

ADVOCATES for the OAK RIDGE RESERVATION

136 West Revere Circle, Oak Ridge, Tennessee 37830

www.korrnet.org/aforr/

September 16, 2005

Commissioner Jim Fyke
Department of Environment and Conservation
401 Church Street
Nashville, TN 37243-0435

Dear Commissioner Fyke:

Congratulations on your appointment as Commissioner of the Tennessee Department of Environment and Conservation. Advocates for the Oak Ridge Reservation (AFORR) wish you success in your new position and look forward to meeting with you on your visit to Oak Ridge, September 23, 2005. AFORR is a locally based nonprofit organization supporting the preservation of the natural resources of the Department of Energy's Oak Ridge Reservation (ORR) for the long-term benefit of DOE, the local community, and national and international interests. We hope to continue our working relationship with your department as we strive to achieve preservation and responsible public stewardship of environmentally significant land on the ORR.

One of AFORR's current concerns is ensuring the effective management of the Black Oak Ridge Conservation Easement (BORCE), a 3,071-acre tract of DOE land on Black Oak Ridge that was placed under a conservation easement by agreement between DOE and the state, as partial settlement of a Natural Resources Damages Assessment (NRDA) claim under the Superfund law. Designation of this area for conservation was an outgrowth of a land-use planning process that DOE undertook in response to AFORR initiatives. The process involved a diverse variety of stakeholders who unanimously agreed that conservation was the most appropriate future use for this particular tract.

Between the announcement of the BORCE by Governor Sundquist in 2002 and the signing of the legal agreement earlier this year, TDEC held two public meetings to inform citizens and receive stakeholder comments about plans for its management. Both meetings were well attended by Oak Ridge area citizens eager for current information and the opportunity to participate in the land use process. A draft management plan for the BORCE was the focus of discussion at the second meeting on January 11, 2005, when concerns for attendees focused on establishing public access, determination of boundaries, acreage, level of DOE funding, and the economic valuation of the property. These concerns are largely associated with the easement itself, which severely limits state agencies' management scope.

There have been no public updates on BORCE area management since the signing of the easement, and we have not had an opportunity to explore these and other concerns with state personnel. In the meantime, pressure continues to mount from the Oak Ridge business

community, to obtain ORR land for development. Public support for maintaining natural areas and wildlife management on the federal reservation is weakened when the lands are mostly inaccessible to the public and there is no public information about progress toward making these public lands truly valuable to the people of Tennessee.

AFORR requests an update on the progress being made by TDEC and TWRA on implementation of the BORCE management plan, and we ask also that the process include an additional opportunity for public input. If this is not possible, would you please inform us?

We are aware of the crucial role played by the state in the protection and preservation of valued natural resources. We are also aware of the citizens' role in providing the necessary community support if the state is to achieve its goals.

Sincerely,

Jo Ann Thompson
Board Member of AFORR

cc: Gary Myers, Executive Director, TWRA
Sandra Goss, TCWP