

Published monthly by the W. Va. Highlands Conservancy

Vol. 13, No. 11 - November, 1981



'Stagnant' Woodlands Face Development

More than half the 42 million acres of high-quality hardwood forests in the northeast are so overgrown and in need of thinning that vast stretches of forest lands are "stagnant" — so crowded they impede their own growth — and millions of trees are literally dying where they stand.

Rough estimates are that if just the wood that is going to waste each year

were burned for fuel — and many foresters are appalled at the thought of burning up high quality woods like cherry and oak and maple — they could heat more than 40 million homes.

Meeting in Elkins in October were an array of experts in forest research, marketing and utilization who conferred for two days as they tried to figure

out what to do about the wasted woodlands.

They think they've come up with some good ideas. Some of those ideas will be put into effect on Nov. 4 when commercial loggers will be ferried into the area to see what's there and then invited to make bids. Others are expected to take a year or longer to implement.

MONTANA

Toward A Fairer Tax System

A tax case offers legal support for the demand that the subtle costs of mining should be apportioned among those who enjoy its fruits.

A new era for those concerned with the role of state taxation and production of mineral resources may have been heralded by a recent U. S. Supreme Court decision in Com-

monwealth Edison v. State of Montana.

The decision, handed down in early July of this year, is another link in a chain of cases deciding the constitu-

tionality of state taxation. For lawyers and tax accountants, the Montana decision does little more than elaborate on a test for constitu-

(Please turn to page 2)

ELKINS

Something Wild

The DNR plans for full development of the Mountain State's first non-game wildlife program.

By JAMES MORÁSH

Do Something Wild!

This phrase probably elicits as many different responses as there are individuals reading the VOICE. However, in the very near future, West Virginians will recognize this phrase as the slogan for the new "nongame wildlife program" being administered under the auspices of the wildlife resources division of the W. Va. Department of Natural Resources. The new program officially began on April 3, 1981 when Gov. Rockefeller signed into law a bill calling for the creation of a special fund to provide revenue to the DNR for the

management, preservation, protection and perpetuation of nongame wildlife species.

If you're wondering "What in the world is nongame?" it's any species of wild animal — birds, mammals, fish, reptiles and amphibians — which is not considered as a game or sport species typically sought by hunters, trappers or fishermen. Federally-designated threatened and endangered species are nongame wildlife, but so are the more common animals — everything from great-horned owls to chipmunks. In fact, nearly 87 percent of West Virginia's wildlife resources are in the nongame

category. Along with our game species such as turkey and deer, each has a vital role in the interacting web of life.

The term "nongame" is strictly an artificial designation and has no biological basis. It is not known for certain when this term came into use, or who should receive credit for its conception. A brief historical account of wildlife management in the United States helps put this relatively new concept into proper perspective.

The early days of wildlife management dealt almost entirely with the institution of hunting controls in the late 19th and early 20th centuries. The im-

petus for these controls stemmed primarily from the decimation of many wildlife populations in the mid-to-late 1800's by market hunters. These huntsmen were aptly named for their peculiar avocation whereby literally thousands of waterfowl, buffalo, shorebirds, etc., were dispatched for subsequent sale in the markets of the larger cities. Conversely, the rank and file of that era were concerned primarily with harvesting just enough game to keep their families fed. The sporting aspect of hunting was, for the most part, a secondary consideration for these early Nimrods.

Actually, sportsmen were among

the first to recognize the damage caused by market hunting, and they joined with such people as Emerson and Thoreau in repudiating this wholesale slaughter. This concerted effort by many groups and influential individuals eventually pressured legislators to pass protective wildlife legislation.

These laws, however, were rarely enforced, and wildlife populations continued to plummet. It had become readily apparent that this was a problem of national significance. Finally, in 1900, the United States' Congress passed an act prohibiting the in-

(Please turn to page 6)

WATOGA

Death from the Skies

The Conservancy adds an acid rain committee

By DON GASPER

Demonstrating its concern about the great "acid rain" acid inputs into pure trout stream watersheds, the W. Va. Highlands Conservancy decided at its October board meeting to set up an "acid rain" committee among its nine other formal committees.

The pH of rain and snow in and near the Monongahela National Forest now averages about pH 4.5. This is very acid. It means every stream in this

area with a 35-foot wide streambed receives on its watershed over 500 net metric tons per year of acid. Hydrologists report that, as a yearly average, half that precipitation runs off quickly, altered very little. This has resulted in three-to-four-day periods of increased acidity, a condition which some have termed "acid shock." Often the pH drops from 6.0 to 5.0, a level at which trout cannot sur-

(Please turn to page 3)

BUCKHANNON

Only Number One

Consol and LaRosa join hands for a mighty endeavor.

More than 300 people packed themselves into the third floor of W. Va. Wesleyan College's student union building on a Wednesday night in mid-October for a public hearing designed to draw forth comments on a draft environmental impact statement for a 251-acre mine site near the Upshur-Randolph County border.

The mine, proposed for development by the Holly Grove Coal Company, a subsidiary of the giant La Rosa Fuel Company of Clarksburg, has been delayed for more than 15 months in the wake of a lawsuit filed by residents of the area in which the mine would be developed. In response to that lawsuit, the U. S. Environmental Protection Agency has prepared a draft environmental impact statement and proposed to allow the mining to proceed. It is the first such impact statement prepared anywhere in the eastern United States.

Confirmed in Buckhannon was the

fact that the 251-acre site was just the first mine in a series which are planned for development in an area surrounding the proposed mine site at Canaan. The project is to be developed by Holly Grove in concert with one of the nation's largest coal firms, the Consolidated Coal Company.

Among the dozens of people who made public comments at the EPA hearing were Consol's environmental permits section director — the man charged with smoothing the way for his firm's continually expanding operations. He said Consol and Holly Grove signed agreements earlier in the month for the development of the Holly Grove site as well as nearby areas ten times as great. Those agreements and the cooperative effort which Consol made by appearing Wednesday night to offer its technical expertise is believed to be the first

(Please turn to page 6)

BOARD OF DIRECTORS

President: Jeanetta Petras; P.O. Box 506, Fairmont, WV 26554 (534-5595)
 Secretary: Lois Rosier; 633 West Virginia Ave.; Morgantown, WV 26505 (296-5158)
 Treasurer: David Elkinton; P.O. Box 506, Fairmont, WV 26554 (296-0565)
 Membership Secretary: Linda Elkinton; P.O. Box 506, Fairmont, WV 26554 (296-0565)
 Past President: Joe Rieffenberger; Rt. 1, Box 253; Elkins, WV 26241 (636-4559)

REGIONAL VICE-PRESIDENTS

HIGHLANDS: George Warrick; 1709 South Davis Ave.; Elkins, WV 26241 (636-5896)
PITTSBURGH: Jean Rodman; 32 Crystal Drive; Oakmont, PA. 15139 (412-828-8983)
CHARLESTON: Perry Bryant; 16 Arlington Ct.; Charleston, WV 25231 (343-3175)
WASHINGTON, D. C.: Stark Biddle; 2538 44th St. NW; Washington, D. C. 20007 (202-338-6295)

DIRECTORS-AT-LARGE

(Terms Expire January of 1983)

Larry George; 3557 Collins Ferry Road; Morgantown, WV 26505 (599-2855 or 736-1325)
 William P. McNeel; 1118 Second Ave.; Marlinton, WV 24954 (799-4369)
 Steve Bradley; 724 Snider Street; Morgantown, WV 26505 (296-0451)
 Kate Long; 101 Ruffner; Charleston, WV 25311 (343-1884)
 Jim McNeeley; 100 Haven Drive; Princeton, WV 24740 (Home 425-1295 or 425-9838)

DIRECTORS-AT-LARGE

(Terms Expire January of 1982)

Geoff Green; Rt. 5, Box 228-A; Morgantown, WV 26505 (296-0565)
 Susan Racine; 430 Circleville Road; Beckley, WV 26505 (293-0298)
 Sayre Rodman; 32 Crystal Drive; Oakmont, Pa. 15139 (412-828-8983)
 Sara Corrie; 501 Ridgewood Road; Huntington, WV 25701 (523-2094)
 Skip Deegans; 102 North Court St.; Lewisburg, WV 24901

COMMITTEE CHAIRS

MINING Committee: Toby Hirshman; 5940 Mahood Drive No. 3, Huntington, WV 25705
CANAAN Valley Committee: Steve Bradley; 724 Snider St., Morgantown, WV 26505 (296-0451)
CRANBERRY Backcountry Committee: Larry George; 9 Crestride Drive; Huntington, WV 26705 (763-1325)
SCENIC Areas Committee: Sayre Rodman; 32 Crystal Drive; Oakmont, Pa. 15139 (412-828-8983)
RIVERS Committee: Perry Bryant; 16 Arlington Ct.; Charleston, WV 25231 (343-3175)
CORRIDOR H Committee: Geoff Green; Rt. 5, Box 228-A; Morgantown, WV 26505 (296-0565)
MONONGAHELA National Forest Committee: Jeanette Fitzwilliams; 'ADOPT-AN-AREA' Committee: George Warrick; 1709 South Davis Ave.; Elkins, WV 26241 (636-5896)
ACID RAIN Committee: Don Gasper (924-6211)

ORGANIZATIONAL DIRECTORS

KANAWHA TRAIL CLUB: Charles Carlson; Box 131; Charleston, WV 25231 (925-7264)
NATIONAL SPELEOLOGICAL SOCIETY, Virginia Region: Jerry Kyle; Rt. 1, Box 231; Alderson, WV 24910 (455-7897)
BROOKS BIRD CLUB: Chuck Conrad; RD 1; Triadelphia, WV 26059 (547-1053)
WV WILDWATER ASSOCIATION: Roy G. Meadows; Rt. 1, Box 256-A-5; Hurricane, WV (562-3462)
NATURE CONSERVANCY: Max Smith; Rt. 2, Box 154; Grafton, WV 26354 (265-4237)
SIERRA CLUB, Potomac Chapter: Kathy Gregg; 30 Reger Ave.; Buckhannon, WV 26201 (472-3812)
GREENBRIER GROTTTO, National Speleological Society: Fred Kyle; 910 Pocahontas Ave.; Roncerverte, WV 24970 (647-5346)
POTOMAC APPALACHIAN TRAIL CLUB: Jeanette Fitzwilliams; 13 Maple St.; Alexandria, Va. 22301 (703-548-7490)
PITTSBURGH CLIMBERS: Bob Ruffing; 312 Dewey Ave.; Pittsburgh, Pa. 15281 (412-371-0789)
W. VA. SCENIC TRAILS ASSOCIATION: George Rosier; P.O. Box 2126; Morgantown, WV 26505 (296-8334)
GEORGE M SUTTON AUDUBON SOCIETY: George H. Warrick; 1709 South Davis Ave.; Elkins, WV 26241 (636-5896)
BRAXTON ENVIRONMENTAL ACTION PROGRAMS: Don Glyn; Sutton, WV 26601 (765-5721)
CANAAN VALLEY ALLIANCE: Steve Bradley; 724 Snider St., Morgantown, WV 26505 (296-0451)

VOICE EDITOR

Judy Frank, P.O. Box 1121, Elkins, WV 26241 (636-1622)

Toward

Continued from page 1

tionality which has already been developed elsewhere.

For those concerned with the role of state taxation and production of mineral resources, however, the decision announced a new era.

In 1975, in the aftermath of the Arab oil embargo, Montana increased its severance tax on coal. The tax is levied at varying rates depending on the value, energy content and method of extraction, and may equal a maximum of 30 per cent of the "contract sales price." Coal that used to be taxed at 34 cents per ton is now taxed at from \$2.96 to \$4.63 per ton. In addition, an amendment to the Montana constitution now places at least 50 per cent of the revenue generated by the tax into a permanent trust fund, the principal of which may be appropriated only by a vote of three-fourths of the members of the state legislature. By comparison, the business and occupation tax and additional severance tax on coal in West Virginia totals just under four per cent of production value.

The Montana severance tax system, including the trust fund provisions, recognizes both ultimate state control of natural resources found within its borders and the long-term detrimental effects of coal production. Supreme Court affirmation of the Montana tax signals that other states with significant natural resources can rightfully share the riches produced when minerals are extracted and enjoyed by the entire nation.

Viewed from a different perspective, the Montana tax demands that those who enjoy mineral resources share in the more subtle costs of extraction beyond the traditional payments to laborers, producers and mineral owners.

What does the Montana decision mean for West Virginia? At the time this article was written, Mountain State voters were considering a \$750 million road bond amendment. If passed, the amendment would allow the state to sell up to \$750 million in bonds to finance road and bridge construction over the next decade. Unfortunately, the bond levy is only needed because West Virginia politicians and voters refuse to tax themselves in accordance with their needs.

The roads are badly needed, but the realistic political view is that a bond amendment — which hides the taxation somewhere in the future — is the only avenue open. A "pay as you go" option isn't politically feasible. The penalty, of course, is unneeded interest payments to bond investors.

Road construction is but one area of state government service that could be discussed. When compared with sister states to the East and North, West Virginia is sadly deficient in elementary and secondary educational facilities, health services, environmental enforcement and many other services. A more realistic tax

"The Highlands VOICE" (ISSN 0161-9896) is published monthly by the W. Va. Highlands Conservancy, P.O. Box, Fairmont, WV 26554. Distribution is to Conservancy members. Main editorial offices are located at No. 7 Kerens Hill, Elkins, WV 26241. A re-entry permit to mail at second-class postage rates is pending at Elkins, WV. Main entry is at Fairmont, WV. POSTMASTERS should address Forms 3579 to P.O. Box 506, Fairmont, WV 26554.

Don't Miss
 Aerial spray hearing Nov. 10
 Holly Grove deadline Nov. 13
 Scenic Highway hearings Nov. 17, 18

assessment of coal production and other natural resource industries could help solve many of these problems. A Montana-type trust fund would assure protection of future generations for the latent damages of energy resource production. Because of new developments in recovery technology and a changing market, natural gas and oil leasing is enjoying a renaissance in West Virginia. While actual coal production is growing slowly, expectations of heavy growth in domestic usage and new facilities for development of a larger export market have spurred heavy investment in coal lands as well. It is rumored that the attraction of high returns on investment has enticed "organized crime" to "launder" its money with West Virginia coal. Present and future generations of this state deserve a fair and constitutional share of the wealth to be earned from beneath the state's mountains and hills. The only question is: Will Mountain State politicians and their constituents enact a fair tax system?

MOVING?
ATTACH OLD LABEL HERE

New Address: _____

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

Join

THE W. VA. HIGHLANDS CONSERVANCY

Description of membership categories.
 Individual membership:
 Regular—\$10 from the rank and file who can give time and interest to the conservancy.
 Associate—\$20 from those who can afford a small extra gift in addition to their interest in West Virginia's outdoors.
 Sustaining—\$50 from those able and willing to give larger amounts necessary to underwrite our programs.
 Senior—\$8 from conservationists over 65 years of age.

Organizational membership:
 Regular—\$20 from a small organization anxious to help the Conservancy score conservation gains in the Mountain State.
 Associate—\$30 from a larger organization whose membership approves the efforts of the Conservancy.
 Sustaining—\$60 from a large national organization which appreciates the importance of a highlands area to the people of the eastern seaboard.

New Renewal

Name
 Address
 City State Zip
 Organization you represent(if any)

Membership category (see descriptions opposite)

Individual	Organizational
<input type="checkbox"/> \$10 Regular	<input type="checkbox"/> \$20 Regular
<input type="checkbox"/> \$20 Associate	<input type="checkbox"/> \$30 Associate
<input type="checkbox"/> \$50 Sustaining	<input type="checkbox"/> \$60 Sustaining
<input type="checkbox"/> \$ 8 Senior	

Brief statement of present position, interest, or activities in conservation activities (optional)

Make checks payable to The West Virginia Highlands Conservancy.

THE HIGHLANDS

Eyeing the Highlands' Transportation Needs

The U. S. Forest Service thinks the Highland Scenic Highway is a bad investment.

The benefits of extending the Highlands Scenic Highway north along the ridges of the Allegheny mountains "are not great enough to justify the estimated costs."

That's the conclusion reached by the U. S. Forest Service after an exhaustive environmental impact study, the results of which were announced in mid-October. The recommendation is contained in a draft EIS which will

be the subject of back-to-back hearings slated for Elkins on Tuesday, Nov. 17, and Marlinton on Wednesday, Nov. 18. Subsequently, public comments on the draft EIS will be accepted through Jan. 15, 1982, and a final recommendation will be issued thereafter.

The DEIS evaluates four alternative alignments for possible construction in addition to the preferred

alternative of not building 35-40-mile extension at all. The "build" alternatives include those across Cheat Mountain and the Shavers Fork, another across Cheat Mountain, another across Back Allegheny Mountain and a fourth across Shavers Fork. Land acquisition, recreation development and reclamation programs are described for each and evaluated in the analysis.

Mumme said that the environmental study recognizes a number of potential benefits from extending the highway as authorized by Congress in 1973, but these benefits "are not great enough to justify the estimated costs or identified unavoidable adverse impacts, particularly to bear and turkey habitat and to water quality during construction." Estimated costs for construction, land acquisition, recrea-

tion development and reclamation range from \$55,836,000 to \$60,053,000 for the various alternatives.

One of the major reasons for recommending the "no-build" alternative was the immense cost of the project. "It is most difficult," reads one section of the draft statement, "to justify the expenditure of \$55.8 to \$61.3 million for construction of a recreational highway which would contribute little to local or regional transportation needs."

The present study was begun late in 1979 under a contract with the engineering consulting firm of Gannett Fleming Corddry and Carpenter of Harrisburg, Pa. The Forest Service officer who coordinated the study in Elkins was Harry Mahoney.

Copies of a summary of the impact statement are available from Mumme at P.O. Box 1548 in Elkins, WV 26241. In addition, the complete draft statement is available for review in libraries in Richwood, Marlinton, Green Bank and Elkins, as well as W. Va. University. A limited number of copies are available for distribution to individuals or groups having a need for the full document, Mumme noted.

CHARLESTON

Unflubbing It at the HD

A Conservancy vice-president is chided for his abrasive approach, his assertions debunked.

EDITOR'S NOTE: The following article was penned in response to another article by Perry Bryant which appeared in the October, 1981 issue of the VOICE. The author is a former board member of the Conservancy — and is currently employed as an engineer with the solid waste division of the W. Va. Department of Health. The article is printed as submitted with minor editing.

By RANDY C. CURTIS

... Much of Mr. Bryant's article, which was reported with the same sensationalism as the Watergate coverup, deals with the state solid waste plan.

I personally was involved very little with the preparation of this plan and will therefore not comment at length on it. Admittedly some mistakes were made, as this was the first attempt by the state to prepare such a document. However, due to staffing restrictions, only one person was available to prepare the plan while also performing many other duties.

The EPA did not, as Mr. Bryant states, decide they would contract the task of developing the state's plan to a consulting firm. They merely suggested this option and the state made the decision to utilize the consultant since there would be no cost to the state. What Mr. Bryant refers to as "butchery" of the consultants' plan was actually an attempt to interject reality into the plan. It was felt that the Health Department's approach, based on several years' experience in solid waste regulation, was in some instances as sound as that of an out-of-state consultant far removed from the situation. Although the consultant may write the plan, the state will be responsible for its implementation. Therefore, the state must feel reasonably sure that the plan is workable, taking into account past and present disposal practices, the political climate and an array of other factors. ...

The Symptoms and the Cause

Solid waste management in West Virginia is often a hit and miss proposition. A lack of funding for disposal facilities and for regulatory agency staffing, public apathy, the low priority assigned to solid waste problems by many public officials, and weak law enforcement are some of the problems faced. Solid waste regulatory efforts have been aimed more toward providing technical assistance rather than strong enforcement. Strong enforcement has not worked in the past nor will it work now considering the

permissive nature of our solid waste laws. To many, the terms "litter control" and "solid waste management" are synonymous. We have spent millions on picking up litter and practically nothing on providing disposal sites. It appears that the symptoms of the problems are receiving more attention than the cause.

The solid waste division consists of three employees including a secretary in the central office and five field inspectors. The division inspects organized disposal sites and promiscuous dumps, evaluates potential disposal sites, reviews engineering designs, issues permits, provides technical assistance, investigates complaints (which are numerous), and compiles statistical data. In the past two years, we have inventoried 55 disposal sites for the RCRA 4004 Inventory Process and have issued compliance schedules for most of these sites. Several sites have been upgraded or closed because of this inventory. The division is also involved in sewage sludge disposal. This activity alone could justify a full-time employee. The Hazardous Waste Act passed by the state legislature during the past session makes the state health department responsible for the disposal of infectious wastes.

Frustration and Black Hats

With so many tasks and so few employees, there is a constant backlog of work and it is never possible to be on top of things. I did not know the meaning of the word frustration until taking this position. Mr. Bryant speaks quite highly of the state solid waste authority. I will say with no hesitation that Mr. Colvin and his staff are a group of professionals with whom we enjoy working. The authority was created due to a several-year effort by the state health department. It is hoped that the authority will eventually realize its full potential and will be able to fulfill the role for which it was intended. The solid waste authority has no regulatory power and acts to assist in the area of facility planning. We of the solid waste division, in turn, are accustomed to wearing the black hats due to our regulatory role.

Mr. Bryant also referred to an (October) resource recovery conference ... (EDITOR'S NOTE: The paragraphs concerning the resource recovery conference were not Bryant's but were added as an appendix.) Let me point out that while we encourage resource recovery, it has to this point not made a significant dent in the volume of material which

must be disposed of. Practically all large-scale resource recovery projects across the country have failed. If there is a way to make money in resource recovery, private enterprise will find it. Although these are the realities of resource recovery, we wholeheartedly support resource recovery and the ... conference.

Criticism is an abundant resource. Some public and private groups are quick to criticize but are mum when support is needed for facility funding, staffing and needed legislation. The roots of the solid waste management problem in West Virginia run deep. It would behoove anyone criticizing current approaches to research the "colorful" history of solid waste management (or mismanagement) in the state. Too often, those who criticize offer nothing in the way of alternative methods or approaches.

A vast number of people in this state and in this country feel that it is their God-given right to dispose of their refuse in any way they see fit without any interference from anyone. We are essentially trying to change a way of life for many people. In view of this

situation, our job is challenging to say the least.

An Invitation to Ride Shotgun

Mr. Bryant, I invite you to spend some time in our office and to ride shotgun with our inspectors to see first-hand some of the problems we face and the functions we perform. ... I take total exception to any suggestion that the solid waste division of the state health department is unable or unwilling to perform its duties. The fact that one draws fire in the performance of his duties does not indicate ineptness. We are engaged in an area in which controversy is to be expected.

I do not have all the answers to our solid waste problems, Mr. Bryant. Perhaps through your participation in the solid waste advisory group you can help us find those answers. We would much rather have you working with us than writing negative, abrasive articles which tend to hamper the efforts of all those involved in solid waste management and regulation.

SHAVERS FORK

Forging Forward

Enviro gets slapped for pollution, picks up another permit and heads for a fifth of six.

A Randolph County coal mining firm was assessed \$6,500 in fines during October for polluting the Shavers Fork of the Cheat River — and was promptly issued another water pollution control permit and announced it will seek another.

The firm, Enviro-Energy Inc., entered pleas of "nolo contendere" to five of seven water pollution charges. Four of the fines were set at \$1,000 following weeks of negotiation between the state and the company, while the another — for "willful and negligent" pollution — was the minimum allowable under the law, \$2,500.

Upon issuing a permit for another mine, state officials said that "because of Shavers Fork's sensitive nature and importance to the state, the permit is being issued after a thorough review of the application and related data." Dave Robinson, chief of the DNR's division of water resources, noted that no adverse public comments were received during the permit's public notice period.

The permit, he said, places stringent effluent limits on iron, aluminum and manganese and imposes strict monitoring and other special requirements on the company.

It is the fourth mine permitted in keeping with an agreement that DNR director Dave Callagahn and the Mower Lumber Company, Enviro's parent firm, signed in October of 1979.

The agreement limits the number of active mines located on Shavers Fork within the Monongahela National Forest to no more than six at a time. Permits for the first three mines were issued in May of 1980. In addition to regular inspections by the DNR's division of water resources, a full-time reclamation inspector is working on the Fork as well.

That reclamation inspector, Etzel Pugh, suggested that, because of the charges which have already been brought that Enviro will "keep an eye on things more closely ... It is possible," he asserted, for the firm "to operate within the law" and still conduct its mining operations on the fork.

Acid

(Continued from page 1)

vive for a week.

Pure trout streams are particularly affected because they have little alkalinity to neutralize this acid. Over one-quarter of West Virginia's trout streams are known to be chemically very pure and hence threatened.

Of the half of the 50 inches of rain and snow that does enter the soil, the acidity is about half-neutralized before entering stream channels. Such a demand for soil neutralization robs the soil of alkalinity and nutrients. These already-pure streams with few nutrients become unable to support trout — leaving an impoverished soil, and the loss of perhaps one-quarter of West Virginia's trout streams for hundreds of years.

The committee chairman is Don Gasper, a fish biologist for the W. Va. Department of Natural Resources who has been working with the state's trout streams and water quality for over 25 years. He is on the Northeastern Section of the American Fishery Society's acid rain symposium committee, and a member of the W. Va. Highlands Conservancy since it started. Serving as a member of the committee is Perry Bryant, the Conservancy's Charleston vice-president and a member of the staff of the W. Va. Citizens Action Group. He is primarily responsible for the addition of "acid rain" to the West Virginia-EPA state-federal coordination agreements. Also a member of the committee is Frank Akers. Formerly of Michigan and currently a member of Trout Unlimited, he has informed himself about this threat to fishing. Anyone else, particularly with a special skill who is able to help, should contact the chairman at 924-6211. The committee plans no meetings, but a monthly report will be published in the VOICE.

The cause of most of this acid is sulfur in the air. The committee urges all to write their legislators in Washington asking that the Clean Air Act be strengthened — not weakened.

AT THE RIVERS' EDGES A Closer Look

Two states' volunteer programs are combined in the first of a series of unique workshops.

By RICK WEBB

The subject of the day — acid mine drainage and the devastation of native, brook trout streams — attracted 30 people who traveled from across northern West Virginia to attend a Mountain Stream Monitors' volunteer stream monitoring workshop. They became thoroughly immersed in their subject.

The workshop was conducted Saturday, Oct. 10, in the acid mine drainage problem area south of Buckhannon in Upshur County, between the Buckhannon and Middle Fork rivers. This is the Kittanning coal surface-mining area of the D.L.M. Coal Company and the massive, Tenmile complex of Occidental Petroleum's Island Creek Coal Company. It is also the focus of a petition recently filed by the W. Va. Rivers Coalition with the state's reclamation commission calling for a moratorium on additional surface mine permits until the reclamation methods used in the area are proven successful. (See the October, 1981 issue of the VOICE as well as the related articles on these pages.)

The day's activities included indoor instruction at the Upshur County Conservation Club building in Queens, as well as monitoring expeditions to a number of affected and un-affected trout streams in the area.

The workshop combined the water chemistry monitoring approach of the MSM Project with the aquatic-life monitoring technique of the Izaak Walton League's "Save Our Streams" program.

Richard Klein of the "Save Our Streams" of Maryland was on hand to provide instruction in the sampling and identification of stream bottom-life as a means of assessing stream quality. Rick Webb, Cindy Rank and Tim Higgins of the MSM Project demonstrated simple chemical tests for measuring water quality.

The participants, who gave their time and energy to act on their concern for environmental protection, ranged broadly in their professions, from coal mining to housekeeping to the merchant marines. The long, information-packed day included a home-cooked meal as well.

It was a promising step forward in the MSM's approach to local environmental stewardship. It marked the first in a series of workshops to be conducted in this and other pollution problem areas around the state by the MSM Project during the coming year.

Persons who wish to be notified when these additional workshops are scheduled should write to the MSM Project at P.O. Box 1853 in Elkins, WV 26241. Participants in these workshops will be encouraged to plan similar workshops in their own communities.

Lou Smith separate stream-bottom invertebrates (benthic life) from debris in a kick seine sample. Collections from the different stream sites visited were brought back to the Upshur County Conservation Club building for identification and a course in stream quality assessment. The streams receiving mine drainage had markedly less diversity and population of aquatic life than the unpolluted streams. (Photo by Deana Smith)



Richard Klein, coordinator of "Save Our Streams" of Maryland, explains biological sampling to MSM workshop participants. The group gathered on Jackson Fork, a native trout stream in central West Virginia's acid mine drainage problem area, prior to breaking into groups for monitoring trips to several other nearby streams. (Photo by Glenn Davis)



Mechas Cortes, Jeanne O'Halloraen, Frank Podkrash, and Jim Van Gundy use a kick seine to collect stream-bottom life on Panther Fork. Rocks are scrubbed and the stream bottom is agitated in a nine-foot-square area to dislodge invertebrates such as and other larvae with quality indicators. (Photo by Glenn Davis)

ATOP THE KITTANNING

Slowdown

New mines are halted in one of the state's fastest-growing areas while an environmental petition is studied.

A petition by the W. Va. Rivers Coalition seeking a halt to mining in most of Upshur County as well as some sections of Randolph and Barbour counties has been accepted as a valid petition, according to David Callaghan, chief of the W. Va. Department of Natural Resources and a member of the state's reclamation commission which must review the petition's allegations.

Callaghan described the petition as currently "under administrative review ... to determine whether the allegations" contained in the petition are true or false.

He said the law requires that a public hearing on the petition be held within ten months and a decision be rendered within a year. He indicated that the state could meet those deadlines. "No problem," he commented.

The petition — comparable to one which unsuccessfully sought to halt mining on the Shavers Fork of the Cheat River in Randolph County — proposes that virtually all of the Buckhannon and Middle Fork rivers' watersheds from their headwaters in Randolph County to their confluence with the Tygart River be declared off-limits to mining until non-polluting mining techniques can be developed. Callaghan himself has indicated he will grant no more permits to firms mining the area until such techniques are developed, and the information which led him to reach that decision form much of the basis for the Rivers Coalition's petition.

The area, a total of 151 square miles, includes what had been projected by coal companies operating in the area to become the strip mine capital of the eastern United States.

A spokesman for the environmental group which filed the petition, Rick Webb, noted that the intent is not to

halt mining. Rather, he termed it a call "for a higher level of responsibility in resource management than is now prevailing ... It is our contention that while mine reclamation in West Virginia has advanced in recent years, and coal can be mined in many areas without serious problems, there are places and conditions where coal cannot, at this time, given the currently available technology, be mined without serious, and irreversible, environmental degradation."

Copies of the petition are available from Mountain Stream Monitors at 1324 Va. St. E., Charleston, WV 25301. The cost is five dollars for the basic petition, \$15 with all the appendices. The fee covers the basic cost of reproduction.

A Closer Look

In the meantime, Callaghan also acted to name an acid mine drainage task force to resolve the problem of acid water production associated with coal mining in the area and other seams in northern West Virginia.

He dubbed the task force "the beginning of a major new effort" which will involve cooperative work with an acid drainage task force formed two years ago. That task force produced the current state-of-the-art technology for dealing with acid-producing coal seams — a technology which Callaghan said has worked in most places in the state.

The new team will be composed of representatives of the state DNR, the academic community and the coal industry and will be co-chaired by Dr. Frank Carruccio of the University of South Carolina as well as Dr. John Sencindiver of W. Va. University.

Dr. Sencindiver was one of the major developers of the current state-of-the-art technology which — at least as alleged in the area outlined by the W.

Va. River's Coalition's petition — has not been working. Dr. Carruccio and an associate — also a member of the committee — produced what has come to be called the "Cargeid report" for the Holly Grove mine in southeastern Upshur County. That report was an assessment contracted by the U. S. Environmental Protection Agency and which asserted that mining at Holly Grove could not be expected to proceed without the production of acid mine drainage over an extended period.

Other members of the committee include Dr. Jack Renton of W. Va. University; Hans Naumann, manager of engineering services for the Island Creek Coal Company, the major coal developer in the area; Dr. Robert Kleinmann of the U. S. Bureau of Mines; Charles Miller of the Grafton Coal Company (formerly of the Holly Grove Coal Company); and Dr. Gwendelyn Geidel of the University of South Carolina — Dr. Carruccio's associate for the preparation of the "Cargeid report."

The committee, Callaghan said, is expected to recommend "innovative reclamation methods to be incorporated in mining and reclamation plans."

A Novel Approach

While the committee was preparing to do their work, DLM Coal Company out in the fields of Upshur County began launching their own "innovative" effort.

There, according to Callaghan, the company is spreading thick layers of plastic over acre after acre of their operations.

"It's very novel — even radical — in its approach," commented Callaghan following a visit to the site. He also noted it was "very, very expensive" in that it involves the use of 20-mil plastic — "very, very thick," he said, "with a long life expectancy."

Callaghan said the coal company developed the experimental technique on its own.



A monitoring group performs chemical and biological testing and records data on acid-impacted Panther Fork. Before stripping began in the early 1970's, a thriving population of native brook trout existed along the full length of Panther Fork. Good water quality, which still exists above the acid source, becomes toxic to fish and other aquatic life when the acid enters. (Photo by Glenn Davis)



A kick seine sample from Jenks Fork is studied by Terry White, Lou Smith and Cindy Rank. Jenks Fork, which receives no acid mine drainage, has good water quality and aquatic life populations. However, like other unpolluted trout streams in this strip mine expansion area, Jenks Fork has essentially no capacity to buffer any acid it may receive in the future. (Photo by Deana Smith)



mayfly, caddis serve as water althy streams y and popula- ms. (Photo by

BRAXTON COUNTY

Battle at Little Birch

The state's water resources board agrees to hear an appeal from Rick Webb.

Members of the state water resources board have continued an Oct. 21 hearing on an appeal of a water

discharge permit issued to Brooks Run Coal Company for one of its mines in the Braxton County area.

The hearing is to be resumed Nov. 10 in Charleston.

The appeal was made by Little Birch resident Rick Webb who said he felt that the mine would threaten recreational use of the nearby Little Birch River, as well as endanger groundwater supplies under his 150-acre farm on Crites Mountain. A request that mining be halted until a decision on the hearing of the appeal was forthcoming was denied.

Brooks Run attorneys had contended that the board should dismiss Webb's appeal entirely, on the grounds that the permit issuance would not adversely affect him.

Central to the dispute was the question of whether the mine would be under Webb's property, and Brooks Run attorney Greg Gorrell said plans for its 8-A Mine had been altered specifically to avoid mining in that area.

The coal company had submitted two maps — one showing that mining would occur under Webb's farm and the other that it would not. Brooks Run lawyers said that the second map showed only general mining plans for the company's 22,000 acres of coal property and that the 8-A plan is one of several now being developed by the firm.

Holly Grove

Continued from page 1

step in the development of one of the last, untapped, strippable coal lodes in West Virginia.

At the hearing, a lot of people had a lot of trouble with what the EPA had done, was doing and planned to do. The list of those who objected to EPA's actions ranged from Consol itself (they complained the agency was too slow, its work "poorly done" and its conclusions and proposals improper and illegal) to the less restrained comments of L. L. Moss, a one-time sawmill operator who blasted the agency and its "pompous, bureaucratic and Hippocratic (sic)" staff for zeroing in on "picayune" issues and producing a "valueless and meaningless" document.

the proposed post-reclamation plan, "is a false guarantee" of long-term preservation of the Little Kanawha River, a stream with its headwaters branching around the mine site at Canaan. She asserted — and the EPA agreed — that the best available technology for handling strip mining overburden cannot guarantee protection of the watershed. She also calculated that the total coal which would be mine at the site represents just 33 days' production from West Virginia's total reserves of 300 years — such a minimal amount, she said, that it was not worth the risk involved in mining it.

She was loudly booed for that assertion. Similar attacks on the agency's conclusions were made time after time throughout the evening until everybody had spoken.

Among the most critical of the comments of the evening, however, came first: from Katherine Gregg, chairwoman of the EPA-sponsored "public participation committee" which was charged with the task of monitoring EPA's progress.

Composed of mining and timber interests, the Buckhannon business community, the rural community at Rock Cave and the environmentalists — all of them, together, unanimously agreed that the EPA's conclusions must have been based on information which has not been made public. They also charged the agency with withholding information from them.

"The Committee," the comments read, "is unanimous ... (that) ... the draft recommendations do not appear consistent with the information contained in the document. That is, the DEIS does not appear internally consistent. It appears as if EPA considered information other than that contained in the DEIS."

The broad-based public participation committee was set up to "encourage and assist participation by citizens" and to "foster a spirit of openness and mutual trust among EPA ... and the public," according to EPA's own guidelines. It is precisely that, the committee charged, which the EPA has failed to do:

"As a Committee we feel that (the agency has) fostered, instead of mutual trust, the erosion of public confidence in this EIS." Some of the information which the committee said it required was "formally denied us and other items were delayed in reaching us to the point that they had lost their value to us."

In all, more than 30 people spoke during the hearing, in addition to the EPA administrators. Pence, the meeting's moderator, said the record would remain open for written comments until Oct. 26. Subsequently, that date was extended to Nov. 13.

He also pointed out that whatever EPA finally determined could be appealed: first to an administrative law judge, later into the nation's court system. EPA officials in the past have noted that the earliest actual mining might begin at the site — even without appeals by either side — would be the late spring or early summer of 1982. Appeals, however, could extend that time frame by a year or more.

Moss' comments were greeted with cheers from a majority of the audience egged on by a smaller contingent of hardhat-wearing coal miners who heckled most of the "environmentalists" as they spoke.

Present for the meeting in addition to the 300-odd in the audience were George Pence, chief of the environmental impacts branch of the EPA's regional headquarters in Philadelphia; Ray George, the W. Va. state coordinator for EPA; and Richard Pepino, the project monitor for the process which led to the production of the environmental impact statement which was the subject of the five-hour-long meeting.

What EPA is proposing, according to Pepino, is that Holly Grove be allowed to mine — but be required to treat the acid mine drainage which the agency believes is certain to result. What EPA suggests is that Holly Grove put up bond money to insure that if acid mine drainage develops within 30 years of the time that mining has ceased, there will be money available to pay for its treatment. Otherwise, the impact statement asserts, any acid mine drainage which the project produces would have a severe impact on the Little Kanawha River, a high-quality stream with little or no capacity to protect itself.

The response to that proposal was universally negative.

The coal company is contending, according to its chief spokesman Roger Stephens, a vice-president of the La Rosa Fuel Company, that the information used to reach the conclusion that the current technology available to prevent acid mine drainage will not work is flawed; that the agency has no power to require Holly Grove to impose a 30-year reclamation plan as part of a permit to mine; and that the agency is improperly proposing the use of guidelines which are not now in force.

Conversely, some people who have studied the situation closely believe that EPA has "no justification for granting the permit at all." Mary Pat Peck Cronin, a Buckhannon housewife who served on the EPA-sponsored "public participation committee" for over a year, charged that the agency ignored much of the evidence which it developed during its year-long study.

"The bond," she said, referring to

Wild

(Continued from page 1)

terstate shipment of game which had been taken in violation of state game laws. This act (dubbed the Lacy Act after its sponsor) not only resulted in the termination of market hunting, but also acted as the catalyst for the passage of specific legislative measures at the state level such as the institution of bag limits and seasons; the requirement for resident and non-resident licenses; and the formation of state wildlife law enforcement agencies. In addition to these and other statutory accomplishments, the science of wildlife management had its beginning in the 1930's.

The revenue generated from hunting license sales was initially used as pay for game wardens. Eventually, this money was also used to fund professionally-trained wildlife biologists. However, it soon became apparent that license revenues alone did not provide sufficient funding for professionally-administered wildlife agencies. This new funding dilemma was remedied to a great extent by passage of additional federal legislation. The Pittman-Robertson Aid in Wildlife Restoration Act of 1937 and the Dinglell-Johnson Aid in Sport Fish Restoration Act of 1950 (commonly referred to as P-R and D-J) required a ten percent manufacturer's excise tax on sporting arms, ammunition, and fishing tackle. P-R and D-J monies are apportioned annually to the states by the Department of the Interior. To this day, license sales and P-R and D-J monies remain as the primary and secondary sources of revenue for state wildlife agencies.

It is evident that sportsmen have been the major supporters of wildlife management which has been concerned almost exclusively with game species. Nongame species had historically been given little or no consideration by state agencies primarily because of a lack of funding, but also because of limited interest and knowledge concerning nongame. However, as the '60's and '70's afforded people more leisure time, the general public became increasingly aware and appreciative of all wildlife species. That awareness was fostered by the inception of many conservation organizations and the passage of endangered species legislation. Additionally, state wildlife agencies began to incorporate specific nongame needs into their planning procedures when funding was available. The ensuing years produced innovative measures to secure funding for nongame programs whereupon today some 30 states are actively engaged in some type of nongame activity.

The various methods employed to generate funding for programs have included the use of general funds from the state treasury; an increased sales tax; sale of personalized auto tags,

T-shirts, wildlife stamps, shoulder patches and bumper stickers; direct voluntary contributions, and voluntary tax refund contributions by state taxpayers. The most successful funding scheme has utilized voluntary tax refund contributions through state income tax forms. This was first employed in 1977 by the Colorado Division of Wildlife. Currently, 14 states, including West Virginia utilize some variation of Colorado's funding method.

We expect that most West Virginians will learn of our new nongame program when they notice the new additions to their 1981 state income tax forms. Lines six of the short form and 46(b) of the long form will provide spaces for an individual to contribute one, five, ten or more dollars from their refund to the nongame wildlife fund. Any amount contributed will reduce the refund accordingly. In addition to these "tax check-off" monies, the nongame wildlife fund has been set up to accept direct contributions made by interested citizens and organizations. Therefore, those individuals who do not receive a tax refund but would like to contribute, or those individuals who may want to contribute more than their refund, may do so by mailing a check or money order (no cash) directly to the Wildlife Resources Division at Room 812, 1800 Washington Street East in Charleston, WV 25305. Please be certain that your remittance is payable to the "W. Va. Department of Natural Resources," and indicate clearly that it is for deposit in the nongame wildlife fund. Both tax refund and direct contributions will be considered as "charitable contributions" for those individuals who itemize deductions the following year.

The basic philosophy behind this voluntary type of funding mechanism is that the user should pay for the management and preservation of the resource. This is really quite similar to the previously discussed funding strategy of game departments where sportsmen pay for game management. However, a nongame management program will benefit all West Virginians — not just the birdwatchers, campers, nature photographers and others. For example, sportsmen fundamentally appreciate nongame wildlife and all its inherent values, and are expected to contribute readily to the nongame fund.

Candidate nongame projects have been proposed since April, and the list of potential projects is quite extensive. However, certain activities are basic components of the new nongame program. Of primary importance will be the collection of status, distribution and life history information for each of the state's nongame species. A comparatively small amount of this

type of data is currently available, and most of that is scattered throughout the files and libraries of the state's colleges and universities. These data must be consolidated in order that successful nongame management techniques may be developed, and nongame needs incorporated into our game management plans. Biologists agree that game management benefits some nongame species — and vice versa. However, we do not know for certain how most of our nongame species react to the various game management techniques. We can now begin to acquire this type of information through our new nongame program.

Another basic component of the nongame program will be an increased effort to educate the state's citizens about West Virginia's wildlife resources. There are still many individuals who do not understand the important roles that hawks, snakes and even mice play in the maintenance of a healthy ecosystem. The nongame unit will be developing various educational materials designed to promote appreciation and understanding of all of our wildlife species. These materials will be available to public schools and the general public.

The development of wildlife management plans in urban areas and for private landowners will be another important aspect of the nongame program. The program will provide technical assistance, planning guidelines and pertinent literature for city parks, backyards, farms and woodlots. For example, if an individual would like to manage his or her land to attract more wildlife, the nongame unit will be able to provide the necessary assistance.

Finally, the nongame program will allow for increased participation by the wildlife resources division in the research and management of the federally-designated threatened and endangered species which occur in West Virginia.

The nongame program is a brand new venture for the state's Department of Natural Resources. As with any new program, there are some inherent obstacles that need to be overcome. The biggest obstacle, of course, is our current lack of funding.

This will only be overcome with your help. We have the expertise and knowledge needed to lay the groundwork for a successful program, but without proper funding, this program will never get off the ground.

Ask yourself this question: "Would I like to be considered among the ranks of West Virginians willing to help preserve our unique wildlife heritage?"

If the answer is "Yes," then "Do Something Wild" — contribute to the nongame wildlife fund.

JACKSON'S MILL

Toward an Understanding of the Problems

Land lovers will meet to gird their loins for the coming years.

A weekend-long series of workshops on topics ranging from land deeds to oil and gas development will be featured at Jackson's Mill in Lewis County near Weston this month as the Third Appalachian Land Festival gets underway.

"Originating in 1978, the Festival is well on its way to becoming an annual event," according to its 1981 coordinator, Jenni Vincent.

Operating under the theme of "Kindling Redirection for Land's Sake," it has been slated for Nov. 13 through 15.

"To be solved," Vincent noted, "land-related problems must be clearly understood ... Dialogue and discussion are necessary on causes as well as cures, on individuals as well as corporations, on equitable economic growth as well as human stagnation. ... If we don't plan, past experience

has shown us who will." The workshops, all set for Saturday from 8:30 a.m. through 9 p.m. include:

- Land records and property taxes in which David Liden, co-author of the West Virginia portion of a study of Appalachian land ownership, will be the coordinator.
- Direct action, a workshop

which details how to organize to oppose undesirable developments in the local community. Panel discussions will include the Monongalia Alliance for Community Protection, West Virginians for a Non-Nuclear Future and the South Hills Community Organization.

- Low-cost housing, in which the Woodlands Institute Technology

Center and a panel of builders will present new building techniques, designs and local sources for materials. Other topics will include zoning, building and health regulations and financing problems.

- Legislative action, a workshop led by Perry Bryant who is a legislative coordinator for the W. Va. Citizens Action Group. He will discuss priorities for the upcoming legislative

session in the state.

- Dirty air and dirty land, a workshop led by John Heavener of the American Lung Association and a member of the newly-formed W. Va. Clean Air Coalition.

- Water, what price? a workshop to be coordinated by Rick Webb, founder of Mountain Stream Monitors and leader in the effort to protect the Buckhannon and nearby rivers in central West Virginia.

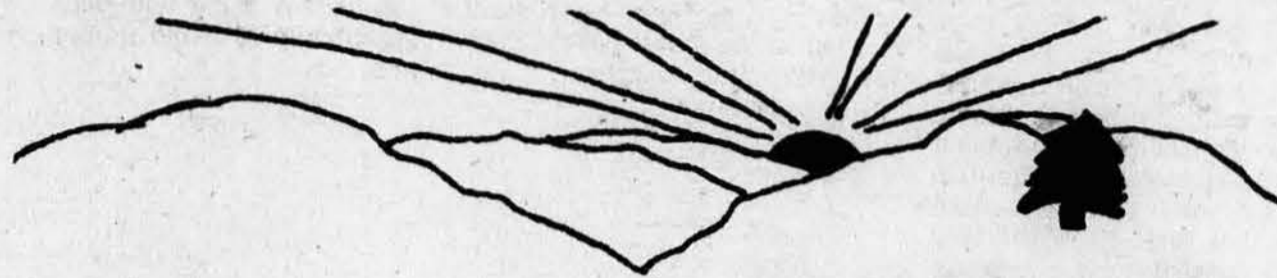
- Toxics, a workshop moderated by Citizens Against Toxic Sprays.

- Corporate responsibility, a workshop coordinated by the Coalition of American Electric Consumers, organizers in rate reform and corporate responsibility in the utility industry.

- Oil and gas development in which a "rich, mushrooming industry controlled by antiquated laws" will be discussed.

The early afternoon will be consumed in a review of what those who attend are doing in the field of land protection, a "group sharing" which will be followed by individual meetings among those with similar concerns.

The night will include a fund-raising auction to be supported by donated items from those who attend, while Sunday will include another hour's informal meetings.



APPALACHIAN LAND FESTIVAL

CHARLESTON

Protecting the Homefront

As federal pesticide controls are challenged, West Virginians angle for more controls over aerial herbicide spraying.

A public hearing to evaluate West Virginia's aerial herbicide spraying regulations is slated for 1 p.m. Tuesday, Nov. 10, in the J. P. Johnson conference room in the east wing of the state capitol. The hearing is expected to draw testimony from farmers, physicians, landowners, workers and homemakers as well as from power company and aviation company representatives.

W. Va. Department of Agriculture commissioner Gus Douglass called the hearing to consider the effect of his department's new regulations which were provisionally adopted this year following several years of citizen complaints.

The current regulations were designed to prevent repetition of past problems which often stemmed from spray drift, pilot error and lack of

prior notification. Since the regulations have been in effect, according to Bob Frame of the W. Va. Department of Agriculture's plant pest control division, the number of complaints has undergone "quite a reduction" as compared with the last few summers.

However, according to a spokeswoman for West Virginians Against Toxic Sprays, "people such as Don Sauter, a Morgantown dentist, plan to make the long trip to Charleston to reiterate their desire for strong controls on the spraying of rights-of-way. For many months, Sauter has been trying to enter into a landowner maintenance agreement with Monongahela Power Company, as provided for the state regulations. With such an agreement, he would be assured of not having his property sprayed, as long as he continued to

maintain a clear right of way under his power line." In addition, the spokeswoman noted, Sauter would be paid for his work at the going rate for aerial spraying, or about \$150 per acre of right-of-way every five or six years.

"Other individuals plan to attend the hearings because they feel that past incidents involving accidentally damaged crops, contaminated water, and the spraying of people could be repeated, if the regulations are weakened.

"The fact that the federal pesticide act (FIFRA) is currently up for grabs in Congress has intensified residents' anxiety over the fate of the state herbicide regulations," the CATS spokeswoman said.

More information regarding the hearing is available from Tracy Frisch at 636-8212 or Carol Sharlip and Steve White at 655-7233.

BOWDEN

Budget Battle

Federal cutbacks could send fishermen scrambling for their trout.

West Virginia's most important fish hatchery — the national fish hatchery at Bowden — would be permanently and almost immediately closed under a recommendation issued during October by the U. S. Department of the Interior's U. S. Fish and Wildlife Service. However, two of the most knowledgeable people in the fish business concur in their prediction that the closure of the facility will never really get off the ground.

If the hatchery were closed, however, it would be a "major setback to trout fishing in West Virginia." That comment came from the head of the state's fishery production, Don Phares of Elkins. He estimated that closure of the hatchery could cost the state up to half-a-million man days of recreational fishing.

In Washington, the executive director of the American Fisheries Society, Carl Sullivan — he is also the newest member of the state's Natural Resources Commission — said that two options are being proposed in lieu of closure: that the Mountain State lease the facility or buy it outright.

"Well," responded the deputy director of the W. Va. Department of Natural Resources, Dr. Will Hertig, "I can tell you we'd be interested in it for sure. Whether we could do it is something else again." Dr. Hertig also said that he thought it unlikely that the state could increase its trout production to make up the difference in production. "I really don't think we could do it," he said.

Back in Elkins, the chief of the state's fishery production even more

certain. "We don't even have the money to run it," said Don Phares flatly, let alone buy it.

The hatchery, which operates on an annual budget of \$230,000, employs six people full time, including its manager, Lloyd Strobeck. They are among a total of well over a hundred full time people employed in similar facilities across the nation.

"I felt it would probably be coming," Strobeck commented. He said his first inklings of the impending closure came early in October in a Fish and Wildlife Service interdepartmental memo which listed Bowden among 31 hatcheries across the nation slated for closure.

The Mountain State serves as home for three federal fish facilities, including one at White Sulphur Springs which produces only a few fish for the state — about two per cent of Bowden's production. Another hatchery at Leetown is basically a research facility and last year provided the state with just 900 pounds of fish, substantially less than one per cent of Bowden's production.

The Bowden hatchery was opened for production in 1960 with all 40 of its raceways in operation. Strobeck conceded that the closure of the hatchery would not eliminate any services which could not be provided by other facilities within the state. "West Virginia has an excellent trout hatchery program," Strobeck said — but he also noted that an attempt to "transfer" Bowden's production to the state "would be another added burden" which the state might not be able to handle.

PARSONS

Politics in the Trees

Keeping a state tree nursery open is expected to cause some belt-tightening in the DNR.

A tree nursery which had done such a good job at re-foresting the state that it out-lived its usefulness has been saved from oblivion — but not by a re-assessment of its value to the state's natural resources.

Instead, in a decision reached by W. Va. Gov. Jay Rockefeller, the Parsons tree nursery will be kept open to save the jobs of 31 people in Tucker County. The nursery's \$170,000 budget was rescued by a gubernatorial pronouncement in late September. The governor said that the nursery "is an important part of the economic well-being of Tucker County and the Parsons community ... closing the nursery would be a serious blow to the economy of Tucker County."

Commenting on the decision to keep the nursery open, the deputy director

of the W. Va. Department of Natural Resources, Dr. Willis Hertig, said he did not view the governor's reversal of the DNR's decision to close the facility as an "unwarranted infringement" although from "an economic standpoint we could do everything that's needed to be done" at the state's other tree nursery at Clemens near Lakin in the southwestern edge of the state.

Dr. Hertig admitted that the decision to keep the Parsons nursery open will cause some further belt-tightening in DNR's other operations. "We'll have to cut back," he predicted. "I can't see that we'll be able to operate both facilities at 100 per cent capacity. There'll have to be some cutbacks" at Clemens, he said, "and we'll have to take up some of the

slack from some of the other programs."

He did say, however, that he "can't see that it's going to have any detrimental impacts on any of the other programs" of the DNR.

Al Allison, chief of the DNR's forestry division, concurred. "It's a fact of life," he said, "that we can meet (the state's) demand with one nursery."

The DNR had drafted plans to close the nursery for economic reasons. In operation on an island in the middle of the Cheat River since 1928, the nursery has been responsible for the production of seedlings which have virtually re-forested the entire state. Until 1951, it was operated by the U. S. Forest Service. In that year, its operation was assumed by the state.

