



the Highlands Voice

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MID-WINTER WORKSHOP 1972

By Bill McNeel

The Conservancy held its annual Winter Workshop on January 29 - 30 at what by now has become the traditional location - Blackwater Falls Lodge. Following snow on Thursday and Friday the ground was lightly covered with the white stuff to give the usual beautiful background for the meeting. Saturday was clear and fairly warm followed by a freezing rain during the night and a clear and cold Sunday. The Canaan Valley Ski Area had one of its better weekends of the season.

Meetings were held Saturday afternoon, Saturday night, and Sunday morning for reports on the various areas of interest to the Conservancy, discussion of problems, and to handle the necessary items of business. As last year's meeting set the record for the greatest number of resolutions passed, the meeting this year probably set the record for the least number of resolutions passed - one.

The announced theme for this year's meeting was "Publicity and Public Action", but being announced was about all the attention the theme received. As the Conservancy has taken a position on the major environmental issues in its geographical area of concern, the meeting was not one that resulted in positions taken on new issues, but rather one that concerned itself with progress reports of ongoing work, the status of various environmental issues, and discussion on how the Conservancy can continue to be an effective force in the conservation of the resources of West Virginia.

Saturday Afternoon

President Bob Burrell opened the Workshop at 1:30 Saturday afternoon before a crowd that grew to about 70 people before the afternoon was over. The program for this session consisted of three slide presentations.

Craig Moore presented a series of slides of the Shavers Fork of Cheat River including ones that show the damage done and being done to the river by strip mining and poor lumbering procedures on land owned by the Mower Lumber Company. Craig and Bill Brundage are presently heading up a committee that is working on a report on the Shavers Fork. This report will include sections on the natural and political, economic and recreational resources, economic perspective, and water quality problems of the area, management recommendations for the best possible use and protection of the valley, and trail, fishing, canoeing, and nature study guides to the region.

Bob Burrell showed slides of the Cheat River Valley from Parsons to Rowlesburg, most of which will be under water if the proposed Rowlesburg Dam is built. Included were a few slides of a similar valley in Pennsylvania which has already been flooded by a dam. These slides showed "scenic" views of the valley during the draw down period. Following the slides it was reported that the Corps of Engineers is presently working on an environmental impact statement for the project and that \$300,000 is included in the President's proposed budget for the upcoming fiscal year for this project.

Helen McGinnis gave a slide program on the Roaring Plains, Dolly Sods, and the Red Creek Valley. Of special interest were slides of the area that will be destroyed by the upper reservoir of the Davis Power Project.

Following the slides, a discussion was held on what are the most effective ways the Conservancy can work through the political system and with the present office holders to achieve the goals that we have.

Saturday Night

The Workshop reconvened at 8:00 Saturday night for its second session. This session was opened with a slide program by Ron Hardway on the Cranberry Back Country. Ron reported that at the present time there is no activity at the mines at the Three Forks - he has no knowledge of why.

The remainder of the evening's program consisted of reports by members of other conservation groups on their activities.

Don Good reported on the activities of the West Virginia Division of the Izaak Walton League. These activities include efforts to promote contact between the DNR and the average W. Va. citizen, support of the abolition of strip mining, work with scout groups on conservation, and efforts to increase the League's membership.

Mrs. Marie Wallace spoke on the activities of the Nature Conservancy.

Rev. Richard Austin reported on the Appalachian Strip Mining Information Service, of which he is the director. The ASMIS provides technical knowledge to the anti-strip mine effort, makes abstracts and summaries of professional and technical papers on strip mining, and is presently working with strip mine abolition groups in several states.

Norm Williams, Executive Director of the Mid-Appalachian Environmental Service, spoke on the activities of this organization. These activities include a newsletter of general environment news, a newsletter of the activities of the present session of the Legislature in the conservation field, a strip mine research library, helping to start the W. Va. Clean Air Coalition, and consultant work with various environmental groups.

Sunday Morning

The Board of Directors met Sunday morning at 9:00 with President Burrell presiding and about 25 in attendance.

The following topics were considered:

The election of two new vice-presidents - Myself and Bill Riley

Treasurer's Report

Decision on the 1972 Highlands Weekend Review - to be held in the Elkins area

Report on the Davis Power Project
Report on the status of Otter Creek
Discussion of the Highland Scenic Highway and the possible locations of Appalachian
Corridor H
Strip mining and use of the 1899 Refuse Act

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SHAVERS FORK TASK FORCE

By Craig Moore

It was about this time last year that Bob Burrell began recruiting people to take on the task of providing a WVHC voice for Shavers Fork. Much work has been done and much more is to be done.

This fall, I agreed to relieve Bob of some of the week-to-week burdens and allow him more time for WVHC and Rowlesburg business. I view my role as information clearing house and coordinator -- it is you and the other task force members who will ferret out the information we need so that Bob and I can put together the big picture and then mobilize the WVHC and public opinion to action.

I'd like to take this opportunity to outline our plan of action for the coming year. Shavers Fork is a large and varied area and no simple, single plan such as a Congressional Bill will provide for its future. We are beset with active strip mining, "reclaimed" and orphan strip benches, proposed deep mines, abandoned deep mines -- "sealed" and unsealed, rambunctious timbering operations, USFS timber dominance use planning; all of which defile the natural beauty. In addition, the public has no effective control (or leverage) on activities in the headwaters or on mineral recovery on FS lands. We are also faced with a right-of-way and numerous RR land reservations on the banks of most all of the wilderness stretches of the river (about 2/3 the total length). On top of all this, a legal/political battle is raging around the Linan Mine application. Thus, our activities to protect and improve Shavers Fork will involve us on many fronts.

To help clarify our direction, I've prepared an outline upon which we can organize the information we gather. If I've left out any topics, let me know. I hope that each of us can "adopt" a section or subsections of this outline and work up source material and a write-up. Mrs. Carolyn Wilson is working on the political history of Randolph County and Bill McNeel has agreed to provide source material for Pocahontas County. Bill Brundage and Don Gasper are working on water quality problems and in the process Bill is mapping strip mine areas. Bill Bristor has already written a fishing guide for the fish-for-fun area and I have done much of the field work for the trail guide. Bob Burrell will handle the whitewater guide. Roger Peterson has gotten some information for us out of the bureaucracy in Charleston. Our biggest need at present is geological information on the acid producing potential of strip and deep mines. We need this to evaluate the Linan situation as well as to project the economic future without water quality protection.

As you develop significant portions of a topic or uncover important information, pass it along to me so that we can report our progress. I would also appreciate copies of any interesting letters for our files. I'm maintaining an address file and if you need or have addresses of people in state or federal agencies let me know. Newspaper clippings -- other than Charleston Gazette -- are also useful.

* * *

OUTLINE FOR SHAVERS FORK TASK FORCE

January 1, 1972

PURPOSE

This outline is to serve as a framework upon which the task force can organize the information it gathers concerning Shavers Fork. In addition to the narrative associated with each section, maps, charts,

data, field notes, and bibliographies will be put into appendices. While the narrative will serve as a basis for a report directed to governmental agencies and the general public, the appendices will provide valuable source material for use by the WVHC in dealing with various issues that arise in the future.

1.0 INTRODUCTION

Description of the area, maps, unique features. The area to be studied includes Shavers Fork from its headwaters near Spruce to the mouth at Parsons, including all tributaries and watershed lands.

2.0 NATURAL HISTORY

- 2.1 Geology and Hydrology
- 2.2 Climate
- 2.3 Forest type (including effects of logging and fires)
- 2.4 Botany
- 2.5 Wildlife and fisheries

3.0 POLITICAL HISTORY

Indians and early settlers, civil war, lumber camps, mining, economic decline, national forest, growth in recreation.

4.0 ECONOMIC RESOURCES

- 4.1 Minerals
- 4.2 Timber
- 4.3 Transportation
- 4.4 Fish Hatchery
- 4.5 Tourist/Recreation (including motels, private camps, hunting, fishing, and hiking)

5.0 ECONOMIC PERSPECTIVE

5.1 Present

Value of minerals and timber; tax revenue: percentage of land area, taxes and resources of counties involved. Proximity to population centers and importance as recreation resource. Cass R.R. income.

5.2 Future

Projected with and without protection of water quality and watershed

6.0 RECREATIONAL RESOURCES

- 6.1 Hunting and Fishing (Fish for Fun, Black Bear, others)
- 6.2 Summer homes
- 6.3 Hiking and camping
- 6.4 Day use (picnicing, Cass R.R., etc.)
- 6.5 Nature study
- 6.6 Whitewater canoeing
- 6.7 Winter activities
- 6.8 Limestone caves

7.0 WATER QUALITY PROBLEMS

- 7.1 Mine acid and natural acidity
- 7.2 Siltation and turbidity

8.0 MANAGEMENT RECOMMENDATIONS

Must deal with railroad along river, private land ownership, scenic highway, water quality, mineral rights, logging, etc.

Should recommend increased USFS ownership in watershed to afford downstream protection. State scenic river status could provide leverage on watershed activities and logging, mining, and roads.

9.0 AREA GUIDES

- 9.1 Access Roads
- 9.2 Trail Guide
- 9.3 Fishing Guide
- 9.4 Whitewater Guide
- 9.5 Hunting Guide
- 9.6 Nature Study Guide

APPENDICES AND BIBLIOGRAPHIES

One for each section

Craig R. Moore, Chairman
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Green Bank, W. Va. 24944

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ABOLITION RALLY

By John Parks

A rally to generate support for the abolition of strip mining was held at Morris Harvey College on January 15, 1972 from 9:00 a.m. to 9:00 p.m. Braving near zero weather for the entire day approximately one thousand people attended the rally for intermittent periods of time throughout the day.

Eleven legislators appeared on a panel, arranged by Citizens to Abolish Strip Mining (of which Conservancy is a member). The legislators listened to about a dozen people who testified to the ravages of strip mining and to the way in which strip mining had harmed their own lives. Some very interesting discussions developed between the legislators and the witnesses.

Several slide shows and films were shown during the day. Workshop sessions were held to acquaint people with the manner in which the average layman can understand and fight the surface mining industry. The topics covered in those sessions, which were well attended, included: strip mine regulation, citizen monitoring of strip mines, legal steps after receiving damage from strip mining, strip mining in the 1972 campaign, federal legislation and national organization, protesting a strip mine application, strip mine photography, coal miners and stripping, strip mine reclamation, and research resources.

Representative Ken Hechler presented a talk in the morning session in which he announced that the National Aeronautics and Space Administration has awarded a contract to monitor by space satellite the

effects of strip mining. The Earth Resources Technology Satellite, to be launched in May, will take infrared, ultraviolet, and microwave photographs. Its data will be analyzed to determine the extent of land damage and reclamation progress in strip mined areas.

State Senator Si Galperin of Kanawha County, sponsor of the 1971 and 1972 strip mine abolition bills presented a brief talk in the early evening session. The Senator has more recently presented bills 186, 187, and 188 to the legislature which concern (186) regulation of deep mining as it might affect the environment, (187) the abolition of strip mining of coal in West Virginia, and (188) the temporary placement and security of those loosing jobs in the strip mine industry.

Secretary of State, John D. Rockefeller IV highlighted the events of the day with a speech in which he strongly renewed his support of abolition. Rockefeller stated that even after all the debate, and a years additional research, he remains convinced that abolition of strip mining is in the best interests of West Virginia's future economic development. He pointed out that of all the coal in the depths of West Virginia, only four percent can be surface mined. It certainly does seem illogical that the surface of the state should be raped for this mere four percent.

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WILDERNESS CONFERENCE
(From Outdoor America, Nov., 1971)

A stranger who stumbled into the 12th Biennial Wilderness Conference in Washington recently might have thought he was attending a "teach in" of the "Hate the Forest Service Society."

The Conference, sponsored by the prestigious Sierra Club with cooperation of the Wilderness Society, the first of the series to be held in the East, attracted some 1200 wilderness enthusiasts from all parts of the country. The program focussed on opportunities for wilderness in the East and featured presentations by citizen leaders who have been remarkably effective at state and local levels of conservation action.

Unfortunately, much of the constructive substance was lost as the audience mood was one of suspicion, distrust and contempt for the federal land management agencies. None was immune to the bitter criticism leveled at them - the Corps of Engineers, the National Park Service, etc. But the Forest Service received most of the attack as speaker after speaker, to ringing applause, culled his dictionary for colorful adjectives to describe its bureaucratic perfidy.

Criticism concentrated in two areas: failure of the Forest Service to move aggressively to protect "de facto" wilderness, and its adherence to strict interpretation of wilderness criteria as established by the Wilderness Act.

It was charged that the Forest Service, as policy, deliberately issues logging contracts in "de facto" wilderness in order to prevent consideration of such areas for wilderness designation. ("De facto" is an area believed to qualify as wilderness but not now eligible for study and designation under the Wilderness Act.)

It was charged that the Forest Service maliciously and strictly interprets wilderness criteria in the Act so as to avoid inclusion of "de facto" or other areas in wilderness proposals.

An invitation made by John R. McGuire, associate Forest Service chief, for conservationists to sit down and help develop the criteria and standards for protection of a system of primitive areas in the East and South, where opportunities for true wilderness are minimal, and where the needs for such are greatest, was

met with stony silence. A "subterfuge", a "diversionary tactic" was the kind of aside comment heard.

Joe Penfold, Veteran League staff member, however, took the floor to urge that the invitation and the challenge offered be accepted.

"This could be a breakthrough," he emphasized. "Out of this could come a system of primitive areas backed by legislation offering even greater protection than the Wilderness Act itself provides. It would be tragic if the conservation movement muffs this one," he concluded.

His remarks apparently fell on deaf ears. The audience mood was to flay the enemy rather than to seek areas of cooperation which might forward the broad wilderness ideal.

Our bemused stranger might well have concluded that the conference was designed to polarize the bureaucratic "black hats" on one side and the wilderness angels on the other. Not so. It was more like a school of sharks in a feeding frenzy devouring their victim and ripping hunks from their own hides in the process.

* * *

ON SURFACE MINING

By Gordon T. Hamrick

The debate between advocates of surface mining and advocates of abolition of surface mining has progressed through various stages of acrid recrimination, replete with ponderous words from the vocabulary of science. Advocates of surface mining aver that X number of jobs will be affected if surface mining is abolished. Advocates of abolition reply that only Y number of jobs will be affected if surface mining is abolished. The answer, be it 2,000; 5,200; 3,876; 2,314; or any other number one would care to name is dependent upon the basic data used. As an economist, I am immediately suspicious of specific figures unless qualifying data is also given (figures won't lie, but liars will figure?). Explicit assumptions, such as the demand for coal, demand for labor, transportation costs, and the effects of air/water quality regulation must be spelled out. Implicit assumptions for such intangible factors as the weather must be considered in order to arrive at a meaningful answer.

Hidden behind the emotional overtones of all the rhetoric is the inescapable fact that both sides are speaking only of the probably short-term effects of abolition. Little mention is made of the probable long-term effects of failure to abolish surface mining. Coal is a non-renewable natural resource. Once removed it can never be replaced; therefore, it stands to reason that over the short-term, some surface miners will lose their jobs and over the long term, all surface miners will be displaced. The question then becomes one of "what?". How soon?

Surface mined lands will not support a timber industry because Nature has rather definite growth rates for the various species of commercial timber. Surface mined lands will not support agriculture because valuable top soil is removed during mining operations and the necessary input of fertilizer, labor, etc. for agriculture would exceed the potential value of the produce. Therefore, a continuation of surface mining would simply shift unemployment to the timber and agriculture industry.

Surface mining alters water tables and increases run-off, with resultant sedimentation of stream channels and reservoirs. Destruction of the vegetative cover reduces the vital transpiration of water vapor into the atmosphere and reduces the exchange of oxygen for the carbon dioxide in the air. Destruction of the vegetative cover also increases the ground temperature and inhibits growth of any vegetative cover attempting to establish itself on the banks. All of these are long-term economic and social costs which must be borne, not by the surface mining industry, but by the public at large, and which will not be ameliorated during our lifetime.

A system of enterprise based solely upon economic self-interest is hopelessly lopsided. It tends to ignore many elements in the social and economic community that lack commercial value but which are essential to the healthy functioning of that community. It assumes, falsely, that the community can properly function without the uneconomic parts. It would relegate to government many of those functions which are the direct responsibility of the system of enterprise. The faceless entity known as the corporate form of business has no conscience; it exists solely for black ink on the balance sheet.

Those trite and time-worn terms "progress" and "employment" keep cropping up in any discussion of surface mining. "Progress" - the old numbers game; the monomania of small and simple minds in the grip of an obsession. "Employment" - more people working to produce (and thereby buy) things which we really don't need. We have substituted quantity for quality in terms of our daily life. West Virginia will not be a better place in which to live if the population and employment is doubled. Growth for the sake of growth is a cancerous madness. Growth means crowding more people into the already overcrowded cities; growth means more highways through the crowded cities and the remaining rural areas; growth means a degradation of the already poor quality of life. Better should we expend our energies toward improving the quality of life than to rush headlong into the suicidal rush for "growth". The next generation - all 3.6 million of them would thank us.

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LEGISLATIVE BILLS

H. B. 761 Mr. Queen and Mr. Terry

S. B. 154 Mr. Gainer and Mr. Hubbard

The purpose of this bill is to create a West Virginia Water Development Authority and empower it to issue water development revenue bonds to be used to finance water development projects. The projects would be water pollution abatement facilities and waste water treatment facilities. An important purpose of this bill is to provide the means to capture federal moneys available to West Virginia for construction of water pollution abatement facilities and waste water treatment facilities.

S. B. 186 Mr. Galperin

This bill would make it unlawful for any person to engage in the surface mining of coal after July 1, 1973; prohibit the issuance of new permits for the surface mining of coal after June 30, 1972; and provide that no more than one renewal or extension of a then valid permit for the surface mining of coal shall be issued or granted subsequent to June 30, 1972, and that any such renewal or extension shall be valid only until July 1, 1973. Sent to the Senate Natural Resources Committee.

S. B. 187 Mr. Galperin

This bill establishes a temporary placement and training program in the Department of Employment Security for surface miners who have lost their jobs because of the abolition of surface mining in the State of West Virginia. Sent to the Senate Natural Resources Committee.

S. B. 188 Mr. Galperin

This bill requires that permits be obtained from the Director of the Department of Natural Resources for the proposed opening or reopening of any mine, subject to such regulations as the Director may prescribe. There will be no substantial deterioration of the environment suffered in connection with the opening, operation and closing of any mine. Sent to the Senate Finance Committee.

S.B. 52 Mr. Nelson

Creates a department of environmental control to exercise authority regarding the regulation and control of water and air pollution. The new department absorbs the authority, duties and responsibilities of existing departments, agencies, and commissions which now exercise such authority under the water resource water pollution control and air pollution laws. Referred to Senate Natural Resources Committee.

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MORE ON BLUE RIDGE

(From Roanoke Times, Feb. 5, 1972)

The Environmental Protection Agency has asked for the authority to determine if water storage and releases will be necessary to maintain the quality of water downstream from the proposed Blue Ridge hydroelectric dam project.

The EPA was joined in the request to the Federal Power Commission by the attorney general of West Virginia and three conservation groups, the Conservation Council of Virginia, the W. Va. Natural Resources Council, and the Isaak Walton League.

So far, the FPC hearings examiner has recommended the granting of a license that would require the proposed dam project to store water during periods of heavy river flow for release during the low flow summer months into the Kanawha River at Charleston, W. Va., where the New River intersects the Kanawha.

The request, which would modify the license, was contained in a memorandum to the FPC signed by John R. Quarles, Jr. assistant administrator for enforcement and general counsel for EPA, and W. Va. Atty. Gen. Chauncey H. Browning, Jr., Edward Berlin, attorney for the Conservation Council of Virginia, also signed the request.

"What we are asking," Quarles said, "is that the project not be used for water quality storage and releases until our agency determines after a public hearing whether or not this is necessary to maintain water quality."

"We are delighted," Quarles added, "that we have been able to join with the conservation groups and the state of West Virginia in meeting their objections to provisions of the project concerning low flow augmentation."

Low flow augmentation refers to the releasing of stored water to help dilute waste materials in stream waters.

Quarles said that since the proposed power plant would not go into operation in 1978, it is now too early to determine whether low flow augmentation would be required at all.

In any case, Quarles said, "we are committed to achieving compliance with water quality standards."

The memorandum sent to FPC asked that, if the project is authorized, it be constructed with a low flow augmentation capability but not used for storage or release until substantial evidence proves the necessity for such a capability.

Quarles said it must be shown that water releases would not be substituted for adequate treatment of downstream industries under the federal water pollution control act.

The EPA request emphasized that "it should be understood by this memorandum that the undersigned parties do not endorse the construction of a Blue Ridge project. We are concerned that the construction of any project, and in particular the construction of the modified project, will result in the displacement of people and the altering of rivers. The State of West Virginia and the conservation groups reserve the right to object to any license on these or other grounds."

The modified project would require some 40,000 acres of land rather than the 19,000 acres originally sought by the power company.

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HIGHLANDS CONSERVANCY MEMBERSHIP

Organized in 1967, the West Virginia Highlands Conservancy is dedicated to preserving and protecting the natural, scenic, and wilderness areas in West Virginia. One of the major projects of the Highland Conservancy has been the attempts to secure wilderness type protection for the Cranberry Backcountry, Otter Creek and Dolly Sods. You can help the efforts of the Conservancy by becoming a member and by encouraging other concerned citizens to join and participate in Conservancy activities.

Here are the membership categories:

Individual Membership:

- a) Regular - \$5 from the rank and file who can give time and interest to Conservancy.
- b) Associate - \$10 from those who can afford a small extra gift in addition to their interest in West Virginia's outdoors.
- c) Sustaining - \$25 from those able and willing to give larger amounts necessary to underwrite our program.

Organizational Membership:

- a) Regular - \$20 from a small organization anxious to help the Conservancy score conservation gains in the Mountain State.
- b) Associate - \$30 from a larger organization whose membership approves the efforts of the Conservancy.
- c) Sustaining - \$50 from a large national organization, which appreciates the importance of a highlands area to the people of the eastern seaboard.

To join, send the appropriate fee to our membership chairman, Mrs. Carolyn Killoran, 407 Circle Drive, Hurricane, W. Va. 25526. Make checks payable to the Highlands Conservancy.

The membership at the present time numbers about 430 individuals and 13 organizations.

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FRANCE PLANNING SNOWMOBILE BAN

PARIS - France is preparing to slap a complete ban on snowmobiles for personal use because of the noise they make.

Environment Minister Robert Poujade will allow exceptions only for emergency or maintenance service in Alpine Resorts.

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STRIP MINING REGULATIONS
(From The Environmental Monitor)

The Surface Mining and Reclamation Regulations were released Tuesday, February 1, by the West Virginia Reclamation Commission. A public hearing will be held March 3, 1972 at the Charleston National Guard Armory, 1701 Coonskin Drive, at the entrance to Coonskin Park, beginning at 10:00 a.m. At that time any interested persons or parties may submit data, objections, suggested amendments, views, evidence, arguments, orally or in writing, concerning any part of the proposed regulations. For copies of the regulations or information contact the West Virginia Reclamation Commission, Room 322, State Office Building #3, Charleston, West Virginia (Phone: 348-3267).

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