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# the Highlands Voice

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## Conservancy Learns About Lobbying

Saturday evening's audience at the Conservancy's Mid-Winter Workshop recently concluded at Jackson's Mill were treated to a dynamic and informative lecture on lobbying by a panel of experts.

Rafe Pomerance, Congressional lobbyist for the national organization, Friends of Earth, opened the panel discussion by recounting some of his own experiences in the lobby business. Pomerance has been a lobbyist for conservation in Washington for several years, and his experience has run the gauntlet of dismal failure to spectacular success.

Pomerance recommended to the Conservancy that successful federal lobbying relies on five factors: (1) concentrating on key committee votes, (2) maintaining good working relationships with staffs of Congressional members, (3) propelling or slowing down committee votes on legislation, (4) joining with sympathetic groups for concerted action, and (5) neutralizing a hostile administration.

Pomerance concluded his presentation by telling the Conservancy that groups on a state level provide a vital link between constituents and Congressmen. Without the local groups, Pomerance said, national organizations such as Friends of Earth would be ineffective in lobbying efforts.

David Grubb of the West Virginia Citizens Action Group, a youthful organization of consumer lobbyists from Charleston, advised the audience on how to deal with state legislators.

The most important element of successful state lobbying, Grubb said, was input to legislators from constituents. The problem on the state level, according to Grubb, is getting consumer and environmentally oriented bills out of committees. Grubb concluded that organizations such as the Conservancy can have great influence on a state legislator because its members are willing to write letters to their legislators. Letters, Grubb said, are the best way to influence state legislators.

The program concluded with a presentation by Ed Light, longtime Conservancy member and chairman of Campaign Clean Water. Light advised the Conservancy that his most successful role in dealing with the state legislator is to serve as a



David Grubb of WV-CAG discusses state lobbying with Conservancy audience. Ed Light of CCW writes on the chalk board.

liaison man between special interest groups seeking to influence the legislature. Light noted that he and his group have access to government proceedings which enables them to find out when a particular bill is to be passed out of committee or tabled. He can then alert interested parties to contact their

legislators and attempt to influence their votes.

The program concluded with questions from the audience directed to all members of the panel. After a spirited session lasting nearly an hour the entire assembly adjourned for an evening of making music.

## What Makes for Successful Strip Mine Opposition?

by Nick Zvegintzov

At the afternoon session of the Mid-Winter Workshop representatives of four flourishing West Virginia organizations attacked this problem and described how they view it. The speakers (left to right if you were there):

Ric McDowell, Save Our Mountains (SOM), Box 573, Hamlin, WV 25523; Joe Hutchison, Cheat Lake Area Environmental Conservancy (CLAEC), Box 881, Morgantown, WV 26505; Butch Fogg, Mountain Community Union (MCU), 440 Madison St., Fairmont, WV 26554; Joe Basilone, Randolph County Strip Mine Resistance (RCSMR), 120 3rd St., Elkins, WV 26241.

**Where?** SOM based in Lincoln County, strategically located to draw on Huntington and to march on Charleston, with feelers out as a statewide umbrella organization. CLAEC around Cheat Lake near Morgantown. MCU in Monongalia, Preston, and Marion Counties. RCSMR in Randolph County.

**How long?** CLAEC four years, the rest two or less.

**How many active members?** All speakers stress that you have to reach out to new members. When you get contacts, follow them up. If anyone volunteers, give them something to do even if you feel you could do it yourself faster. Actual hard-core workers - MCU (which is also the widest in its activities) reports 60-70, the rest 5-10.

**Publications?** CLAEC - Cheat Area News. MCU - Mountain Journal.

**Main Activities in the strip fight?** SOM has held several marches in Charleston, a conference, and a fund and consciousness raising music festival. CLAEC is strong in contact with the State administration on environmental matters, in environmental analysis of their area, and in community participation via their newspaper. MCU is particularly strong in legal resources (one lawyer

on retainer and several others on call) and in union and social rights politics. RCSMR tries to keep informed on all mining activities in Randolph County and has prepared leaflets on most SMA's as they come out (sometimes there are just too many to handle). MCU and RCSMR have offices so that they have a local focus distinct from their active members' homes.

**Activities beyond strip fights?** CLAEC and MCU - yes, any and all community activities in their area. SOM - no, but would like to. RCSMR - no, by design.

**Other successes and recommendations?** SOM: "Use the media! Hang each public action on some 'gimmick'. Write and print the press release in advance, hand it 'ready to go' to the journalists, with pictures. Remember that your legislators maybe don't know anything about the issue. They'll appreciate explanations and briefings. Also remember: the leader must be the servant of the group."

CLAEC: "We've had most cohesion and action when people feel threatened by something specific."

MCU: "We're preparing a handbook on how to fight your local strip mine."

RCSMR: "We had unexpected success with the local paper in Elkins. Mark Morgan, one of the authors of the Center for Science in the Public Interest report 'Enforcement of Strip Mining Laws', came to town - we took him around and introduced him. The paper did two in-depth articles on the report and its fall-out."

**The envelope, please.** So what does make for successful strip mine opposition.

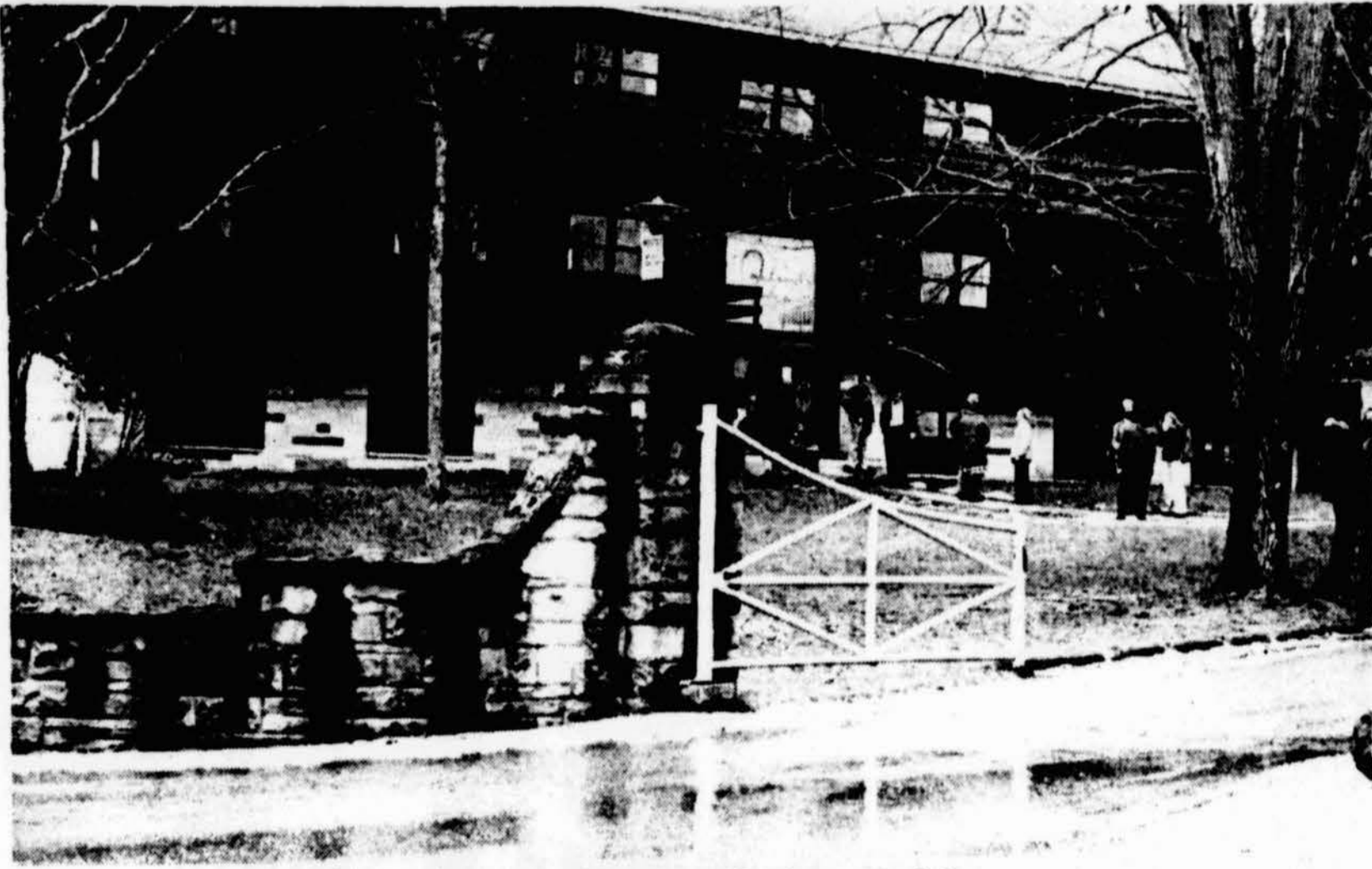
And the answer is: ALL OF THE ABOVE.

Success will come not from any one of these activities, fine though they are. It will come when we can integrate all these resources to bear on any problem as it arises and when we can coordinate all these strategies into one phased campaign over the long haul.



Congressman Ken Hechler and Dave Elkinton, January 24, 1976.





Jackson Lodge, site of WVHC Mid-Winter Workshop.



David Grubb of West Virginia Citizens Action Group [WV-CAG] discusses his lobbying efforts with Conservancy members.



Lowell Markey, WVHC Vice President, speaks for posterity following Saturday's meeting.



Bob Tabor [left] and Charlie Carlson [right] flank Congressman Hechler as Hechler hears questions from the audience.



The brain trust of the WVHC - Board of Directors, meeting, January 25, 1970.



Conservancy President Charles Carlson ponders his first year in office.





I know you are just dying to know what else can be said about clearcutting at this late date, but it has struck the overlooker that there is much in the subject that has been overlooked. Everyone knows what a clearcut is by now and most know that the Monongahela National Forest was the center of a great legal controversy that ended up in the U.S. Fourth Circuit Court of Appeals. Contending that clearcutting was a violation of the Organic Act of 1897, conservationists, under the leadership of the Izaak Walton League, challenged the Forest Service and obtained an injunction against so doing. The appeal was heard and upheld and the Forest Service has announced it will not seek further appeal.

To many conservationists, this was hailed as a great conservation victory, but the feeling was not unanimous. One prominent conservation organization called the decision and outcome the most disastrous thing to happen to conservation. And then many, including this overlooker, were puzzled by the entire matter. One thing is for certain and that is no one, even the most ardent clearcutting opponent, dreamed of the extent of the final outcome and the ramifications it incurred.

Much has been written about the decision, but the trouble is, few people have read both points of view. As pointed out in an early *Overlook*, we conservationists talk mostly to ourselves and read only articles aimed for canned audiences (e.g., "The Beautiful, Incredible Monongahela Decision" by Brock Evans and Gordon Robinson in the October issue of the *Sierra Club Bulletin*). Most of us have at no point in the controversy been able to see the merit in both sides of the issue.

For a starting point, let us look very simply at what, in effect, the decision has done. It has not prohibited clearcutting; at least permanently. Rather, what it has done is to postpone the practice to some inevitable day in the future. Let's face it, few serious conservationists view the National Forest as a pickled, permanent reserve of grand trees, static in time and where the biologic facts of life such as death and disease never occur. None of us view the entire MNF as wilderness, now or in the future. Instead we have defined certain strategic areas for this purpose - A purpose - one of several that National Forests serve. Another is to provide timber. Once we accept the matter that most trees will be, indeed must be cut to maintain a healthy forest, then we need only agree as to how it is to be done. What makes us so damned certain that our grandchildren will be any happier with clearcutting than we are because in effect, the decision postpones the cutting of today's trees to a time when our grandchildren will have grown to love them? What's worse, practically the entire forest will mature at about the same time

and be ready for the ax all within a 20 year span. Haven't we been screwed enough by our thoughtless forbearers to leave such a legacy to our own heirs?

The Forest Service argues that they must clearcut sometimes and in some places because there are many worthwhile species of trees that are shade intolerant (scarlet oak, yellow poplar, black cherry, etc.) and require significant open areas in order to generate. Opponents of clearcutting argue that they object to a woodlot being managed for a particular species or few species. They say that the variety of the Appalachian hardwood forest is being narrowed down to favor just a few species. The trouble with deciding today what species is important and what we should be concentrating on is that we have no idea what species will be important to our grandchildren. Supposing that some future genius, in an attempt to combat the energy scarcity, finds that he can produce and distill methyl alcohol by some technically easy and cheap way and the wood that gives the highest yield is beech! Every ranger who had ever served on the Monongahela would turn over in his grave with an audible groan because at the present time, we can see little worth for this species. I can remember my uncle telling me that when his father cleared the land for his homestead, they had no idea what to do with the walnut trees and they simply pushed the four to five foot wide logs over in the ravine!

There are many other questionable effects the decision has had or will have, particularly on economics which are beyond the scope of the present *Overlook*, but there are a few other things we should view. Since most of you have been exposed to the reasons why there should not be clearcutting (and most of these revolve around the "it looks like hell" aspect), I will dwell on some of the reasons why there should. The clearcutting ban has resulted in some local sawmills cutting immature stands on private property that are not ready for harvest. But this is also a failing of the sawmills. Today they lack the mobility they once had. Perhaps our forest products researchers ought to be devising methods and equipment that can be moved to the mature sites easier.

And perhaps we should be looking into the future more. We can predict that the pressure on future Forest Service guardians will be even more intense than it is now. The forests have been managed for better quality trees and this has resulted in forests of high quality that are approaching maturity. The closer that maturity becomes, the more awful will be the pressure in the future to make the clearcuts of today look no bigger than divots on a golf course. As coal, timber, and water become more precious, economics will demand instant exploitation because economics is not concerned with real future. When Washington DC decides

they have to have more water, they will take it and they will take it from our Potomac headwaters; when the eastern seaboard needs pulp or timber, they will take it from the Monongahela. A huge population of trees all the same age will make it the first choice.

And what happens when the Arabs get tired of playing games with us and when we have discovered that we have sent too much coal to Japan? Well tree farming for energy is not too hard to imagine. The first such farm is likely to be a ready made forest, especially a public one.

As for wildlife, not a great deal is found in the mature, virgin forests. As trees reach maturity, undercover diminishes due to shade intolerance and overbrowsing by deer and other animals. These species decrease as do many of the species of birds that nest in the understories. Wildflowers change and a certain sameness is seen botanically. Wildlife variety is achieved by the occasional rotation and clearing of these majestic tracts. What is the right balance? Can we not permit controlled clear cutting at all? If we can, how much and where? Hopefully, the conservationists of the future can provide this kind of input as a check and balance on the pressure to saw it all. Maybe more thought should be given to the economics of a particular growing site. Realistic costs of timbering AND reforestation and reseeding of haul roads should go into the price. If the land is below the economic margin for the timber it produces, then obviously no timber should be cut there. Unfortunately, no such distinction is currently used in most forestry practices and this is why the Mower Lumber Company can make a profit on red spruce on Shavers Fork, they simply do not have to meet the costs of restoring the land to its former shape. A taxing situation placed upon lands such as their's would sharply curtail not only land and stream abuse in that area, but would encourage better quality forestry. If the land after restoration can not at least meet the price of what has been produced from it, then it should be left alone.

Possibly the terrain should be taken into account for deciding upon methods and locations of clearcuts. It is known that the most serious pollutants on the upper Monongahela, Gauley, and Potomac watersheds is siltation. It is also known that fewer haul roads need be constructed on a well planned clearcut than are required for selective cutting advocated by many conservationists. On a given terrain, a properly planned AND supervised clearcut results in very little siltation to a clear stream, even after frog-strangling cloudbursts. If the U.S. Forest Service can conduct a clear cut in such a manner, it is difficult to understand why private foresters working on their own property

(Continued on Page 8)



## New River Can Still Be Saved . . .

The New River, thought to be the second oldest river in the world, can still be saved. The Federal Power Commission has licensed a giant pumped storage project, involving two dams which would inundate 44,000 acres of land and over 70 miles of outstanding river in Virginia and North Carolina. A year ago we tried to get Congress to block the dams by having the river studied for national wild and scenic river status. The House Rules Committee objected and we were unable to obtain the necessary 2/3 majority to win a vote on the House floor, although we did have a majority of the House on our side. However, another method of saving the river is available. The Governor of any state can request the Secretary of Interior to include one of the state's rivers in the national wild and scenic river system, provided the river is worthy of inclusion. Governor Holshouser of North Carolina has requested Interior Secretary Thomas Kleppe to include the river in the national system. Secretary Kleppe is studying the request and is awaiting comments on the environmental impact which Interior has circulated on the proposal to include the river in the national wild and scenic river system. Please write to Secretary Kleppe before March and urge him to protect this river. In addition to the great environmental damage, the social cost of the project would be enormous as several thousand people would be forced to move from their ancestral homes. Write to:

Secretary Thomas Kleppe  
Department of the Interior  
Washington, D.C. 20240

Send a copy to President Ford...

The New River is a beautiful river flowing through a landscape of pastures and wooded hillsides with magnificent mountains in the background. It would make an excellent addition to our national wild and scenic river system.

-Environmental Policy Center



## Despite \$36,000 W

# The truth about The Blue R

## -in contrast to the version editorial

The welfare of this entire nation is  
ordered the development of all  
do just that, in keeping with env  
remain unchallenged -be they

To help break away from the tyranny of a band of sheiks, Washington has called for the development of additional sites for the production of hydroelectric power, i.e., the generation of electricity by water power.

There are very, very few remaining in America.

There is one excellent, undeveloped site on a segment of the New River—a river that runs through West Virginia, Virginia and North Carolina—where we propose to develop the Blue Ridge Project.

This segment is not without some attractiveness. However, it is paralleled by 118 miles of highway, crossed by 47 bridges, contains two dams and nests two large industrial plants.

While the river is clear and unpolluted, it is not particularly biologically productive. Little recreational use is made of it, though it is easily accessible.

These are some of the reasons why the U.S. Department of the Interior could not propose the New River as "wild and scenic" when, in the mid 1960's, it searched the country over for any which could possibly qualify under the law—in fact, stretched its list to accommodate 650 such rivers.

The New in North Carolina was not one.

Essentially, all that would be needed to have the New River contribute to America's critically needed energy supply would be two large dams. Behind them would be created two beautiful lakes in a lovely mountainous setting.

Surrounding them would be new State parks, and other recreational facilities, far surpassing in aesthetics and value the present, limited accommodations.

As far back as 1962 . . . 13 long years ago . . . Appalachian Power Company, part of the AEP System, began investigating the possibilities of a hydro and pumped storage project, and applied for a license in 1965.

Then the Federal Power Commission—a body of experts expressly created by the U.S. Congress to investigate and decide such matters—went to work.

Its hearings were open to everyone from anywhere.

Though this was really a Virginia project, with all of the structures located there and only 1/3 of the lakes in North Carolina, absolutely no one with any interest . . . from the slight to the profound . . . was prevented from intervening in the proceeding.

Pro and con, they came in droves.

In over nine years of work the FPC expended 40,000 man hours and amassed 7,500 pages of sworn testimony—all subject to cross-examination.

Again and again it reopened the proceedings to hear from environmentalists and conservationists, the Department of Defense, U.S. Senators, the Izaak Walton League, the Interior Department, groups of private citizens, the Environmental Protection Agency, three State Governments, Highway Departments, private industry, two Farm Bureaus, county executives, and ecologists.

The Project was designed, revised and modified to assure a minimum of adverse impact and a maximum of benefit to the air, the water, and the people.

Every conceivable alternative . . . including no hydroelectric plant at all . . . was studied to exhaustion. None better was found to exist.

Three different times the Presiding Administrative Law Judge, with no personal attachment of any kind, recommended licensing. Only to have the FPC reopen the case again—particularly for environmental matters. Only to have it conclude that the adverse effects would be "more than balanced by the environmental benefits created".



# Worth of Advertisements

This two-page ad appeared Jan. 20, 1976, in The Washington Post. Cost - \$16,000. It also appeared in The New York Times. Cost -- \$20,000.

# Blue Ridge Project

## Unabridged and unbiased Reviewed by a responsible press.

is endangered by an energy shortage. The White House has  
our energy resources—and Departments of Government are trying to  
environmental standards. No selfish group which stands in the way can  
privileged elitists or a prejudiced press.

Finally, the Commission found... unanimously  
... that the proposed 1,800,000 kilowatt Blue  
Ridge Project, estimated in 1973 to cost \$430  
million, is badly needed to help satisfy the  
power demands of the 1980's.

### Blue Ridge:

- will conserve our national resources by consuming no oil and gas.
- will provide emergency reserve power for the East Central region of the United States.
- will provide 160,000 acre-feet of flood control capacity—endorsed by the U.S. Corps of Engineers—where none exists today.
- will assure water benefits downstream where, to improve recreation and fishing, the river flow is periodically in need of augmentation.
- will vastly increase the recreational potential of the area, turning it into one of the most appealing sites in the East.
- will facilitate the economic development of depressed Appalachia.
- will consume less fuel than any available alternative means of generation.

No project with these monumental benefits to so many is ever without some degree of impact on some individual families. Evidence those displaced by Federal highways, bridges, tunnels and military installations.

So, to minimize or eliminate any hardship to the 586 families affected by the Project, we willingly offered to do the following:

- ... pay fully for their present holdings.
- ... pay for a relocation advisory service.
- ... pay for their new dwellings.
- ... pay all increased interest rates.
- ... pay closing costs.
- ... pay for their moving.
- ... pay for any loss in personal property.

And we will periodically report the success of our efforts to the FPC.

And so, a license was granted—effective January 2, 1975.

The sum of the benefits to the American people was so demonstrably great that the Blue Ridge Project won the support of the States of Virginia and West Virginia, the Federal Power Commission, the Federal Energy Administration and for six long years ('67 to '73)—until a mysterious reversal—the State of North Carolina.

Many North Carolinians fully favor the project. But, it is not welcomed by an affluent few. They shudder at the thought of intrusion by outsiders.

They have decided to resist the needs of this nation... to ignore the President's call... and to save the privileged status quo by killing the Blue Ridge Project.

Twice they tried in the U.S. Congress. Once with a rider on the Rivers and Harbors Bill.

They failed.

Once they actually tried to have this tame, this bridged and dammed river-along-the-highway made a component of the untouchable National Wild and Scenic Rivers System... a flagrant perversion of an Act of Congress. They failed.

Ironically, not one word of criticism of these actions appeared in the press.

And now... THE STING!

Although the people of North Carolina will benefit substantially from a strengthened power supply, our gift of 3,900 acres hand-picked by North Carolina for a lake-front State park, recreational facilities valued in the millions, and participation in a construction payroll of over \$125,000,000... the influential elitists are about to euchre them out of it with a tricky scheme.

Incredibly, North Carolina officials would circumvent the U.S. Congress by having a *limited stretch* of the New River incorporated into the National Wild and Scenic Rivers System... by administrative decree.

### Just enough of a stretch to block Blue Ridge!

One editorialist took the bait.

He published the elitist pap that the Blue Ridge Project would contribute to the energy shortage(!) and asked Interior Secretary Thomas S. Kleppe to participate by using "bureaucratic resolve" in naming this river wild and scenic.

One might have expected pause, reflection and even the asking of a few penetrating questions about benefits to the people... and to the nation.

And now it looks as though The New York Times has been taken in, too.

Its editorial, orchestrated on the same theme, is a classic example of what every cub should avoid:

1. It breathes nary a word about energy shortage or President's mandate, but derides a needed hydroelectric project.
2. It writes no syllable about the 13 years of study or the 7,500 pages of sworn testimony, but hands down its own ill-founded judgement.
3. It calls the Blue Ridge lakes "ugly reservoirs", but avoids the experts' words that they'd be areas of great beauty.
4. It speaks of environmental "enormity", but not of the Commission's conclusion that the detriments are more than balanced by all the environmental benefits.
5. It cites "severe economic problems", but not the great economic gains due to parks and recreational—residential—commercial complexes where there is now only a depressed area.

6. It talks of "drown"ing the land, but not of scenic lakes, boating, or fishing.

7. It points to "displacing close to 3,000 people", but not that they'll be fully cared for and repaid.

8. It chortles over the North Carolina Assembly vote to put the New in the scenic rivers system, but never once asks, "who could have influenced such a vote when many people in the project area have stated they emphatically oppose any such designation... and especially since the net effects of Blue Ridge on North Carolina will be beneficial?"

9. It writes of "costly surplus energy" rather than of needed power more economically generated than by any other available method.

10. It talks of "alternative sources", but not that those alternative sources were studied to exhaustion and found unacceptable.

11. It cries out that the river will be "sacrificed", but not that the Commission stated the river will not be eliminated; 150 of its 220 miles will remain in its free-flowing state.

12. Finally, it succumbs to asking Secretary Kleppe to take part in the scheme by incorporating the New River into the Federal system, without mentioning that it is not—as it must be—primitive and inaccessible. Nor that it will be far more recreational, and more scenic for more people under the Blue Ridge Project.

We find this unbalanced journalistic presentation outrageous.

We find this biased attempt to influence a newly appointed Secretary distasteful.

The whole truth—in case some have forgotten—is fit to print.

American Electric Power Company, Inc.

2 Broadway, New York City, N.Y. 10004



by Nick Zvegintsov

## Washington Vice President

Amendments to the Clean Air Act are currently before Congress. West Virginians have two special responsibilities to the rest of the nation in this matter.

First, most of the dirt in the air comes from burning things, and West Virginia's foremost industrial resource is coal for burning. Second, the two committees of Congress handling these amendments are both chaired by West Virginians - Jennings Randolph of the Senate Committee on Public Works and Harley O. Staggers of the House Committee on Interstate and Foreign Commerce.

So do your bit for your State and your nation by writing to these two and hitting some or all of these points:

\*Support "non-degradation". This prohibits the siting of major polluting facilities in national parks and wilderness areas.

\*Support "excess emission penalties". This requires companies which do not install anti-pollution devices according to their State schedule to pay an administrative fine. This prevents a company from gaining a competitive edge over its more conscientious competitors by delaying its purchase of these devices.

\*Oppose "intermittent controls" and "tall stacks". This is a ludicrous plan loved by electric companies for building very tall smoke stacks and then measuring pollution at the bottom. This naturally works as long as the wind is blowing north, south, east, west, or any direction but down - but of course the general atmosphere all around is no better.

At the beginning of December I wrote on our behalf to both Randolph and Staggers.

Dear Senator Randolph:

On behalf of the West Virginia Highlands Conservancy I would like to make some comments on issues in the Clean Air Act currently before your Committee.

First, we appreciate your action in commissioning the report "Air Quality and Stationary Source Emission Control". This is an instance of the cooperation between legislators and scientists that we need to preserve democracy in a technological society.

Second, we urge you not to endorse intermittent control systems and tall stacks as anything but an unsatisfactory stopgap. Tall stacks don't solve sulfur pollution problems any more than you could solve garbage problems by taking all the garbage from your yard and distributing it a handful at a time around the neighbors' yards - in fact, this makes it even harder to clean up. We also note from your report that the longer the sulfur pollution stays in the atmosphere the more dangerous it becomes in its chemical composition [P. xxi] and the further it is carried into remote agricultural and recreational areas [P. 194].

We realize that American Electric Power has been pushing this technology as a condition for increased use of coal [including West Virginia coal], but we doubt that AEP has any real business interest in this position since it is a public utility guaranteed a fair rate of return for providing service in any manner mandated by public policy.

Third, we endorse the requirement for the highest possible air quality near recreational areas such as National Parks, Wildernesses, etc. We hope you will resist moves to set rather large minimum acreages for areas thus protected. We note the magnificent help you have given West Virginians in designating mountain areas for recreation and wilderness [and hopefully in the future for National Parks]. It would be a low blow to Appalachians - whose mountains are smaller but no less fine than the western ranges - if we were denied clean air in our recreational areas only because we cannot muster the enormous acreage of a Yellowstone or a Grand Canyon.

With best wishes for success and wisdom in your deliberations, sincerely [etc.]

The most interesting thing that has happened in the coal and clean air debate recently is the

publication of a report of the Commerce Department Technical Advisory Board on "Sulfur Oxide Control Technology". This report points out that if power companies will wash the coal at the mine site they can meet current effective sulfur pollution limits with northern West Virginian coal without further equipment.

Coal washing (called "beneficiation" in this report) relies on the fact that a lot of the sulfur in coal consists of small particles of pyrite (FeS<sub>2</sub>) much denser than the coal itself. This can be removed by crushing the run-of-the-mine coal and washing it in a solution in which the coal floats and the pyrite sinks. This leaves about 1% sulfur which is chemically bonded to the coal rather than mixed in, but washed coal meets current EPA regulations for sulfur content for all but especially polluted areas such as New York City or Los Angeles.

The report contains an interesting table of where the wastes would go. A 1000 Megawatt power plant using northern West Virginia coal (for comparison, the John Amos plant near Charleston is 2900 Megawatts) produces about 600,000 tons of ash a year. If the plant leaves the sulfur in the coal and washes it out of the stack gases it will produce in addition 400,000 to 500,000 tons per year of sludge (depending on the exact proportion of sulfur removed). If it uses washed coal it will leave 720,000 tons of refuse at the site of the washing plant and only 165,000 tons of ash at the site of the power plant. The coal will meet current standards for

sulfur emission without further processing, or if the plant is it can meet standards for "new" plants (those started since 1971) by washing further sulfur out of the stack gases, leaving 155,000 tons of sludge per year.

The steel companies for technical reasons and the coal exporters for transport cost reasons currently wash their coal, but most power companies don't, preferring to petition government for continual postponements of the air pollution requirements. The publication of this report will undoubtedly be influential in changing this.

Washing of coal makes a lot of sense. It avoids transport costs. It provides the possibility for disposing of the non burnable parts of the coal right back in the hole the coal was dug from. But it poses problems back in the coal-producing area. It shifts the pollution problem from the air around the power plant to the water around the mine. (The new plant on Shaver's Fork is a coal washer, and Conservancy members have reported rumors of future washers on other favorite streams.) It provides new opportunities for callous safety hazards such as the Buffalo Creek gob pile.

My personal opinion is that coal washing is a good option in fighting air pollution. But as West Virginia ecologists we are responsible for making sure that we do not subsidize clean air in Washington and Baltimore and Pittsburgh at the expense of dirty water and threatened lives up here.

Congress of the United States

House of Representatives

Washington, D.C. 20515

December 6, 1975

Mr. Nicholas Zvegintsov  
Washington Vice President  
West Virginia Highlands Conservancy  
1800 Connecticut Avenue, N.W.  
Apartment 3  
Washington, D.C. 20009

Dear Mr. Zvegintsov:

Thank you very much for your letter of December 3. It is good hearing from you further, and I again want to assure you of my desire to be of service whenever possible.

It is certainly good to have the views of the Conservancy with reference to various provisions of the Clean Air Act. You have indeed set forth some thought-provoking points, and I will keep them in mind at the proper time.

With best wishes and kind regards, I am

Sincerely yours,

Harley O. Staggers  
HARLEY O. STAGGERS

Mr. Nicholas Zvegintsov  
Washington Vice President  
West Virginia Highlands Conservancy  
1800 Connecticut Avenue, N.W.  
Apartment 3  
Washington, D.C. 20009

United States Senate

Washington, D.C. 20540

December 19, 1975

Mr. Nicholas Zvegintsov  
Washington Vice President  
West Virginia Highlands Conservancy  
1800 Connecticut Avenue, N.W.  
Washington, D.C. 20009

Dear Mr. Zvegintsov:

Thank you for your letter of December 7 expressing the viewpoint of the West Virginia Highlands Conservancy on air pollution control issues now before the Committee on Public Works.

Your areas of concern are among the most difficult we must resolve. I believe, however, that as our deliberations continue we will find realistic answers to these problems that will protect the environment in West Virginia and elsewhere without imposing intolerable burdens on any segment of our society.

Truly,

Jennings Randolph  
JENNINGS RANDOLPH  
Chairman

## The Case for Land Use Control

by Charles Carlson

Mention land use control and this is an answer you may well receive; "This is my land! It is paid for! I pay the taxes on it and I will do with it as I please!" All well and good, if one owns a whole valley, or a complete County, as the case may be, and there are no people down stream that one's water flows by, or no one within reach of the air that flows past one's property.

To quote the Indian; "My land? No one owns the land, no one owns the air above, it is for everyone to use and enjoy."

We must understand our population is ever increasing and our usable land is fast decreasing. As it now stands land use is toward speculative development without future consideration. Industrial development is for the employment of the populace without much thought toward the harm done the environment. Believe it or not the Environment is really the governing factor of our good life, and must be taken into consideration.

Land use control should be directed toward the good use of our land, a good life within an open countryside and not a last ditch stand against urban sprawl and speculative development. A system of industrial plant site location must keep in mind the least effect on the Environment, including proper

disposal of the refuse from the plant. An objective evaluation of lake building and stream dredging should be undertaken nationally with emphasis being on human and environmental values and not on speculative ambitions, engineering feats or pork barrel projects.

There must be a shift of budgetary priorities from the construction of super highways and useless dams to education.

A good job for the Corps of Engineers would be a shift from stream dredging and dam building to a good system of sewage lines and treatment plants over the entire nation. It would keep them busy for the next twenty years, it would cost less and the money would be well spent, and it would help with the employment situation.

Urban sprawl must be controlled and planned to prevent our natural world from disappearing into a world of ghettos, deprivation, disease, congestion and a noisy megalopolis. Zoning of land areas with a stipulation toward how each area is to be used is the only practical solution to the dilemma of our time. Land use planning and control is an absolute necessity if man is to survive with a good life of rural values, of spaciousness, sunlight, wind and darkness, and freedom.



# CBC Committee Reports on Wilderness Addition

by Bruce Jarvis

## Report on the Lick Branch - Rough Run Section of Cranberry Backcountry

### SUMMARY

In the part of the Cranberry Backcountry bounded by Lick Branch to the North, Little Rough Run to the South, FS Route 76 to the West, and the North-South Trail to the East, we found 4 clear cuts (from 1969) along Lick Branch. A dirt road intersects the Rough Run Trail about 2 miles from the Cranberry River.

The area contains abundant wildlife. "Day-users" as well as backpackers visit the area in the winter.

The area should be included in the Cranberry Wilderness.

### REPORT

For three days, Dec. 28 to Dec. 30, 1975, I hiked with two friends on: FS Route 76 from the Cranberry Campground to Pheasant Hollow Shelter, Rough Run Trail, part of the North-South (Red and Black) Trail, and the Lick Branch Trail in the Cranberry Backcountry of the Monongahela National Forest of West Virginia. We backpacked in to Note Branch where we camped just above FS 76.

From observations made while hiking on the above trails and FS 76, we found two clear cuts in the section of the Backcountry between Lick Branch and Little Rough Run to the South; between the Cranberry River and part of the North-South Trail to the East. There are also two more clear cuts on the northern side of Lick Branch. The clear cuts were apparently made in 1969 and referred to as "Rough Run timber sale" in the Cranberry Backcountry Guide.

Besides the clear cuts, there is a dirt road (logging, I presume) which intersects the Rough Run Trail at the 3400' contour, about 2 miles from the Cranberry River. I do not know where the road leads to the Southeast nor to the North. I would guess that the road proceeds northwest to the clear cuts on Lick Branch, because the road does not cross the North-South Trail. This road may be the road along the bottom edge of the two clear cuts south of Lick Branch. The road has replaced about one mile of the Lick Branch. The road has replaced about one mile of the Lick Branch Trail. The road in question probably begins on FS 76 and leads up Birchlog Run, crosses Rough Run Trail, and leads to the clear cuts. The Cranberry Backcountry Guide mentions an old (ca. 1950) logging road on Birchlog Run.

Lick Branch, Note Branch, Baldwin Branch, and Rough Run all maintain a lively, "clear" water flow. There was no obvious evidence of siltation in any of these streams, despite considerable runoff from precipitation during our visit. We hiked along Lick Branch one day after a two inch snowfall melted.

The type of trees along the Rough Run Trail vary from predominantly tulip poplar, yellow birch, and oak along the Cranberry River through hemlock and red pine to spruce, black cherry, and beech at the upper end of the Trail. The North-South Trail in

the area passes several beautiful rock formations topped by spruces.

During our three day trip we sighted three deer, several hairy woodpeckers, nuthatches, and chickadees. We also noted the tracks of wild turkey, grouse, deer, squirrel, a weasel, and numerous smaller mammals.

The area is apparently well frequented by people, too. We followed footsteps in the snow along FS 76 and each of the other three trails. When we arrived at the Cranberry Campground, two vehicles of outdoorsmen were leaving. Two days later as we returned to our car, we saw a camper parked in the Campground.

On Monday, Dec. 29, and Tuesday, Dec. 30., we saw a pickup truck and a "Blazer" drive rapidly along FS 76 past our campsite on Note Branch. The vehicles entered the Backcountry in the morning and left in the evening and at noon on the respective days. The occupants must have had keys

to the locked gate on FS 76 at the Cranberry Campground.

The gate on FS 76, incidentally, has two locks: a key to either one is sufficient to unlock the gate. One lock is a USFS lock. The other is an unmarked "Masterlock".

We found the Lick Branch - Rough Run area to be enchantingly beautiful and deserving of inclusion in a Cranberry Wilderness proposal. If the clear cuts along Lick Branch cannot be included in such a proposal, I suggest that the northern boundary to the addition be drawn along the ridge just North of Note Branch, northeast to the Lick Branch Trail at the 3600' contour line. Such a boundary would exclude the clear cuts and yet shield the rest of the area to the South from any future logging activity along Lick Branch.

I do not believe that the logging road which crosses Rough Run Trail should necessarily prevent that area from receiving Wilderness designation. There are several Wilderness Areas with similar roads in them. The Shining Rock Wilderness in North Carolina, which contains roads, for example, was established by the original Wilderness Act of 1964.

## Wildlife Federations Vow Court Battle With New Era

by Judy Frank, Elkins Intermountain

If the Department of Natural Resources grants an operational permit for the New Era coalwashing plant at Cheat Bridge on Shavers Fork, the West Virginia Wildlife Federation and the National Wildlife Federation will take New Era to court to prevent operation of the plant, according to WVWF vice-president C.A. Phares.

Speaking at a recent public hearing in Elkins concerning the issuance of the controversial coalwashing permit, Phares said that the WVWF had notified both Governor Moore and DNR Director, Ira Latimer, that the Wildlife Federation would take legal action if the permit is granted. WVWF President, Dave Brantner, stated that "We (WVWF) have never gotten into any controversy with the state government in the past over strip mining operations, but we felt the time had come. We felt it was necessary to take safeguards to protect the Shavers Fork."

Phares was only one of 42 persons to make statements at the public hearing. Of those 42, 31 opposed the coalwashing plant while ten favored it. One man was neither for nor against the plant. (Read Bob Burrell's complete statement at the hearing elsewhere in this issue).

Chairing the hearing was John Hall, head of the Water Resources Division of the DNR. Hall, as chief of the division, is the one who will decide whether or not to approve the permit application from New Era.

Four representatives of New Era spoke at the hearing. Each indicated their belief that the plant will be non-polluting, that it will bring money and jobs into Randolph County, and that the plant is small and of "proven" design. One of the New Era spokesmen presented a petition which reportedly carried the names of 800 supporters of the project. Ed Reno, Executive vice-president of New Era, a Kentucky firm, pledged that "New Era will keep the plant properly maintained..." He also invited critics in the audience to come to Cheat Bridge to look at the operation.

In response to Reno's invitation Mill Creek resident Ed Devine remarked, "It seems kind of strange that some people are still deciding whether there's going to be a coal-washing plant, and the folks from New Era are saying 'Come see us!'"

Unimpressed with New Era's reasoning was Andy Kidd of the DNR's coal refuse and dam control division. "The runoff on the haul roads alone will be enough to destroy the Shavers Fork," he noted.

James Meadows, a superintendent working for New Era said "I invite these people to come up and I'll explain to them how it will work. I invite all the people who have questions about this plant to come up and see it."

Leslie Rathbun, Jr., who has recently gone into the coal business himself, said that he had toured the New Era site and "a man who has been in the business for more than 20 years" assured him that pollution was already washing into Shavers Fork from the plant site.

Contractor Roland McQuain noted, "I'm the one that's making the mess they're all complaining about. When you build a house you have to make a

mess. You clean it up when you're done, but you have to make a mess."

Former strip miner Jeff Nuzum remarked, "If you just want a job and a place to live, I think you would be better off to go to Ohio. We want a beautiful state where we can hunt and fish and have clean water."

Beverly resident Truman Daniels said he has "lived here all my life. Wages for the people - that's what we're looking for."

Jackson Bennett of Elkins stated, "For God's sake, save something for my boy and my grandchildren and the generations to come. Don't sell us out!"

A decision on the New Era application is expected from the DNR early in March.

## BRIEF STRIPS . . . .

The Richmond District of Raleigh County is a high plateau, largely agricultural, between Beckley and the New River. The Better Citizens Club, which has built a community building and organized a medical clinic there, has also fought strip miners to a standstill. DNR Director Ira Latimer has visited the area and has promised that no new permits will be issued pending the outcome of a suit in which coal operators challenge the Director's legal authority to delete whole areas from further stripping.

Early in January White Ridge Coal Company dropped four pending applications totalling 854 acres. White Ridge President George A. Dunham told the Raleigh Register: "We expect to submit other permits in the Richmond District - you bet. We have extensive reserves in Richmond and our intention is to mine the coal."

The Better Citizens Club said: "The residents of Richmond District will continue to oppose any further applications that are filed and we're counting on Director Latimer's word that no new permits will be issued until the court case is settled."

Glad you asked? After several vetoes of Federal strip mining bills the U.S. Department of the Interior issued its own draft environmental regulations for mining of Federal coal (mostly strip mining in the west). "Reclamation" is defined as "the process of returning affected lands to a stable condition and form consistent with their pre-mining productivity and use".

So far so good. Here's how they explain the phrase "consistent with" in this definition. "[It] is intended to express the concept that post-mining rehabilitation efforts should be addressed in the first instance with reference to the pre-mining condition, but that actual reclamation measures and post-mining conditions and uses are properly considered, approved, and executed pursuant to the operative provisions of the regulations and the approved plan of operations."

If this means anything it is this. "Reclamation" is the term applied to the state of the land after mining, however awful.

## New Assault on Back Fork

The Back Fork of Elk River is threatened again with siltation, high water and disruption of its watershed by strip mining. The culprit again is the S.S. "Joe" Burford company, once a reputable construction firm in West Virginia. At stake this time is a 275 acre mountainside, part of which extends over a ridge onto the drainage of Tygart River.

The area of the proposed strip (SMA 1792) is around the headwaters of Coalbank Fork of Back Fork, located about 3 1/2 miles northwest of Monterville off W. Va. Rt. 15. The new application is directly opposite a controversial Burford operation, now closed, on Hewett Fork of Back Fork.

The application also calls for stripping on the Tygart River watershed near Stony Run, a tributary of Elkwater Fork. Three small tributaries of Elkwater Fork would be affected directly by the operation.

The new application by Burford is the latest in a long series of stripping operations on Back Fork. The present application is one of the largest ever sought for the small watershed of this once outstanding trout stream.



Of special interest to environmentalists in West Virginia will be a series of four symposia to be held at Potomac State College of West Virginia University in Keyser during the spring semester.

Theme for the programs is "Energy Development and the Quality of Life in West Virginia." While much discussion has been devoted to the technological details of energy utilization, conservation, and production in industrial, commercial, and governmental circles, little emphasis has been placed upon the effect of changing patterns of energy usage and production on quality of life.

Noting this void, three Mountain State organizations have joined forces to present a series of symposia devoted to discussion of energy and the human condition. The series is sponsored by the Keyser Rotary Club and funded by the West

Virginia Committee on Humanities and Public Policy. All programs will be held in the Church-McKee Arts Center at Potomac State College.

Past WVHC president Dr. Robert Burrell will be a panel member for the first symposium, "Energy and Social Evolution in West Virginia," to be held at 7:30 p.m. January 29. Other leaders include Dr. Ruel Foster, Dr. William Miernyk, and Dr. Ronald Althouse of West Virginia University; and Dr. Richard Ross of Davis and Elkins College.

"Energy and West Virginia's Social Values" will be held at 7:30 p.m. February 26 and will feature Dr. Perry Gresham, president emeritus of Bethany College; Harry Caudill, Kentucky attorney, author, and noted strip-mining opponent; Dr. Ruel Foster of West Virginia University; and Prof. Lester Beavers and Dr. Trevor Owen of Potomac State.

"Energy and Culture in West Virginia" will be held at 7:30 p.m. March 25. Leadership will include Wilma Dykeman, noted Appalachian writer; Dr. Ruel Foster and Prof. Jack Welch of West Virginia University; and Scotty Wiest, West Virginia potter and art educator.

New WVHC member Dr. Gordon Mon of Potomac State College will moderate the fourth program, "The Energy Crisis: West Virginia's Hope and Despair," to be held during the college's Earth Week at 7:30 p.m. April 8. Featured will be S. David Freeman, former Ford Foundation Energy Policy Project Director; Dr. Edward Shaw, University of Kansas; Rev. Richard Austin, Presbyterian minister and former aide to Congressman Ken Hechler; Dr. Ruel Foster and Dr. William Miernyk of West Virginia University; and Dr. Otis Rice of West Virginia Institute of Technology.

## The Readers' Voice

### Wilderness Sports Sells Maps, Does Not Make Them

Mr. Ron Hardway, Editor  
The Highlands Voice  
Dear Ron:

Just thought you might want to correct the impression given by the information in your Christmas Shopping section concerning the maps sold by Wilderness Sports: that the maps are published by Wilderness Sports.

I ordered the Cranberry Backcountry set - 5 maps, \$6.00.

What I received were 4 maps - the U.S. Geological Survey topographic maps for Webster Springs, WV, Webster Springs, SE, Mingo, and Marlinton sectors (Lobelia sector was missing although listed on my invoice.) As you probably know, the Mingo and Marlinton quadrangles were done in 1923 and are on a different scale from the others, and all of the maps are available locally for a smaller price.

In addition, Wilderness Sports charges a shipping and handling charge of \$1.25.

Sincerely,  
Mrs. Howard R. Guest  
609 Peoples Building  
Charleston, WV 25301

## Overlook

(Continued from page 3)

can't do the same thing. At any rate, siltation production is an extremely important factor and one that should be given more thought by the squirrel shooters (and there is not a thing wrong with shooting squirrels; its just that I can't understand why hunters, who so oppose clearcutting, can't give a little thought about fishing habitat).

Many other reasons why clear cuts are necessary could be gone into, but I hope this is enough to give one the idea. We are faced with a strong timber lobby that would like to see the National Forests run as timber farms. We see the necessity of timber production, but we see other equally important uses as well. It will be essential that we balance such a lobby, but in order to be effective, we must counter with more thoughtful plans. The result of the Monongahela decision could well spur the highly heeled timber lobby to push through a law much worse than the situation we now have.

I've said it before and I'll say it again - this overlooker has no reason to assign ulterior motives to the Forest Service, One professional forester to whom I offered this responded with "You haven't met many employees of the F.S.". That is true, I can only speak for those with whom I have dealt locally, but it should be pointed out that we have in the Conservancy a few, a very few, loud mouthed, arrogant,

self-serving members, also, and I would sure hate to see the Conservancy judged solely on the basis of them. We have by far many, many dedicated and serious members to warrant that kind of a reputation. So it is with the F.S. Every organization gets its share of defects and warts.

In the past few years, this overlooker has found the F.S. to be one of the most responsive government agencies with which we have to deal. When the clearcutting controversy first erupted, personality clashes unfortunately dominated the scene, emotions were the rule rather than reason, and many became committed to irreversible courses of action. I am convinced of one thing, if the clearcutting controversy had arisen de novo today with today's policies and personnel on the scene, both in conservation and the Forest Service, the escalation would never have happened and the "beautiful, incredible Monongahela decision" would never have been needed.

## JOIN THE WEST VIRGINIA HIGHLANDS CONSERVANCY

*We travel together, passengers on a little space ship, dependant on its vulnerable reserves of air and soil; all committed for our safety to its security and peace preserved from annihilation only by the care, the work, and, I will say, the love we give our fragile craft.* --Adlai Stevenson

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Make checks payable to "West Virginia Highlands Conservancy." Mail membership form and dues to:

West Virginia Highlands Conservancy  
Box 711  
Webster Springs, WV 26288

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## CONSERVANCY PUBLICATIONS

1. Dolly Sods. Management Proposal and trail guide, includes areas adjacent to the Dolly Sods National Wilderness Area. 1973 edition, 75 pages, 4 maps, 8 1/2 x 11. \$3.25
2. Hiking Guide to the Monongahela National Forest. A survey of hiking and backpacking trails in the Monongahela National Forest. Includes general information on use of the MNF and an essay on winter camping in the Monongahela. 1974 edition, 151 pages, 9 maps. \$3.25.

The Conservancy no longer publishes and no back copies are available of the Otter Creek Trail Guide. For information on use of Otter Creek National Wilderness Area contact the U.S. Forest Service, Cheat District Ranger, Parsons, WV 26287.

A new edition of the Cranberry Back Country trail guide and management proposal is now in preparation. Watch future issues of THE HIGHLANDS VOICE for publication date.

Copies of Dolly Sods and Hiking Guide to the Monongahela National Forest may be obtained at one-third discount to stores and clubs. Address inquiries concerning wholesale orders to Bruce Sundquist, 210 College Park Dr., Monroeville, Pa. 15146.

Address all other trail guide orders to the address below. Make checks and money orders payable to WVHC.

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