

Industrial development continues to threaten conservation and recreation in west Oak Ridge, at the boundary between the Department of Energy's Black Oak Ridge Conservation Easement (BORCE) and the Horizon Center industrial park on Parcel ED-1. The industrial park was built without enough electrical capacity to accommodate the businesses that Oak Ridge would like to recruit. The solution devised by the city's electric department and economic development leaders is to build an overhead powerline along the narrow DOE road that forms the boundary of the BORCE and Parcel ED-1 – a well-shaded road that has become a popular public greenway trail in the last few years, since the BORCE was established. A powerline would result in the permanent clearing of the right-of-way, plus the removal of trees outside the right-of-way that could fall on the powerline, so it would do permanent damage to the recreational values of the greenway and to two valuable natural areas (the Horizon Center “natural areas” and the BORCE) that DOE has made firm legal commitments to protect. Members of AFORR, TCWP, and allied groups continue to aim for a “win-win” solution that will supply adequate power to the Horizon Center without harming these ecological and recreational assets, but the powerline plan seems to be moving ahead.

Last year, without any environmental review other than a floodplain assessment, the DOE Oak Ridge office granted the city a permanent easement for the first 3/4 mile of the proposed powerline, allowing up to a 69-kV line. Because of the expense involved, we didn't think that the city would try to use the easement until the industrial park had a buyer that wanted the additional power. However, in June -- the day after we gave the City Council a stack of citizen petition signatures asking the city to find a less destructive alternative to get power into the Horizon Center -- the city industrial development board (IDB) voted to build a 13-kV powerline on that easement. The IDB probably can't afford the full \$750,000 estimated cost of this speculative project, so they are asking TVA for a grant to cover half the project cost.

The week before the IDB voted, they had received a report from a consultant to the city electric department that described how the Horizon Center's power capacity could be significantly upgraded – enough to accommodate the needs of most potential tenants – with minimal environmental impact and at roughly the same overall dollar cost as the strategy that the IDB is pursuing. This is the “win-win” alternative. Specifically, the report shows that the park's total electric capacity could be increased from its existing 8.4 MW to a total of almost 40 MW by a combination of (1) adding capacity to the existing overhead lines along Blair Road and Wheat Road, (2) extending a 13-kV powerline along Hwy. 95 from near Wisconsin Avenue to the eastern portion of the Horizon Center, and (3) stringing new overhead lines along the roads inside the Horizon Center to provide adequate connections to all industrial sites. (That last item, stringing new lines inside the industrial park, would first require cancellation of the Horizon Center's self-imposed restrictive covenant that requires underground utilities. Part of the rationale for a new powerline on the industrial park perimeter is that it would get power directly to the development lots on the edge of the park, bypassing the inadequate underground wiring inside the Horizon Center. The requirement for underground utilities could be modified as early as next year, but so far the IDB, which now owns most of the industrial park, is treating the covenant as inviolable. It seems that greater importance is placed on the aesthetic qualities of an industrial park than on the quality of the natural environment!)

The powerline proposal seems to be moving ahead, but several governmental organizations may be in a position to stop its progress or change its direction:

*DOE's action in granting the easement leaves the department vulnerable to legal challenges under several environmental laws. They didn't do any environmental review as required by the National Environmental Policy Act (NEPA), their unsupported conclusion that there was "no practicable alternative" to putting a power line across floodplain violated federal floodplain rules because it was obviously wrong, and detrimental effects on the BORCE could cause the "natural resource trustees" (including agencies like TDEC and the U.S. Fish and Wildlife Service) to reconsider the CERCLA Natural Resources Damage Assessment settlement under which the BORCE was created. DOE has a strong motive to try to make these issues go away by rescinding the powerline easement (we've pointed out that they could face legal action if they don't do so). DOE leaders have told us that they don't expect to grant a city request to extend the powerline easement any farther, but they consider our concerns about the existing easement to be a local matter that should be settled between concerned citizens and local government.

*The natural resource trustees under CERCLA (including TDEC, U.S. Fish and Wildlife Service, Tennessee Wildlife Resources Agency, TVA) might be able to help DOE change its mind about this being a purely local matter. In the NRDA settlement, the natural resources of BORCE were credited with an economic value of more than \$6 million, most of which was due to recreational use. The greenway affected by the powerline is arguably the most popular recreational feature of the BORCE, so its loss might significantly reduce the value that DOE can be credited with – and require DOE to come up with something else to help compensate for damages to Watts Bar Reservoir.

*The Oak Ridge IDB could change its mind on building the powerline. Not only will a powerline harm environmental interests, but their decision to build it on speculation using scarce public financial resources does not make obvious economic sense, and damage to a recreational amenity also harms the long-term economic attractiveness of the city.

*Oak Ridge City Council does not control the IDB, but it might be able to influence IDB members (and staff) to change direction on this project -- if council members are convinced that there is strong opposition from citizens.

*TVA Economic Development will need to make a decision on the IDB's grant request. If they refused to give a grant for a powerline – or made a grant conditional on not using the route currently favored by the IDB, it could help the IDB change its mind on this project.

Note: The TVA Economic Development contact is Andrew Lawson, Regional Development Consultant. 10215 Technology Drive, Suite 202 Knoxville, TN 37932. Office: 865.777.3943 / Mobile: 423.650.7575. arlawson@tva.gov