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# ADVOCATES FOR THE OAK RIDGE RESERVATION NEWSLETTER JULY 2001

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## **AFORR ANNUAL MEETING, SEPTEMBER 6**

### **Nature Conservancy Tennessee Chapter Director To Give Keynote Talk and Lead Discussion**

AFORR will hold its annual meeting at the Civic Center in Oak Ridge on Thursday evening, September 6. The evening's program will be highlighted by a presentation by the Executive Director of the Tennessee Chapter of The Nature Conservancy, Scott Davis. Scott will present and discuss ideas about long-term planning to achieve sustainable and compatible resource use and to avoid problems associated with sprawl and unplanned development.

Scott's talk (along with audience participation) will be in the context of the current stakeholder-driven, comprehensive planning process for the 56-square-mile DOE Oak Ridge Reservation. Another discussion topic will be negotiations between parties with different values and goals.

In addition, Scott will present background information about the Oak Ridge Reservation and its many values for conservation, research, recreation, and teaching. Included will be some of The Nature Conservancy's extensive maps of the location of biodiverse areas, state natural areas, and rare biota.

**NOTICE:** Stan Auerbach, Tom Thomas, and Rebecca Efrogmson have agreed to serve as our Nominating Committee for a new slate of officers for the coming two years. Their slate will be presented at the meeting and we will have a vote.

**WHAT YOU CAN DO:** COME TO THE MEETING on **September 6 at the Civic Center**. Vote on officers and bylaws, listen to a great talk, and express your views.

**DATE:** Thursday, September 6

**TIME:** Refreshments at 6:30, Business Meeting at 7; Program 7:30 to 8:30

**LOCATION:** Rooms A&B, Civic Center, Oak Ridge

**Who is Scott Davis?** Before coming to the Tennessee Nature Conservancy, Scott Davis served for six years with The Nature Conservancy as the Director of Conservation Programs and the Associate Director of the Ohio Chapter, and as Acting Director for the Wisconsin Chapter. Before working with TNC, he spent about 13 years in Belize, Ecuador, Indonesia, and the Bahamas on a variety of fishery and coastal management projects.

### **ORR Comprehensive Planning Update**

As of this writing, we have had encouraging signs that DOE will soon announce its intention to undertake a comprehensive planning process (perhaps you will have seen an announcement by the time you read this). We continue to press for comprehensive planning for the future of the ORR. We and the Tennessee Conservation League (TCL), along with other partner organizations (e.g., Tennessee Chapter of The Nature Conservancy, Tennessee Citizens for Wilderness Planning, the Foundation for Global Sustainability, and the Tennessee

Ornithological Society), have been working vigorously over the past year for such a process.

This comprehensive planning should address the entire ORR area and consider the full range of current and potential values of the ORR. This planning should be conducted in the context of all past actions including land transfers, sales, and leases; and fully involve local, regional, and national stakeholders, including agencies, organizations and the general public (see the article on our concepts later in this newsletter). If the process does not meet basic criteria, we and our partners would need to continue to consider legal action, with the assistance of the Southern Environmental Law Center.

Over the last several months, representatives of AFORR and TCL have met with DOE Oak Ridge Operations Manager Leah Dever, other DOE managers, Oak Ridge city officials, and U. S. Congressman Zach Wamp and his staff to promote this idea and to discuss how the details of such a planning process might work. Congressman Wamp and members of his staff toured the ORR in April, along with representatives from AFORR, TCL, and UT-Battelle, to get a sense of the potential of the reservation lands for research, conservation, recreation, and teaching.

Both Leah Dever of ORO and Representative Wamp and his staff have indicated their intentions to engage in comprehensive planning. We are hopeful that this planning process will provide DOE with recommendations that will move us closer to long-term, sustainable and compatible resource use of the Oak Ridge Reservation lands.

**WHAT YOU CAN DO:** COME TO THE MEETING **September 6 at the Civic Center** and express your views. Write Leah Dever and Congressman Wamp (addresses below) about the value of comprehensive planning for the ORR (see article below on our concepts).

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### **FUTURE OF CLARK CENTER PARK**

It has become apparent to many people that DOE would like to stop being responsible for Clark Center Park (formerly Carbide Park).

We are concerned that some options being discussed for the park would be detrimental to values of the ORR. We are particularly concerned with the City of Oak Ridge's request that DOE give the park to the city without restriction on its future use. This move would allow the City and/or development interests to construct a major marina at the park. We know that some city officials and local developers support such an undertaking, with an eye towards subsequent residential development on Freels and Gallaher Bends.

A marina at the park could have serious consequences: it would insert a major development into the middle of the Three Bend Scenic and Wildlife Management Area, which is supposed to be reserved for conservation and relatively tranquil forms of recreation.

A marina could be detrimental to the Three Bend area. At the very least, it would increase use of power boats along the Three Bend

shoreline -- a stretch of the Clinch River that is currently unspoiled along one bank, and that ideally should have wake-free (if not scenic) status.

Furthermore, the Three Bend area is managed by the Tennessee Wildlife Resources Agency (TWRA) under a five-year agreement. DOE officials have repeatedly told us that they intend for the Three Bend area to be reserved for conservation for decades to come. However, given the limited term of DOE's agreement with TWRA and the potential for a marina to diminish the conservation value of the surrounding area, the presence of a marina could revitalize efforts to open the entire Three Bend area to development.

AFORR's board supports continued existence of the park for its current uses, such as picnicking, softball, swimming, and boat-launching. However, it is clear that some entity -- the City, DOE, or others -- will need to commit financial resources to refurbish and maintain existing uses. Some improvements might be accomplished in partnership with the state. For example, TWRA might be willing to build a fishing pier and maintain or enhance the existing boat ramp.

The future of Clark Center Park should not be decided in isolation. This area's future should be considered in the ORR comprehensive planning process anticipated from DOE.

### **RESTORING NATIVE GRASSES ON THE ORR**

Plans are being made for the Oak Ridge Reservation to participate in re-establishing warm-season native grasses in the Tennessee landscape to enhance wildlife habitat.

Grasses such as big bluestem, little bluestem, Indian grass, and switchgrass are referred to as "warm season" grasses because they do most of their growing during the summer. In contrast "cool season" grasses, including most of the introduced species used as lawn grasses, complete their growing cycle in the spring, before hot weather begins.

Often associated with prairies, warm-season grasses were common in this region when early settlers arrived. They were particularly common in the open areas that the settlers called "barrens." Barrens plant communities, which include scrub forests, thickets, savanna and woodland with grassy understory, persist in a few locations around Oak Ridge, including the Boeing property, the cedar barren adjacent to Jefferson Middle School in Oak Ridge, the Worthington Cemetery tract natural area at the east end of Oak Ridge, and several locations on the ORR.

Native grasses have been replaced in our landscape by introduced grasses, mainly tall fescue. Fescue was introduced from Europe during the late 1800s. There are currently about three million acres of fescue grass planted in Tennessee. Kentucky 31 Fescue has become the predominant grass variety used in the last 50 years. Serious ecological problems are being recognized as a direct result of this introduction. Other plants cannot compete with this short, quick-spreading grass. Fescue provides little cover for wildlife and limits movement. Also, most tall fescue is infested with an endophyte fungus that benefits the plant by enhancing growth, drought tolerance, and pest resistance, but is detrimental to the health and reproduction of animals that graze on it.

Since 1989, the Tennessee Wildlife Resources Agency (TWRA) has been particularly active in promoting the restoration of native warm season grasses because of their value for wildlife. The native grasses grow in tall clumps or bunches, allowing animals and birds to move freely and providing good nesting cover. They also offer a variety of wildlife food sources. In areas where native grasses have been established, TWRA reports a significant increase in game and nongame wildlife, including northern bobwhite (quail), turkey, and other birds.

Because seed sources are scarce, native grasses are currently more difficult and expensive to establish than commercial seed mixes. However, once established they require less maintenance.

On the Oak Ridge Reservation, planting of native grasses could enhance wildlife habitat and help demonstrate the use of native vegetation in landscaping. Good opportunities for restoration of native warm-season grasses exist in areas that are already open and must be kept open, such as transmission line rights of way and some waste management areas.

DOE, ORNL, TWRA, TDEC, and TVA have discussed re-establishing native grasses in rights of way on the ORR, as well as in old hayfields at Freels Bend and elsewhere, and in areas where pine has been killed by the southern pine beetle. Also, Bechtel Jacobs Corporation is considering using native warm season grasses for at least a portion of the final cover on the 100-acre EM Waste Management Facility being built in Bear Creek Valley near Y-12.

*Information for this article was derived in part from a 1999 article in the Tennessee Conservationist magazine, "The Return of Native Grasses to Tennessee," by Andrea Brewer Shea.*

### **OUTLINE OF AFORR'S CONCEPTS FOR AN ORR LAND-USE PLANNING PROCESS**

1. The overall structure of the planning process should be based on a **comparative analysis of a set of alternative scenarios for future Oak Ridge Reservation land use.**
2. Alternative scenarios should be based on different stakeholders' visions for the ORR.

Examples of possible alternative scenarios include:

- **Continue the Status Quo:** K-25 Site and ED-1 for private sector development, Y-12 area dedicated to defense, Three Bends area for conservation, remainder for ORNL, other research initiatives, and environmental management.

- **DOE's "plan"** as Leah Dever presented it on January 30: Same as status quo, except the entire ETTP area of responsibility would be transferred to the private sector for industrial development.

- **Emphasis on Research, Conservation and Tourism:** Same as status quo, except that certain areas are maintained as historic tourism sites, with conservation of historic features and arrangements for public access; Three Bends are permanently dedicated to conservation (with compatible environmental research and recreation); Clark Center Park is maintained for low-intensity recreation compatible with the adjacent conservation areas (boat launching, picnic and swimming areas, fishing piers, group campsite for youth groups); other selected areas are

dedicated to a combination of environmental management buffer, conservation, recreation, and similar uses.

- **Oak Ridge Regional Planning Commission master plan:** Most of the reservation converted to private ownership and use, including residential, commercial, industrial, and open space. (Note: The ORRPC has not adopted a master plan for the Oak Ridge Reservation. This description is speculative, based on the Commission's proposal for the "west end" area.)

3. A worthwhile process would provide integrated analysis of the different scenarios' implications for factors such as:

- ▶ ecosystem impacts and health
- ▶ regional economic benefits and costs
- ▶ economic cost-benefit to the local community (Oak Ridge and the two counties), including cost of infrastructure and other services to development
- ▶ cost to federal government
- ▶ future viability of ORNL as a science center
- ▶ feasibility and effectiveness of long-term stewardship and control of contaminated areas
- ▶ cultural resource preservation
- ▶ tourism and education opportunities
- ▶ recreation opportunities
- ▶ effective security for defense activities
- ▶ viability of economic development schemes (including demand for and marketability of potential developments, as well as potential for competition with private sector development)

#### 4. Planning must be a collaborative process involving:

**U.S. Department of Energy.** DOE is the government agency responsible for this publicly owned land. DOE necessarily should take the lead in the planning process.

**Cooperative Participants.** Other entities with a stake in the future of the ORR should be able to participate actively in the planning process in a cooperative role.

Cooperators should include:

- ▶ Government agencies that share a management role with DOE (such as Tennessee Valley Authority and Tennessee Wildlife Resources Agency)
- ▶ The state-designated regional planning authority for the area (Oak Ridge Regional Planning Commission) and the city planning staff
- ▶ Key stakeholder groups (such as AFORR and the Tennessee Conservation League)
- ▶ DOE's designated agent for "community transition" activities in Oak Ridge, the Community Reuse Organization of East Tennessee (CROET)

Other possible cooperators include:

- ▶ Other government agencies with particular interest or expertise related to ORR resources or potential uses (such as Tennessee Department of Environment and Conservation, US EPA Region IV, US Fish and Wildlife Service, county officials, Tennessee Historical Commission, East Tennessee

Development District, Oak Ridge Convention and Visitors' Bureau, and other city offices)

- ▶ Other area and national interest groups, such as The Nature Conservancy, the Local Oversight Committee, Southern Appalachian Man and the Biosphere, and national scientific organizations.

Cooperators would

- ▶ provide information consistent with their resources and expertise
- ▶ identify issues of concern
- ▶ formulate alternatives to be evaluated
- ▶ provide perspectives on issues, alternatives and analyses
- ▶ interact regularly throughout the process

Each cooperating organization would need to have one person represent them in this process, but they would participate as agents of their agency or organization, not as individuals. The group of cooperators should not be considered to be a committee, and the group should not be expected to make group recommendations or to reach decisions by a voting process.

**Contractor support.** DOE will need contractor support to do the analyses and facilitate the interactions of cooperators. Expertise is needed in:

- ▶ urban/regional planning,
- ▶ strategic approaches to economic development,
- ▶ cost-benefit analysis for development (i.e., capital budgeting),
- ▶ environmental impact assessment (including requirements of National Historic Preservation Act and Endangered Species Act),
- ▶ conducting collaborative planning/decisionmaking processes.

Contractors should be independent from local stakeholder interests. The selected contractor(s) need to be acceptable to all participants.

**The general public.** Periodic public involvement is very important, including public meetings and release of draft documents for public comment.

#### 5. Considerations in planning

##### ▶ Land Information

Includes land use constraints, land-use suitability, and special values. Much of this information is already available from Common Ground, the Comprehensive Integrated Planning Process, and other DOE data sets.

##### ▶ Federal government purposes

DOE purposes include:

- research,
- defense production
- environmental management (waste management and cleanup).

To the extent that regional economic development is also a DOE purpose, the requirements to achieve the purpose depend on having a comprehensive vision/strategy for such development. This does not seem to exist now, and AFORR thinks there are

some alternative paths that could be followed. DOE will need outside expertise to assist in framing alternative economic development strategies for consideration in the process.

Other potential federal purposes, including conservation, may be outside the scope of DOE's mission but also should be considered in planning.

6. Included in the planning process scope (i.e., no land use changes or land transfers should occur during the planning process):

- ▶ ED-3
- ▶ Clark Center Park
- ▶ Parcel 8

7. Initiatives unaffected by the planning process include:

- ▶ ORNL Facilities Revitalization,
- ▶ Y-12 Modernization,
- ▶ Spallation Neutron Source construction
- ▶ EM Waste Management Facility
- ▶ Proposed transfer of the Museum of Science and Energy to the City of Oak Ridge

### **Update on Parcel ED-3**

Parcel ED-3 consists of 450 acres near the Heritage Center (former K-25 site). Early last year DOE issued an environmental assessment (EA) on a proposal to lease this land (probably at no cost) to the Community Reuse Organization of East Tennessee (CROET) for industrial development – ostensibly to aid the local economy by augmenting CROET's already sizeable industrial lease-holdings on federal land at the K-25 site and the nearby Horizon Center (Parcel ED-1).

AFORR raised numerous concerns about the proposal and about the EA, and DOE issued an entirely new draft EA in the fall. AFORR repeated many of its earlier objections and asked DOE to withdraw the proposal. Our concerns were – and continue to be – that DOE did not show a need for this lease (for example, it appears to us that there is excess capacity in the adjacent industrial properties and no money is available to develop needed infrastructure), that DOE did not fully account for impacts to the substantial natural and historic values of ED-3 (which includes a mosaic of forest, old-field, and wetland habitats and encompasses a large part of the remains of the former community of Wheat), that DOE did not adequately consider the cumulative environmental impacts of this and other land-use changes (particularly the reduction of contiguous natural habitat), and that this was one of a series of piecemeal decisions on ORR land use that should not be made in isolation.

The last of these concerns -- that it is wrong for DOE to carve up the Oak Ridge Reservation piece by piece, without disclosing its long-term strategy or evaluating its overall impacts – formed the basis for a letter that the Southern Environmental Law Center sent to DOE on behalf of AFORR and TLC in January. Rick Parrish of SELC pointed out that "DOE is skirting the law [regarding environmental impact assessment] by looking at each project individually" rather than considering related actions together.

SELC asked DOE to refrain from the ED-1 lease and further land transfers until completing a comprehensive planning process for the ORR through an environmental impact statement process.

DOE held a public meeting on January 30 of this year to begin public discussion of reservation land use. At that meeting DOE ORO Manager Leah Dever announced that the ED-1 proposal was being "put on pause" while DOE puts it "in context with its vision" for the ORR. At that time we hoped that DOE would soon announce an EIS process on ORR land use. An announcement was scheduled for February 8, but abruptly cancelled. Now it seems clear that DOE intends to conduct comprehensive land use planning, but without an EIS.

There has been intense political pressure on DOE to give CROET immediate control over Parcel ED-3 – to carve it off from the reservation before undertaking a comprehensive planning process. AFORR continues to believe that an effective comprehensive land use planning process must consider the whole remaining area of the reservation. Removing ED-3 or any other parcel before planning begins could undermine the process by unduly restricting options for the reservation as a whole.

### **SAD SAGA OF THE BOEING FLOODPLAIN:**

#### **A Chronology of the Proposed Development on the Boeing Property**

*Editor's note: A more detailed version of portions of this chronology is on AFORR's website, complete with links to newspaper articles, at <http://www.kornet.org/aforr/boeing.html>.*

Over the last 21 months we have seen many strange twists and turns in the story of the proposal to develop the Boeing property and adjacent floodplain. This is a strange and interesting tale of how land-use changes happen. It is interesting to notice how government "decision-makers" at all levels generally behaved as if they had little or no discretionary authority to affect the outcome. The story is still unfolding and undoubtedly there are more unexpected twists yet to come.

Our saga probably should begin in 1987, when DOE sold a 1,216-acre tract to the Boeing Company for a missile facility. The land was considered to have substantial conservation value. It included two registered state natural area and habitat for several rare plants. The deed restricted the land to industrial use. Boeing would have developed only a small area in the interior of the tract, using the rest for a buffer zone around its operation, and the company agreed to maintain the natural areas within its buffer zone. The strip of Clinch River shoreline floodplain surrounding the property on three sides remained in federal hands.

Unfortunately, the missile project was cancelled before any development occurred. Boeing soon put the land up for sale, but it remained on the market for a long time.

We pick up the story in 1999...

August 6, 1999- Michael Crowson of the Tennessee Valley Authority wrote to Katy Kates of DOE to ask DOE to consider reconveying the floodplain strip next to the Boeing property to TVA to allow TVA to protect this valued riparian shoreline and prevent other landowners from seeking water access across it. We

don't actually know how DOE responded, but we are sure they did not say "yes."

October 26, 1999 - First news story about the proposed development on the Boeing property. Plans reportedly include an 18-hole golf course, 500 homes, shopping centers and light industry. By the time the news became public, private discussions had been going on between Boeing, the prospective developer, and City and DOE officials for many months. The Nature Conservancy had contacted Boeing to ask about acquiring the property for a preserve, but was told that Boeing had a commitment to another prospective buyer.

November 11, 1999 - Newspaper account of a Planning Commission tour of the property mentions that it include a spot where developers were talking about building an airport.

November 29, 1999 - News story says that developers have met with DOE representatives to discuss the deed restriction that limits the Boeing property to industrial use. They say DOE officials were supportive of lifting the deed restriction. DOE officially lifted the restriction within days of this article, without public notice or environmental review.

December 8, 1999 - City staff are reported to oppose the proposal to rezone the Boeing property. Economic development staff memos noted the city's current lack of available land for industrial use and an excess of residential lots in the city. Planner Luke Stapel says the proposal is contrary to "smart growth" initiatives. "Leapfrog development such as this is costly and inefficient. Comprehensive plan policies support more centralized cohesive development patterns." The development proposal apparently has changed -- it now includes a 9-hole golf course, 500 residential lots, a hotel/conference center, land for industrial use, and a shopping center.

December 9, 1999 - City planning staff support rezoning. They point out that the area of the site most suitable for industrial development in the center of the parcel would still be zoned industrial. Areas to be zoned residential are too hilly for industrial development.

December 10, 1999 - The Oak Ridge Regional Planning Commission zoning committee recommended rezoning, after the developer increased the amount of industrial land from 198 acres to 464 acres.

December 17, 1999 - The full Planning Commission voted 6 to 4 to recommend rezoning.

January 3, 2000 - At Oak Ridge City Council meeting several residents voice concerns about losing valuable industrial property and the environmental impact the development would have on the site and its future use.

January 7, 2000 - Environmental Quality Advisory Board voted to advise City Council that an environmental survey of the site and in the adjacent river and floodplain should be done before the city votes to change the property's industrial zoning status to allow homes to be built there.

January 19, 2000 - City Council approved on first reading an ordinance to rezone the Boeing site for mixed-use development. Over the next two weeks, Tennessee Department of Environment

and Conservation officials will examine 182 acres of floodplain bordering the Clinch River and the Boeing property to make sure it's safe for those who would make their home there.

February 4, 2000 - TDEC officials report they have discovered several spots along the Clinch River on the floodplain strip near the Boeing property showing higher-than-background levels of radioactivity.

February 8, 2000 - Oak Ridge City Council voted 5-1 to rezone the property from industrial to a suite of mixed uses. Councilman Leonard Abbatiello opposed the rezoning and said he had concerns about providing fire and police protection to an area that is so far from the rest of the developed part of the city. He said didn't want taxpayers to subsidize a housing development in western Oak Ridge.

April 3, 2000 - The EPA Regional Administrator for Region 4 says that under the Superfund law EPA must agree before floodplain land adjoining the Boeing property can be transferred from DOE to a local development company. The letter also addresses DOE's intentions to adjust deed restrictions on the Boeing property. Because of the deed restrictions calling for industrial use, EPA has assumed the land is contaminated and has therefore asked DOE to carefully evaluate the property before allowing the restrictions to be lifted.

April 17, 2000 - The proposed golf course is eliminated from the development plan, ostensibly to provide more land for housing. Also, Oak Ridge Properties has requested that 26 acres of relatively flat land in the central portion of the site be rezoned from industrial to business. The developers envision that the 26-acre parcel could support such businesses as a day-care facility, a health club, a dry cleaners, a golf practice facility and a food market.

May 9, 2000 - City Council approves on first reading the proposal to reduce the industrial zoned area by 26 acres. They later affirmed this change on second reading.

*Boeing development awaits OK from DOE* - August 9, 2000 - News story reports that DOE must clear some environmental hurdles before transferring floodplain land adjoining the 1,200-acre Boeing-owned site. These hurdles are a NEPA environmental assessment and EPA/state concurrence that the floodplain is uncontaminated. The DOE-owned floodplain strip would provide river access to landowners of the development.

October 2000 - DOE releases, then recalls, its draft environmental assessment on the proposal to sell the floodplain strip.

November 2000 - With a minimum of public notice, DOE releases a slightly revised version of the environmental assessment.

November 14, 2000 - DOE's public meeting on its environmental assessment for the floodplain transfer is held at the Oak Ridge Chamber of Commerce office, during the business day. A newspaper article before the meeting says the meeting is about a 1,500-home development (*note increase in the number of homes*) on 1,200 acres of land owned by Boeing. It says that in order for the development to happen, a 182-acre strip of flood plain along the river must be transferred from DOE to Oak Ridge Properties. Chamber president Parker Hardy says "This is really important for

Oak Ridge; it's a tremendous boost to the city's economy." A spokesman for the prospective developer says the development would include condominiums and luxury *waterfront* homes (this is the first public indication that they want to build on the waterfront). The Chamber of Commerce urges its members to attend the meeting to express support for the development, saying "the business community cannot allow the benefits of this development to be overshadowed by those who may mobilize to oppose it."

November 29, 2000 - AFORR submits its comments on the draft EA in time for the deadline (our comments are on the internet at <http://www.kornnet.org/aforr/boeing-ea.html>), but the Tennessee Conservation League and Tennessee Wildlife Resources Agency found out about the EA too late to comment and were refused their requests for an extension.

January 19, 2001 - Newspaper article discusses the letter that the Southern Environmental Law Center sent to DOE Oak Ridge Operations to urge them to stop selling and leasing ORR property -- including the Boeing floodplain strip -- without fully complying with NEPA. A companion article discusses TVA's concerns about the proposed transfer of the Boeing floodplain strip.

January 22, 2001 - A news story reports that TDEC says that proposed set-aside areas to protect natural areas on the Boeing property are not big enough to serve this purpose.

January 30, 2001 - DOE holds a public meeting on future Oak Ridge Reservation land use. The Chamber of Commerce and other local development interests treat the meeting as a public platform to urge DOE to release the Boeing floodplain and parcel ED-3 for development. Speakers representing the Chamber and several other business and local government entities repeat the implausible assertion that the Boeing property -- several miles west of the rest of the city -- will provide "affordable housing" that is desperately needed in the center city. DOE announces that it intends to sell the floodplain forthwith.

January 31, 2001 - DOE signs a Finding of No Significant Impact (FONSI) to allow the floodplain sale to go forward. The final EA contains only minimal discussion of the extensive comments submitted on the draft.

February 6, 2001- Oak Ridge Land Co. LLC buys 182 acres of floodplain from the U.S. government for only \$9,828 -- just \$54 an acre! (*We learned this a few weeks later -- and told the press -- when an AFORR officer went to Roane County Courthouse to look up the deed.*)

February 13, 2001 - Newspaper reports that the sale is expected to close before the end of February (*no one told the reporter it had already happened*). The prospective developer says their next step is a market study to assess the need for housing and what types of houses to build. (*This suggests that the whole development "plan" may change again!*)

February 28, 2001 - Local newspapers report the story of the bargain-basement sale price for the floodplain.

March 19, 2001 - The Oak Ridge City Council votes to pay \$191,000 for engineering services necessary for providing the former Boeing site with water from the Cumberland Utility

District. This is just the first of the public costs for infrastructure to this development, several miles west of the nearest city residential area. If \$191,000 is just the engineering costs, taxpayers can expect to pay at least 10 times that amount for the actual water supply lines. A newspaper story says that City Manager Paul Boyer told City Council that these funds would come from a grant received through the Partners for Progress program -- which is supposed to be footing most of the bill (estimated at about \$20 million) for infrastructure development and improvements for industrial development at the Horizon Center (ED-1), K-25, and the former Clinch River breeder site. Grant money spent on a new water system for lakefront homes is money that cannot be spent for these other purposes.

April 25, 2001 -- Reporter Frank Munger tried to track down documentation of the professional appraisal that was allegedly the basis for the \$54/acre sale price, but found that no one can produce documentation of the appraisal -- not DOE, not the developer, and not even the [unidentified] appraiser!

May 15, 2001 - The DOE Inspector General releases its report on an investigation of the floodplain sale transaction. The IG found that the entire land transaction was an inappropriate use of DOE's authority under the Atomic Energy Act and that the land was sold at an unjustifiable discount. (The IG managed to get a copy of the appraisal report, and it showed a value substantially higher than \$54 per acre.)

That same day, the developer announced that his firm would give about 100 acres of the 182-acre floodplain to Oak Ridge for a public greenbelt, to include walking, bike and nature trails, and picnic areas. Not only is it clear that the developer's announcement was timed to divert attention from the serious criticisms in the IG's report, but we believe that the developer expects to clear a large profit from federal tax deductions that are based on the property's real market value rather than the bargain price they paid. We also fear that the developer intends to make this area a groomed park -- an amenity to attract home buyers -- not keep it as a natural area.

May 16, 2001 -- Frank Munger reports in the Knoxville News-Sentinel that the floodplain sale price was far below appraised value because DOE staff member Katy Kates unilaterally decided that the appraised value was too high.

June 28, 2001- U.S. House of Representatives Report 107-112, "Energy and Water Development Appropriations Bill, 2002," comments on the \$54 per acre sale, done under the Atomic Energy Act without regard to standard Federal practices. Stating "the Committee is concerned that the Department did not act in the best interest of the Federal government and the taxpayers," the report directs DOE to "notify the Committee at least 60 days in advance of any proposed sale of land which does not follow the standard Federal practices for property sales and provide a detailed explanation for the waiver of Federal practices for the sale of the property."

## IMPORTANT ADDRESSES FOR INFORMATION REQUESTS AND COMMENTS

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## STAYING INFORMED

Over the past year it has been difficult to stay abreast of all the current developments regarding the Oak Ridge Reservation. AFORR members and supporters with Internet access have access to several information resources that are more comprehensive and are updated more frequently than we can publish newsletters: A sample of what's available:

AFORR's home page - [www.kornet.org/aforr/](http://www.kornet.org/aforr/)

ORNL's biweekly National Environmental Research Park newsletter - [www.esd.ornl.gov/facilities/nerp/parknotes.html](http://www.esd.ornl.gov/facilities/nerp/parknotes.html). Contact Pat Parr ([parrpd@ornl.gov](mailto:parrpd@ornl.gov)) to receive this newsletter by e-mail.

A collection of maps of the Oak Ridge Reservation-  
[www.kornet.org/aforr/mapindex.html](http://www.kornet.org/aforr/mapindex.html)

Contact information for a long list of government officials-  
[www.kornet.org/aforr/aforrcontacts.htm](http://www.kornet.org/aforr/aforrcontacts.htm)

A driving tour of the ORR - [www.amse.org/driving\\_tour/map.pdf](http://www.amse.org/driving_tour/map.pdf)  
(or contact the American Museum of Science and Energy for a printed brochure)

Tennessee Conservation League - [www.conservetn.com](http://www.conservetn.com)

Southern Environmental Law Center - [southernenvironment.org](http://southernenvironment.org)

Southern Appalachian Man and the Biosphere Cooperative-  
[sunsite.utk.edu/samab](http://sunsite.utk.edu/samab)

Environmental News for Tennessee and Appalachia -  
[web.utk.edu/~enr/news.htm](http://web.utk.edu/~enr/news.htm)