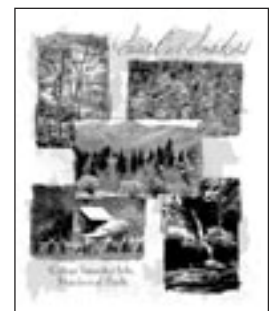
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Tennessee Chapter Sierra Club, 2021 21st Avenue South,  
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\*\*\*\*\*

If you would like to be active in the Save Our Smokies campaign, please contact Beverly Smith at 865/531-8480 or [blsmith1300@comcast.com](mailto:blsmith1300@comcast.com)  
Your help would be greatly appreciated!

# Outings

All participants in Sierra Club outings are required to sign a standard liability waiver. If you would like to read a copy of the waiver before you participate, please refer to: <http://www.sierraclub.org/outings/chapter/forms/SignIn-Waiver.PDF>, or call 415-977-5630, for a printed version. Transportation to the outing, including carpooling, ride sharing or anything similar, is strictly a private arrangement among the participants. Participants assume the risks associated with this travel.

## HARVEY BROOME GROUP (Knoxville)

**Saturday-Sunday, January 22 - 23, 2005 - Winter Backpack, Campsite 18, GSMNP** - Join us for this easy winter warm-up backpack. Day one will be a 5.0-mile hike from Laurel Creek Road at the Finley Cane trailhead to Bote Mountain trail and ending at Campsite #18 on the West Prong Trail. Sunday will be a short hike out to our cars at



## Ten Essentials for Hiking

Sierra Club Outings offer a variety of wilderness and near-wilderness experiences. It is important to realize that while all trips are guided by a leader, it is ultimately the responsibility of the individual to operate in a safe manner. To this end, the following is a list of essential items, which should be modified according to the particular type of outing. These are:

1. Adequate map
2. First aid kit
3. Compass
4. Rain gear
5. Extra clothing (it is a good idea to always have a wool hat)
6. Matches
7. Knife
8. Flashlight
9. Extra food, water
10. The tenth essential. You decide what is the most important thing to bring!

the Great Smoky Mountains Institute at Tremont. Some shuttling back to Finley Cane will be necessary. Please sign up early, the number of participants will be limited. Pre-register with Beverly Smith. Contact the leader no later than 3 days before the beginning of the hike. Evening phone number 865-531-8480; email [blsmith1300@comcast.net](mailto:blsmith1300@comcast.net).

## MIDDLE TN GROUP (Nashville)

**Saturday January 1 - 2nd Annual New Year's Day hike at Long Hunter State Park** - We will walk the 4 mile Volunteer Trail and perhaps the Couchville Cedar Glade 1 mile trail, then off to brunch somewhere. Meet at 10:00 AM at the Park Office for the first hike of the year! Call Linda Smithyman at 615-822-1979 or [lsmithymanhbg@yahoo.com](mailto:lsmithymanhbg@yahoo.com) to register for the hike.

**Saturday January 1 - Canoe the Narrows of the Harpeth** - Join a paddle around the Narrows of the Harpeth on New Year's Day. We will be taking food for a brunch/lunch at take-out. Participants will have to BYOB - bring their own boats. Contact Heloise if you are interested. [stillwild@bellsouth.net](mailto:stillwild@bellsouth.net) or 896-6278.

**Sat., Sun., January 8-9 - 4th Annual Long Hunter State Park Backpack** - Let's begin the year with an easy 6 mile each way backpack to the overnight campsite on the Volunteer Trail at Long Hunter State Park. Bring your favorite "gourmet" backpacking meal to share for a potluck supper on Saturday night. For additional information and to register, contact Katherine Pendleton at 615-943-6877 or email [Katibug1959@aol.com](mailto:Katibug1959@aol.com).

**Saturday January 15 - Day Hike at Short Springs Natural Area** - Hike at the Short Springs Natural Area in Tullahoma Tennessee. Get introduced to a new place close to home. Short but sweet, and if you don't get enough hiking with this four something miles, continue at Old Stone Fort in Manchester. Call Heloise at 896-6278 or e-mail [stillwild@bellsouth.net](mailto:stillwild@bellsouth.net)

**Tuesday, January 18 - Dinner Social Night Out** - Meet for dinner about 6:30 PM at O'Charley's (or another restaurant) on Franklin Road in Brentwood. ANYONE is invited to come and bring a friend(s). Come out to enjoy some like minded company and treat yourself to a nice dinner out. Call Linda Smithyman at 615-822-1979 or email [lsmithymanhbg@yahoo.com](mailto:lsmithymanhbg@yahoo.com) to register (so we know about how many to expect). We will be sitting in the non-smoking section of the restaurant.

**Sunday January 30 - Day Hike at Barfield Crescent Park in Murfreesboro** - Barfield Crescent hike in Murfreesboro Tennessee. Tricky footing across limestone rocks. Four miles. If you don't get enough hiking, continue at the Greenway

for another six miles, including a visit to a Civil War fortress. Contact Heloise at 896-6278 or [stillwild@bellsouth.net](mailto:stillwild@bellsouth.net).

**Saturday February 5 - Sandhills Cranes at Hiwassee Water Refuge** - Join us at the Hiwassee Water Refuge, north of Chattanooga, to watch the sandhill cranes. The local school has talks, slide shows, buses to the refuge, all FREE. Buy your own lunch and you need to bring gas money for the carpool, souvenirs, & hot chocolate. Cameras with telescopic lenses take the best photos. People share their telescopes or bring their own. Call Linda Smithyman at 615-822-1979 or [lsmithymanhbg@yahoo.com](mailto:lsmithymanhbg@yahoo.com) to register by Thursday evening to make sure that the trip is on and where/when to meet.

NOTE: Places and times are subject to change. Contact the outings leader for further information, and check the newsletter or website (<http://tennessee.sierraclub.org/mtg/mtgoutings.htm>) for updates. Also, all participants in Sierra Club outings are required to sign a standard liability waiver. Transportation to the outing, including carpooling, is strictly a private arrangement among the participants. Participants assume the risks associated with this travel.

## CHEROKEE GROUP (Chattanooga)

For information on upcoming outings, contact Chris O'Connor at [chris\\_o77@yahoo.com](mailto:chris_o77@yahoo.com) or visit our web site at <http://www.tennessee.sierraclub.org/cherokee/index.htm>

## CHICKASAW GROUP (Memphis)

**DISCLAIMER:** The following activities are not sponsored or administered by the Sierra Club. They are published only as a service to our members. The Sierra Club makes no representation or warranties about the quality, safety, supervision or management of these activities. Transportation to the outing, including carpooling, ride sharing or anything similar, is strictly a private arrangement among the participants. Participants assume the risks associated with this travel.

**OLD FOREST HIKE:** **Saturday, January 8, 2004 - 10:00 am - The Old Forest Trail.** Second Saturday Hikes Explore the only urban old growth forest of its kind in America. Learn about the forest's history, identify big trees and wildflowers and observe firsthand the impact of natural and human forces on forests in an urban setting. Meet at the bridge next to the parking lot at the end of Old Forest Lane in the center of Overton Park. The informative and entertaining trail map to the self-guided mile-and-a-quarter mile loop hike with seasonal bird watching and wildflower-viewing guides is available for free at the Golf House in Overton Park at all other times. For additional information, contact Don Richardson <[donrich@juno.com](mailto:donrich@juno.com)> at (901) 276-1387. Sponsored by Park Friends.



## Tennessee Water Sentinels Highlights For 2004

Continued from page 3  
and non-recyclable material for proper disposal.

- Comment letters were written during the year regarding types of draft water quality permits. These took many hours to research and write. One of the most important, and the most involved of all my letters, was an attempt to get TDEC to create a truly protective General Permit for medium sized Confined Animal Feeding Operations (CAFOs). Despite much hard work on the comments letter, the resultant permit was finalized as essentially drafted. Another low point for the year.

- A highlight of the last few months has been the complete overhaul of the Tennessee Water Sentinels web-site. This new site includes:

1. All new cover page and photos, which required photos reconnaissance and public record audits at TDEC for the "Fouling the Father of Waters" update.

2. The "Fouling the Father of Waters" report of January 2004 has additions as of early September, hence the title is "September 2004 Update-Fouling the Father of Waters". The update begins on page 25. This is a set of follow-up file audits of the six facilities that were on the original "Fouling..." report, pages 19 - 24. This update also includes photos of each of these 6 facility's signs - taken from either the public street or sidewalk.

3. A "pop-up" page-called "accomplishments" that has several photos of Tennessee Water Sentinels shoreline clean-ups.

4. A "pop-up" page-called BMP-"Bad Management Practice" of the month. This page will feature the worst example of BMPs that I see in my travels around Memphis and Shelby County. As all environmental activists should be doing, I always have a camera at the ready. This page will be updated monthly. With the "target rich" environment here in Memphis and Shelby County, I should have no problem updating this feature. This BMP of the month has resulted in two additional Formal Complaints.

- Point of interest - through casual conversation, I have learned that the Tennessee Water Sentinels web-page is regularly checked at the offices of TDEC. Our Chapter and Group web-pages can be as well.

# Chickasaw Holiday Party

By Charlie Rond

The presentation of the "Paving Paradise" award to the Riverfront Development Commission was the highlight of the recent Chickasaw Group Holiday Party at the stately law offices of Burch, Porter and Johnson in downtown Memphis. The award was given for the RDC's "myopic bold vision to animate the riverfront with new apartments, offices and a grand esplanade shopping strip which will make us a bluff-less city on Wolf River Harbor Lake - all for a mere \$292 million."

The award was one of seven given that night. The "Outstanding Volunteer Service Award" was given to Becki Barnhardt for her "commitment to the democratic process and her tireless efforts during the 2004 Presidential and local elections." Former ExCom member Jeff Lehr was given a "Culinary Delights" award for "his creative ideas that were expressed in the wonderful food that was served at the 2004 Legislative Reception..." And the Friends of the Riverfront won a "Smart Growth" award for "their continuing actions in insisting that the promises for the Public Promenade by Memphis founders be kept by our elected officials and the Riverfront Development Corporation."

Environmental Justice Coordinator Rita Harris presented one "Environmental Stewardship Award" to the Memphis & Shelby County Fire Department Engine 40 C-Shift and another to the Rescue 1 C-Shift for "outstanding efforts in managing the cleanup of a toxic oil spill on Shelby Drive near Tchulahoma Road."

The surprise "Unsung Heroine" award was given to Program Chair and Publicity Chair Teri Sullivan for her outstanding dedication and service to the Chickasaw Group this past year chairing and organizing numerous successful events, including the Legislative Reception, the Holiday Party, the planned Walkin' Jim Stoltz Concert and others.

Scores of Chickasaw Group members, friends and guests enjoyed a rich selection of foods, desserts and wines as they reviewed and reminisced over the year's events. And a downtown fireworks display surprised and

**Top Photo:** Chickasaw members enjoy this years group Holiday Party.

**2nd Row Left Photo:** \*Bert Merrill and Dick Mochow at Holiday Party

**2nd Row Right Photo:** \*Debbie and Leeanne Fox at Holiday Party.

**3rd from Top Left Photo:** Group Vice-Chair \*Karen Prosser and Ernest Carpenter.

**3rd from Top Right Photo:** "Smart Growth" award given to Friends for our Riverfront. Pictured are \*Jean Arthur, Judith Johnson, Sue Williams, Virginia McLean, Charlie Rond, & Don Richardson.



**Bottom Left Photo:** Program Chair and Publicity Chair \*Teri Sullivan receives the "Unsung Heroine" award from Chair Charlie Rond.

**Bottom Right Photo:** Shelby County Firemen receive the "Environmental Stewardship Award" from EJ Coordinator Rita Harris who is on far right.

\*All persons named above are pictured left-to-right unless otherwise stated

On the web, see: <http://www.sierraclub.org/watersentinel/tennessee/>

I have mentioned the highlights, but have made reference to low points. A low point is working extremely hard on a report or a comment letter, and then TDEC goes right ahead and "drops the ball" on enforcement issues, or issues a final permit that is, in my opinion, not protective of human health and the environment. Another low point is that Region IV EPA has never responded to any letter that I have copied them in on.

Since TDEC and EPA will not fulfill their obligations under the Clean Water Act,

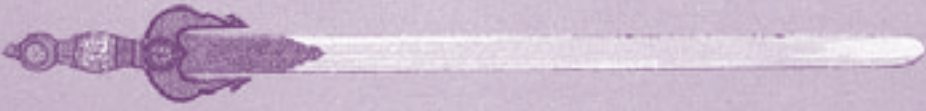
it will be up to us citizens to continue to monitor polluting facilities by reviewing public records, photographing violations, taking water samples, and writing TDEC and EPA. Additional actions may have to be taken if TDEC and EPA continues to fail to secure your clean water rights as promised by the Clean Water Act.

If you are a Sierra Club member and are interested in a Water Sentinels project in your area, contact James H. Baker, the Tennessee Chapter's Water Sentinel Project Director at: [aubrey\\_kimo@worldnet.att.net](mailto:aubrey_kimo@worldnet.att.net) or 901-826-2448.

## Volunteer Opportunity!

To help the Middle Tennessee Group, to help our senior and disabled recyclers, to have fun and to meet other Sierran's, please consider volunteering at our recycling site at the Elysian Fields Kroger in Nashville. The site is open Saturday mornings from 9:00 to 12:00. You will have at least one other person working with you, and you can choose to volunteer only when it is convenient for you, whether that is just one time, monthly, quarterly, or every few months. Please call Recycling Coordinator David Bordenkircher at 333-3377 (H) or 741-1597, or e-mail him at [dabordenkircher@mindspring.com](mailto:dabordenkircher@mindspring.com).

Many thanks to DariusThieme for many weeks of devoted work at our recycling site!



## Defenders of Tennessee 2005 NEEDS YOU!

The Tennessee Sierra Club's annual **Defenders of Tennessee** campaign funds our advocacy and lobbying activities, and we ask new members, as well as continuing members who have not yet joined the **Defenders**, to do so as your 2005 gift to the environment. The Legislature reconvenes this month, so now is the time.

During the past 8 years, this program is one that has been very effective in representing the Sierra Club's environmental agenda on Capitol Hill. Our **Defenders** can be very proud of the work we have done and the accomplishments of our Legislative Committee and our lobbyist, Mike Murphy. The Tennessee Chapter is able to hire a lobbyist such as Mike only because you and other dedicated members donate to this once-a-year solicitation.

Your contribution is not tax-deductible but is critical in enabling us to continue to have an advocate on "the hill". In essence, if we don't have a lobbyist, we don't have a voice. Whether you give a little or give a lot, each contribution is very important in enabling us to continue this vital program. The **Defender** campaign brings in only a portion of the funds that we need to carry out our legislative and lobbying activities, and we must make up the balance out of our dwindling reserves.

The Tennessee Chapter thanks the following contributors (through December 5):

Andrew Abernathy  
Annelies Raetzer  
Betsy Garber  
Bob and Anne Brandt  
Clark Buchner  
David Bate Parsons and  
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Roger Jenkins and  
Susie McDonald  
Wendy Johnson  
Will Skelton  
William Manier III  
Anonymous

We invite YOU to join the **Defenders**. Please fill out the form below and send your check made out to Sierra Club Defenders, c/o Adelle Wood, 4641 Villa Green Drive, Nashville, TN 37215.  
**Thank you!**

Sincerely,  
Bill Terry,  
Legislative Co-Chair  
Penny Brooks,  
Legislative Co-Chair

Amount of donation: ( ) \$50 ( ) \$125

( ) \$250 ( ) \$500

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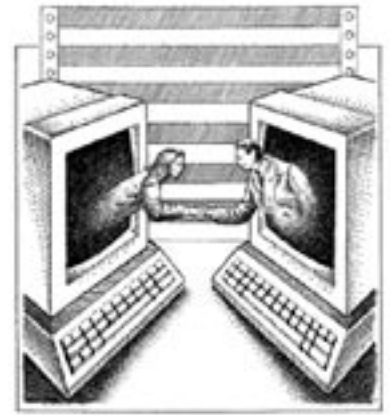
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Yes \_\_\_\_\_ No \_\_\_\_\_

(Optional) Your e-mail address, if you prefer to receive acknowledgment of your donation electronically (We will not use this for other purposes).

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Replace the variables omitting the brackets.

### The Future of the Cumberland Plateau A Short Environment Essay on the Cumberland Plateau

By Jim Bennett,

Continued from page 5

the paper companies' solution has been to create pine plantations, but the pine plantations do not have the ability to maintain the biodiversity that is essential for a vibrant Cumberland Plateau. If Tennesseans don't respond soon to the paper companies' clear-cutting abuses, the Cumberland will suffer irrevocable damage.

- Over a quarter of the world's paper
- 60% of America's wood products are being produced in the South

The low Forest Certification System standards are a direct result of the paper companies' massive financial gain in chopping down Tennessee trees. Unless Tennesseans develop an attitude that demands responsible forestry management and insists that the paper companies upgrade their current forest certifications, the rich biodiversity of the Cumberland Plateau will be gone.

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