

To: Dever
From: Norman
7/3/01



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION

June 18, 2001

RECEIVED
OFFICE OF THE MANAGER

6/21/01

Ms. Leah Dever, Manager
Department of Energy
Oak Ridge Operations
P O Box 2001
Oak Ridge, TN 37831

Dear Ms Dever

I am submitting the enclosed proposal, on behalf of the Tennessee Department of Environment and Conservation's Natural Areas Program (NAP), to protect ecologically significant lands at the Oak Ridge Reservation (ORR) under the Natural Areas Preservation Act of 1971

Protection under this Act is achieved through state natural area designation, and is accomplished by legislative action amending the Act to include new areas. Presently, the Act protects 62 Designated State Natural Areas in Tennessee, covering some 90,000 acres. New natural areas may be proposed and designated annually, based upon recommendations of the State's Natural Areas Advisory Committee and the Commissioner of the Department of Environment and Conservation. When such areas are not in state ownership, the cooperation of the property owner is required prior to being submitted for consideration by the Natural Areas Advisory Committee.

The Natural Areas Program has had a long-standing cooperative relationship with the Oak Ridge Reservation (ORR) to protect ecologically significant lands. In 1985, the ORR and NAP entered into an agreement recognizing eight Registered State Natural Areas on the Reservation. These relatively small sites were recognized primarily because of the occurrences of a few rare plant species. Since that time much more has been documented about the ecological significance of the Oak Ridge Reservation. This has resulted in the delineation of 5 new landscape-scale natural areas that we are proposing for designation. Please find enclosed the supporting documentation that justifies designation.

FILE COPY

Ms Leah Dever
June 18, 2001
Page 2

A major reason for proposing designation is to protect this land in perpetuity. While we are pleased to have had a Natural Areas Registry Agreement in place with DOE since 1985, we recognize that this agreement has its limitation as a protection tool, and would therefore like to pursue meaningful protection through designation. The current Registry Agreement is a non-binding agreement that can be rescinded with thirty (30) days notification by either the State or ORR. The Natural Areas Program is concerned because of a recent unilateral action taken by the ORR Real Estate Office to terminate the agreement as a "housekeeping" action and change it to a license agreement. The State could not enter into this license agreement, and was given a notice by the Real Estate Officer on June 26, 2000, terminating the registry agreement.

It is in the spirit of cooperation and the interest of preservation that we propose designation. Designation would not require any change in property ownership and should not conflict with present management objectives. The justification for this action is based on sound science (please see statement of purpose). The perpetual protection of designation benefits both the precious natural resources of the ORR and the citizens of Oak Ridge and Tennessee. The designation is complementary to and compatible with the DOE mission as published in the ORNL Land Facilities Plan. The proposed designation excludes areas with existing facilities, as well as providing adequate areas for future development.

I appreciate your consideration of this proposal. The Natural Areas Program would be please to meet with you and others at the Reservation to discuss this proposal in greater detail. The enclosed descriptions and site summaries should provide the necessary framework to pursue designation. I look forward to hearing from you in the near future to discuss this proposal.

Sincerely,



Brian Bowen, Administrator
Tennessee Natural Areas Program

cc: Reginald Reeves