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THE Highlands Voice

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Hills Creek Area Threatened by Recreational Dam

by Pete Hauer

On February 19th, 1974, the US Forest Service released its Draft Environmental Impact Statement on the proposed Eagle Lake and associated recreational developments on Hills Creek, Pocahontas County.

The impact of this dam on one of Pocahontas Counties wildest and most magnificent natural areas is shocking. The effects of this 47 acre lake will damage the ancient Pocahontas Trail by covering over 1000 feet of the original route. This is the second time that Forest Service apathy would ignore away another section of one of the ancient foot-trails of the East. The Sierra Club book, CLEARCUT, explains some of the initial damage to the trail, where "...there is a 549 acre clearcut just over the hill at a place called Hunter's Run. Too bad about Hunter's Run. In cutting down all the trees, they also obliterated part of the Pocahontas Trail, an honest-to-goodness Indian Trail that got its start about the time Columbus was hunting around for America. The Forest Service says it's sorry about that."

Davis Power Project Hearings Begin

by Dave Elkinton

Hearings on the proposed Davis Power Project in Tucker County began in Parsons, the county seat, March 26, 1974 before an administrative law judge of the Federal Power Commission. Most testimony was from local

The lake will also damage the nationally famous Falls of Hills Creek, West Virginia's highest surface falls, causing them to run red with silt for up to two years during construction, and perhaps somewhat afterwards. Once the dam is built, it will be given preference over the famed falls during low water. Too bad about that, too? The

Spring Board Meeting

The Spring Board Meeting of the West Virginia Highlands Conservancy will be held Sunday, April 28 at the Skiers' Lounge of Canaan Valley State Park at 1:00 PM. Canaan Valley State Park is three miles south of Davis, Tucker County, on Route 32.

There are nearly twenty items for discussion on the agenda, chief among them being the Davis Power Project which is proposed for Canaan Valley. Members and directors who are unfamiliar with Canaan Valley will have the opportunity to explore Canaan at their leisure during the weekend.

The dining room at the Canaan Valley Ski Area will be open on the 28th.

The board meeting is open to the general membership of the Conservancy.

residents who favored the project. They pointed out the need for increased taxes to support the schools and general county services. Very little attention was expressed about the environmental effects of the project, and the few conservationists who opposed the project were booed and subjected to unfriendly remarks. At one point, the

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Falls are significant enough to have a full page color photo of them in the new National Geographic book on American Wilderness. No telling what all that silt will do to the near-wilderness gorge of Hills Creek for the mile or two below the falls...strange how Pocahontas Counties popular trout stream will be sacrificed to build an artificial trout lake. But then, whats a couple of miles of native brook trout habitat? Isn't it about time that a census of remaining native brook trout in the Highlands be made? Hills Creek is one of the last such places.

The site of the dam itself will eliminate over 50 acres of wildlife habitat and forest, a beautiful clear-water stretch of meandering tree-lined stream, overhung with large evergreens and magnificent in its own right. A perfect spot to enjoy an ancient Indian trail.

But PROGRESS is our most important product, so 2 1/2 million of our tax dollars will turn all this into a beautiful shallow lake, for fishing and swimming. Funny how they want to develop a cold water lake as trout habitat, and then call it a swimming lake too. Seems like one of those uses might just not complement the other. You'd think that they never learned a thing from Summit Lake, just a few miles away. That used to be a native brook trout stream too. Now the hatchery truck has to make regular runs during the height of the season to pump fish in faster than they can be pulled back out

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House Holds Wilderness Hearings April 2

by Dave Elkinton

Hearings on the Eastern Wilderness Areas Act, H.R. 13455 and related bills were held April 2, 1974 in Washington. Representatives of the Highlands Conservancy, President David Elkinton, and Wilderness Chairperson, Helen McGinnis appeared and offered testimony to be included in the record. Forty-four persons were slated to speak, but only about half were heard due to the several recesses for floor votes by the members of the subcommittee.

The hearing began with support of this legislation voiced by three Congressmen, including West Virginia's Ken Hechler who strongly favored the four proposed areas in West Virginia. These are Dolly Sods, Otter Creek, Cranberry, and Laurel Fork, all located in the Monongahela National Forest, Congressman Harley O. Staggers was not present, although he has previously introduced a bill calling for wilderness preservation of these areas, H.R. 5084.

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Back Fork of Elk Threatened Again

The March 28, 1974 edition of the Elkins INTERMOUNTAIN carried an advertisement which revives an old crisis for trout fishing, hiking and whitewater enthusiasts. The S.S. "Joe" Burford stripping company has applied for a 95 acre strip permit on Hewett Fork of the Back Fork of Elk River.

Hewett Fork is located in Randolph County near the headwaters of Back Fork. It is four miles above Big Run where a disastrous strip operation occurred three years ago. The Big Run strip ruined fishing in Back Fork for two summers and continues to dump silt into Back Fork with every rainstorm despite Department of Natural Resources assurances that the Big Run strip has been successfully reclaimed. A DNR Fish and Wildlife Resources study

of Back Fork at the time of the Big Run operation concluded that no stripping should be allowed on the Back Fork watershed. The report was ignored by the DNR hierarchy, and several permits were routinely approved.

The Burford company which has applied for the permit on Hewett Fork is responsible for scalping Elk Mountain near Monterville, and clearly visible from Route 15 four miles west of Valley Head. Burford has been mucking around the Elk River headwaters for about three years, but the Hewett Fork application is its first trespass onto the Back Fork watershed.

The Hewett Fork application threatens to be the worst yet for the silt-plagued Back

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Energy Crisis Is A Big Headache

by Gus A. Douglass

Guest Editorial

W. Va. Commissioner of Agriculture

There is no easy way out. People all over the world have had to react to a sudden change in the price and availability of energy and it has been one big headache.

As of now (February 6) no one knows or is even willing to predict the future. Rationing has been lifted in Holland, Sweden and several other countries which had imposed such a system, but long lines of panic-stricken citizens at the pumps and the independent truckers strike combine to dampen any enthusiasm that might be generated in this part of the world. Three things now seem certain: (1) it is possible to exhaust conventional energy sources, (2) energy consumption is doubling every 10 years and (3) the shortage of natural resources may be the prime factor in limiting the world's population and future industrial societies. Thus, the following facts selected from our files may be of interest as you attempt to predict the future.

One-half of all the petroleum used up to 1969 (worldwide) was utilized in the 10 years from 1959 to 1969.

There are disputes about reserves, but unless the doubling time of 10 years is reduced, even an 8-fold increase in resources would last only 30 more years.

In the United States, we apparently have the following resources:

Natural Gas.....11 years
 Petroleum.....12 years, including Alaskan North Slope
 Uranium.....20 years
 Coal.....700 years
 Oil Shale...? Technology not yet certain
 In the world, the following reserves are thought to be present:

Natural gas & petroleum.....64-70 years
 Uranium.....90 years
 Coals.....300 years
 It takes at least 7 years to find, develop and market major new oil and gas discoveries.

The oceans probably can not absorb additional pollutants without reducing food supplies; so hasty unregulated drilling and shipping may react adversely.

The greatest natural gas reserves, nearly one-third of the total, are in Siberia. Nearly one-half of the world's oil is located under the Arabian Peninsula.

Coal furnishes 88% of this nation's energy.

Our western oil shales contain as much oil as we originally had in petroleum. They

could yield 25-40 gallons of synthetic oil per ton of shale, although the availability of water may be a limiting factor in their development.

Trucks, as compared with railroads, are inefficient when compared on the basis of energy used per ten miles and airplanes are vastly less inefficient than are trucks.

Unless large new reserves are located, this country may have to develop zero per capita power growth to go along with our present zero population growth.

There are, of course, thousands of ways to save. About 40% of the petroleum is used as gasoline; so some of these would include cars of less than a ton in weight, no power or automatic equipment, no air conditioning, slower speed limits, and a greater use of steel belted radial tires.

As to farming, energy and equipment shortages are already cutting into conglomerate farming operations. Consequently, more and more small farms, perhaps highly unmechanized farms, may play a role in our future.

This country thrives on crises and a strong impartial leadership may develop to pull us through once again. After all, it wasn't too many years ago that we faced the great whale oil crisis.

Overlook

This month we are overlooking a ski slope from high on our perch going up the mountain on a ski lift. No, we are not going to offer another harangue about Snowshoe. After all we have recently been assured in these pages by an apologist for the DNR that Snowshoe will be one of the greatest things that ever happened to Pocahontas County, that we have nothing to fear, and that we have been boorish in criticizing it. Fair enough - this column will not mention Snowshoe again. This month.

Instead, this will deal with another ski resort with a similar name, Snowbird, located in Utah's Wasatch Mountains. Actually this column might better be viewed as a book report or, more accurately, a column report, as it is based on an article appearing in the March 1974 issue of AUDUBON and written by Jack Hope. Mr. Hope has done an interesting job of on-the-slope reporting about this multimillion dollar tourist mecca. Apparently it is a lovely place-miles of ski trails have been carved out of the Forest Service's holdings; condominiums have been nestled in the mountain side; new roads have been built to haul the hordes of weekend skiers in to do their thing.

Snowbird is run by former skier Ted Johnson and Texas millionaire, Dick Bass, who is noted for building such empires at different places in the west. Snowbird caters to a wealthy outdoorsman, one who wears at least \$500 worth of gear before even thinking of assaulting the slopes. The cheapest single goes for \$34 a night while most of the rooms are really suites and rent for \$66 a night, or about the weekly take-home pay of far too many West Virginians. The condominiums that have received so much acclaim go anywhere from \$29,000 to \$90,000. The cost is made up by sub-leasing them to other skiers and summer tourists, the balance being written off as a tax loss.

The developers have taken great care in preventing ecological damage to the nearby watersheds, the ones that Salt Lake City partially depends upon for its water supply. The developers point with pride at the hand

Snowshoe

dug sewer lines, the groves of trees that have been spared, the buried power lines, etc. FACT: the coliform counts (fecal bacteria) of the nearby rivers have risen 14% since development began and it is predicted that at the present rate, the water will be unusable for public consumption by 1980. The article did not mention what will happen to the trout well before that not too distant date.

Actually, the Snowbird developers are operating at a loss and feel that the only way they can make a profit is to build more trails, more ski shops, more condominiums. But this will cause a greater influx of people than now exists and it is a sad, but biological fact of life, that each one of them has a rear end that periodically requires attention. The developers tried instituting a bus system to cut down the traffic, but people who can afford several hundred dollars for toys and \$66 a night suites aren't about to be crammed into buses as the developers sadly learned. These people drive Ferraris and the like and aren't about to leave them at home.

The developers want to expand into another nearby canyon, one being proposed by local conservation groups as part of a new wilderness system. When asked why they are opposed to wilderness protection, the developers answer that skiing tends to concentrate recreationists in a smaller space and besides, what the hell, that canyon isn't really a wilderness anyway, what with the area being mined heavily during the nineteenth century and all. Cheers from the local chapter of the U.S. Forest Service.

Mr. Hope artfully punctures each inflated balloon raised. He points out that if you create ski resorts, you create skiers; if you build snowmobile trails, you create snowmobilers; but if you establish wilderness protection, you create wilderness-lovers. Now which of these people do less harm to the countryside?

Hope also interviewed another ski resort developer, one who made no bones about what he thought of wilderness. "The recreational era is here, and we're here," says the ogre.

By Bob Burrell

"Putting up one more lodge isn't going to ruin anything. This was a mining area. It was ruined before we got here. And I say, it's gonna happen somewhere, so why not let it happen here where it's ruined already?" The man says look at land prices. One-third of an acre went for \$3,500 five years ago and now the same property goes for \$25,000. The man didn't say what happened to the people who were native to the area, what happened to their way of life, their land, or their economic livelihood.

As a skier himself, Hope points out that the end to skiing itself is the development of technique so why locate plazas dedicated to the improvement of athletic technique in areas of incomparable, but delicate scenic surroundings? "Further, just what contribution does downhill skiing really make to public recreation? A conspicuous aspect of the sport is that its participants are, by and large, economically well off and have access to an abundance of other recreational opportunities. Ski resorts are simply too expensive for low-income families, whose recreational opportunities are already severely limited. Rather than building more ski resorts, a more judicious use of land would be to encourage less expensive forms of outdoor recreation - hiking, cross-country skiing, snowshoeing (sorry, I said I wasn't going to mention it), winter camping. These are also the forms of recreation that do the least damage to our natural surroundings."

Hope winds up his article superbly with, "Finally, there is nothing in a heated outdoor pool, a helicopter chaffering service, a fancy boutique, or a \$66 room that encourages humility or respect either toward our natural environment or for ourselves. Rather, a week at a place like Snowbird only reinforces the belief that if you have money, the tops of the mountains will be lopped off to provide you with entertainment."

In this year 1974, it is a fact that it is illegal to take dogs up into Snowbird in an environment protection gambit, but it is perfectly legal to otherwise rape the mountain top with an \$18 million ski resort. But then why would us Mountaineers be interested in what happens way out in Utah? It can't happen here.

The Readers' Voice

Editor, Highlands Voice

Dear Sir:

The fact that there is so much beautiful land and countryside still left in West Virginia is surprising - that is because if West Virginia's Senators Byrd and Randolph were the deciding factors, it certainly would be gone.

How amazing it is that West Virginia has two senators who represent a state with the last reservoir of large untrammelled natural beauty and unspoiled countryside. Because, Senators Byrd and Randolph have consistently voted for every destructive project supported by contractors, the Corps of Engineers, big power companies, gas companies, steel interests in Pennsylvania, and so forth, that every out of state interest has ever supported or desired.

Senator Randolph recently opposed all amendments to the Senate Rivers and Harbors bill (a favorite bill of the Corps of Engineers and their contractor friends) to make it possible for communities opposing such projects to get a fairer shake. Both Sen-

ators from West Virginia opposed an amendment eliminating the Blue Ridge project dam, which will have an adverse effect on West Virginia's magnificent New River.

And, can we forget that Senator Randolph is one of strip mining's most vocal supporters, despite the fact that it has been proven economically that one can never restore the damage caused by strip mining, no matter how much money you spend on the area destroyed. How many streams and hillsides of West Virginia bear their mute testimony to that statement.

When are West Virginians going to wake up that most of their elected representatives in Congress, with the exception of Congressman Heckler, and a good many of their delegates and states senators are controlled and vote according to the desires of the out of state exploiters. Can I forget the time that some of the strip miners approached me and tried to strip my coal land, and that they lived in Baltimore in some of the wealthiest areas of the city?

West Virginians have got to stop electing people because they send them a Christmas card or kiss a new baby or attend the local fund raiser by the fire department. West

Virginians have got to start examining the records of Congressmen like Staggers, who consistently vote with out of state coal and steel interests and against the interests of their own constituents and judge them on that basis. Unfortunately, it is tough for a man who is struggling to stay alive to watch the voting records of his Congressmen on the issues that are important to him. Unfortunately, West Virginia's newspapers do very little to print the critical facts concerning its elected representatives. I suppose, of course, because of fear of discrimination against them in their advertising columns.

The latest political boondoggle being sold to West Virginians are the various highway programs. West Virginians, who have one of the worst road systems in the world, badly needs every cent which it is spending on highways, to be spent on the improvement of local roads - not on useless interstate highways or programs which build large high-speed roadways crashing through the center of their state for the benefit of contractors, road engineers, and interstate trucking companies.

Amazingly, West Virginians have approved the recent highway bonding bill which devote most of their highway money for the benefit of roads to be built to the standards of those who live outside the state. Naturally, once again, West Virginia's elected representatives in Congress heavily supported such projects despite the adverse effects upon the state in the long run.

Thomas Ward
848 W. 36th Street
Baltimore, MD 21211

Clearcutting and the Sawmill Operator

by Gordon T. Hamrick

The October 1973 issue of the Voice carried an article outlining ecological objections to the practice of clearcutting. It is now time that we take a look at clearcutting from the viewpoint of the sawmill operator and contract timber cutter.

Confrontations thus far have pitted the Forest Service (clearcutting) against environmentalists (anti-clearcutting or selective cutting). Sawmill operators have, of necessity, sided with the Forest Service; yet, talks with sawmill operators indicate they dislike clearcutting every bit as much as do ecologists. Their reasons, of course, are different; yet, we have two interested parties who should be supporting each other on different sides of the controversy.

Mill operators say, justifiably, that clearcutting is expensive in that the cost of clearcutting an area must be considered when bidding on Forest Service contracts. And -- a timbering operation is not the safe dependable thing that a pulpwood operation is. You can't cruise a stand of timber and come up with an exact estimate of what the final tally will be; you can't assess the quality and quantity of the timber until you cut the trees down and saw them into logs. A team of careful and knowledgeable men can do a successful job in a stand of inferior timber, whereas a bunch of hackers would make a dismal failure of it. Furthermore, timber operations are highly speculative propositions in that the market is subject to sudden shifts in supply and demand. The mill operator never knows until the last board is delivered and paid for whether he has made a packet or lost his shirt.

Thus, the mill operator, dealing with a speculative market, finds his variable costs pushed higher by the cost of clearcutting. In addition, the clearcutting removes standing timber that could be available in ten, fifteen or twenty years hence, providing the area was selectively cut instead.

Sawmill operators have run up against another problem, in that the annual rate of growth of timber has not equaled expectations. In former years, farmers Smith, Jones, Brown, et. al., maintained a woodlot or woodlots from which the mill operators could secure an additional quantity of timber to supplement timber from their own holdings. However, in recent years, farmers have been selling out at an alarming rate to out-of-state people who want the farms as vacation homes. These new owners are not interested in selling their surplus timber; thus, this source is no longer available to the mill operators, and the mill operators must, of necessity, look to the State and National forests as their only available source of timber.

To examine the clearcutting vs selective cutting issue further -- a tree, depending upon species, will reach a diameter of eight inches in approximately forty years. Thereafter, the annual rate of growth ranges from one-eighths inch to one-fourth inch. Thus, the small saplings removed during clearcutting cannot be replaced as marketable timber in less than 60 years, whereas under selective cutting, they would be available in

twenty years or less.

Using Doyle's Scale -- the universal scale of the hardwood industry (from the diameter of the smaller end, in inches, subtract four; square one - fourth the remainder and multiply by the length in feet) -- things work out something like this: A tree 12 inches in diameter at the butt will average possibly eight inches at the smaller end. Subtract four (from the eight) and you get four; one-fourth of four is one; one squared is one; one multiplied by the length of the log - eight, ten, or twelve feet - will give eight, ten, or twelve board feet for that tree. The same tree, if permitted to stand, would, using a one-fourth inch annual growth rate, increase one inch in diameter each four years. Thus, twenty years hence, the tree would be approximately 17 inches in diameter and would provide a sixteen foot log or possibly a ten foot and an eight foot log. Using a rather arbitrary figure of 12 inches for the diameter of the smaller end of a 16-foot log, we have: $12 - 4 = 8$; $\frac{1}{4}$ of $8 = 2$; $2 \times 2 = 4$; $4 \times 16 = 64$ board feet. Thus, in 20 years, the yield of a single log has increased from say, 12 board feet, to 64 board feet, 52 board feet in 20 years. When the Forest Service specifies clearcut, this will not be available, in fact, in 20 years, the new growth (provided there is any), will have reached a diameter of possibly four or five inches -- hardly large enough for pulp-

wood -- and the mill operators must wait another forty years or so for the timber to reach maturity.

The Forest Service, in the wake of Judge Maxwell's decision prohibiting clearcutting on the Monongahela National Forest, has decreed that all timbering will cease as of the end of 1974. Mr. Trout, Supervisor of the Monongahela National Forest, at a meeting of Appalachian Hardwood Manufacturers, Inc., indicated that there was only a limited amount of timber on the NSF -- about eight percent of all timber -- that would meet the requirements laid down by Judge Maxwell's decision. There, the question lies: Can the timber on the Monongahela National Forest be selectively cut at a profit for the mill operator?

If there is a shortage of marketable timber now, consider what things will be like twenty or forty years from now, when the FS completes clearcutting of the National Forests. How many responsible wood products companies are clearcutting their acreage? A great many of the lumber companies learned a bitter lesson when they clearcut their acreage during the early part of this century. Now all they can do is sit and await the new growth; new forest lands are no longer to be had at any price.

A little intelligent reasoning on the part of the bureaucrats in Washington could save a lot of problems in the future.



The Conservancy and Land Use Planning by Laurie Cameron

The American Indian was the first land use planner on this continent. For example he built villages near water but never in the flood plain of rivers. That way he could leave his building to the beavers. The Indian said: "Mmm, look at the mighty water down there." The resident of Marlinton says, "Well, guess I'd better row after th' lawn furniture." So the first element of land use planning consists in protecting people from their own stupidity; it is practical wisdom.

Traditional land use controls are not unpopular in suburbia because nobody is really a land owner in a suburb, which is a sort of horizontal condominium. Zoning promises to maintain the Saturday-Evening-Post image of America by preventing mixture of commercial, industrial and residential uses, keeping out poor people and ultimately limiting population. Sub-division controls try to insure that new residents pay for new facilities they require, such as streets, sewer and water. Building codes make houses

look more or less alike and provide work for local tradesmen. Neither zoning nor building codes are of much use for preservation of the highlands. A zoning map of the highlands would have to contain some interesting new classifications: fishing phetto, strip mine.

The latest model of planning vehicle is called comprehensive land use planning. Comprehensiveness implies some way to take everything into account which in turn implies a big enough planning area that "outside factors" don't dictate every move. The result is regional planning.

If regional planning commissions really had comprehensive authority to plan land use, they would be good forums for people to learn and express opinions. But no regional commission in West Virginia has anywhere near comprehensive authority. The vast majority of decision making power lies either in private hands or in the offices of "good ol' boys" in Charleston. Strengthening regional planning authority could be a fruitful undertaking, although one with calculated risks, the major one being domination by the dream of economic development.

Mountainous regions of Vermont and New Hampshire, the Shenandoah and the Southern Appalachians have already undergone the process of development for private and public recreation that the highlands are on the threshold of. There are reports of successful moves in New England to ensure that the values people seek in the mountains are not destroyed by the seekers, their developer vanguard or commercial camp followers. The Swiss appear to have been very successful in staying quaint and primitive. If it could be clearly documented that it is possible--and preferable--to have development for tourism and recreational use without damming every stream and plastering trailers, shacks and camps all through the hills, that is something that should be undertaken without delay so as to save as much as possible from the ravages of privatism and the pork barrel. The measures that would be necessary to accomplish such an end would have to have the full and active support of at least the governor and probably the legislature. That means the matter must be made a political issue locally and statewide.

When heavy demand for land drives prices to many times the original stable value, a severe problem arises for local population -- particularly farmers. Because taxes are based on some percentage of assessed market value, a farmer who had been paying \$500 a year property tax suddenly finds his tax bill has risen to \$2500 -- this is, if anything, an understatement of the actual case. Finally the farmer is left with no choice other than to sell to a speculator or developer.

Some states have enacted laws which permit farm land to be taxed at lower rates than the rest. This policy recalls the recommendations of Henry George, author of an amazing book titled *PROGRESS AND POVERTY*. In this and other writings George develops a theory that land is the only form of capital (source of wealth) which is not created by man's labor. He proposes that the only tax levied should be on land and that the tax reflect the earning power of the land as determined by public policy. Thus land with coal in it which was not specifically protected would carry a relatively high tax at the time the coal was to be mined.

Henry George probably represents a more radical approach to taxation policy than most states would choose, but some thought and action should be devoted to the future financial position of present landowners, since the highlands derive their character as much from their stewards as from geology and climate.

In the foreseeable future private decisions will almost exclusively govern development of privately owned land in the highlands. That means the only way to keep land in any particular state is to control it directly by ownership or long-term lease. The Nature Conservancy and other old-line conservation groups and individuals have bought or leased various land rights and are still doing it. The latest vehicles are community land trusts such as has been set up in Maine. The purpose of such a trust is broader than preservation or conservation; a central goal is to form a pool of rural land to be available for homesteaders who will not be able to afford future prices of land.

Since there is now no repository for homestead land, the Highlands Conservancy could hardly go wrong by incorporating one and making known its availability for receiving gifts, bequests and cheap offers.



The Lesson of Elk Creek

"It took a lot of help from a lot of people to get where we are today, but we have just begun to fight. I hope to see the battle against pollution won in Appalachia and across the nation."

Those words announce the success of a crusade begun by one man, to save a small creek in Harrison County from extinction. The creek is Elk Creek, and the man is Sandy DeMark.

Elk Creek is a meandering 26 mile pasture land creek which begins in Barbour County and slides through some of the most devastated land in West Virginia on its way to the West Fork River south of Clarksburg. It has thirty-two tributaries, nearly all of which have been bisected by strip mining or undermined by deep mines.

Twenty-five years ago strip mining began in the Elk Creek watershed, and before a decade had passed Elk Creek had ceased to be a living river. Instead it was a sewer of silt and mine acid, oozing its way through meadows and past rural homes where once it had been a source of life for residents and animals.

Writing in the March issue of *WONDERFUL WEST VIRGINIA* Jean Oliverio surveys what has happened to Elk Creek since 1967 when a Nutter Fort resident, Sandy DeMark, decided that enough was enough.

DeMark organized the Harrison County and Elk Creek Water Pollution Control Committee in 1967. Seventeen people showed up for the organizational meeting, and in a short time this burgeoning group had collected more than 10,000 signatures on a petition calling for the resurrection of Elk Creek.

The Committee made little headway until 1971 when the Reclamation Division of the Department of Natural Resources finally came through with \$100,000 to revegetate some of the worst of the abandoned strip mines. Revegetation was successful and a beginning was made.

The big killer of Elk Creek was mine acid, and the DNR next turned its attention to

this disease. The Division of Wildlife Resources eventually succeeded in stocking the creek with bass, and a measure of life, though tenuous, was restored to Elk Creek by the end of 1971.

In the meantime while the DNR was tackling the pollution problems already extant, the Elk Creek Committee was concentrating on educating the public to prevent further pollution of the creek. The Committee received a grant from the Environmental Education Act, and it raised some money on its own. With their financial resources the Committee sponsored public seminars, including one for school teachers, and tours of Elk Creek.

DeMark meanwhile conceived a plan to reduce acid drainage from abandoned deep mines on Elk Creek. The U.S. Environmental Protection Agency and the DNR Water Resources Division bought his plan and together they appropriated \$641,114 to finance the project. To date the project has reduced acid flow into the creek by 60 percent.

Another problem which constantly bedevils West Virginia streams - trash - was solved when the Harrison County Court authorized the Neighborhood Youth Corps to clean up the stream during the summer of 1971.

Thus, Elk Creek lives. It has cost nearly \$1 million to revive it, and countless man-hours have been employed in its resurrection. But DeMark and the Elk Creek Committee has no time to rest on its laurels. Today the Committee constantly monitors Elk Creek for pollution, and it has been successful on several occasions in locating sources of new pollution of the creek. The pollution was stopped and fines were levied.

The Elk Creek Water Pollution Control Committee has demonstrated to the nation that concerned citizens can correct severe environmental problems given motivation, desire and energy. But DeMark's words "we have just begun to fight," should serve as a warning to all that pollution and polluters can best be stopped before they have the opportunity to begin. Preservation of the world lies in eternal vigilance.

HECHLER BLASTS EPA

WASHINGTON--"After months of foot-dragging and paper shuffling, the Environmental Protection Agency must get moving to stop the coal mining pollution of Shavers Fork", Congressman Ken Hechler said in a letter to EPA Administrator Russell Train.

"It is a disgrace that EPA has not taken action against coal operators along Shavers Fork. I wrote to EPA last July demanding that they enforce the 1972 Water Pollution Control Act -- only bureaucratic fumbling has resulted," said Hechler.

"EPA should follow the fine example set by the West Virginia Division of Reclamation

which recently rejected an application by the Lang Brothers Coal Company to strip mine along Shavers Fork. Instead, EPA has not even been able to serve notice on Gamble Coal Company for mining along Fish Hatchery Run since December without applying for the required NPDES permit," Rep. Hechler stated.

The 1972 Federal Water Pollution Act requires all coal mines and industries to apply for an NPDES permit before they can discharge any waste waters into streams. After application is made, EPA is required to draft permits specifying the quality of the water that may be discharged into a stream,

if the company cannot or will not treat the water discharge so that it meets the standards of the permit, the company must cease operations.

T & J Coal Company operated a deep mine near Glady above Shavers Fork through last fall and closed for the winter. T & J applied for the NPDES permit, but to date EPA has not drafted a permit for the operation.

"The Division of Reclamation has recognized the importance of protecting this beautiful trout stream -- it's time EPA woke up and did its job," Hechler concluded.

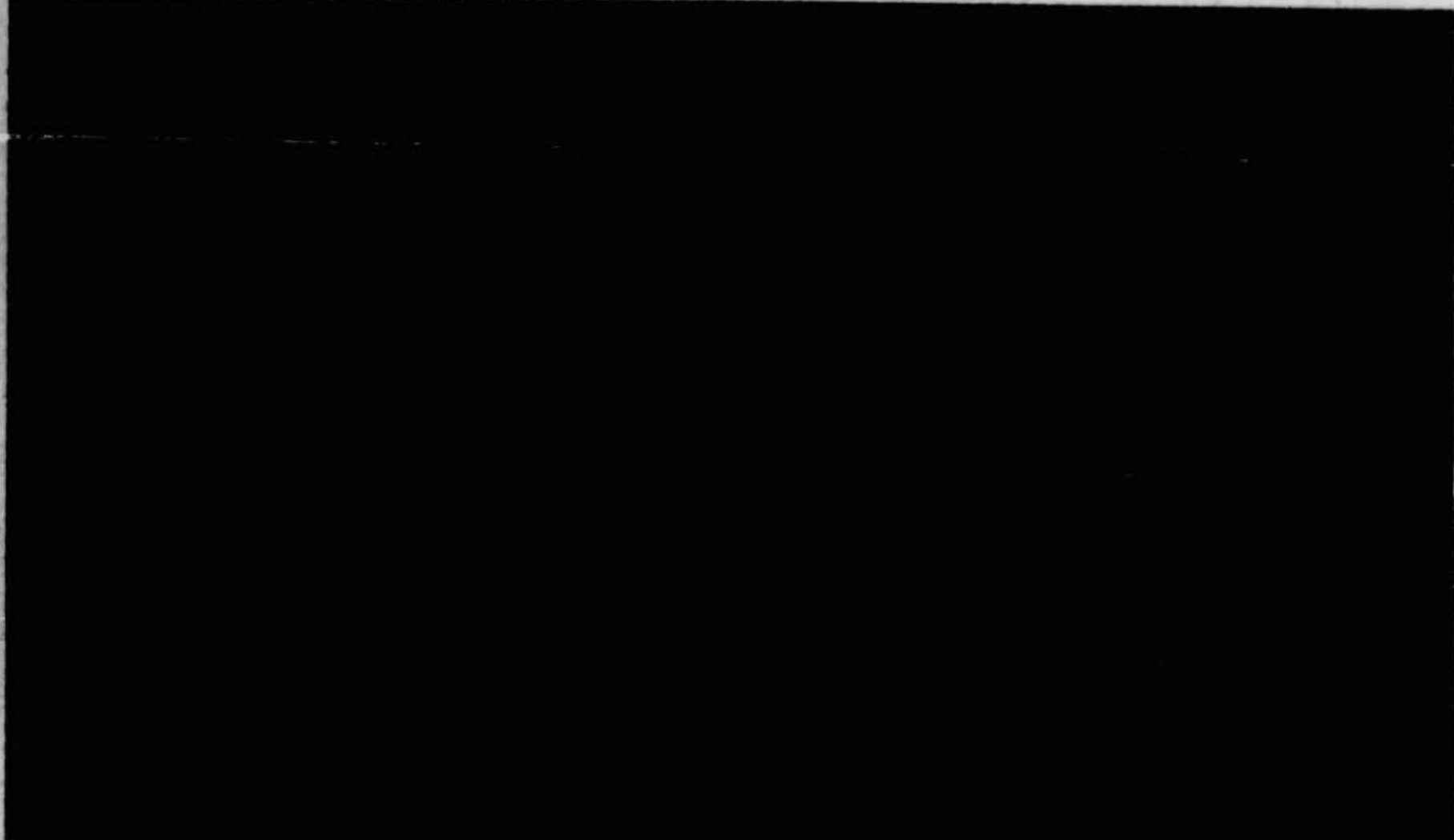


photo by Bob Burrell

High Falls of Cheat, Shavers Fork. A prime example of pristine mountain beauty constantly being threatened by mining, logging and roadbuilding.

The Trouble with Sutton Dam

by Gordon T. Hamrick

The lower Elk River, since construction of the Sutton Dam and subsequent filling of the reservoir, has experienced major siltation and turbidity problems. Quite aside from the property damage, fishing has suffered a major blow because turbidity kills fish by clogging their gill filaments with silt, thereby causing carbon dioxide retention and/or anoxemia.

The U. S. Army Corps of Engineers hopes that a multi-level water release system (which will cost upward of three million dollars) will, when installed in the dam, improve conditions downstream.

Just how effective a multi-level release system can be remains to be seen. A stream carries material in three ways; as suspended load -- sediment supported by turbulent waters, as bed load -- material too large to be supported by the water and which is carried, in part, by other sediments, and as a dissolved load -- ions that are a part of the water and move with it.

The dissolved load, as part of the water, is beyond the scope of consideration in an article such as this. The bed load, consisting largely of material too big to be lifted by the current, is pushed or rolled along the stream bed to a point where the gradient decreases -- in this case, the entrance to the reservoir. Here, the bed load settles out in a delta, the larger particles settling first, followed by the other particles, in order of their decreasing size.

This leaves the suspended load which, unfortunately, consists of the wash load -- clay particles so fine that they may remain in suspension almost indefinitely -- and the upward turbidity current load -- silt particles carried upward and supported by turbulence created by irregularities in the stream bed. The latter may be dropped from suspension if there are no turbidity currents in the stream or body of water.

And, what is the relevance of this to the Sutton Dam problems? Hydrologists tell us that in a stationary body of water, the surface is warmed by the sun. If there is a turnover of water -- the denser colder waters of the bottom coming to the top, turbidity currents will be created. If there is no turnover of water, stratification caused by the different densities of water will develop.

The Elk River is a mountain-born stream and tends to be cold -- much colder than the surface waters of the Sutton Reservoir. Therefore, where the Elk River enters the reservoir, the stream current will slide under the warm surface water. The current will flow along the bottom of the reservoir, creating turbulence currents in the unconsolidated silts, or, if the waters of the bottom of the reservoir are colder than the current, the current may flow between two layers of water of differing densities. In either case, this spells trouble for the proposed multi-level release outlets.

If the current flows along the reservoir floor, it will pick up additional material from the floor; if it flows between two lay-

ers of differing densities, it will still retain the load of suspended material with which it entered the reservoir. In either case, the current flow will be sufficiently strong to reach the dam base and flow upward to the level of the water outlets.

History records that in the 1930's, when Hoover Dam was built and Lake Mead was only half-full of relatively clear impounded water, water outlets some 200 feet above the base of the dam discharged silt-laden water. At this time, the Colorado River entered Lake Mead some 100 miles upstream from the dam. Water samples from the lake bottom and data on currents from a flowmeter revealed that muddy water was coursing over the front of the delta and flowing the full length of the reservoir. At the dam, the turbidity currents still had sufficient energy to boil up to the outlets, some 200 feet away.

Sutton Reservoir is not Lake Mead, and the Elk River is not the water-carrying vehicle that is the Colorado River. Nevertheless, a comparison of the two, based on relative size, indicates that turbidity currents are quite likely to develop in the Sutton Reservoir. Therefore, one can assume that the multi-level outlets will do little to eliminate turbidity problems below the dam. They will eliminate the silt draw-down currently caused by bottom-release outlets, but may, at the same time, hasten the silting-up of the reservoir. And the fish, if any still exist below the dam, are going to continue to face turbid waters.

YOGI BEAR JELLYSTONE

1. PLANNING IN WEST VIRGINIA. Last issue (October) we promised an article on Yogi-Bear Jellystone Park, whose advertising blanketed the Washington and Baltimore newspapers through the summer. In November, we made a trip to West Virginia to look at Yogi-Bear, talk to local citizens and officials, and get a little background on the planning situation in West Virginia. As

Back Fork

Continued from Page 1

Fork. The map submitted by Burford showing the area to be stripped encompasses the entire left fork of Hewett Fork. Hewett Fork is a narrow stream, confined to a deep gully, which drops one thousand feet in elevation during its three and one-half mile long rush from the top of Point Mountain into Back Fork. The left fork alone drops five hundred feet over the mile of its length until it joins the right fork.

Due to the steepness of the terrain and the heavy rainfall in the area, the heaviest in the state according to the W.Va. Geologi-

cal Survey, it appears that heavy siltation of Back Fork cannot be prevented if the Hewett Fork operation begins. Placing the entire left fork of Hewett Fork in a culvert may solve the situation. Any other alternative is equally ludicrous with one exception - the DNR could exercise its legal right and deny the application.

Those who wish to communicate their disgust with the application and urge its denial may write to DNR Director, Ira S. Latimer, Room 322, 1800 Washington St., Charleston, WV 25305. Refer to SMA-1098 in all correspondence to the DNR concerning the Hewett Fork strip application. Written comments and complaints will be accepted until April 27.

Although Washington County, Md., across the river, recently adopted a zoning system that put large tracts of land along the Potomac and the C & O Canal National Park into 'Conservation' zones, the situation in West Virginia is less happy: none of the counties along the

Potomac have zoning, and the Appalachian Regional Council, charged with drawing up a comprehensive regional plan, cannot set land-use policy.

Jefferson and Berkeley counties have made the furthest strides: both have adopted comprehensive land-use plans, and Jefferson County has adopted sub-division regulations. Berkeley County was slated to have hearings on recently drawn sub-division regulations in December, approval being up to the County Court (as local governments are called in the W.Va. 'panhandle'). Morgan County, furthest west, recently hired a planning staff, and is beginning to draw up a land-use plan.

We understand that Jefferson County is also drawing up a zoning text ordinance. Given the crucial situation of Jefferson County at the confluence of the Potomac and Shenandoah Rivers, and dominating a scene that Thomas Jefferson once called "one of the most stupendous scenes in nature," we can only hope for the early acceptance of a zoning map--- that will protect both rivers, the heights around them, and the landscape around Harpers Ferry National Park.

Wilderness

Continued from Page 1

Congressman John Melcher, the Chairman of the Subcommittee on Public Lands, presided and appeared to take a strong interest in eastern wilderness. He asked questions of various witnesses, especially about highly controversial areas in Indiana and New England. Letters of support should be addressed to him, and sent within a month, to:

Hon. John Melcher, Chairman
Subcommittee of Public Lands
House Interior Committee
1324 Longworth Building
Washington, D.C. 20515

Senate Action Delayed

Meanwhile, on the Senate side, the Agriculture Committee, to which the companion bill, S. 316, was re-referred (see March VOICE), did not take action at its meeting April 3. Action will now be delayed until after the Easter Recess, but environmentalists are hopeful that the bill will be voted out of committee at that time and thereafter receive passage in the Senate. Recently West Virginia Senator Jennings Randolph requested the Agriculture Committee to support the bill, specifically mentioning the areas in West Virginia that would be included. Letters Needed Immediately.

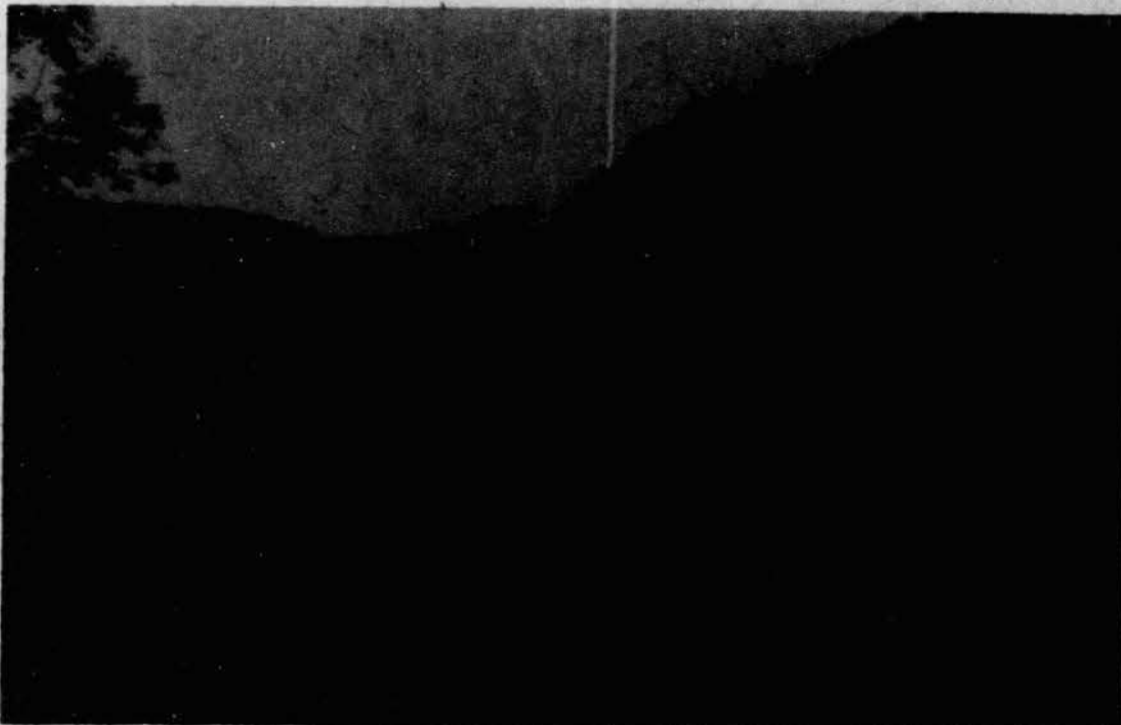
In a recent telephone conversation, President Elkinton asked Congressman Staggers, in whose district all four areas are located, to support the pending legislation and so testify at the House hearings. Congressman Staggers replied that he was planning to conduct a poll of his district to ascertain the opinion of his constituents. Apparently he is having second thoughts since he introduced H.R. 5084 in support of wilderness areas. Perhaps the lumber and coal interests have been able to persuade him these areas are not worthy of wilderness protection.

West Virginia Highlands Conservancy members and others interested in this issue should write to Congressman Staggers supporting his past efforts to protect these areas and asking his continued support. This is especially important for those living in Staggers' district. Write:

Hon. Harley O. Staggers
Room 2366
Rayburn Office Building
Washington, D.C. 20515

The West Virginia Highlands Conservancy has conducted a steady effort to study areas in West Virginia that qualify for wilderness preservation. Although this campaign has

resulted in various bills being introduced in both houses of Congress over the past five years, this is the first time hearings have been held, and there have now been hearings by both the Senate and House of Representatives. If we can get these bills reported to both houses for voting, there appears a good chance for passage and permanent protection for these beautiful areas. If these bills are left in committee, the entire process will need to be repeated after the new Congress is elected next Fall, and passage could be more difficult to achieve. Your help is needed now.



Stripping on Big Run, Back Fork of Elk, 1971.

photo by R. Hardway

Hills Creek

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by a shore lined with "fishermen." Eagle Lake will be shallow too, and eutrophication is a murky possibility here. Eagle Lake is supposed to relieve the congestion of places like Summit Lake. Any bets that it won't just attract that many more people as to merely create more congestion?

Then there's the old Prison Campsite, just a mile or so upstream from the nationally significant and very fragile Cranberry Glades Botanical Area. Is that worth endangering with a rush of traffic from a big campground? Is that campground justifiable when a new 100 unit camping area is being installed nearby where it ought to be: Watoga State Park? Will the campground relieve congestion or only aggravate it?

Very recently camping had to be limited along the Cranberry River in the Backcountry due to overuse. Won't the presence of yet another campground irritate rather than relieve the problem? What will the effects be on the proposed Wilderness area? On the wild turkey and bear breeding habitat? Does any development at all belong on the wild Forest Service lands along Rt. 39 and the Scenic Highway? Isn't this threatening the scenery that people come to see? It is remarkable...no, frightening, that the Forest Service listed one of the big advantages of

the dam as an added "visual variety in a continuous forested area." Isn't the continuous forested area what the National Forest is all about? Must every area that is wild and unspoiled be eventually "developed" so that our urban masses can enjoy "visual variety" when they leave the awesome variety of the cities to enjoy the solitude and peace of the forest? Is that multiple use?

The effects on the downstream private lands along Hills Creek, all the way to its terminus at the Sinks (known to speleologists as Hills Creek and Bruffey Creek caves) has been completely ignored in the impact statement. They could be profound. I wonder how they'll brush that off.

It is hoped that a public hearing on the coming. With short notification and dubious interest, the Forest Service quietly invited a few local citizens to a public meeting on April 9th, too late to report on for this article. Unless enough negative input is conjured up before the April 19th deadline for Draft EIS changes, there will be no public hearings before the final EIS. Hopefully the Conservancy, Pocahontas Isaac Walton League, other organizations and private citizens will respond in time to halt this madness. A more complete and up to date report will follow in a future issue of the Voice. Meanwhile, your opinions and views on the matter should be submitted to Al Trout, Supervisor, Monongahela National Forest, Elkins, 26241, and to your Senators and Congressmen. With a lot of luck and even more work, the integrity of one of the last wild areas in Pocahontas County can be maintained from the threats of tasteless development.

- DISASTER OF THE POTOMAC

2. **YOGI-BEAR JELLYSTONE PARK.** Given a beautiful landscape and few restraints, it was inevitable that promoters would cash-in on the Potomac. And now that the Maryland shore is protected by the C & O Canal National Park, what better place to turn than a peninsula in West Virginia, a stone's throw from the junction of two Interstate Highways and the rapidly developing Martinsburg-Hagerstown 'corridor'? And about 70 miles Northwest of Washington, D. C.

In the spring of 1972 we first read of Yogi-Bear's plan to build the 'world's third largest campground' on a slackwater reach of the Potomac (formed by old C & O Canal dam #5), and across from the historic Four Locks area. Last spring, about 1,100 lots were offered for sale and extensively promoted in the Washington area, which is a short jump from Yogi-Bear via Interstate Rtes. 70S and 81. By fall, about 900 lots had been sold, most of them campsites for trailers and recreational vehicles, going at an average price of about \$3,800 for lots averaging about 40 x 60 feet. Visitors were treated to a large plastic bear at the entrance, and invited to have their picture snapped alongside Yogi-Bear and/or Boo Boo Bear.

Since the problems raised by Yogi-Bear Park are going to have to be addressed all along the Potomac, we sketch them in some detail:

(1) **THE RIVERSCAPE.** If the Potomac is going to stay green and unspoiled (as it is even today), means must be found to buffer the south bank--by flood plain zoning, easement or what not. Degradation of one shore will mean the ruin of the whole, including the C & O Canal.

(2) **POWER BOATS.** Except for a few reaches of slackwater behind the old C & O Canal dams, most of the upper Potomac is unsuitable for power boats. So stretches like "Big Slackwater" (behind Dam #4), and "Little Slackwater", a seven mile "lake" behind Dam #5 are under increased pressure from water skiers and pleasure boaters. According to local residents, the noise and confusion were acute even before Yogi-Bear, and were being compounded annually. Given the size of Yogi-Bear, life on "Little Slackwater" promises to be an "adventure" for years to come.

Swimmers, canoeists and fishermen have been virtually forced out to the slackwaters during the summer. Said one resident: "We don't even go skiing...it's too dangerous...we just don't go out." Another man pointed out the real danger of accidents: "A girl...not more than five or six feet off my dock got run over by a skier--lucky she just broke her wrist."

Since the State of Maryland owns the Potomac to the mean low water mark on the south bank, Congressman Gude and members of the C & O Canal Commission have asked the State of Maryland to address the situation at Little Slackwater, and to study the recreational uses and potential of the entire upper Potomac. Some persons have suggested that a system of river zones may be the only answer.

(3) **STRUCTURES ON FLOOD PLAINS.** At Yogi-Bear, a number of trailers were parked along the flood plain, a potentially hazardous situation--and one that raises ticklish sanitation problems.

(4) **SANITATION.** How will sewage be disposed of, and an uncontaminated water supply made available for campers? Septic fields, especially in flood plains, will create more problems than they solve. If a central sewage treatment plant is built, who will run it? How efficient will it be, where will it discharge etc.? The population density at Yogi-Bear will be the equivalent of a small town.

(5) **EROSION.** Local residents have complained of heavy run-off from Yogi-Bear; and though an inspector did not find a problem, on our visit we saw evidence of heavy erosion onto a local road--and from there into the Potomac.

We think the following comments of local officials point up the urgency of the situation at Yogi-Bear and elsewhere: "The only regulations we have in Berkeley County today are those imposed by the State Health Department. That's it!! I understand there is a Sediment Control Bill to be presented to the State Legislature this term...and that will help. If it passes."

In answer to the question "do you envision other Yogi-Bear parks", the same official remarked: "Yes, I do. I envision anybody who wants to make a fast buck taking advan-

tage of the fact that we are lying there--- it's a beautiful country, and we're wide open." It was added that "there have been options taken by somebody in New York City on a 330 acre tract a half mile from Jellystone."

As a final note on Yogi-Bear: in November, the West Virginia State Health Department ordered Yogi-Bear to halt the occupancy of its campsites, citing the lack of central water and sewage systems. Despite the assurance of Robert Cotton, vice president of the First America Land Corporation (developer of Yogi-Bear) that the State would lift its ban ("everything worked out...we found West Virginia has capable, smart, but non-dictatorial bureaucrats"), the Health Department stuck to its guns and refused to lift the anti-occupancy order. Only 32 campsites, to be served by a bathroom and temporary sewer system and septic field, were exempted from the ruling (and these only when the sanitary facilities are completed). Since the order did not forbid the SALE of new sites, that part of Yogi-Bear's operation continues.

Will the 'energy shortage' put a crimp in present and future "Yogi-Bear's" along the Potomac? An item in the January 18 Washington Star seems to herald MORE Yogi-Bears.

Under a banner headline RESORT DEVELOPERS SEE BOON IN GAS CRUNCH, the writer explained: "there's good news for the real estate market in the energy crunch: recreational sales and visits to resorts near Washington will pick up, not go down. At least that's the word from insiders in the recreational real estate business here... There's plenty of money around and people aren't going to give up their vacations," adds John L. Busby, developer of Sea Harbor Condominium at Ocean City. "It's going to be a boom year... Instead of going to Florida and Nags Head, Washingtonians are going to eliminate those far away places and go to Ocean City." Since Ocean City is 150 miles from Washington, and Yogi Bear 70 miles, we're afraid that those of us who cherish the traditional Potomac riverscape are going to have to do more than cross our fingers. The Evening Star article concluded with an appraisal of Mr. Richard Betters, himself a real estate appraiser: "I have seen values skyrocket in areas of Western Maryland... and waterfront lands throughout the state.. It appears to me that neither the predicted rationing or the likely tripling of gas prices will have a great effect on demand for these recreational properties." Reprinted from THE VALLEY NEWS, Chevy Chase, Md.

Members

Take Notice

Dear Member (s):

For some time now there has been difficulty with the change-of-address factor in keeping straight the membership list and the Editor's mailing list. A significant number of dues notices and/or newsletters have been returned, with no possible way for me, or the Editor, to track down those persons who have moved and not informed us or left a forwarding address.

As membership chairman, I am instituting a new policy in regard to the number of dues notices I will send in an attempt to trace lost members. With the recent increase of postage costs, I find that I am only costing the organization needed funds by trying to locate such members. Therefore, I would ask you ... urge you ... to let me know when you move in order that my records will be straight and you will continue to get news from us with no interruption. As part of my monthly duties, I inform the Editor, President and Treasurer of all changes of address. In this way we are all kept up-to-date on what is happening. I cannot ask you strongly enough to let us know when your address changes ... for the convenience (and economy) of all involved.

Also I would ask you to pay prompt attention to your dues notices when they arrive. I am now sending two dues notices and a final notice. That gives a member three months in which to respond with his or her renewal check. But, I would ask that if you do NOT intend to renew that you write your intention on the back of the FIRST renewal notice you receive and send it back to me. That would certainly aid me in my record keeping and save me the TIME it takes to send additional notices, the MONEY it costs in postage to send two additional notices and the savings on envelopes. If you do not intend to renew it would take you very little time to just jot that on the back of the renewal slip and zip it back to me ... and would certainly help me a great deal.

If any member, at anytime, has any questions regarding membership, please contact me. It is the aim of our entire administrative "staff" of officers to keep our members satisfied with the organizational procedure. If you are not receiving your newsletter, let me hear about it. I am in frequent touch with our Editor, informing him of new members, etc. and in this way we could better serve you. So, let us hear from you. Thank you for your future assistance in these matters.

Carolyn R. Killoran, Membership Secretary

BOOKS

by Susan Moore

Life and Death in the Woods

PILGRIM AT TIMKER CREEK, the first book of prose by poet Annie Dillard, is in fact a poetically wrought account of the author's year of discovery--discovery of the things of nature and of her own mind as she gains an understanding of the import the processes of life have on human thought and experience.

Quoting another author, Stephen Graham, Miss Dillard writes, "And as you sit on the hillside, or lie prone under the trees of the forest, or sprawl wet-legged on the shingly beach of a mountain stream, the great door, that does not look like a door, opens." Tramping about the fields, forests and streams of her own neighborhood, the author has opened and passed through a door that most of us do not even recognize as a door. Annie Dillard makes us realize that we do not SEE. Annie Dillard SEES, with exuberance, exultance and terror the details, the intricacies of the facts of nature that most of us miss in our self-conscious state.

Thrilled by the mysteries of the various forms of life she encounters and appalled at the apparent cruelties of their deaths, she gropes for meaning to human life and the inevitability of death. But the groping is a gentle, graceful one. Her probing and prodding of the homes and habits of the living things of Tinker Creek are accompanied by Thoreauvian contemplation.

Pilgrim at Tinker Creek is a nature anthology, a diary, a storehouse of minutiae and quirky facts. But more importantly, it is a reminder of the inseparability of man, his spirituality and nature.

Those of us who thrill at each happening in nature as though it were occurring for the first time ever, just for us, will find a compatriot in Annie Dillard, the Pilgrim at Tinker Creek. We who are still biding our time, thinking "next year...I'll start my life," may find the courage to begin SEEING.

Davis Power

Continued from Page 1

administrative law judge commented that the hearing was not "a political convention."

Linda Cooper Elkinton, Conservancy member and life-long resident of the Canaan Valley, where the project will be built, spoke in opposition. She pointed out the many questions that remain unanswered. These include the lack of adequate study of alternatives which is required by the National Environmental Policy Act, the lack of an adequate wildlife mitigation plan required by the Fish and Wildlife Coordination Act, and the doubts raised by the Environmental Impact Statement as to whether the Valley will in fact hold water due to the presence of limestone faults in the floor of the Valley. She further expressed fears of uncontrolled development caused by the massive influx of tourists to be attracted by the proposed lake, and criticized the local and regional press for not raising such questions and explaining alternatives.

Conservancy members, Lowell Markey of Keyser, Steve Richards of Petersburg, Helen McGinnis of Pittsburgh, and Joel Shifman of Morgantown, also testified in opposition. Most related various objections and recounted their experiences as hikers and campers in the Canaan Valley and adjacent Dolly Sods. Conservancy member, Don Good, representing the Izaak Walton League, spoke in favor of the project, with certain provisions for the protection of wildlife and water quality. Hearings Continue In Washington

Beginning April 2, the FPC hearings began in Washington to hear expert witnesses of the three Allegheny Power System companies, the applicants, and intervening parties, including several conservation groups. The first week was devoted to cross-examination by intervenors and the FPC staff of applicants' witnesses. The Highlands Conservancy, represented by counsel, Ray Ratliff of Charleston, and David and Linda Cooper Elkinton, questioned these witnesses regarding geological problems in the valley and on Cabin Mountain. Much discussion of the power companies' tentative plans for a coal or nuclear power station, using the 7200 acre lower reservoir for cooling water purposes was conducted the first day. Numerous other environmental considerations were discussed, and will be further explored as the hearings continue throughout April. The Sierra Club and the Highlands Conservancy among others, have expressed many reservations during recent months as the Environmental Impact Statement has been drafted and finalized.

One highlight of the first week of testimony was the disclosure of the suppressed testimony of the wildlife biologists of the West Virginia Department of Natural Resources. Five professional wildlife experts, including Conservancy member, Joe Rieffenberger, had prepared testimony to be submitted by the Attorney General of West Virginia, an intervenor in the project. Apparently these five were clearly opposed to the construction of the Davis Project, but if it would be licensed, they favored the Glade Run alternative, also in the Valley, but with a much-reduced lower reservoir. Their testimony was not cleared by Director of the DNR, Ira Latimer, although among the five were the Chief and an Assistant Chief of the Wildlife Resources Division of the DNR. The Federal Power Commission staff requested the judge to issue a subpoena for these five, which he agreed to do if Latimer would not agree to allow them to testify voluntarily. The FPC staff has conducted

their own independent investigation of this project, and has raised numerous questions as to its advisability. At the present time, they have not taken a firm position in opposition or favoring the issuance of a license, but in their Environmental Impact Statement they support many of the questions raised by intervenors, including the Highlands Conservancy. Apparently their interest in hearing from the state's wildlife experts would indicate their concern with the wildlife losses that will be caused by this project.

In a related matter, the required wildlife mitigation plan has been prepared by the DNR and the Federal Bureau of Sports Fisheries and Wildlife. This plan calls for the entire Valley to be included in the project, with the portion not flooded to be managed for wildlife purposes. In addition it calls for the power companies to make available several thousand acres outside the Valley for similar use. The power companies have not submitted this report, but instead

EIS's Not Waived, But...

Amid wildly flying rumors to the contrary Russell W. Peterson, Chairman of the Federal Council on Environmental Quality announced March 28 that the Nixon administration would not ask Congress for legislation designed to sidestep environmental impact statements for proposed energy projects. Environmentalists in Washington had received information prior to Peterson's statement that President Nixon would ask Congress to waive required environmental impact statements for future energy producing projects.

Peterson's announcement indicated that, after review, the administration had determined that no impending energy development was being delayed unduly because of EIS preparations. However, Peterson's statement implied that if the administration does determine that energy projects are being delayed in the future by the preparation of EIS's, Congress may be asked for legislation to waive them.

Such legislation could vitally affect projects in West Virginia such as the Davis Power Project and Rowlesburg.

have proposed the use of 6,000 acres located on the eastern shore of the lake and consisting primarily of the slope of Cabin Mountain. The Federal and State report finds this offer quite inadequate to offset the losses of habitat due to the Davis project.

Opinion

It was quite encouraging to see a regulatory agency, like the FPC, actually looking at environmental questions. They even hired Conservancy member and expert witness, Dr. Charles Baer of WVU, as a consultant. It was the feeling of environmental intervenors that the FPC staff was beginning to assume the role that groups like the Conservancy have had to assume in the past. They have a paid professional staff and budget, which we do not, and rightfully should do such a good environmental job, our efforts would not be needed. However, our presence in this matter may have stimulated their interest, and our continued interest and activity may be needed to sustain theirs.

"There is no quiet place in the white man's cities. No place to hear the leaves of spring, or the rustle of insect wings. But perhaps because I am savage and do not understand - the clatter only seems to insult the ears. And what is there to life if a man cannot hear the lovely cry of the whippoorwill or the arguments of the frog around the pond at night.

"The whites, too, shall pass - perhaps sooner than other tribes. Continue to contaminate your bed and you will one night suffocate in your own waste. When the buffalo are all slaughtered, the wild horses all tamed, the secret corners of the forest heavy with the scent of many men, and the view of the ripe hills blotted by talking wires. Where is the thicket? Gone. Where is the eagle? Gone. And what is it to say goodbye to the swift and the hunt, the end of living and beginning of survival." -- Sealth, Chief of the Duwanish Tribe, Washington.

Membership Coupon



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W. Va. Highlands Conservancy

