

## NEW (AND INEXPERIENCED) EDITOR

I am sure that you were able to detect the change in editors by now, and I hope that this first issue of 1971 is not a complete flop. Bob will continue to publish the Voice and contribute articles.

I will appreciate very much your help in writing articles, collecting information, correcting errors and criticizing the Highlands Voice. I hope to be able to provide a critical view of some of the serious problems that confront "Wild, Wonderful, West Virginia."

Please send any correspondence concerning the newsletter to me at the address given below.

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# the Highlands Voice

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## PRESIDENT'S COMMENTS

We came across an interesting article in the (Greenwich) Village Voice, of all places, entitled "Seeing America As A Japanese Colony". The author developed the thesis that Japan has turned the tables on a traditional power, America, and made it her exploitable colony. She gives us cheap transistor radios, cameras, steel, etc. at far under the cost of American counterparts. For this largesse, she takes our raw materials and natural resources. The author points out that due to our inefficient industrial methods and our high costs, the only thing we can sell to foreign countries anymore is raw materials.

Well, the raw material the article dealt with was coal and its source was from the Linan mines on Shaver's Fork. Furthermore the author was our own Dennis Lindberg who teaches at D and E in Elkins. Predictably, Dennis heard from Mr. Francis and a copy of the letter was sent to D and E President, Dr. Hermanson (Francis used to be on the D and E Board of Trustees. Intriguing, isn't it?)

Meanwhile the PR boys had eager ears in the Intermountain, the Hillbilly, and other newspapers and they played heavily on one of Appalachia's sacred cows - jobs. The newspapers predicted 500 new jobs, then 1000 new jobs, and the last we heard it was 2000 jobs. The tune was different, but the lyrics the same regarding the recent strip mining abolition movement: "Go ahead. rape West Virginia if it means jobs. Let future generations figure out for themselves how they are going to make a living in this desolate land."

So the Governor goes to Japan and talks with Japanese industrialists and financiers about investing in Wonderful West Virginia, the PR people and the newspapers offer poorly thought out opinions on how great this is for our economy, and would-be profiteers tell us how much this helps our "balance of Payments". We are told there will be no pollution because the Japanese experts have said so. Foreign capital finances a West Virginia rape and uses the raw materials to produce goods which undersell home-made products, and the poor laborer wonders why he can't find a job. And the Intermountain referred to Bill Bristor as a "foreigner" (see Bill's testimony, next page.)

Bob Burrell

## CHEAT RIVER FLOAT TRIP

Just to remind you of the float trip planned from Parsons to Hannahsville on the Cheat River the weekend of May 22-23, water levels permitting. Bring your own canoe and lunch. Overnight camping will be arranged or you can stay at the motel in Parsons. We will meet at the bridge at Saint George on Saturday at 10:00 A.M. Please notify Herb Eckert 24 Bates Road, Morgantown or Nick Barb in Parsons if you plan to participate. No prior experience necessary.

THE LINAN CASE

Last summer the Linan Smokeless Coal Company applied to the Department of Natural Resources for a water pollution control permit for underground coal mines along Shavers Fork. Under the Water Pollution Control Act as amended in 1969, permits are required to "open, reopen, operate or abandon any mine, quarry or preparation plant, or dispose of any refuse or industrial wastes or other wastes from any such mine or quarry of preparation plant: Provided, that the department's permit shall only be required whenever the departmental activities cause, may cause, or might reasonably be expected to cause a discharge into or pollution of waters of the State--".

In October, Ed Henry, Chief of the Division of Water Resources, denied the application for a permit because the "operations of the mines --- will result in the discharge of industrial wastes near or into the waters of this state, namely, the Shavers Fork of Cheat River --". On November 5, 1970, Linan appealed Mr. Henry's decision to the Water Resources Board, which held extensive hearings on the case in December and January.

One of the people who testified was Bill Bristor from Baltimore, who is a member of the Highlands Conservancy. Here is a major portion of his testimony:

## BRISTOR'S TESTIMONY

## QUESTIONS BY MR. JOHNSON:

- Q. Do you belong to any professional or other organizations that you think would be significant to this hearing?
- A. Audubon, Wilderness Society, West Virginia Highlands Conservancy.
- Q. West Virginia Highlands Conservancy. Do you have any official connection with West Virginia?
- A. No, not at all.
- Q. May I ask, then, why you are appearing in this case?
- A. Mr. Henry asked me to come down to testify.
- Q. How did he happen to know anything about you, Mr. Bristor, living in Baltimore, Maryland?
- A. There have been features and an article written about by fishing on Shaver's Fork written in the Charleston Gazette, the Baltimore News American. I have made local friends and I have kept the fisheries people informed on conditions on Shavers Fork that I run into.
- Q. You are a fisherman and you are familiar with Shaver's Fork as a fishing area?
- A. Yes.
- Q. Would you consider yourself an expert fisherman?
- A. Yes, I would.
- Q. Why would you consider yourself an expert fisherman?
- A. I have been fishing for 40 years and I catch a lot of fish.
- Q. How did you happen to hear about Shaver's Fork?
- A. Life Magazine in 1967, their special Christmas issue was dedicated to the wide world, and out of all of the rivers in the world to put in this feature on wild world, they picked a little river I had never heard of in West Virginia called the Cheat and its main tributary, Shaver's Fork. It was a very impressive article and I thought it was close, it was worth looking at. So I came down the first opportunity to take a look.
- Q. When was that, Mr. Bristor?
- A. June, 1968.
- Q. You had read about this in Life Magazine and then you came down in June, '68. What did you find on Shaver's Fork?

- A. It was unbelievable. I had been looking for something like that for 25 years. I found a true wilderness area, good fishing, along the fish-for-fun line, super-good fishing, a balanced wildlife, wild flowers, birds, everything you look for if you are a wilderness lover and a fisherman.
- Q. Since June 1968, how much time have you spend on Shaver's Fork?
- A. Approximately 30 days. Most of my vacations, my wife and I have spend down there.
- Q. Is she a fisherman also?
- A. Yes, she is, and she frequently out-fishes me.
- Q. How do you rate this area in beauty as well as in fishing?
- A. I think it is unique. I have been places where the fishing was as good and I have been places that are almost as beautiful, but I have never in the east found a place that combined the wilderness beauty with excellent fishing.
- Q. What has been your fishing success in Shaver's Fork?
- A. It would have to be a rough figure, but I guess my wife and I have caught and released about 500 trout in the last three years along the fish-for-fun. Our best day was about 150 one day in May a year ago.
- Q. Did you ever keep any of the catch?
- A. No, we never kept any of the fish.
- Q. You referred to this in your own terminology as a wilderness area. Isn't it true that this was timbered out many years ago? What do you have to say about that?
- A. Yes, it was timbered out many years ago, but now it is under the protection of the national forest. It is coming back. But trees have nothing to do with wilderness. The definition of wilderness in the dictionary is an area inhabited only by wild animals. It can apply to a desert, antarctic or anything. Trees have nothing to do with it. This area is a true wilderness area. Nobody lives in there but wild animals. At least the ten miles of the stream that I have fished, I have never seen anybody except fishermen, until I started running into miners this year.
- Q. Have you ever let anybody else know about your finding of the wilderness area on Shaver's Fork?
- A. Many of my friends from Baltimore come down regularly with me because of the publicity in the newspaper and magazine. Many people have inquired and i recommended it to them.
- Q. You spoke a moment ago about mining activities this year on Shaver's Fork. Would you care to elaborate on that?
- A. We had always seen the mess from the old Linan No. 1 along the stream, and the last two years it looked like there was some new activity going on there. We didn't pay any attention to it. This year we began to wonder about the traffic on Route 22. In fact, we got run off the road twice by trucks.
- Q. What kind of trucks were these?
- A. One of them was what I would call an oil truck back in Baltimore. And road equipment, we found out the road equipment was turning down at Crouch Run and going down toward the old mine site. And it got so darned harried driving in there that we quit using that road. We now go in on the other side of the river and walk in. We complained to the forest ranger at Bartow and he said he had warned them about it but they didn't seem to pay much attention to it. It is a very narrow road. It won't take much traffic.
- Q. Do you think --- Was this a shocking situation for you to find in what you thought to be a wilderness area?
- A. It was a complete shock to me. It would mean the end of this as a wilderness area. I can't speak with any authority on pollution or any of the chemicals, but a wilderness area cannot stand road traffic. A wilderness area cannot be hurt by foot traffic because the people that are willing to go into a wilderness area by foot will respect it and take

care of it. But expanded roads for mines, power lines, all of the traffic and noise will completely wipe it out as a wilderness area. Nine-tenths of our wilderness areas now are what we call mechanized wilderness areas. They are forest slums, they are not wilderness areas.

- Q. Mr. Bristor, we heard testimony here from the Linan Smokeless Coal Company officials and witnesses that they plan to put in a few picnic tables and tourist cabins. Don't you think this would open it up for visitors to West Virginia?
- A. Yes, sir. It would change a wilderness area to a forest slum. It would be wall-to-wall people. It might be a recreation area but it would no longer be a wilderness recreation area. It would be like the state parks in Maryland where three million people go in a year. It is wall-to-wall people. It is Coney Island. It is completely wiped out, the wilderness value of the area.
- Q. So you think then that opening mines along Shaver's Fork would ruin this area as far as esthetics and fishing?
- A. Completely, as far as esthetics and fishing.
- Q. And you came all the way down here making this personal sacrifice. Could you tell us why?
- A. Yes, sir. I think it is time that somebody started speaking up on the industrial encroachment on federal land. This is more than a State of West Virginia case. This is a national forest and it belongs to me, damn it. It is part of my land. And even though I know the mineral rights do not belong to me, the taking of these minerals will wipe this place out as a recreational area, in my opinion.

#### QUESTIONS BY MR. HOLLAND:

- Q. You spoke of mines as destroying the wilderness, how many fishermen does it take to destroy a wilderness?
- A. In this area, sir, I don't think there would be that many fishermen. It is too difficult to get into. If there were roads available along the whole stream they would quickly ruin it.
- Q. About how many would it take?
- A. Saturation. It is a long stream. It is the best trout stream I have ever hit in the east. It would take a lot of fishermen, but it wouldn't take the kind of fishermen that come in by car for one day, swamp the stream, and then leave. Now you have to get in by foot and it is rather difficult

According to Ed Henry, the records of the hearings are now being printed. When the records are complete the Water Resources Board will reconvene to go over the records and make a decision on the appeal. The Division of Water Resources is prepared to stick with their position as long as decisions are appealed by either party.

#### AIR POLLUTION

-In 1306 a London court issued a no-nonsense decree against polluting the air. For "burning coal and defiling the atmosphere," a man was hanged by the neck until dead.

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LIFE AND DEATH OF A LAKE

by Bruce Sundquist

In 1948 I moved to a small Wisconsin town with a lake at the edge of town. Nearby was another town with a nearby lake. Both lakes and towns were quite similar. Each was on the same main highway. Each relied to a significant extent on its tourist industry for its income. By 1957 these two towns were almost identical and neither were the two lakes. My town still had a reasonably attractive lake and surrounding area and a healthy tourist industry (though not as lucrative as 30 years before when it was known as the "Newport of the Midwest"). The land in the vicinity of the lake had numerous parks. The rest was zoned against commercial developments and crowding in the residential areas. Many of the landowners saw fit to leave much of their land as woods or marshlands. The lake had suffered only moderately from human developments, and the tourist industry had not dropped off by more than 50% or so from its peak.

The other town, by 1957, was a place where one could buy land - cheap. The lake area that once offered a beautiful rustic setting that caused the town's population to double in the summer was now filled with tightly-spaced, seldom-used, and run-down summer cottages and run-down neon-lit bars, etc. The tourists had moved on to other lakes. Prosperity was clearly a thing of the past.

Wisconsin has thousands of lakes. It can lose hundreds to mismanagement and not even see a dent in its tourist industry. The situation in West Virginia is different, however. The few lakes it has are man-made and must usually be paid for dearly in terms of other natural values. The risks of over-development are thus greater and the relative loss from such over-development is far greater in terms of natural values and tourist income.

The lake proposed for Canaan Valley is a timely one to consider in this connection. Its backers believe, apparently, that it is simply a matter of losing the natural beauty of a unique valley and gaining a lake and lots of money inflow from the tourist industry (as well as power plant taxes).

We will not weigh the wisdom of this belief here. It is merely pointed out that the lake of the type envisaged and the tourist money are not guaranteed merely by building a dam. It is possible, if not probable, that within a decade after the lake is built it will be of interest to only a few and the inflow of money reduced to nil. (Taxes from new permanent residents will of course barely cover the costs of additional schools, road, law enforcement, etc.)

All it takes is totally unplanned development in the vicinity of the lake. It happens in Wisconsin all the time. First one motel moves in on or too close to the lake. It's such a small part of the scenery that who can object? Unfortunately, it only makes it easier for a second; then a third. Ultimately the tourist sees, not a lake with a unique environment and outstanding natural scenery, but a lake looking a lot like the one 20 miles from Pittsburgh and 130 miles closer to home than Canaan.

It doesn't take an expert to see how Canaan Valley should be developed if a lake goes in. Motels, summer homes, etc. should be limited to the area around Davis. The land in Canaan Valley itself should be zoned against residential and commercial developments. It should be zoned for what it is used for now - agriculture and wildlife. The tourist to Canaan would then always see it as something unusual - a lake among scenic mountains in the north, a unique wild area full of bogs and interesting plant and animal life in the central region where Rt. 32 crosses (the only reminder of the original Canaan Valley), and Canaan Valley State Park in the southern

third of the valley.

A number of backers of the lake have spoken of the State "spot-zoning" Canaan Valley to maintain a few of its unique natural features - but nothing else is heard on the subject. One can't help wonder if it isn't just a way to sidetrack opponents until it's too late. Certainly there is no time to lose. Developments are already going up in Canaan Valley. If the State Legislature doesn't act soon all will be lost. The developers will come in, buy up, divide up, sell out, and get out. Sounds like a 1900 lumber barron doesn't it? The effect on West Virginia would be the same too - great for the short run - disastrous for the long run. Other lake backers have different views of zoning. For example, they envisage restrictions on the price of homes to be built and the size of the lot in the vicinity of the lake. While such zoning does help some in maintaining environmental quality, it is "snob zoning" and the courts are now finding such zoning laws to be unconstitutional.

If the above-mentioned observations on Wisconsin lakes are applicable here, the optimum tourist income will be derived from a lake with only a few access points and where the visitor, once on the lake, will see nothing but a unique natural setting well worth the 200-mile or so drive to the area. Another example in support of this view is Great Smoky Mountain National Park and nearby Gatlinburg, Tennessee. The millions of visitors to the area are attracted by the well-known scenic and natural beauty of the area contained within the park which is kept in as natural a state as possible by the National Parks Service. It is doubtful that anyone would contend that the total tourist income of the area would be increased in the long run by allowing commercial and residential developments, etc. in the park itself. Putting Davis in the roll of Gatlinburg and Canaan Valley in the roll of Great Smoky Mountain National Park seems clearly more profitable to Tucker County than trying to make Canaan Valley play both roles.

Another problem with excessive developments in Canaan Valley is sewage disposal. The valley drains so slowly that the average drop of water lingers a year or more in Canaan before going over Blackwater Falls. In order to prevent sewage from stinking up the lake and causing the growth of scum and weeds, it is estimated in one recent study that the most extensive sewage treatment process commonly available will have to be used and then the stuff will have to be piped outside the valley. Who is going to pay the \$500 and up per family for such facilities? Certainly not the developers. They will probably be gone by the time the smell gets bad.

The state has already "spot-zoned" the area around the Greenbank Observatory. Such zoning is essential to the operation of the observatory. Spot-zoning is essential too for a Canaan Valley as its backers would like us to believe it will be.

### CANAAN VALLEY ON TV

According to David Elkington WMUL and the other educational TV stations have prepared a program on the Canaan Valley. I have not been able to find out when it will be shown, so keep an eye on your TV schedule.

## NORM WILLIAMS SPEAKS OUT

The West Virginia House Judiciary Committee held a hearing on a bill to abolish strip mining on February 24, 1971. Two of the people who testified were Ira Latimer, Director of the Department of Natural Resources, and Latimer's assistant, Norm Williams.

Latimer told the Committee that "I think we can control strip mining. I think we can have strip mining and the benefits we want. In terms of wise use of natural resources, I am not in favor of abandoning this resource".

Norm Williams disagreed with his boss and explained to the committee why he felt that strip mining should be abolished. Here are excerpts from Williams' testimony as reported in the Charleston Gazette:

"In recounting my activities in the service of the Department of Natural Resources, my purpose is not to pose as the official spokesman of the department. I am well aware that only the director or the Governor can speak for the department and its policies in relation to the abolition of strip mining in West Virginia. Please be assured I have no wish to enunciate any official position whatsoever.

--My purpose in recounting these activities within the department is rather to indicate the type of experience which has led me to speak out as a citizen of West Virginia on this issue. You will note that an interest in the welfare of the rivers and streams of our beautiful state runs through this account. Characteristically, I am also a whitewater canoeing enthusiast.

--Perhaps it is only natural for a person with this kind of experience to have developed strong feelings about the superb waterways of West Virginia, and equally strong feelings about what strip mining has done and is doing to those waterways. This is what happened to me.

--It is now my considered judgment that we can no longer afford to allow strip mining in West Virginia. In my judgment, the 1967 law is basically adequate but it is not enforceable, because the Department of Natural Resources is completely outclassed by the industry.

--The long-term interest of West Virginia consists in abolishing strip mining and turning our attention to the many pressing environmental problems - orphaned strip mine areas, gob piles, logging activities, highway construction - which require a comprehensive watershed management approach for their solution.

--I submit that the state is acting according to one set of criteria at Grandview, where it is out to protect its own economic interests, but for the past three and a half years it has acted under quite a different set of assumptions at Slab Fork, at Cabin Creek and at Bolt Mountain, where the small landowner's investment and environment is at stake. At Slab Fork, Cabin Creek and Bolt Mountain, the state has allowed the economic interests of the strip mine operator and the coal owner to come first.

--Now it is my belief that most of these environmental costs of strip mining could be placed back upon the operator, as the law intended. The technology does exist. If, however, the state rigidly enforced the full intent of the law I believe the operator could be put out of business.

--Imagine, for example, the operator being required to carry out the following protective measures:

1. Restore all highwalls to the original contour.
2. Mulch or cover with matting all spoil banks within five days of the removal of overburden.
3. Stockpile all topsoil and return to the regraded surface before revegetation.
4. Install a complete drainage system to include any run-off from spoil banks.
5. Install properly-designed settling ponds adequate to contain the 20-year maximum run-off over a 10-year life span, with a one-hour retention rate to allow the settling out of all non-colloidal material.
6. Seal all breakthroughs permanently.
7. Treat all acid water releases into the natural drainage in perpetuity.
8. Calculate all slopes exactly, without averaging.



9. Permit no blasting within one half mile of the nearest dwelling of any kind whatsoever.
10. Mandatory retention of the performance bond for five years after revegetation.
11. Provide sufficient bond or tax to cover the expense of perpetual maintenance of all haul roads, land-slides, break-through seals and acid-water treatment. And so on.

--Not it is quite legitimate to inquire why such measures have not been required of the operator through rules and regulations in the nearly four years of the laws effectiveness. I believe the answer to that question is very simple. If the operator were obliged to strip mine under such restrictions, it would no longer be profitable for him to do so.

--Another way of putting it is to postulate the following truism: The profit of the strip mine operator is in direct proportion to the environmental costs he is allowed by the state to pass along to the community.

--This bias favoring the operator has existed from the beginning, obtaining under both the Smith administration and under the Moore administration. So ingrained has this bias become, from top to bottom of the administrative structure, that it has assumed the character of a posture, what I choose to call the "posture of the state".

--Unremitting pressure is brought to bear by the industry in order to maintain this posture of the state. Thus environmental costs are permitted to pass to the community by means of lax enforcement in the field, by means of the administrative "bending" of the law and the rules and regulations, and by means of deliberate inaction at the highest governmental levels.

--The revised rules and regulations have apparently been sitting on the desk of the Governor for the past three months, awaiting his action. The law clearly places responsibility for promulgating rules and regulations with the Reclamation Commission and only with the Reclamation Commission.

--Nevertheless, the Governor has seen fit, for reasons best known to himself, to withhold the revised rules and regulations. He has seen fit to maintain the status quo, to prevent the commission from discharging its legal responsibility, and to keep totally silent on the matter of where he stands on this vital issue, the abolition of strip mining in West Virginia.

--If the Governor of the state of West Virginia is afraid to speak out or to release the new rules and regulations on strip mining, what are we to expect of the reclamation inspector who earns \$500-\$600 per month and whose decisions every day affect millions of dollars worth of coal?

--Until such time as my question is answered, I shall continue in my stated belief that the inheritance of our children and of their children, the environment of this magnificent state of West Virginia, stands in serious jeopardy from further strip mining; and that we must turn our energies to the many and complex environmental problems which lie neglected on every side; and that West Virginia, for the reasons I have presented to you today, can no longer afford the terrible price of strip mining.

--Mr. Chairman, I therefore respectfully urge your favorable consideration of House Bill 963 (to outlaw surface mining)."

#### BOARD OF DIRECTORS MEETING

The Board of Directors met at Camp Caesar, which is located in a nice setting on the Gauley River a few miles from Webster Springs. The total cost for all the food you could eat for dinner and breakfast and a cot in a warm cabin was \$4.07. Thanks to Ron Hardway for arranging the nice accommodations.

Many items were discussed briefly Saturday night during the meeting which was attended by approximately 20 board members. Most of the items discussed concerned either strip mining, wilderness areas, or dams.

Bob Dennis of the Virginia Natural Resources Council is trying to raise \$2,500 to cover court costs and lawyers fees connected with the Blue Ridge Dam controversy. The Highlands Conservancy decided to contribute \$100 to the fund.

A resolution was passed in support of the Committee to Save Laurel Run, which was formed

to protest a strip mining permit for 42 acres near Coopers Rock State Forest. Several conservation groups including the Izaak Walton League and the Audubon Society have requested that the strip mining permit be rescinded. The permit was revoked by Governor Moore on March 30. According to the Charleston Daily Mail "Moore said he believed Latimer issued the permit on recommendations of his staff in the field, and then felt he did not have the authority to revoke it, as he had been asked to do. Further study showed he did have that authority, Moore said, and he was ordering it revoked."

Senator Frank Church is going to hold public hearings concerning management of our national forests on April 5 and 6. Nick Barb will present a statement for the Highlands Conservancy. Helen McGinnis and George Langford are also planning to testify. If you want to place a statement in the record of the hearings, you can do so by sending the statement to Senator Church and asking that it be made a part of the record.

Before the meeting was adjourned we were entertained with slide shows by Cliff Carpenter, who showed us several slides of the Three Forks of the Williams River region, and by Charley Carlson, who had many slides of rare and beautiful West Virginia wildflowers.

The next Board of Directors meeting will be in Parsons on June 26.

### WILDERNESS ITEMS

The U. S. Fourth Circuit Court in Richmond has denied the Forest Service appeal of the preliminary injunction issued by the Northern Federal Court District of West Virginia. The preliminary injunction prohibits activities that would be detrimental to the Otter Creek area that has been proposed for wilderness designation. The case will now go back to the Northern Federal Court District for trial at some time in the future.

Richwood District Ranger McManigle has placed a temporary hold status on new timber sales in the 26,300 acre section of the Cranberry Backcountry that the Highlands Conservancy has recommended for wilderness designation. The timber sales affected are Kins Creek, Tumbling Rock, Little Beechy, Big Beechy, and Cash Camp. The Forest Service is also planning to do a study of the Backcountry area within the next few months.

The Williams River Coal Company mining operation near North Cove on the Williams River has run into some problems. The superintendent of the operation was fired a few weeks ago, and the operation has apparently shut down.

On February 9, 1971, Representative Ken Hechler introduced a bill in the House of Representatives to designate as wilderness areas portions of Cranberry Backcountry, Dolly Sods, and Otter Creek. The bill (H.R. 3973) would designate the following wilderness areas:

- "(1) The Cranberry Wilderness, comprising an area of approximately thirty-six thousand three hundred acres;
- (2) The Otter Creek Wilderness, comprising approximately eighteen thousand acres; and
- (3) The Dolly Sods Wilderness, comprising approximately ten thousand two hundred and fifteen acres."

Please write your congressman to encourage support of Hechler's wilderness bill. If any progress is to be made, a bill must be introduced in the Senate also. It is very important that you write to Senator Randolph and ask him to re-introduce a wilderness bill in this session of Congress. Letters to Senator Byrd may help the cause also.

### CHEAT CANYON BACKING TRIP: MAY 8-9

A joint (Allegheny Group Sierra Club, Pittsburgh Council, AYH, and West Virginia Highlands Conservancy) 2 day backing trip is being planned along the Cheat Canyon Trail from Albright, W. Va. to Jenkins Bridge, and from Jenkins Bridge to Rockville via the Big Sandy Creek Trail. The canyon of the Cheat River extends from 3/4 mile downstream of Albright to Cheat Lake. It is a deep, rugged, and wild place which up to recently could only be penetrated by rafting its rough and rapid waters. It is a very beautiful canyon -- especially in the spring when the water is high

and the trees are blooming. It is a wilderness in a sense for there are virtually no signs of human intrusions. The hike will begin at Albright, W. Va. and continue to Jenkinsburg (about 10 miles) where we will camp. Depending on the water level in the Big Sandy we will be hiking to Rockville (5 miles). The Big Sandy Trail is in a wilderness-like setting with spectacular rapids and waterfalls. Outing fee is \$2.00 plus transportation; everyone is expected to supply their own food, cooking utensils, tent, etc. Group will assemble at Albright (at the bridge crossing the Cheat) at 10:30 a.m. Saturday, May 8. A group will be leaving Pittsburgh at 7:00 a.m. Saturday from the Arts and Crafts Center upper parking lot (corner of Fifth and Shady). Reserve with John or Tess Henry (441-5052).

### STRIP MINING AND THE OUTSIDE AGITATORS

Last fall Si Galperin ran on a platform that called for the abolition of strip mining, and he was elected to the State Senate. Before the new year arrived, Jay Rockefeller threw his full support behind the drive to abolish strip mining and this set the stage for the most controversial item that hit the State Legislature.

In early January, meetings were held to help organize the groups and individuals who were opposed to strip mining. These meetings resulted in the formation of the ad-hoc committee Citizens to Abolish Strip Mining. Dick Austin, a Presbyterian minister from Boone County, was selected to serve as coordinator.

In early February Si Galperin introduced a bill in the Senate that would ban all strip mining by January 1, 1973. A similar bill was introduced in the House of Delegates by Steptoe and McGraw. On February 15 a joint hearing on the abolition bills was held by the Senate Natural Resources Committee and the House Judiciary Committee. The hearing was held in the House Chamber, which could hold only a small fraction of the people who showed up. Greyhound busses were lined up outside the Capitol, the House Chamber and galleries were packed, and there were probably 1,500 people milling about in the lobbies.

Proponents of abolition spoke first with Jay Rockefeller being the first to testify. A total of nineteen people spoke in favor of abolition. Bill Riley represented the Highlands Conservancy. Bill read the two resolutions on strip mining and added the following statement: "The Conservancy is not unaware of the economic significance of strip mining in our state or of the high demand for our coal. And yet, in times past and present we have seen our forests up-rooted, our mountains ravaged and our streams silted and polluted by poor mining practices. We, as taxpayers, have paid and will continue to pay an astronomical price to support an industry that should have never been allowed a foothold in our state. It is our position that to let the short term economic gain outweigh the high cost to West Virginia of attempting to correct the devastation wrought by strip mining and the loss of industry and tourism that will not come to a ravaged state is a very short sighted view indeed."

The opponents of abolition then had their turn and about 16 people testified against abolition.

Near the end of the session both the Senate and the House passed different strip mining bills. The Senate Bill contained the Brotherton amendment which would have prohibited strip mining in 36 counties for one year and would have limited increase in strip mining activity to 25 percent. The House Bill would have abolished forever strip mining in about 20 counties. The compromise bill that was finally passed calls for a two year halt on strip mining in 22 of the 55 counties, but it does not limit increase in strip mining activity in the remaining counties.

On March 8, which was before the 1971 strip mine bill had passed, Governor Moore gave the "outsiders" hell for stirring up trouble concerning strip mining. Governor Moore also gave it to Jay Rockefeller and other abolitionists for "completely disrupting the 60th Legislature and preventing the resolution of other serious state problems". Governor Moore was mistaken if he thought that "outsiders" were responsible for bringing about the debate on strip mining. A couple of polls taken in West Virginia indicate that a large majority of the citizens favor abolition of strip mining. Senator Bob Holiday had a questionnaire printed in the Montgomery Herald, Fayette Tribune, and Meadow River Post in early February. Listed below are the statements with the number of people who agreed:

- |  |     |
|--|-----|
| a) Immediately abolish all strip mining                                  | 227 |
| b) Abolish strip mining within a reasonable time, say one to three years | 173 |
| c) Permit stripping under stricter controls                              | 201 |

Four respondents asked that strip mining be left as it is.

The results of a poll taken in Webster County by the two weekly newspapers was published on March 24 and are given below:

- |   |      |
|---|------|
| a) For abolition of strip mining            | 282  |
| b) For stricter enforcement of present laws | 26   |
| c) For no change in present laws            | NONE |

I think that these two polls are a fair reflection of where the people in West Virginia stand on strip mining.

If you would like to have a copy of the 1971 strip mine law, write to the Reclamation Division of the Department of Natural Resources at the address given in the February Voice. If you would like to know how your representatives voted on the important amendments and bills, write to Dick Austin at the address given below:

CITIZENS TO ABOLISH STRIP MINING  
POST OFFICE BOX 2404  
CHARLESTON, WEST VIRGINIA 25329

#### HECHLER INTRODUCES STRIP MINE BILL

On February 18, 1971, Rep. Ken Hechler introduced a bill (H.R. 4556) that would ban all strip mining in 6 months and would prohibit all coal mining in wilderness areas. The bill was re-introduced on March 22 with a total of 60 co-sponsors from 22 states.

Here are a few comments made by Rep. Hechler when he introduced the bill:

"Giant gouging machines are ruthlessly ravaging our precious hillsides, soil and forests, polluting our streams with acid mine drainage, and making vast areas start to look like the surface of the moon. Because the strip mining of coal has caused the most irreparable damage to our environment, this bill is designed to phase out the strip mining of coal within six months of the enactment of the bill. It will also place such restrictions on underground mining in national forests as to disallow any coal mining resulting in any damage to the soil, forests, streams and hills in those areas.

"Enforcement of these regulations is placed in the Environmental Protection Agency, with authority to assess civil and criminal penalties. Provision is made for citizen suits to assist enforcement. Federal assistance to the states on a 90-10 basis is provided for the states to acquire and reclaim those lands which the Administrator of the Environmental Protection Agency deems worth reclaiming for parks, recreation or fish and wildlife purposes.

"Many states have attempted to limit and regulate the strip mining of coal. Public interest has been roused in West Virginia through the courageous leadership of those officials who have defied powerful economic interests in a drive to ban strip mining in West Virginia. I would not want to see the strippers pull up stakes and leave those states with strict laws, merely to continue their depredations elsewhere. I don't want to see any state suffer economically just because it has the courage to enact stiff and effective regulations to save the environment.

"There are those who taunt the conservationists and ecologists with threats that jobs will be lost if strip mining is abolished. What about the jobs that will be lost if the strippers continue to ruin the tourist industry, wash away priceless topsoil, fill people's yards with the black much which runs off from a strip mine, rip open the bellies of the hills and spill their guts in spoil-banks? This brutal and hideous contempt for valuable land is a far more serious threat to the economy than a few thousand jobs which are easily transferable into the construction industry, or to fill the sharp demand for workers in underground mines. "

MISCELLANEOUS

How can an interested person subscribe to the Highlands Voice? Anyone can subscribe to the Voice by joining the Conservancy. Send \$5.00 to our membership Chairman, Carolyn Killoran, whose address is given below. Carolyn also has membership brochures, if you would like to help recruit a few members.

CAROLYN KILLORAN  
1605-D QUARRIER STREET  
CHARLESTON, W. VA. 25311

I want to point out that Bob Burrell is still the publisher of the Highlands Voice. I have everything except the first page typed on masters, and then I send it to Bob to be printed and mailed. If you fail to receive a copy, need extra copies, or want to recommend someone for the mailing list, get in touch with Bob.

Send any items of information or articles that may be of interest to our readers to me.

Ernie Nester  
Box 298  
Alloy, West Virginia 25002

PHONE: --779-3341

Bob Burrell, President  
W. Va. Highlands Conservancy  
1412 Western Avenue  
Morgantown, W. Va. 26505



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