



## **CHRISTMAS PRESENT 2018: ADDITIONAL CHEROKEE NATIONAL FOREST WILDERNESS**

By: Will Skelton

The waning days of the 115th Congress in late 2018 produced a wonderful Christmas present for all those citizens of Tennessee and the United States who care about preserving our remaining natural areas, from hikers and backpackers to anglers, equestrians, hunters, bird-watchers, and botanists. On December 20, 2018, the President signed into law the Farm Bill which contained The Tennessee Wilderness Act that designated as Wilderness 19,556 acres of the Cherokee National Forest (thereby adding such to the then existing 66,389 acres protected by two Congressional Acts in the 1980's). The new areas are:

- Upper Bald River Wilderness (9,038 acres)
- Big Frog Wilderness Addition (348 acres)
- Little Frog Mountain Wilderness Addition (630 acres)
- Little Frog Mountain Wilderness Addition (336 acres)
- Sampson Mountain Wilderness Addition (2,922)
- Big Laurel Branch Wilderness Addition (4,446 acres)
- Joyce Kilmer-Slickrock Wilderness Addition (1,836 acres)

The total of these areas and the prior Wilderness means that 85,945 acres of the Cherokee National Forest are protected as Wilderness (about 13% of the Cherokee's total acreage of 655,598). This action means that these areas cannot be logged and no roads or structures can be built, but they can be used for hiking, hunting, fishing and other non-mechanized uses that don't destroy the natural beauty and wildness of the areas.

Getting these additional areas protected is the culmination of a long-time effort by scores of people, with lots of history re how we got here from there. One of the earliest efforts regarding protection of these areas was in the mid-1970s when Will Skelton and Ray Payne met with the then Supervisor of the Cherokee, Bob Lusk. After hearing us out, Lusk said he would oppose such because "there is no Wilderness east of the Mississippi." Of course, he was shortly proven wrong. The first Cherokee Wilderness Area was designated by the so-called Eastern Wilderness Areas Act signed in 1975, which included only the small 2,493 acres Gee Creek Wilderness. Thereafter, the Cherokee National Forest Wilderness Coalition was formed, representing individuals and businesses plus dozens of environment and wilderness groups. Their efforts resulted in the passage of two Acts in 1984 and 1986 that designated 63,896 acres of the Cherokee as Wilderness. Unfortunately, because of political

opposition several important areas in the current Act could not be included in those prior Acts, and it has been a goal of preservation-minded folks since to see them designated as Wilderness. This especially applied to the gem of them all, the Upper Bald River Wilderness. It is significant because almost all the watershed of a large mountain stream, Bald River, is included in the Wilderness, which is somewhat unique for southern Appalachian Wilderness.

Work on getting additional areas protected commenced after the 1980s Acts. Hugh Irwin, Arthur Smith, and Catherine Murry organized Cherokee Forest Voices to provide input into USFS actions and help with getting added Wilderness in the Cherokee. Most important was work on an appeal of the just approved Cherokee Forest Management Plan to ensure it provided temporary protection for priority conservation areas. A formal appeal was made and followed by months of negotiations between various parties and the US Forest Service. And on August 4, 1988, a press conference in Knoxville announced a settlement that provided some level of protection for many of the areas in the current Act. Parties to the settlement included the US Forest Service, Sierra Club, Tennessee Conservation League, Tennessee Wildlife Resources Agency, and others. The local Sierra Club Group thereafter produced a couple of editions of a hiking guide to the Cherokee, called “Hiking Guide to the Cherokee National Forest” and published by UT Press in 1992 and 2005 (Tennessee Governor and later Senator Lamar Alexander did the “Forward” to both editions).

The Southern Appalachian Assessment, a multi-agency assessment of the conditions and needs of Southern Appalachian forests that came out in 1995 kicked off a round of Forest Plan revisions in most of the Southern Appalachian national forests, including the Cherokee. Even before the release of the assessment, the Southern Appalachian Forest Coalition (SAFC) was formed to lead and coordinate the plan revision effort throughout all of the national forests undergoing revision. The coalition consisted of national groups including The Wilderness Society and Sierra Club; regional groups including Southern Environmental Law Center; and grassroots groups active in all the national forests, including Cherokee Forest Voices. A major focus of SAFC and all of the groups in the coalition was to get good wilderness recommendations coming out of these forest plans. This was a long arduous process and the first new forest plans didn't emerge until 2004.

Part of the reason the process took so long was the development of the so-called Roadless Rule. The plan revision process was largely on hold during the late 1990s and early 2000s while the Forest Service inventoried and developed the Roadless Rule to identify and protect large “roadless” areas. SAFC and its member groups were very active in the development of the Rule, not only advocating for provisions that eventually became part of the rule but also making sure the right areas were covered in the rule. The Roadless Rule that came out at the end of the Clinton Administration in 2001 formalized protection of Upper Bald River and other conservation lands, including all of the areas eventually included in the TN Wilderness Act. The status of the Roadless Rule remained in flux throughout the Bush Administration, but the last legal challenge was settled in 2013. By assuring that areas had some level of protection, the Roadless Rule also helped to pave the way for eventual designation of the Cherokee areas. The Rule's roadless areas became the list from which Cherokee National Forest and other national forests selected areas to recommend for wilderness. When the revised Cherokee National Forest Plan came out in 2004, it recommended for Wilderness (Wilderness Study Areas or WSAs) the areas that were eventually included in the TN Wilderness Act. With that administrative protection it was then only a matter, and as it turned out a very difficult matter, of getting Congress to approve the Wilderness designation of those WSAs.

Following the release of the Cherokee Forest Plan there were discussions by SAFC, Cherokee Forest Voices and others about legislative efforts to implement the wilderness recommendations contained in the Plan. SAFC also held two workshops and numerous discussions in Tennessee between 2004 and 2008 to explore which areas to pursue for wilderness designation, what this effort would take, and the level of support for the idea of a wilderness campaign. Subsequently, in 2008 Mark Shelley on behalf of SAFC hired Jeff Hunter to direct a Tennessee Wilderness campaign. Jeff did a great job getting things started up again, including organizing a new coalition called TN Wild, setting up monthly telephone conference calls, contacting the numerous politicians who had an interest in the Cherokee, including local mayors, talking to civic and other groups, setting up outings in the WSAs (including some especially popular fresh water snorkeling trips), and such. Jeff was able to arrange personal hikes with political aides in some of the WSAs, including Curtis Swager and Jane Chedester from Senator Alexander's office and Jane Jolley from Senator Corker's office. And SouthWings, a non-profit that flies people over endangered natural areas, did overflights of many of the WSAs, including taking Congressman Roe over some of the northern areas and David Leaverton from Senator Corker's office together with several journalists over some of the southern areas.

Jeff also set up a series of annual meetings, bringing together people who were working on Tennessee Wilderness to discuss strategy. Those meetings were held in either Knoxville or Chattanooga and the first was on August 20, 2008, at the National Parks and Conservation Association's offices in Knoxville. A second meeting was held on June 27, 2009, and the meetings continued most years thereafter until the Act's passage. Unlike the 1980s Wilderness campaign, which was almost exclusively volunteer led and implemented, the campaign in the 2000s was dominated by professional employees of various environmental organizations, who brought a high degree of competence to the efforts; such groups ranged from The Wilderness Society to Tennessee Citizens for Wilderness Planning, Southern Environment Law Center, The Pew Charitable Trusts, Southern Appalachian Wilderness Stewards, South Wings, Cherokee Forest Voices, and Wild South. They were joined by volunteer representatives of the Tennessee Chapter of the Sierra Club and the Smoky Mountains Hiking Club.

One of the more important catalysts that led to the current Act was probably a meeting in Washington DC on December 9, 2009, between Senator Lamar Alexander and Bill Meadows, then President of The Wilderness Society, Jeff Hunter, then Field Organizer for TN Wild, and Will Skelton. Alexander of course had a history with Wilderness in the Cherokee since in the 1980s as Tennessee Governor he had supported the two Tennessee Wilderness Bills. And this time he was again supportive and promised to introduce a bill to protect as Wilderness the WSAs recommended in the Forest Plan by the US Forest Service. That meeting was preceded by taking one of Senator Alexander's aides, Brent Wiles, on a hike in the Big Frog Additions WSA led by Jeff Hunter, Brent Martin of The Wilderness Society, and Mark McKnight from Rock Creek Outfitters in Chattanooga.

Thereafter, on June 2, 2011, Senator Alexander and Senator Bob Corker, who by background was a supporter of outdoor recreation and quickly went along with our proposal, introduced The Tennessee Wilderness Act of 2011 which was described in a press release by Senator Alexander as "designating as wilderness nearly 20,000 acres in six areas of the Cherokee National Forest. . . I grew up hiking the mountains of East Tennessee, and I know that if we conserve these wildlife areas and preserve these landscapes, we'll give the next generations the same opportunity. This bill takes an important step

toward protecting the natural heritage that is so important to Tennesseans and the millions of tourists who visit each year looking to experience pristine nature for themselves.” Unfortunately, it would take reintroductions of the same bill in 2013, 2015, and 2017 before it would become law. But Senator Alexander persevered in order to make it happen.

During the next almost decade of work, things changed politically with Congressman Duncan of Knoxville losing from his district the counties that had WSAs, leaving Congressman Phil Roe in the First Congressional District with two WSAs and Congressman Chuck Fleischmann in the Third Congressional District with five WSAs. And after doing great work for several years, in January 2014 Jeff Hunter left TN Wild and was replaced for a short time by Pat Byington, who was then replaced by Laura Hodge in May 2014. Laura definitely carried the ball over the goal line, persisting with the campaign through funding and other issues and doing an outstanding job in seeing the Act finally passed. Funding of the TN Wild campaign varied over the years, with vital funds coming from the Benwood Foundation, Lyndhurst Foundation, The Conservation Alliance, Pew Charitable Trusts, and Patagonia, Inc.

Several major issues arose regarding the Wilderness Bill and the campaign to get it passed. First, a usual ally, the Tennessee Eastman Hiking & Canoeing Club, announced their opposition since they maintained the Appalachian Trail through the Big Laurel Branch area and, absent special approval, could not use chain saws for such maintenance if it were designated Wilderness. At that point Bill Hodge, Laura’s husband, stepped in with a brilliant proposal that he subsequently carried out: organize a new non-profit group to maintain the trails in Wilderness Areas with hand tools and no chain saws. The idea resulted from a joint presentation by Bill and conservation legend Doug Scott at East Tennessee State University on Wilderness in July of 2010; after the presentation the two developed the idea for what was Bill’s proposal. Southern Appalachian Wilderness Stewards (“SAWS”) was shortly organized and began maintaining the Big Laurel Branch portion of the AT in addition to trails in 64 other Wilderness areas (including Big Laurel Branch after the massive storm in 2016 that resulted in over 200 blowdowns). Having addressed the trail maintenance concerns through the work of SAWS, the campaign gained the support of Congressman Phil Roe of Johnson City, who is personally a hiker and mountain climber, and he agreed to introduce a version of the Wilderness bill for his district in the next Congress. However, in Chattanooga, Congressman Fleishman unfortunately proved to be intractable and adamantly opposed to any Wilderness bill in his district (Oak Ridge to Chattanooga). Innumerable letters and personal contacts by even lots of his financial supporters failed to change his mind. So, the ultimate work-around was to get a House of Representatives bill through the various committees just for Congressman Roe’s district, but to also get a bill covering both Roe and Fleishman’s districts through the Senate Committees. Then the Senate version would be tucked into another must-pass bill (the Farm Bill) and the final version, after a House-Senate Conference Committee approval, would include both districts. Senator Alexander gets all the credit in the world for making this happen, and indeed for the passage of the Tennessee Wilderness Bill. Without Senator Alexander, with help from Senator Corker and Congressman Roe, we would still be a long way from getting the bill passed.

The ultimate result is, as mentioned, 85,945 acres of the Cherokee National Forest protected as Wilderness under the 1964 Wilderness Act (about 13% of the total acreage). This success story has been the result of work by many people over many years and it is impossible to recognize and thank everyone. However, a brief list should at least include the people who were invited to the very first

annual meeting of TN Wild in 2008, and who were involved for a substantial time thereafter: Betty Petty, Catherine Murray, David Carr, Doug Scott, Jeff Hunter, Jimmy Groton, Mark Miller, Mark Shelley, Ray Payne, Sandra Goss, Hugh Irwin, and Will Skelton. Many others were also subsequently involved, some long term and others more briefly. A partial list of additional people who worked on getting the Bill passed would include Larry Romans, Brent Martin, Bill Meadows, Anders Reynolds, Laura and Bill Hodge, Emily Diamond-Falk, and Jill Gottesman. And there were many others who made contributions to getting the Bill passed. Thanks to all those people who worked tirelessly over the years for a common goal, we now have a significant amount of protected Wilderness in the Cherokee National Forest for the use and enjoyment of current and future generations of wilderness loving people.