

# THE HIGHLANDS VOICE

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## Withheld Data Bodes Ill for Control of Future of Shavers Fork Says Conservancy Chairman *Conservancy, Mower Appeal OSM Decision*

By BARD MONTGOMERY

The W. Va. Highlands Conservancy has appealed to the Department of the Interior for reconsideration of a decision by the U. S. Office of Surface Mining's regional director who denied the Conservancy's petition to designate federal land on the Shavers Fork as unsuitable for coal mining.

The unfavorable decision was rendered after consultation with Interior Secretary James Watt by regional director Patrick Boggs in a memorandum remarkable for acknowledging the need for special protection of the Shavers Fork while refusing to use the authority granted him under the 1977 surface mining law to make this protection effective.

Mower Lumber Company, principal coal operator in the petition area, has also appealed the decision.

"Although I have declined to designate any particular area or coal seam as unsuitable for mining," states the Boggs decision, "the record in this proceeding makes it clear that on a site-specific basis there is a potential for acid mine drainage when

mining some Gilbert and Sewell series coal seams; a potential for adverse impacts on native brook trout when mining in the watersheds of the Glade Run and Red Run tributaries of Shavers Fork; and a potential for adverse impacts from mining on the wilderness characteristics and wildlife of the RARE II Area."

The memorandum also acknowledges that recreation has been the major use of the petition area and that mining will degrade its recreational appeal. OSM's staff study concludes that hazardous traffic conflicts may develop between recreational users and coal trucks.

The Boggs decision expresses the belief that the possibilities of environmental damage and recreational conflict can be dealt with through the usual permitting process, and directs his staff to give "special scrutiny" to permit applications for mining in the area. Permits would be granted only where "appropriate mitigation measures" are adopted. These measures are not specified in the decision, but the accompanying staff

report includes a lengthy list of possible approaches to mining, including concentration rather than dispersal of mine openings, openings at ridge-top rather than at stream bank, the use of conveyors and rail rather than trucks for the hauling of coal.

One of the reasons given for denying a designation of unsuitability for specific areas or coal reserves is that sufficient information was not available to determine at which potential mining sites acid or metallic water discharge is likely. This data would be submitted by the permit applicant. In fact, the core sample data for these critical assessments was withheld from OSM during the petition evaluation process by Mower Lumber Company.

It is necessarily the case that site-specific and cumulative impacts of mining cannot be forecast with precision. The damage can never be accurately totalled up until after it is done. The language of the decision takes great pains to assure that the advantage of this uncertainty (created in part by Mower) inures to

Mower's mining subsidiary Enviro-Energy.

No special protection whatsoever was accorded to the northern petition area which adjoins Otter Creek wilderness. But "conditional unsuitability" was chosen for the southern petition area between Cheat Bridge and Bemis. "The evidence indicates that unless conditions are placed on future mining," states the decision, "such mining may be incompatible with existing land use plans, and may adversely affect fragile lands and significantly damage important historic, cultural, scientific and aesthetic values and natural systems."

The cumulative effect of unrestrained mining would be incompatible with (multiple use) and would threaten the fish, water, black bear and recreation resources of the area."

However, the only substantive conditions imposed are those previously formulated in an agreement between Mower and the West Virginia Department of Natural Resources to limit mine operations to no more than six sites at once and limit the develop-

ment of new haul roads to 22 miles. The agreement also rules out establishment of a coal preparation plant in the area. Such a plant has already been established on Shavers Fork by Mower on its own fee lands adjoining the petition area. The decision endorses the principles of this agreement but does not adopt the specific limits on mine openings or road development.

This agreement procured for Mower state permits for six mine sites, three of which were in operation until the miners' strike. But the restrictions imposed on Mower will expire in June when the agreement self-destructs. A termination clause becomes effective then unless OSM and DNR reach an accord on state regulation of mining on federal lands. They have not yet done so.

Therefore, by enshrining an otherwise dead letter, the decision inconveniences Mower, holding it to a promise made in 1979. This may be the reason that Mower also has appealed the decision.

(Please turn to page 6)

## Corridor H Hearings Open in Elkins

Almost without dissent, more than 50 people from a cross-section of the Elkins community endorsed a northern route — or no route at all — for the construction of Appalachian Corridor H this month during the first in a series of a dozen public meetings and hearings designed to gather comments on a draft environmental impact statement some four years in the making.

Of the 50 who attended the meeting — the remainder are spread over the next two months — about one dozen

offered comments.

Examined in the draft environmental impact statement — final comments on the draft are due in June 8, highways spokesmen and women explained in Elkins — are a series of six alternate routes for the 125-mile roadway envisioned as a link between Interstate 79 at Weston and I-81 just over the Virginia state line. The route for the highway was first plotted in 1967 and has been in dispute ever since.

## Field Review of Routes For Corridor H June 8

The effect of the construction of Corridor H on the Mountain State's highland streams will be the focus of a week-long survey of five different possible routes for the four-lane highway, a major expressway conceived as linking Interstate 79 in the west with I-81 in the east but stalled just east of Elkins for an environmental review that is now nearing completion.

Being scheduled midway through the meetings and the more formal hearings is a walk-through of the five different routes for the 125-mile roadway as it heads generally eastward from Elkins.

Coordinating that field review is Ava Zeitz, the Department of Highways' director of environmental services. She said the majority of all five routes — portions of which coincide with each other and many of which lie along existing roadways — would be reviewed, on-the-ground, by representatives of the Federal Highway Administration, the W. Va. Department of Natural Resources, the U. S. Fish and Wildlife Service, the U. S. Environmental Protection Agency, the U. S. Army Corps of Engineers as well as the National Park Service. She explained that each

(Please turn to page 6)



## Corridor H Chairman Wants Specialized Expertise

Discussing the prospects for Corridor H construction with Conservancy member Geoff Green (right) is Ava Zeitz, the director of the W. Va. Department of Highways' environmental services division (left). Green, the chairman of the Conservancy's Corridor H committee, has asked that any organization or individual with special knowledge about any impact of the highway contact him (see page two). He noted, for instance, the existence of a Keyser-based group with specialized knowledge about water resources in the Keyser area which

would be affected by the highway.

At center in Fred Bird, a Conservancy member who is also active in the W. Va. Scenic Trail Association and one of the major developers of the Allegheny Trail (see centerfold). Bird was dismayed to learn that Zeitz — despite her announced intention to protect all established trails which the Corridor might cross — had never even heard of the Allegheny Trail, a 300-mile, long-distance trail that stretches from one end of the state's highlands to the other.



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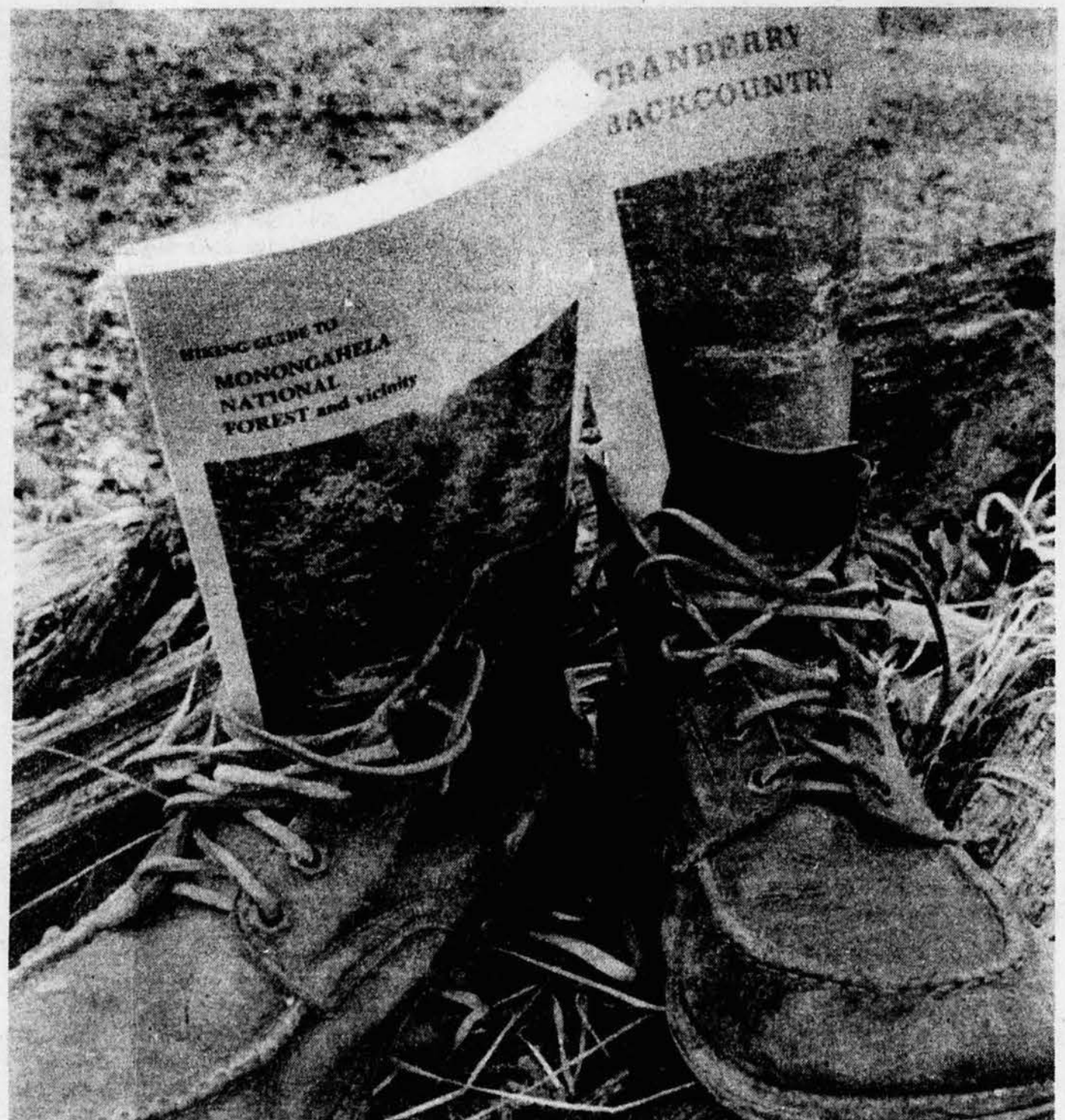
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# 'Adopt-An-Area', Monongahela Forest Committees Formed

## Voluntary Contributions From Tax Refunds Earmarked for Non-Game Wildlife Program

By JEANNETTE FITZWILLIAMS

Do you have a favorite West Virginia area? Do you have ideas about what you would like to see happen to it over the next ten years? Do you live close to any part of the Monongahela National Forest? Do you, your family or your community look to the Monongahela for recreation or depend on it for your economic well-being?

If you answered "yes" to any of these questions, then you may be interested in becoming a member of one or both of the two new committees created at the April board meeting of the W. Va. Highlands Conservancy.

George Warrick, the Conservancy's highlands vice-president, will chair a committee gathering information about outstanding parts of West Virginia. Most members of the board are familiar with the Cranberry, Otter Creek and Dolly Sods, but when it comes to making decisions about Seneca Creek, Big Scholoss, North Mountain, Laurel Fork, Gauley, the headwaters of our principal streams and many other places, we find that we really have very little knowledge about their topography, special features, wildlife, trails and economic potential.

Many of these places lie within the Monongahela National Forest which is going through a planning process in the next three years so that decisions will need to be made about them. Others may be the object of second-home or energy-related developments. In either case, we need to know more about them. If you are willing to help gather this information and want to have a part in determining their fate, get in touch with George.

The second committee is being chaired by me, Jeannette Fitz-

williams (13 W. Maple St. Alexandria, Va. 22301 703-548-7490). Until recently, I was responsible for the volunteers who maintained the Dolly Sods trails. This committee is looking for Conservancy members who will participate in the informal meetings held by the Forest Service as part of its planning process. What happens on or to the Forest affects the lives of those who live nearby and also of those who only visit to hunt, fish or camp. The best Forest plan will be one that is achieved by an exchange of ideas among all those who are affected.

From time to time meetings will be held in Harman, Parsons, the Tygart Valley at Huttonsville, Bartow, Marlinton, Webster Springs, Richwood and White Sulphur Springs to exchange ideas, hear about local concerns and try to work out the best solutions to the problems that must be addressed. These locations were selected on the basis of a "community-type" study conducted to find which areas had characteristics in common.

The Conservancy hopes that some of its members who live near these towns will participate so that their views will be reflected in the planning process at a stage when they can have some real effect. Even more important, the Conservancy board would like to know about the problems that are being addressed and the local views about how they should be resolved. For that reason, the board is seeking to set up a committee of at least one person to participate at each of these locations. Then, when draft plans are developed and the Conservancy is asked to comment, these people will be able to help formulate the Conservancy's position. If you would like to be one of these people, notify me and I will see that you are included in those to be invited to each meeting.

James Morash wants you to love a toad — even if it's not a handsome prince.

Song-birds, reptiles, non-game fish — "all of them have a vital role in the interacting web of life," says Morash, a 27-year-old former Massachusetts state ornithologist who — having been hired a few months ago as a game biologist — has now been assigned the task of developing West Virginia's first non-game wildlife management program.

"Everything from toads to turkey vultures are included," he points out. In fact, he says, about 87 per cent of West Virginia's wildlife falls into the "non-game" category.

This coming winter, he says, when people start tallying up their state income tax refunds in January, February and March, will mark the first time that Mountain State residents will have a chance to support a broad range research and management for all of West Virginia's wild things.

"The license dollars of hunters and fisherman and the excise tax on their equipment has historically been the primary source of funding for wildlife management in West Virginia," Morash says, "but non-game wildlife has not had any sponsors — until now."

Using a "check-off" system on the annual state income tax return form, West Virginians can now contribute one, five or ten dollars — or all — of their income tax return to a special "Non-Game Wildlife Fund." Morash said the money generated in this manner will be used by the W. Va. Department of Natural Resources to manage, protect and perpetuate non-game species, insuring, he said, "a diversity of wildlife species in West Virginia for generations to come."

While Morash is still developing the thrusts of the program at the DNR's operations center in Elkins, some preliminary, long-range plans call for:

- The identification and acquisition of unique areas for the protection, research and management of nongame species;

- The development of urban wildlife management programs for city parks and the general public;

- The compilation of data with regard to the population status and life history of West Virginia's nongame wildlife species;

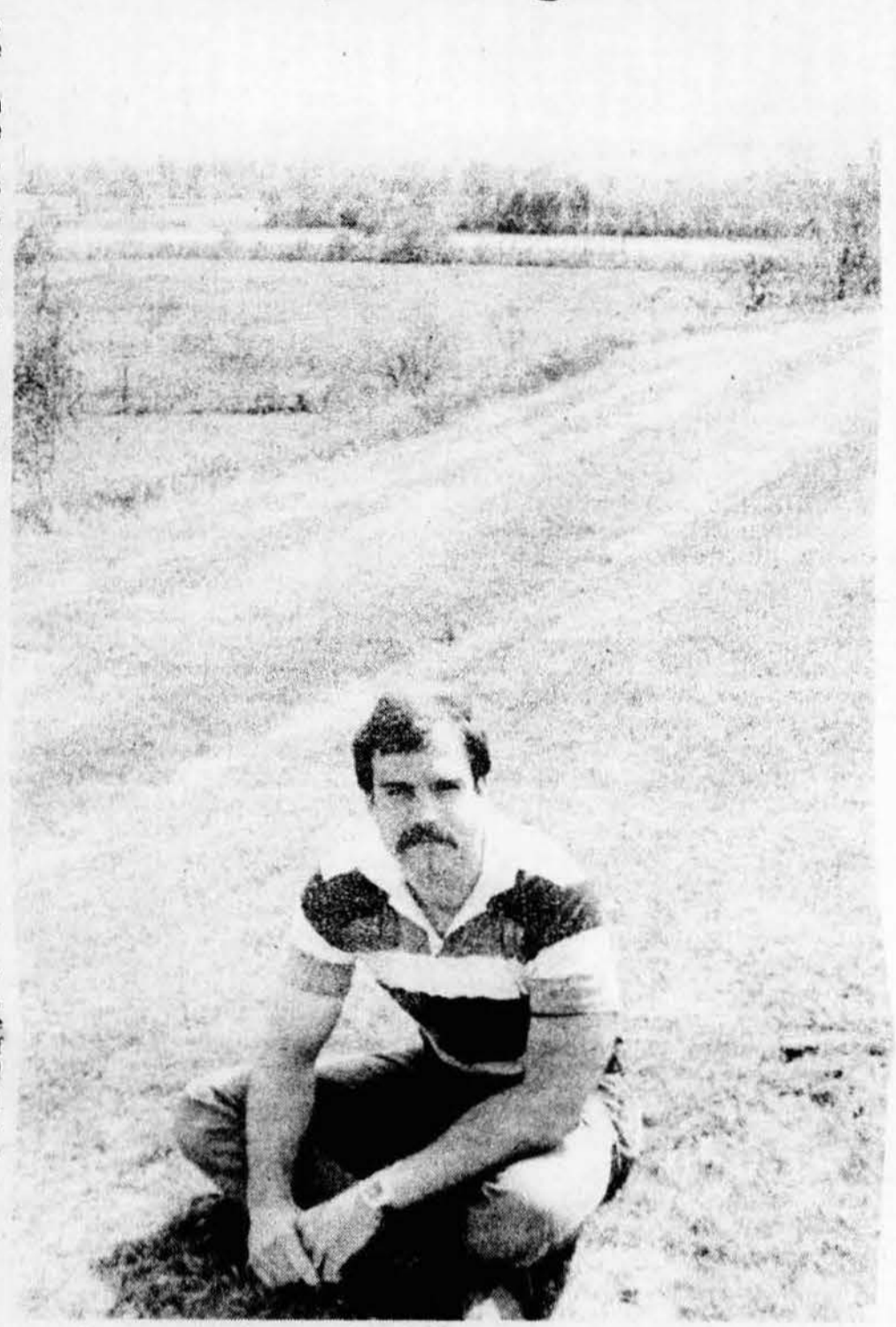
- The development of educational programs which will be designed to promote interest and appreciation of the state's non-game wildlife, programs which will be presented in schools and to public organizations and clubs;

- The incorporation of nongame needs into the planning for and management of game species;

- And participation in the research and management of the threatened and endangered species which occur in West Virginia.

"We're still doing a lot of planning" to set the scope of the entire program, he said, and he's hoping to hatch some "gimmicks," too, to sell people on the idea of supporting West Virginia's diversity.

The passage of House Bill 870 on April 3 of this year will not take effect until July 1 and will not begin to accumulate monies for the program un-



James Morash: Preserving Diversity

## Reclamation Fund Comment Deadline Set for June 8

The Interior Department's Office of Surface Mining has asked for comments on a petition seeking to allow coal-producing states an additional three years to spend mined land reclamation funds collected in the 1978 and 1979 fiscal years.

The petition to initiate rulemaking, published in the April 7, 1981 Federal Register, was filed by the Interstate

Mining Compact Commission (IMCC) because coal states, under the current rule, would only have nine months to receive and spend the funds due to a delay in publishing OSM's permanent regulatory program regulations.

"If the extension is not allowed," said Andrew V. Bailey, OSM's acting director, "the funds not spent in the states would revert back to the Interior Department for use in the federal mined land reclamation program."

Comments should be received no later than 5 p.m. on Monday, June 8, 1981, and should be sent to OSM, Interior South Building, Room 153, 1951 Constitution Ave., NW, Washington, D.C. 20240

## Coal Refuse Hearings

Regulations concerning the design, location, construction, maintenance, operation, enlargement, modification, removal, reprocessing and abandonment of new and existing coal refuse disposal areas — just about anything you'd want to do or even know — will be discussed during a public hearing set for Tuesday, June 9, in Charleston.

The meeting will be held from 7 p.m. to 8:30 p.m. at the Capitol Complex in the conference rooms of Building Seven at 1900 Washington St., East.

## Board Meeting

The next meeting of the W. Va. Highlands Conservancy's board of directors will be held at 9 a.m. on July 12 at the Handley Public Hunting and Fishing Area, according to Conservancy member Joe Rieffenberger.

til after Jan. 1 of 1982.

"It is in the public interest to preserve, protect and perpetuate all species of wildlife for the use and benefit of the citizens of West Virginia," reads one of the paragraphs of the bill, and it specifies the intent as providing for the "management, preservation, protection and perpetuation of nongame species." It also provides that the director of the Department of Natural Resources shall include an accounting of the program in his annual report to the legislature.

Morash said this week that one of the first aims of the program would likely be the assembling of available information from colleges and universities in an attempt to determine what gaps there are in the available knowledge. Morash predicts that substantial amounts of data may already be available, but probably much "baseline" work remains to be done.

The idea for non-game wildlife management, he pointed out, is not new, but has been "kicked around" since the mid-1970's. The passage of the West Virginia bill and the beginnings of its program makes it the seventh in the nation to start such a program, although nearly two-dozen states do some kind of non-game

management.

The earliest — and among the most successful — program has been in Colorado, a state which currently has 30 people on staff and, with a checkoff system similar to West Virginia's began its first year of operation on a budget of \$300,000. Morash points out however, that such a large amount is highly unlikely in West Virginia. He predicted the maximum amount of revenue generated the first year would be \$100,000.

Morash is now working on the incipient non-game program practically full time, and he says what he wants most is suggestions from the public about what direction it should take. Toward that end, he has been communicating with a broad cross-section of clubs and organizations he felt might be supportive — without much success so far.

Morash lives in Elkins with his wife and child. Originally from Massachusetts, he came to West Virginia to earn a masters degree in wildlife management from W. Va. University, then returned home as a non-game biologist and, before coming back to the Mountain State as a game biologist, had been state ornithologist for the Massachusetts division of fish and wildlife.



# Allegheny Trail Nearing Completion

Looking for a fantastic way to lose weight this summer?

A chance to get to intimately know a pick-axe or a sledge hammer?

A way to make a permanent contribution to would-be hikers and nature lovers in West Virginia?

Then consider volunteering in the Forest Service's new program which allows anyone aged 16 or older to spend time in the woods working on trail maintenance, trail building, park maintenance or a variety of other necessary jobs.

One of the first volunteers is Davis and Elkins College biology professor Bob Urban, who plans to work until mid-August on construction of the W. Va. Scenic Trail.

Urban is beginning work in the "Infamous Trail" area, located in Tucker County in the Two Springs area on Lower Glady Fork River near Jennings.

"It's called 'infamous' because it's like walking on a steep roof with all the shingles loose," Urban laughs.

But Urban expects that the two-mile section of trail will be completed within the next few weeks, so that he and other volunteers will then be able to move on to other areas of the proposed trail which still have to be constructed.

"We need more volunteers!" emphasize Urban and W. Va. Scenic Trails Association vice president Fred Bird, also a member of the Conservancy.

Volunteers such as Urban will stay in a base camp located in the area where they will be working, and can sign up for five days at a time.

As its contribution the U.S. Forest Service will provide six-person tents, necessary tools, and insurance on all volunteers.

However, volunteers should bring along enough food to last them

through their stays in the woods, and sleeping bags.

The W. Va. Scenic Trails Association is a statewide group with some 200 members. It was started during the early 1970's by some Charleston area people who were interested in seeing a long hiking trail through West Virginia.

"Lots of these people were Boy Scout and Girl Scout leaders," Bird recalls. "When they wanted to take their troops out for a long hike they had to go to someplace like Vermont or Tennessee. They thought it would be a good idea if the kids could hike right here in their home state."

The fledgling organization began negotiations with the federal government and with the DNR, and in April, 1976 contracts were signed with the Forest Service, DNR, and private landowners saying that the Scenic Trail could be built.

Almost all of the trail will be within or in the vicinity of the Monongahela National Forest, although it will also touch lightly in George Washington and Thomas Jefferson National Forests.

It will cross several state forest, also. Wherever possible existing trails will be utilized, but in other areas it has been and will be necessary to build new trails.

Both Urban and Bird met Scenic Trail representatives at a Conservancy meeting in 1976, and found that most of them were Charleston area residents who "didn't really know much about our part of the state," the two Elkins residents recall.

That was when they decided to join in the group.

Today Bird serves as vice president of the group. Morgantown resident George Rosier is president, and Charleston residents Lynn Inman and Ann Smith serve as secretary and treasurer, respectively.



With an old tin can stuck in his mouth to leave his hands free, little Benjamin Bird follows his brother Aaron (front) across one of the rougher sections of the Allegheny Trail near Glady Fork. Behind him is his twin sister, Sarah, while his father, Fred, brings up the rear.

Bird said that one of the best most serendipitous aspects of the trail has been its natural changes in character — from some, super-rugged sections to other areas which are fit for the elderly and even the handicapped to use and enjoy.



With his daughter astride his shoulders, W. Va. Scenic Trails Association vice-president Fred Bird tackles a log felled across a tributary of the Glady Fork in Randolph County.

The log was cut and dropped across the stream as part of the development of the 250-mile-long Allegheny Trail

which is planned to stretch from Morgantown to Lewisburg.

Bird, one of a handful of members of the Trails Association who has been responsible for the majority of the work done on the trail, noted that while the trail construction is closely supervised by national foresters, not

all of it is point, for call for the bridge. B funds not available! the volunt ween the Service go

The proposed Scenic Trail is divided into four sectors. These include:

Pennsylvania state line to Blackwater -- construction work directed by George Rosier. (60 miles)

Blackwater Falls to Cass -- construction work directed by Fred Bird. (100 miles)

Cass to White Sulphur Springs -- construction work directed by Frank Pelurie (60 miles)

White Sulphur Springs to Monroe County -- construction work directed by Doug Wood (70 miles)

"When the trail is completed, it should be almost 300 miles long," Bird notes.

"Right now about 70 miles of trail are open from Blackwater to Durbin, so that people can walk it if they want to. From Cass to Watoga, about 50 miles through the Seneca State Forest area, is also open.

"Opening the trail between Durbin and Cass is our main target this summer," Bird emphasizes.

Volunteers will be needed if that goal is to be met, both Bird and Urban say frankly. What's more, once the trails are open volunteers will be still be needed -- to do minor maintenance work, and to walk along the trails after large storms and check on their condition.

"It's especially important during the winter," says Karen Bird, who has often helped her husband and other volunteers with trail maintenance. "Sometimes during a large snow storm large branches get knocked down, and they have to be moved off the trail before it can be used."

Anyone who would like to volunteer to help build or maintain part of the W. Va. Scenic Trail should write to:

Fred Bird  
236 Terrace Ave.  
Elkins, W. Va. 26241



Doing her bit to maintain the Allegheny Trail stretching hundreds of miles from Blackwater Falls to

Neola is Sarah Bird, lifting a fallen limb out of the path and tossing it over the hill. Behind her, twin brother Benjamin

discovers a ton brush — and im for later disposa

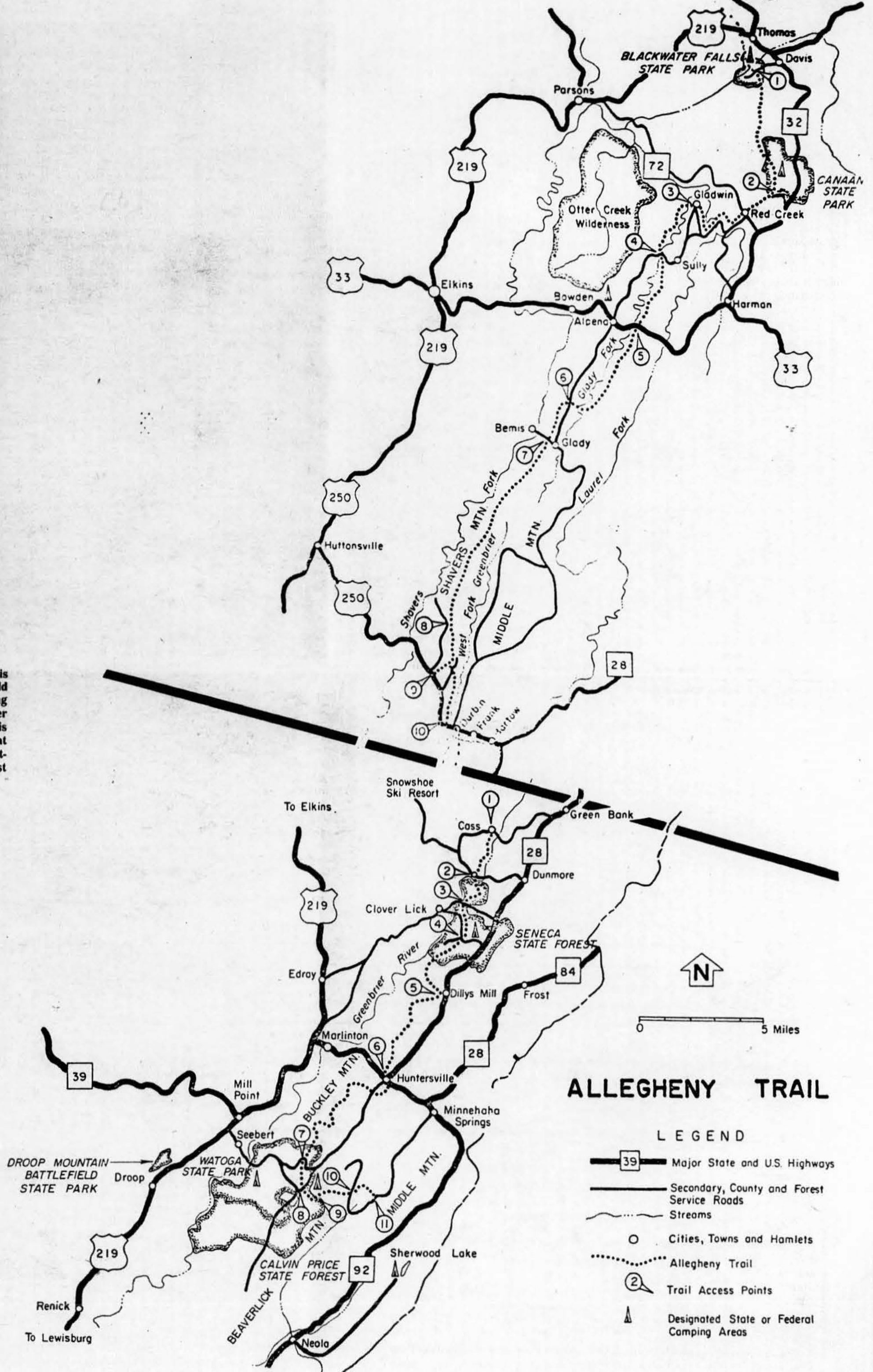




all of it is "up to specs." That this point, for instance, regulations would call for the construction of a swinging bridge. But Bird notes that neither funds nor Forest Service staff is available for such a project — but that the volunteer, cooperative effort between the Association and the Forest Service got the job done anyway.



covers a tossed-aside can in the sh — and immediately picks it up later disposal.



### ALLEGHENY TRAIL

#### LEGEND

- Major State and U.S. Highways
- Secondary, County and Forest Service Roads
- Streams
- Cities, Towns and Hamlets
- Allegheny Trail
- Trail Access Points
- Designated State or Federal Camping Areas



MEMBERSHIP AD

"This is the first time in my memory that the Country's chief conservation officer has been an anti-environmentalist." former Sen. Gaylord Nelson.

# Watt's Wrong...?

In a few short months Secretary of the Interior James Watt, former head of the Mountain States Legal Foundation which was created to thwart environmental regulations, has:

- Supported the relaxation of strip mining regulations...
- Declared a moratorium on the acquisition of more national parkland, although more people than ever before are now visiting parks...
- Proposed "unlocking" many of the 500 million-plus federal acres under his protection, so that they can be used for mining, timbering and grazing.
- Endorsed proposed legislation that would make it easier for oil and timber interests to prevent Congress from designating any new wilderness areas in national forests...
- Favored opening four areas off the California shore to oil and gas exploration...

"This administration is in the mainstream of the environmental movement..." James Watt (quoted in the May 25, 1981 issue of U.S. News and World Report)

DISAGREE?  
SAY SO BY JOINING THE  
W. VA. HIGHLANDS CONSERVANCY!



West Virginia Highlands Conservancy

## Membership

Application

Name \_\_\_\_\_  
 Street \_\_\_\_\_  
 City \_\_\_\_\_  
 State \_\_\_\_\_  
 ZIP \_\_\_\_\_  
 Telephone \_\_\_\_\_

Individual Regular Member at \$10 per year  
 Individual Associate Member at \$20 per year  
 Individual Sustaining Member at \$50 per year

Organizational Regular Member at \$20 per year  
 Organizational Associate Member at \$30 per year  
 Organizational Sustaining Member at \$60 per year

\_\_\_\_\_ Type Membership Desired  
 \_\_\_\_\_ Total Amount Enclosed

SEND TO:  
 W. Va. Highlands Conservancy  
 P.O. Box 506  
 Fairmont, WV 26554

Date \_\_\_\_\_  
 Signature \_\_\_\_\_

## Conservancy, Mower Appeal

(Continued from page 1)

In one important instance, the decision seems to concede the case made by the Conservancy, and then go far out of the way to avoid an unsuitability designation. If reclamation were found to be technically or economically infeasible, the 1977 surface mining law requires that the unreclaimable zone be designated unsuitable for surface mining activities, including surface effects of deep mining.

The Highlands Conservancy alleges that the proven failure of seals placed on abandoned mines in the Shavers Fork drainage to prevent acid leaks demonstrates that similar new mines could not be securely sealed and are therefore not reclaimable. The Director finds that "there is no sure way to seal mines to prevent such discharges after mining... Clearly, mining of any acid-producing seams, including the Gilbert and Sewell series, could present potential threats to the water quality and aquatic life in the tributaries of the southern petition area. In spite of these conclusions (emphasis added), I have decided not to designate those seams or watersheds unsuitable for mining."

Reasons given are 1) lack of data to determine the location of such seams, and 2) the existing statutory provision against creation of any acid-leaking mines. Boggs says that designating such seams unsuitable would merely restate the surface mining act. One may ask what is to be lost by restating the act, in view of the fact that one of the general conditions imposed is Boggs' adjuration that "all applicable state and federal laws and regulations... must be strictly complied with." Even with full compliance, the staff report predicts that "because of treatment equipment breakdown, accidental bypass and other kinds of accidents, it seems likely that any mining of acid-producing coal in these watersheds will even-

tually result in mortality of brook trout..."

If the petition evaluation process can be frustrated by Mower's withholding of core sample data, why could not the permitting process also be misled by selective disclosure of data? OSM assumes that Mower would be motivated to make prompt and full disclosure of such proprietary information in the interest of obtaining a permit. However, for at least the first six mines, Mower may operate under state permits until and unless OSM denies federal permits for these same sites. It would appear that delaying the submission of complete application information to OSM in these cases could work to Mower's benefit by side-stepping the "special scrutiny" called for in the decision.

In summary, the decision concedes the need for special protection of environmental values on Shavers Fork and then imposes only conditions which for administrative reasons are not likely to be effective, while declining to impose those which would be certain to limit mining damage.

## Field Review

(Continued from page 1)

of the agencies invited was "resource agency" which was involved in the preparation of the draft environmental impact statement

The upcoming review — set for the week of June 8 — will concentrate on the stream channels which the highway might effect, she noted, a request that came specifically from the Environmental Protection Agency. The current, on-the-ground review, she said, is the first time such a field review has been done during the preparation of an environmental impact statement, but she indicated the intent was to gather as much information as early in the process as possible.

## New Mining Chairman

The mining committee of the W. Va. Highlands Conservancy is now chaired by Toby Hirshman of Huntington, an attorney specializing in state and federal mining laws. He succeeds Rick Webb who relinquished the chair of the committee due to the press of mining-issue law suits in which he is engaged as plaintiff and defendant, according to Bard Mon-

gomery and other members of the Shavers Fork committee who will participate in the new mining committee.

Montgomery, who chaired the Shaver's Fork committee, said the effort to preserve the Fork is moving from mass participation and public comment to appeals and judicial review.

## Appalachian Alliance Meet June 6-7 Near Charleston

Reaganism as a tool for organizing, reversing the current political trends, involvement with labor and community groups — these, along with a host of task force meetings ranging from nuclear wastes to women, will be the highlights of a June 6 and 7, Saturday and Sunday, meeting of the Appalachian Alliance at Camp Virgil Tate near Charleston.

"The major focus of the weekend is going to be... building and strengthening alliances," according to Alliance spokesman Paul Sheridan, "with time set aside for specific task force meetings." The weekend marks the fourth annual meeting of the Alliance.

The conference opens Saturday morning at 9 a.m. with an hour-long look at the activities of the Alliance during 1980; followed with an hour-long panel discussion of suggested ways to alter the current trends; another hour of small-group discus-

sions; an after-lunch half-hour of task force reports for 1980 — and then a two-hour stint of task force meetings on housing, strip mining, women, health, cooperative economic development, energy, education, land and nuclear wastes.

The day ends with dinner and an early-evening organizational meeting.

Sunday features a plenary session with reports and proposals from task forces to the general membership, proposals emerging from Saturday-night discussions, and proposals from the floor — all of which will be put to a vote by the membership.

The meeting ends following a noon-time lunch.

Total cost for all meals and lodging could tally up to \$19 per person, with an additional five-dollar registration fee for non-members. Some scholarships which pay mileage and lodging are also available.



# The Stonewall Jackson Dam: Dying? Dead?

The Stonewall Jackson Dam was born in the middle 1930's when Congress authorized dozens of dams. But the newborn soon developed a serious problem—the flood control benefits would not offset the expense of raising such a child. In other such cases, the patient has always died; but the Corps doctors breathed new life into this project by adding water supplies for the cities of Weston and Clarksburg as an additional benefit. Even this doubling of benefits was not antibiotic enough to provide positive cost-benefit ratios, and so Stonewall was again lingering at death's door.

The Corps, however, responded to their baby's plight by rapidly injecting massive dosages of a new remedy—recreational potential—into the sick project. Once again the patient rallied.

Then when West Virginia was told that State officials must sign a contract to pay for the recreational development, the Governor refused, saying that the Constitution prevents granting of the State's credit. In the meantime, Clarksburg had rejected the proffered water supply as being too expensive; affected landowners had suggested that a small watershed approach was more feasible; and Congress had decreed that a higher, more realistic interest rate was to be used in developing cost-benefit ratios. Again Stonewall hovered at death's brink.

The demise seemed imminent, but the local entrepreneurs would not give up. They talked the new Governor into pledging to pay for the recreation, and they solicited start-up funds from a liberal Congress that seemingly couldn't deny funding requests for any purpose...even dam construction with a spurious cost-benefit analysis. O! Stonewall breathed rhythmically again.

But, just in case of a relapse, the Corps doctors injected new and powerful antibiotics. They decreed that additional water was needed to cleanse the Monongahela River and to provide for the proposed SRC-II Coal Conversion Pilot Plant at Morgantown. The new medicine, however, had not been licensed...The energy Department declared that the dam was not needed for the coal project, and EPA reported that it preferred stopping pollution at the source rather than just flushing it downstream. Stonewall's breathing was again labored.

During all this time, the Corps was moving ahead as if O! Stonewall's survival was assured. After all, hadn't the Governor pledged twelve million dollars of the State's credit for the recreational aspect? Weren't they

already evicting citizens from their farms? Weren't highways being moved? Wouldn't short-term gain to the local economy more than offset the damage being done to future generations and the nation? Wasn't all well with Stonewall and with the world???

Well, it would certainly seem so. Stonewall was gaining strength, but then came another relapse. Local politicians who were also dam supporters were soundly beaten as a steamed-up electorate expressed their opinion.

The future is apparently not yet decided. The question remains...can Stonewall, now nearing 50 years old and tired from many crises, survive when there isn't a positive cost-benefit ratio without adding flood control, city water supply, low-flow augmentation and recreation (rather ridiculous when the water will be unfit for swimming and when there are four other federal lakes within 50 miles—all greatly underutilized) all together? Can it survive when the State Senate has twice resolved officially that it will not be a party to paying the cost for recreation facilities and the Corps can't legally build the dam unless the State pays? Can it survive when its water has been refused by the citizens in towns it is supposed to help? Can it survive when two of the tributaries accused of flooding are not even behind the dam? Can it survive as designed when records show that the Corps recommended against a masonry dam in 1949 because of an unstable foundation? Can it survive when the latest panacea—SRC-II—is itself sick to the point of death with a case of weakening German interest and inflated costs?

The answer to all of these should be no, although the Corps, certain members of Congress and a few local supporters insist that they will build the dam in spite of the protests.

In my opinion, there's no longer any reason for Congress to prolong O! Stonewall's life. The federal budget-cutters can do the State and the nation a great favor by deauthorizing the program which will pull the plug on the life-support system once and for all.

I hope they can find a way to do it soon. Our nation's future depends on agriculture and to wantonly destroy so many thousands of acres of good agricultural land for such tenuous reasons is to ignore both fair play and foresight—two considerations which have helped make this country great.

By  
Gus R. Douglass  
Agriculture Commissioner

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## The 'Right Stuff': Braxton Environmental Action Continues Battle for Responsible Coal Development

### MINE THE COAL, BUT DO IT RIGHT

Six questions need to be asked about responsible coal development:

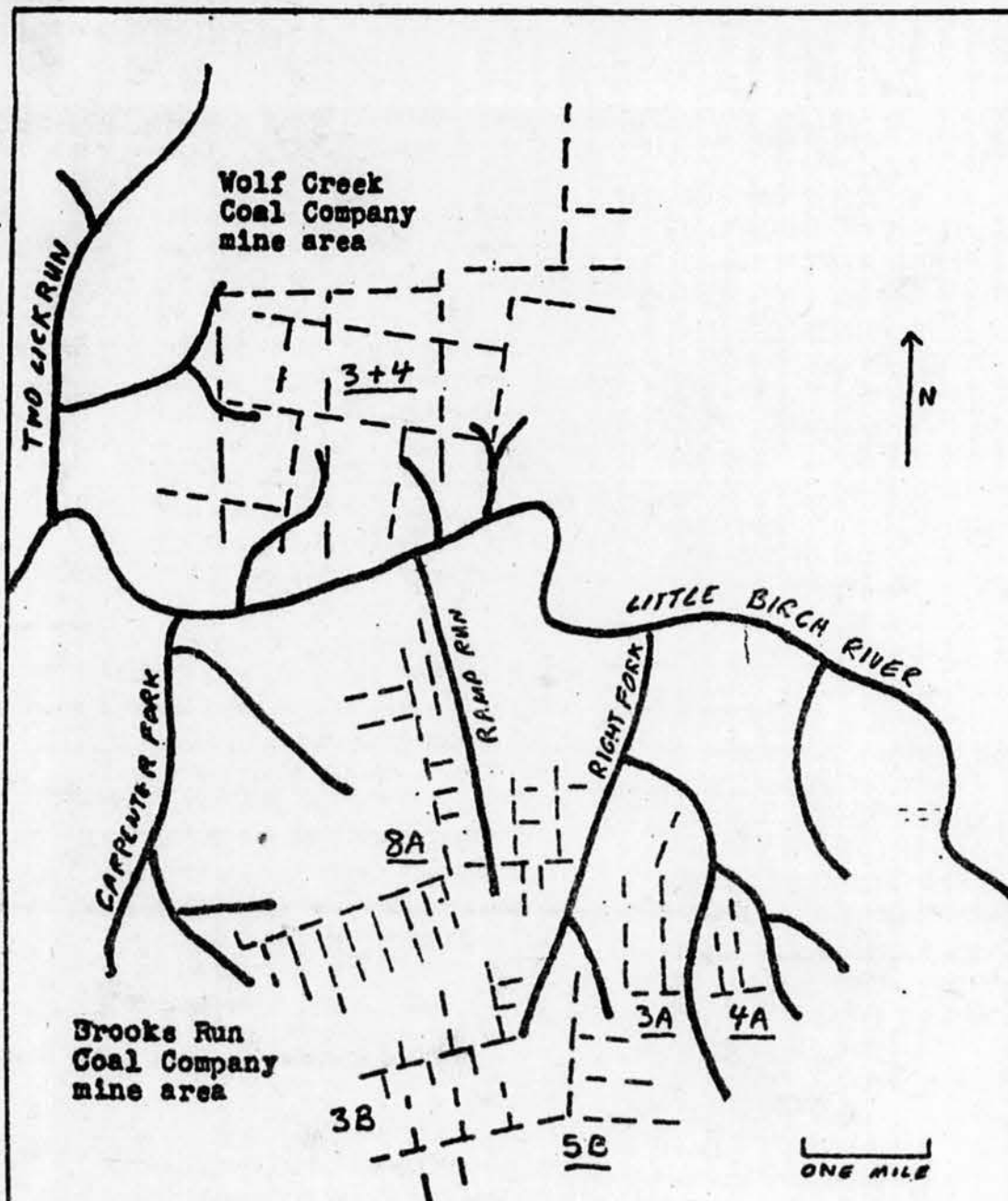
- (1) Do the coal companies have a responsibility to prevent damage to the water supplies of surface owners in and near the mine areas?
- (2) Is replacement of an individual water supply (with a deep well or piped-in water) an acceptable alternative to prevention of hydrologic damage in the first place?
- (3) Do the coal companies have a responsibility to use the best available methods to prevent the creation of irreversible acid mine drainage sources to the area's unpolluted streams?
- (4) Is expensive perpetual treatment of acid pollution sources an acceptable alternative to prevention of acid pollution sources in the first place?
- (5) Do the coal companies have a responsibility to positively insure that a sufficient barrier of unmined coal left around mine perimeters to prevent blow-out of impounded water after mine abandonment?
- (6) When the contribution of coal development to the local economy is taken into consideration, do we look at only the short-term monetary benefits, or do we consider the long-term costs and losses as well?

The southeastern part of Braxton County is on the verge of an unprecedented expansion in coal production. As the accompanying map shows, the area will be extensively undermined. THE EFFECT OF THIS MINING ON THE PEOPLE AND THE WATER RESOURCES OF THIS AREA WILL DEPEND UPON HOW THESE QUESTIONS ARE ANSWERED.

The Director of the West Virginia Department of Natural Resources and the Regional Administrator of the U. S. Environmental Protection Agency will be responsible for making the decisions and answering the questions. It is their job to insure that the mining is done with the proper precautions. Currently they are reviewing operations of the Brooks Run Coal Company. The opinions of Braxton County citizens may help them in answering the six questions. They can be contacted at the following addresses:

David C. Callaghan, Director  
Department of Natural Resources  
1800 Washington Street East  
Charleston, WV 25305

Jack J. Schramm, Administrator  
Environmental Protection Agency  
6th and Walnut Streets  
Philadelphia, Pa. 19106



The location of projected underground mining in the Upper Little Birch River area of Southeastern Braxton County, based on five-year projections of Brooks Run Coal Company and Wolf Creek Coal Company.

Wolf Creek Coal Company is a subsidiary of the Sun Oil Corporation. Brooks Run Coal Company is a subsidiary of the American Natural Resources Corporation.



## Bottlenecks Slow Appalachian Coal Development

# Railroads Hesitant to Boost Coal Transportation; Government Pondering Major Harbor Dredging

Early in the summer of 1980, the heads of non-Communist industrial nations met in Venice, Italy, to agree on ways to combat the growing impact of OPEC oil prices on their countries' economies. The accords signed at the close of the conference carried a simple message: USE MORE COAL. The participants adopted the goal of doubling coal production and use by the early 1990s.

Throughout the world, nations are indeed turning to coal to replace oil wherever this is readily possible. And they are looking to the United States as one of the likeliest sources of this coal. Exports of steam coal (coal used to generate electricity) from the United States to the rest of the world (excluding Canada) have risen from a level of 2-3 million tons per year in 1979 to 16 million tons in 1980, according to the National Coal Association. At the same time, exports of metallurgical coal (coal used in making steel) surged in 1980 to 57 million tons, from a 1979 level of 43 million tons. Almost all coal exported from the United States comes from Appalachian coalfields—less than one percent originates elsewhere.

Port authorities, railroads, coal companies, maritime associations and government officials all have an interest in forecasting whether the increased demand for U.S. coal abroad will persist or is a temporary situation. Most U.S. experts are very optimistic about world coal use and high levels of U.S. coal exports in the future.

In the spring of 1980 President Carter formed an interagency coal export task force (ICE), including representatives of 14 federal departments and agencies, to support the nation's efforts to encourage the use of U.S. coal abroad. The task force was told to analyze the potential export market, investigate whether U.S. coal supplies were sufficient to meet it, and recommend any government actions necessary to get exports moving. The task force concluded that most of the coal-handling problems experienced during 1980 would disappear by 1985 as soon as planned local improvements at the ports were made and that no federal solutions were called for.

The ICE interim report, dated January 1981, concluded that there will be significant growth in world demand for steam coal beyond the end of this century. The report gave as the primary reason for this projection the escalating price of petroleum, along with the apparent unavailability of the supply of oil, and the resulting need to convert to other fuels whose supply is more reliable. Coal at the price of \$50 a ton is still one-third cheaper on the average per Btu for the importing nations than OPEC oil. However, the study points out that there are some highly uncertain factors

involved in determining if foreign consumers will buy U.S. coal; much depends on price, risks involved with reliability and stability of supply, and the purchasing strategies of foreign nations.

The National Coal Association has estimated that total coal exports will be 70 million tons in 1981, 90-95 in 1985, and 120-140 in 1990. Joel Price of the investment firm of Dean Witter Reynolds predicts that at the most 100 million tons might be exported through East and Gulf Coast ports in 1985. Price forecasts that in 1981 metallurgical coal exports will be 7 million tons less than in 1980, principally because less tonnage is expected to go to Japan. Last summer, strikes in Australia, where Japan normally buys much of its coal, forced Japan to turn to the United States for supplies. The strikes have since been ended. He predicts a sharp dip in exports of metallurgical coal from 63 million tons in 1980 to 55 million tons in 1981. On the other hand, he sees steam coal exports, excluding those to Canada, rising from 2.4 million tons in 1977 to 16 million tons in 1980 and 19-20 million tons in 1981. He also predicts that exports of steam coal in 1985 will be in the range of 42-50 million tons.

Two international coal conferences held recently in Germany (the Fifth International Committee for Coal Research session in Duesseldorf and the World Energy Conference in Munich) forecast both sharply rising demand for steam coal and rising prices. They emphasized that massive improvements would be needed in the facilities for handling export coal over the next 15 to 20 years and long-term contracts for coal purchase would be essential in stimulating these improvements.

Another indication that export coal demand is likely to continue is the attitude of representatives of the Chessie System after their summer visit to Europe. (The Chessie System is one of the major U.S. rail transporters of coal.) They came back convinced that the European demand for steam coal is real. The president of the system said that the market has firmed up to the point where the prices are more attractive and major coal-producing companies are beginning to make long-term contracts with foreign steam users.

Another encouraging sign followed the announcement by the A.T. Massey Coal Company, a major exporter, of a plan to build and operate a \$60-million coal storage and shipment terminal at Newport News, Virginia. European buyers have signed long-term contracts that amount to more than 60 percent of the annual 9.5 million tons of coal the new facility will handle each year. Ten-year renewable contracts have been made with France, Finland, Denmark, Spain, Italy and the United Kingdom.

The U.S. harbor facilities, designed for smaller tonnage than most other nations are deep enough to accept the popular-sized 150,000 deadweight-ton (dwt) vessel.

Ground storage facilities at the existing ports are inadequate. If there were facilities available, coal for steam use could be emptied out of the railroad cars that brought it to the ports, and the railroad cars put back into service to transport additional coal from mines. Since there are so few storage facilities, at present coal is stored in the railroad cars themselves. Space at the harbors and railroad cars is therefore in short supply.

Despite indications that coal exports nationwide could increase to over 100 million tons by 1990, the railroads have been hesitant to upgrade equipment and facilities. In this "Catch 22" situation, the railroads are waiting for long-term contracts that would make it economically advantageous to upgrade; shippers are hesitating to sign long-term contracts until they are assured that transportation is reliable and available.

Another significant cause of the current delays and confusion in export of coal from the United States is the problem of blending various grades of metallurgical coal to the purchaser's specifications at the loading facility. Metallurgical coal is used to make coke, which in turn is used in the steel-making process. There are many types of coals which are used for coking. It has been recorded that in a single year 600 different coals were received at one facility. Usually, different grades are mixed in order to create the blend with the unique characteristics needed for whatever process the purchaser plans to use. Coal must be held in railroad cars until it can be blended according to user need. This procedure ties up cars and tracks for long periods of time.

A similar bottleneck arises with steam coal, much of which comes from small mines and has to be assembled by railroads and transshippers/brokers at port facilities. Particularly when inexperienced coordinators handle this assembly job, delays can be considerable.

The Chessie System has reopened Pier 15 at Newport News. It has begun loading coal from barges onto ocean-going ships at its Baltimore facilities in an effort to ease the coal congestion at the port. Tugboats are hauling loaded barges from the shallower, uncongested side of the Curtis Bay coal pier to the Chessie's unused Port Covington pier. Here, with loaded barges on one side of the pier and ocean-going vessels on the other side, cranes loaded with large buckets transfer coal from barge to ship across the pier. This method will increase the export ca-

capacity by perhaps 2 million tons a year.

Chessie's recent granting of favorable rail rates to river terminals for export coal will add appreciably to New Orleans business in 1981. This will make the cost of moving coal from West Virginia down the Ohio River to New Orleans and putting it on a vessel there competitive with an all-rail shipment through Hampton Roads, as long as the cost of delay in loading at Hampton Roads amounts to \$5 per ton or more. For a 50,000-dwt vessel, which must pay \$15,000 per day, this is the equivalent of about a 17-day wait.

U.S. harbors have relatively few berths compared with other exporting nations. Some ports are considering increasing the number of berths. As a rule of thumb, when 50 to 60 percent of berths are in use on the average, the overall shipping costs of the commodity are lowest. U.S. ports were designed to operate with a higher percentage of berths occupied, which means a low operating cost for terminals but a high demurrage cost for buyers. More berths with the same occupancy rate would mean lower costs for buyers. The lack of berths in U.S. ports is sometimes cited as a major cause of the United States' losing dominance over the world's metallurgical coal export market in the late 1960s.

There are two pieces of legislation dealing with port improvements before the Senate. Both would authorize construction of harbor improvements to promote commerce and to increase U.S. capability to export coal and other commodities. Last year Senator John Warner of Virginia sponsored a bill which was referred to the Committee on Environment and Public Works on December 5, 1980, is now being updated and will be reintroduced this year. Senator Jennings Randolph of West Virginia introduced a bill in January which has also been referred to the Committee on Environment and Public Works; further action on it is pending.

Even with the expansion program, the U.S. coal export system is not going to be competitive in world markets as long as U.S. ports cannot accommodate large vessels. Shallow harbor depths, a common U.S. condition, do not make a major contribution to the current bottlenecks, but they will be significant in the future. The ICE report acknowledged that most U.S. harbors would have to be dredged to accommodate the increasingly popular 150,000-ton carriers. The transportation costs for coal transported in new 150,000-deadweight-ton vessels are about \$6 per ton less than in the 60,000-ton ships common in U.S. trade, the report estimated, and this is about 10 percent of the current delivered price for U.S. coal in Europe.