

TO: Joslin, Smith, and Reichle

RE: Possible AFORR ally

The enclosed clipping was a front-page story in Monday's Nashville Tennessean. The article speaks for itself. The challenge is whether AFFORR can enlist this man to support our efforts to preserve the Reservation. Aside from a direct approach which should be seriously considered; maybe the Nature Conservancy can assist in approaching and trying to get his support.

  
Stan Auerbach





PHOTOS BY LISA NIPP / STAFF

Frank Fly climbs aboard his tractor at his 10-acre farm just south of Murfreesboro.

# Fly: Attorney seeks to improve communities' quality of life

FROM PAGE 1A

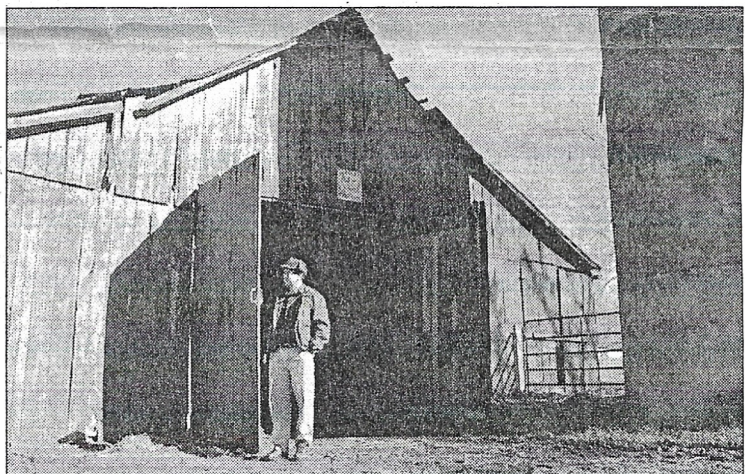
turned down such a case and says he has represented more civic and environmental groups on development-related issues than any other attorney in the state of Tennessee over the past 28 years.

"Their cause is just, and they need representation," said Fly, 56, who is perhaps most well-known for helping to stop the Tennessee Valley Authority's Columbia Dam project. "That's where I happened to fall in life. It's almost a duty."

Fly, one of four boys in his family, grew up on a 375-acre farm, now totaling 640 acres, straddling the Duck River in Maury County. It was there, he says, that his passion for the environment was cultivated. As early as 7 years old, Fly would set off just before sundown to go exploring on his own.

"I was just born loving the woods," Fly said.

To date, Fly has hiked every trail in Middle and East Tennessee and canoed every stream in Tennessee, Georgia, North Carolina, Kentucky and Alabama. He also has been to



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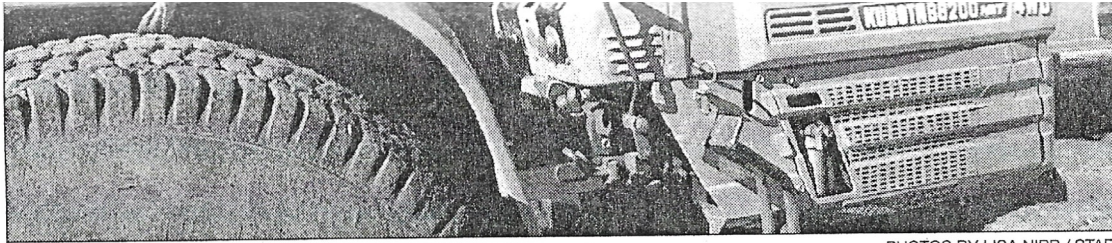
quickly it's changing. Just like a lot of his clients, Fly says he sees firsthand how growth can get out of control. Within a mile of his historic home, there are 1,000 new ones.

"It was all rural. Now, it's all subdivision," Fly said. "It used to take me 10 minutes to get to work. Now, it takes me 10 minutes to get out of

Fly, who was a college roommate of U.S. Rep. Bart Gordon, D-Murfreesboro, never planned on such a career. He thought he wanted to be a politician.

Sit down and talk with him and he almost sounds like one, talking about education, population control or his two favorite sports, basketball and tennis, the latter of which he plays most days.





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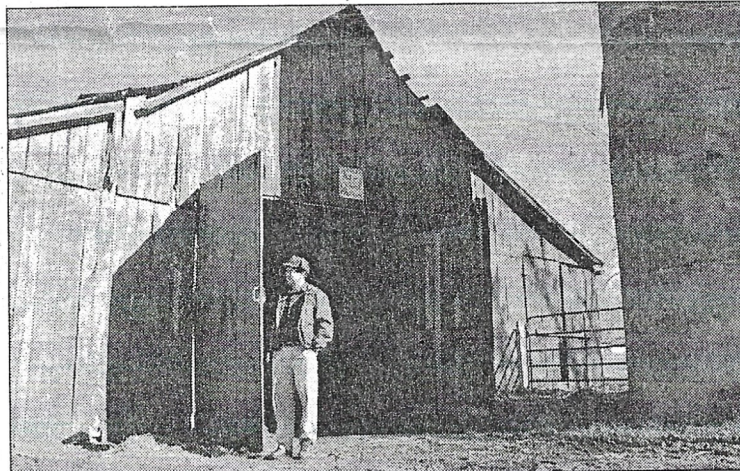
To date, Fly has hiked every trail in Middle and East Tennessee and canoed every stream in Tennessee, Georgia, North Carolina, Kentucky and Alabama. He also has been to every country in Central America and half the ones in South America.

But it's on his farm where his heart truly lies.

More often than not, Fly will park his car in his gravel driveway Friday evening and not start it again until Monday morning.

"I spend most of my time, Saturdays and Sundays anyway, just keeping this place mowed and repaired," Fly said one Saturday morning at his 1842 two-story white home off Manchester Pike. "There's always work to be done."

On his 10 acres just south of Murfreesboro, Fly often tends to the 660 Foster holly trees that he grows and sells to local nurseries or to the 11 horses that he boards in his barn. Fly savors this rural lifestyle, because he knows how



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"It was all rural. Now, it's all subdivision," Fly said. "It used to take me 10 minutes to get to work. Now, it takes me 10 minutes to get out of my driveway."

Some people say Fly is anti-growth. Others say he's just a lawyer who is getting paid to represent one side.

Attorney Joe McCaleb, a friend and colleague who met Fly over the proposed Columbia Dam project, says Fly simply loves the natural world and believes it needs to be protected.

"He has a lot of energy and enthusiasm, and I think that carries over to the people he represents," McCaleb said. "He's willing to make waves and to make government and industry mad."

The Columbia Dam on the Duck River was 90% finished in 1983 when TVA stopped work on it. The entire cost of building it and tearing it down was \$85 million.

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Sit down and talk with him and he almost sounds like one, talking about education, population control or his two favorite sports, basketball and tennis, the latter of which he plays almost daily.

Fly maintains a regular law practice, which he started in 1974, with about 1,400 active cases that include domestic and personal injury suits. But it's when growth and development threaten a community's quality of life that he steps in with conviction.

People, he says, are fed up, and it's time politicians have gotten the message: No longer does any proposal go unnoticed.

"When something is wrong, somebody should stop it regardless of the people or the money behind it," Fly said. "The Columbia Dam was wrong. It took us 10 to 12 years, but we stopped it." ■

Carly Harrington covers Rutherford County for *The Tennessean*. She can be reached at 726-5927 or [charrington@tennessean.com](mailto:charrington@tennessean.com).



Murfreesboro attorney Frank Fly helps communities keep rampant growth and contamination out of the countryside

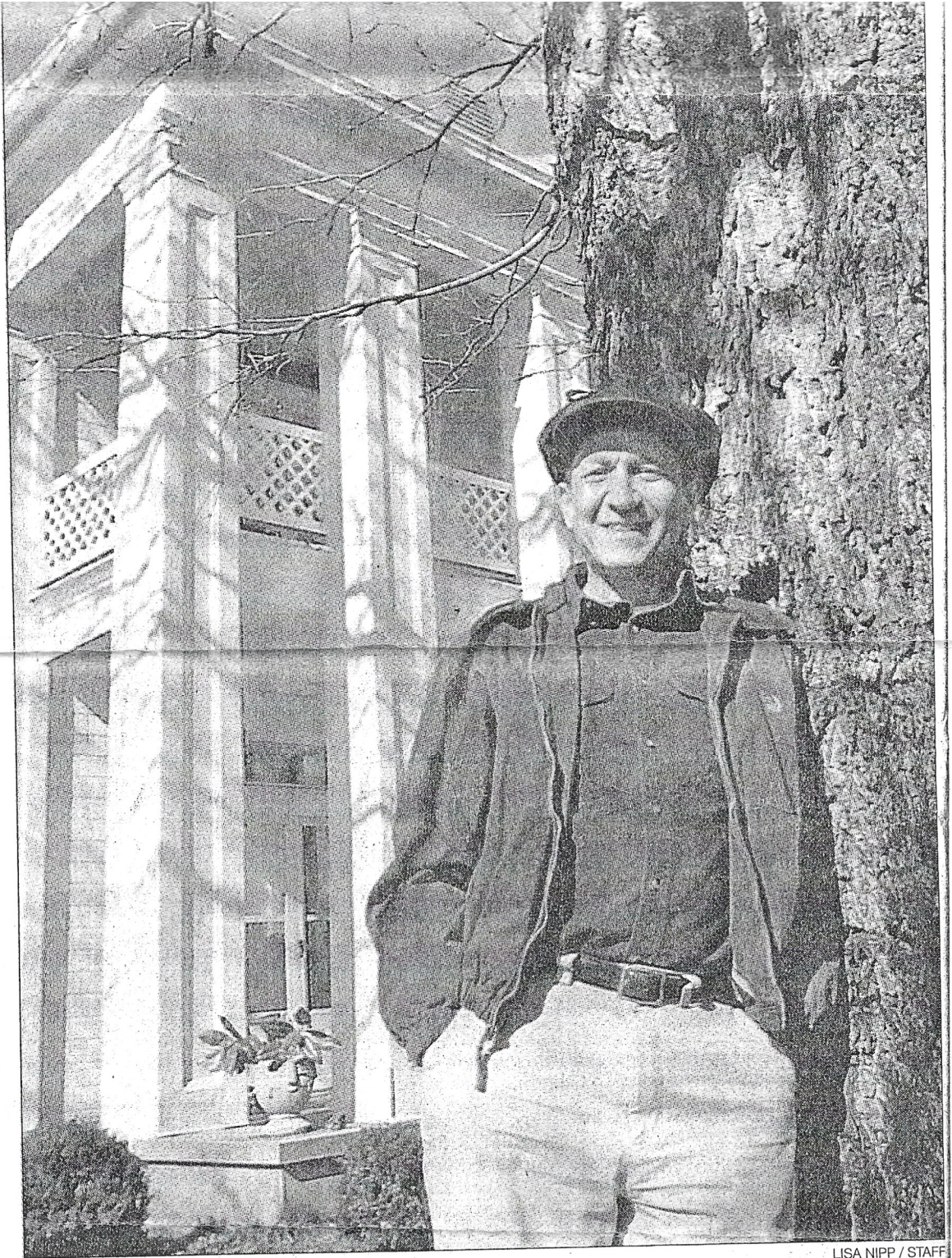
# Protecting their land



LISA NIPP / STAFF

Frank Fly, who opposes rampant growth in the countryside, lives in an 1842 house outside Murfreesboro.





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— Joe McCaleb, attorney

By **CARLY HARRINGTON**  
*Staff Writer*

**MURFREESBORO** — When Stan Hedges and his neighbors wanted to fight a proposed power plant next to their Hickman County homes, they knew whom to call.

Murfreesboro attorney Frank Fly had helped residents living in the northern part of Hickman County defeat a planned landfill about eight years ago. More recently, he had stopped a power plant from being built in Cheatham County.

“He cuts to the chase and sees things for what they are in a hurry,” Hedges said. “He’s remarkable.”

Over the years, Fly has been called

upon by numerous community and environmental groups who want to protect their property and their community from government or corporate intrusion.

His name is turning up more often as he advocates against rampant growth and possible environmental contamination of the countryside. In recent months, he’s been seen fighting power plants, State Route 840, a Rutherford County mega-subdivision and a plan to pump water out of the Buffalo River near tiny Summertown.

Fly, a 1973 graduate of the University of Tennessee law school, has rarely

► Please see **FLY, 2A**



# Advocates For the Oak Ridge Reservation

136 West Revere Circle, Oak Ridge, Tennessee 37830

[www.kornet.org/aforr/](http://www.kornet.org/aforr/)

Dear

We want to express our thanks for your support of Advocates For the Oak Ridge Reservation (AFORR). Your contribution of this year will help us continue to preserve this unique biological treasure, the Oak Ridge Reservation (ORR). Some progress has been made in preserving a portion of ORR; however, the threat of renewed land transfers for development remains.

The U.S. Department of Energy (DOE) has given insufficient consideration of ORR land-disposition in the past. Frustration with DOE's exercise of its land management responsibilities and, specifically, the lack of an appropriate planning process for the future of the ORR and its unique environmental and cultural assets, led to the creation of AFORR in 1998. While AFORR is a young organization it has already had significant impacts:

- Through comments made as part of the NEPA (National Environmental Policy Act) process and through the development of relationships with DOE officials, AFORR has made the case that DOE cannot avoid its legal land management responsibilities by shifting them to others. This contributed to DOE's recent decision to not transfer sensitive lands to CROET as part of the conversion of ED-1 from CROET-leased to CROET-owned property.
- Along with the Tennessee Conservation League and the Southern Environmental Law Center, AFORR compelled DOE to commit to the development of a Comprehensive Land Use Plan for the entire ORR.
- AFORR played a vital role in the initial phase of the planning process, in which a Land Use Planning Focus Group was formed as a means of obtaining input from the public and various stakeholders on the western 5,100 acres of the ORR. The focus group report included three key resolutions to DOE:
  1. Land Preservation to "find means for the perpetual preservation of land areas designated by the Focus Group for green space/conservation and/or research purposes." (This consists of about 4,000 acres of land with high biodiversity, or 80% of the land that was under consideration on the western end of the reservation.)
  2. Extending the Land Use Planning Process to the Entire Reservation.
  3. Expanding the Analysis to Include an Economic Evaluation of Biological Resources.

These recommendations are significant because they came with near-unanimous support from two federal agencies, a cross-section of the Oak Ridge Community and several statewide organizations and agencies. The public meetings also indicated strong support for conservation of as much land as possible.

At the time of this writing, DOE has come to an agreement in principal with the State of Tennessee to permanently preserve approximately 3,200 acres of the land considered by the Focus Group. The agreement would establish a permanent conservation easement on this environmentally significant, large contiguous parcel, basically corresponding with the recommendations of the Focus Group.

Despite these successes, much remains to be done. The report of the Land Use Planning Focus Group is only a recommendation and DOE's promise to devise a comprehensive plan for the entire reservation with serious consideration given to public input remains just that - a promise. While AFORR is committed to work cooperatively with DOE and other interested parties, we must, when necessary, be prepared to use the law to see that DOE fulfills its legal and regulatory obligations.

AFORR is a volunteer organization with no paid staff and dependent on contributions and dues which are tax deductible. Most of our expenses are for mailing and printing; however, if legal action should become necessary to ensure adequate protection for ORR, we would incur substantial expenses. We work very closely with Tenn. Wildlife Agency, Tenn. Citizens for Wilderness Planning, Tenn. Conservation League, The Nature Conservancy of Tenn. and others to protect our irreplaceable ORR.

If you would like to know more about what AFORR has been doing or would like to volunteer to help with future activities, please visit our website, send us an email, drop us a note or call 865-483 0849 .

Again, AFORR appreciates your continued support.

Gail Stakes, President