

APPALACHIAN COLLECTION

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WASHINGTON

## Wilderness Watch

West Virginia University The chances for wilderness in West Virginia may be linked not only to energy development but to the political future of Robert Byrd as well.

Cleve Benedict of West Virginia's Second Congressional District said late last montht that there'll be "no the issue of wilderness in the Mountain State - despite the fact that the Reagan administration has left his figurately "out in the cold" by opposing his so-called Cranberry bill.

That bill, slated for Congressional hearings in early February, proposes wilderness status for the Cranberry backcountry as well as Laurel Fork North and Laurel Fork South.

All three areas - comprising some 50,000 acres of land in the West Virginia highlands - were among five "RARE II" roadless areas which were intended to be studied for their wilderness potential. All five were located with the Monongahela Na-tional Forest, but after the Monongahela staff hashed their way through an environmental impact red. statement, only three areas were recommended for full wilderness status: the Cranberry and the two Laurel Forks.

Subsequently, Benedict's staff noted, the congressman was able to devise a compromise among the many interests and produce a bill which was introduced in mid-December.

"Cleve put a lot of time in on that," the staffer said, working not only with the Chessie System which owns the minerals beneath the Cranberry, but also with the Department of the Interior as well as environmental

'We knew it would get picked apart," said the Benedict staffer, backtracking" by the congressman on referring to the bill. "But we felt it was one of the best compromises" that could be reached.

> Apparently just as the deals were being made final and the language of the wilderness bill drafted, U.S. Sens. James McClure and John Melcher sent a letter to their Senate colleagues in which they sought "your view on what ... wilderness designations might be appropriate for your state."

> An attachment indicated that the Reagan administration was inclined to reject the idea that wilderness status should be granted to Cranberry or either of the Laurel Fork areas. As noted in the McClure-Melcher com-

Also included, however, was an indication that the recommendations runs. had been "revised" by the Forest Ser-

and another series of public hearings pointed out that such a top-level regulatory authority for mines on na-

not only the Forest Service recom-

Among those issues, Churchill

Staffers for U. S. Congressman groups, particularly the W. Va. recommendation from the Reagan admendation but a wide variety of other believes, may be the apparently inleve Benedict of West Virginia's Se- Highlands Conservancy.

The description of the Reagan admendation but a wide variety of other believes, may be the apparently inministration would take into account issues as well.

The description of the recommendation from the Reagan admendation but a wide variety of other believes, may be the apparently inministration would take into account issues as well. (Please turn to page 6)

THE SHAVERS FORK

## One More Round

A Conservancy subcommittee plots its course

By BARDWELL MONTGOMERY **WVHC Shavers Fork Subcommittee** 

Enviro Energy has requested permits from the U. S. Office of Surface Mining for six deep mines on the Monongahela National Forest in the Shaver's Fork watershed. The permit applications include a portal above the mouth of Red Run, about 2,000 feet munique, the initial Forest Service from U. S. Rt. 250, the Glade Run recommendation was wilderness and mine above Forest Road 27 four miles the Carter administration had concur- from Gaudineer Tower and three mines on the main stem of Shaver's Fork between Crouch and Yokum

Although the permit applications are in the initial stages of review and Not so, said Monongahela staffer open to public comment, the mines in Gil Churchill. He said for such a question are already in operation or change in recommendation to occur, under construction, having received the current environmental impact state permits under an agreement statement would have to be revised with the Department of Natural Resources. The agreement would held. He said he believed that Melcher have limited Enviro to no more than and McClure were "betting" that non- six mines operating at once. However, wilderness would eventually be the the agreement expired this past sumdesignation recommended by the mer, and the Office of Surface Mining Rengan administration. Churchil! (OSM) is presently the principal

tional forest land. Denial of federal permits could lead to a shut-down of of environmental impacts of the 25 or present operations.

OSM conducted an extensive study (Please turn to page 6)

PRESTON COUNTY Strip Mines and Sludge

A Conservancy vice-president hopes for a turning point in solid waste regulation.

By PERRY BRYANT

Modern Earthline, after receiving Philadelphia's sewage treatment plants on surface mines in Preston County.

The Baltimore sludge is considered in the country, containing high concentrations of heavy metals, organic chemicals, and PCBs - some of the this sludge is a good question? most toxic and persistent chemicals hibited the manufacturing of any additional PCBs in 1976, and the proper

disposal of existing PCBs has been one of the biggest headaches faced by thumbs down on a similar proposal in the U.S. Environmental Protection Maryland, is proposing to dump Agency. To date, EPA has authorized sludge from Baltimore's and only a handful of landfills around the country to dispose of PCBs.

PCB-laden sludges are, however, exempt from hazardous waste disposal regulations established by by some experts to be the most toxic both EPA and the W. Va. Department of Natural Resources.

Who will regulate the disposal of

The Preston County Commission known to man. In fact, Congress pro- has taken the position that they can't stop the proposal. The state's health

(Please turn to page 7)

West Virginia Highlands Conservancy **Mid-Winter Workshop** 

> Jackson's Mill 4-H Camp Weston, W. Va.

FRIDAY, Jan. 15, 1982

7:30 p.m. - Informal socializing for early arrivals.

**SATURDAY**, Jan. 16, 1981

9:30 a.m. - Registration, Jackson Lodge.

10 a.m. -- Address: DAVID C. CALLAGHAN, Director, W. Va. Dept. of Natural Resources.

11 a.m. -- Question and answer session.

12 noon -- Lunch.

.. 1:30 p.m. -- Workshop: "Working with the State Legislature," led by Perry Bryant, WVHC vice president and environmental coordinator, WV-CAG.

3:30 p.m. -- Annual meeting of West Virginia Highlands Conservancy (Election of board of directors, annual reports, etc.)

4:30 p.m. -- Optional time: committee meetings, recreation, relaxation,

6 p.m. - Dinner.

7:30 p.m. -- Photography display: "Teons, Alaska, and More" by Sayre and Jean Rodman.

bring musical instruments, 9 p.m. -- Informal socializing: refreshments, etc.

SUNDAY, Jan. 17, 1981

8:15 a.m. - Board of directors meeting, everyone welcome.

12:15 p.m. -- Lunch.

## JACKSON'S MILL

# Conservancy Convention

The mid-winter workshop and an election are slated.

W.Va. Department of Natural is scheduled to follow Callaghan's (Phone 1-304-269-5100). Resources, will be the featured talk. speaker at the Highlands Conservan-Jan. 15-17 at Jacksons Mill.

Callaghan will speak at 10 a.m. Saturday, Jan. 16 and is expected to cern to the environmental community Legislature." including mining, water pollution, acid rain, and budget and regulatory changes.

ed an interest - include the legislative session. Monongahela National Forest, and other parts of the highlands.

During the afternoon session that cy's annual mid-winter workshop, same day, Conservancy vice presi-Jan. 15-17 at Jacksons Mill. dent and West Virginia Citizen Action Group environmental coordinator Perry Bryant will lead a workshop enaddress a wide range of issues of con-titled "Working With the State

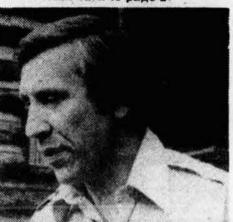
Bryant has been an active public interest lobbyist in Charleston for several years, and will share some of Areas of West Virginia where these what he has learned during that time policies are implemented - and with Conservancy members in anwhere the Conservancy has maintain-ticipation of the upcoming 1982

All sessions -- including the board of Shavers Fork, the headwaters area of directors meeting - are open to all the Little Kanawha, Tygart and members and visitors. Reservations Buckhannon Rivers, Canaan Valley, for overnight accomodations should be made directly with Jacksons Mill

David C. Callaghan, director of the A lively question and answer period State 4-H Camp, Weston, W.Va.

Nominations for five, two-year director-at-large seats on the board of

(Please turn to page 2)



Dave Callaghan

#### **BOARD OF DIRECTORS**

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tington, WV 25705

25231 (343-3175)

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#### VOICE EDITOR

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

## Convention

(Continued from page 1)

the W. Va. Highlands Conservancy must be submitted no later than Friday, Jan. 15, according to Larry George, chairman of the Conservancy's nominating committee. Each of the terms beging in January and expire in January of 1984.

Nominations may be submitted by both individual and organizational members of the Conservancy, George noted. The deadline coincides with the opending of the Conservancy's midwinter workshop.

Members may nominate up to five individuals, including themselves, and must determine and indicate that they are willing to serve as a director-at-large. All nominees must presently be Conservancy members or submit a membership application prior to the certification of candidates by the nominating committee on Jan. 15. George noted.

The election will be held during the Conservancy's annual meeting on Saturday, Jan. 16, 1982 at Jackson's Mill 4-H Camp in Weston.

The annual meeting will be conducted as part of the Conservancy's mid-winter workshop.

All individual and organizational members may participate in the election by casting one vote for each candidate (approval system voting), with the five candidates receiving the largest number of votes being elected. Ties will be broken by lot.

No individual may vote twice for one candidate, ie., vote on behalf of both himself and an organizational member.

Nominations should be mailed to: Larry W. George, Chairman WVHC Nominating Committee 9 Crestridge Drive Huntington, W.Va. 25705 1-304-736-1325

## Purbaugh Nominated

Nominated for a slot on the board of directors has been W. Va. Legal Services attorney John Purbaugh. Nominated by the Conservancy's Charleston vice-president. Perry Bryant, Purbaugh writes:

"I live near Kenna in Jackson County and work as a lawyer for the W. Va. Legal Services Plan. I've been a Conservancy member for several years, but only in the last couple have I become personally active in environmental organizations. My recent work includes representation of the Upper West Fork River Watershed Association, acid water pollution cases caused by underground mining, landfills and hazardous wastes. My personal interests include crosscountry skiing, backpacking, canoeing and auto mechanics.

"As a member of the Conservancy board, I would emphasize full participation in lobbying, rulemaking and public education as well as continuation of the Conservancy's aggressive guardianship of the highlands area of the state."

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DON't NISS

Jan. 7

SF Gas Well Convocation Jan 8-10

Scenic Trails Meeting Jan Jan. 16

Scenic Trails Meeting Jan Jan. 16

Conservancy Workshop 10 a.m. Jan. 16

Conservancy Workshop 10 a.m. Jan. 16

Collaghan speaking 11 a.m. Jan. 16

Collaghan answering 3:30 p.m. Feb. 1

Collaghan answering 3:30 p.m. Feb. 1

Collaghan Elections 3:30 p.m. February

Collaghan Elections 10 peadline February

Collaghan Fegs Comment Deadline February

Wilderness Hearings early June 19-26

Wilderness Hearings Allegheny Trail Work-Hike

# MOVING? ATTACH OLD LABEL HERE New Address: W. Va. Highlands Conservancy SEND TO: P.O. Box 506 Fairmont, WV 26554

GHLANDS CONSERV

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 necesary 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.

Renewal

Name	The Islands of the
Address	
City State .	Zip
Organization you represent	(if any)
Membership category (see	
Individual	Organizational
S10 Regular	S20 Regular
Section \$20 Associate	S30 Associate
☐ \$50 Sustaining	S60 Sustaining

☐ New

Make checks payable to The West Virginia Highlands Conservancy.

## CHARLESTON

# People for Clean Air

## The W. Va. Clean Air Coalition seeks to spread itself across the state and generate a fire-storm of protest.

By JOHN C. HEAVENER, Jr. **Exective Director of the** American Lung Association of W. Va.

LINDA COOPER ELKINTON W. Va. Chapter of the **National Audubon Society** 

The Clean Air Act, as you probably have heard, is under attack on the national level. It has been recently reported that the auto industry is pushing for quick action on the Act so they can retool to make changes - for the worse - in next year's models. Congresspeople, fearing the stain of a "dirty air" vote, also want the blood to be let early on, so that voters will forget by the November elections. This means an earlier vote than we expected.

We must act now to make sure the W. Va. delegation votes the way the vast majority of Mountaineers wants them to vote - for strong protection five months may well determine the quality of our air for years to come.

U. S. Sen. Jennings Randolph has been the best of our delegation. The tracted an estimated 400 people to a thank Sen. Randolph and forecefully remind the others where we stand.

Writing both Senators and your Con-visited the state. gressman isn't enough, either. We need your help to mobilize tens of of the event — as well as an earlier immediately.

We need:

- Speakers for speakers' bureaus state as well. He also noted that a by Heavener and Elkinton). He said been the exclusion of cost-benefit who can address business groups, garden clubs, senior citizens, health professionals and others in West Virginia to generate letters to Con-

People who can sit at card tables at town squares or other public tion and help their fellow citizens writing campaign (as outlined above Congressional victory to date had relax carbon monoxide standards." write to Congress.

Phone tree captains, people willing to engage in public dramatizations, willing to open their homes to friends and neighbors for an evening dinner or party for information and fund-and-spirit raising ...

Please volunteer now. Write to the W. Va. Clean Air Coalition at 1324 Va. St. E., Charleston, WV 25301 or call 346-5891.

The Coalition's coordinator, Charlie Garlow of Charleston, already reports significant progress around the state of the Clean Air Act. The next three to December visit to West Virginia by some of it as a result of the James Watt, the Secretary of the In-

An anti-Watt rally in Charleston atothers have been either straddling the dollar-a-plate dinner that raised \$450 fence or downright awful. We need to and was followed with a candlelight procession to the offices of Con-But writing one letter isn't enough. legislator on whose behalf Watt had

Garlow described media coverage thousands of West Virginians. We press conference on a host of enneed to deliver a fire-storm of protest vironmental issues — as "excellent. to Washington, objecting to the pro- The coverage did address itself to the posed slaughter of the Clear Air laws important issues," he said, and he which may well happen unless you act termed it a "major educational effort" with positive benefits not only for the Charleston area but around the

tion Group (see address above).

The major effort now, he said, will panhandle. gathering spots to distribute informa- be aimed at a state-wide letter-

for three dollars from the Citizens Ac- efforts would be launched in the automobile industry begins to retool Wheeling area as well as the eastern Garlow said that while Sen. Ran-

summary of the Wilderness Society's the major areas now covered included analyses during the setting of air "Watt Book," a compendium of the Charleston and Morgantown, plus quality goals, while the major impenenvironmental havor the Interior Calhoun County, Beckley and some ding battle has to do with a relaxation Secretary has wrought, is available areas in the highlands. He said major of carbon monoxide limits as the

> dolph had "voted well" to date, he In Washington, he said the major believed he might "tend to vote to



## Allegheny Gothic

Sporting two of the more common meeting is set for Jan. 8-10 at Chestnut the Urbans' tools: they also use im-Allegheny Trail through the Mountain State's highlands for the past five years are son and father Urban, Ryan and Robert.

The duo - shown here in their official Allegheny Trail T-shirts - are looking forward to a June 19-26 workhike sponsored by the W. Va. Scenic famous Appalachian Trail. Yet to be Trails Association. The work-hike is section of the Allegheny Trail from final link between Cass and the Durbin to Cass in Pocahontas County. Seneca State Forest. The Association's annual planning

tools they've used in constructing the Ridge Regional Park just off State Route 48 near Morgantown.

The Allegheny Trail already includes an 80-mile stretch from even a six-foot-long pry bar. Blackwater Falls to Durbin, plus a 100-mile stretch from Seneca State Forest to the state's border near Linfield where it connects with the world-

Rakes and shovels are the least of

plements such as the sandvic, the polaski, the hazelhole, the firerake, the viscious-looking brush hook — and

Urban the elder is a college biology professor and chairman of his department, while his son is a 17-year-old high school student.

The \$5.50 T-shirts they're wearing scheduled is further work to extend are silk-screened by a sheltered being scheduled to open up another the trail its full 280-mile length with a workshop in the highlands and are available in all children's and adults' sizes - with the emblem at the front or back - from Fred Bird at 236 Terrace Ave., Elkins, WV 26241.

## WASHINGTON

# Rights Rollback

## OSM regulations face changes.

By PERRY BRYANT

Proposed changes in federal surface mine regulations may significantly weaken citizen oversight of the industry.

citizen's request. However, citizens primacy. would still have the rightto accomafter the state has been contacted. Virginia's regulations have been en-OSM would inspect the mine site only joined by a federal court. The injuncif the state refused to respond to the tion is scheduled to be lifted by midcomplaint.

the areas of mining." Despite this change remains to be seen. clear mandate by Congress, Watt and

request a copy of the file at 20 cents per page, a change that will clearly limit access by those persons who live outside the Charleston area.

Watt and Harris are also proposing Interior Secretary James Watt and to drop the requirement that states James Harris, the director of the U.S. provide for citizen suits - despite the Office of Surface Mining, have pro- fact that federal law clearly manosed to eliminate the requirement dates that citizen suits be allowed in that a citizen have the right to accom- federal court and clearly implies that pany a state inspector into a mine site Congress intended for citizen suits in when the inspection is a result of a state courts after a state has assumed

It is unclear at this point what effect pany a federal inspectors. Watt and these proposed changes, if adopted by Harris have also proposed that OSM OSM, would have on West Virginia's respond to citizen complaints only regulations. Currently, West Febraury. It seems likely the DNR Watt and Harris are also proposing will review the state's regualtions at to limit citizen access to records. The that time in order to adopt some of the federal surface mining act clearly "positive" changes made in the states that "copies of any records ... federal regulations. Whether the DNR or information ... shall be made im- considers these rollbacks of citizen mediately available ... to residents in participation to be a "positive"

Comments on the proposed changes Harris are proposing to allow states to should be sent by Feb. 1 to OSM at keep records at a central location and South Interior Building, Room 153, mail requested information to in- 1951 Constitution Ave. NW, terested persons. Thus, someone from Washington, DC, 20240. Further inforthe highlands who wanted to inspect a mation is available from the W. Va. surface mine file would have to travel Citizens Action Group at 1324 Va. St. to Charleston during working hours or E., Charleston, WV 25301 (346-5891).

CHARLESTON Closing the Files

Access to information may be made more difficult.

By PERRY BRYANT

Two state agencies, the water resources board (WRB) and the division of water resources (DWR), have proposed regulations which will make it more difficult for citizens to receive information from these agencies. The changes would levy fees of 20 cents per page after 25 pages of copying and five dollars per hour for searching and locating records after the first half-hour.

"Of course, industry and their consultants will not have any difficulty paying these exorbitant prices," commented Highlands Conservancy board member Kate Long of Charleston. She is active in the W. Va. Citizens Action Group. "They'll have the ability to get as much information as they need. However, the proposed regulations, if adopted, will pose a signficant barrier to citizens and public interest groups."

town. Mrs. Elkinton heads the W. Va. ty. "In today's world, information access to this vital information. means power," she commented. "To deny citizens information is, in essence, to deny them the tools needed to affect decisions."

The regulations will hit hardest at those who live outside the state and, secondly, the DWR and the WRB capital whre the files are located. Also hard hit will be public interest groups who rely on large amounts of detailed information in order to inform the public about proposed decisions by the DWR and the WRB. These agencies make some of the most important on the proposed regulations should and complex environmental decisions made by any state agency. For example, the DWR will begin to issue permits for hazardous waste disposal

facilities. The permit application can The proposed regulations also came be expected to be hundreds of pages under fire from another board long. For a public interest group to member, Linda Elkinton of Morgan- receive a copy of a 200-page permit application would cost a minimum of office of the National Audubon Socie- \$35 - a cost which will clearly limit

> Two proposals would help solve the problem: first, documents on file could be made available for inspection upon request at the nearest of seven regional offices of the DWR: could adopt public participation policies paralleling federal policies which provide that free copies be supplied to citizens and public interest groups with limited funds.

> Persons interested in commenting send their comments to the Water Resources Board at 1205 Greenbrier Street in Charleston, WV, 25311. No public hearings have been scheduled.

THE SHAVERS FORK

# Drill Bits on the Fork

Significant new oil and gas well drilling is forecast in the wake of geological probes

all the way to the 'basement' of the Monongahela National Forest.

Buckhannon to probe 4,000 feet beneath the Shavers Fork of the Cheat River for natural gas deposits may be the start of a flurry - if not a flood of similar applications.

On the other hand, it may not be. "If you want my personal opinion," said Dr. Tom Manley, a geologist at the headquarters of the Mononga'ela National Forest in Elkins, "I don't

know.

What he does know, he said, is that surrounding states have been "swamped" with drillers plunging their bits into the earth as they attempt to tap the vast reserves beneath the ground.

The problem, admits U. S. Forest Service ranger Dave Stack, is that the Forest Service and other regulatory agencies charged with the always have the staff they need to be able to process applications as rapidly and thoroughly as some feel is re-

But Stack said that the level of activity anticipated should enable the local ranger stations and the headquarters in Elkins to handle the increase in activity. He said he felt the Monongahela staff could easily handle 20 applications — but at 400 "we'd be buried."

"You never know what's going to happen," he pointed out.

The current probe by Union Drilling is clearly exploratory in nature, he and geologist Manley agree. They point out that there are currently no plans to lay pipeline into the area. However, there are clear indications that a second, similar well is planned for next year - and could be followed with many more if either or both of them are successful or indicate large

Manley in Elkins pointed out that most of the forest has already been prospected by at least one firm -Amoco - but parts of the forest have been prospected by other firms as well. Forestors are currently monitoring drilling in progress near Neola in Greenbrier County; forestors in Marlinton are currently processing applications for sites on Gauley Mountain in Pocahontas County; and Amoco recently shut down a well in Canaan Valley. Industry and Forest Service scuttlebutt says that Amoco got nothing - but geologist Manley's not so sure.

"All we really know is they came in with fracking equipment," Manley said. "But you never know what they'll do. Even if the well were dry, they may have found something significant. Companies just don't talk. It gives (their competitors) an advantage."

He explained that both the prospecting and the drilling are done under a cloud of secrecy. The "in-the-field" prospecting is done with half-milliondollar truck-mounted computers and other sophisticated monitoring equipment while the brute force of other trucks is used to literally stomp the ground, sending out shock waves that are bounced back by rock layers and monitored. But Manley says that even if he had access to the computer readouts, he couldn't tell what was going on. The field results are sent to a central office where they are processed

puter - and only then can conclusions inter-disciplinary team along with be drawn, if at all.

posed for the Shavers Fork.

What Manley does believe is that Amoco and others who have pro- Clarksburg-based chapter of Trout spected the Monongahela are "going Unlimited. for the basement." That is, the information they are gathering is designed to probe all the way to the bottom of the layers of sedimentary rock in is that at virtually the earliest stages, which gas and oil deposits may lie.

"That's the goal," he says. "They want to get a total picture" down to as deep as 20,000 feet and beyond.

For their part in the process. forestors are approaching the whole compromises," Stack explained. task of controlling development do not thing cautiously. Back in Bartow, district ranger Stack has already set

A proposal by Union Drilling of again through a "mainframe" com- up a Jan. 7 meeting with the Forest's state oil and gas officials, the state's Industry sources say all such pro- Department of Natural Resources as specting really yields are "hints" - well as representatives of the primary hints which are followed up with ex- conservation groups which have exploratory wells like Amoco's Canaan pressed an interest in the preservaventure and the ones now being pro-tion of the Shavers Fork. That members of the W. Va. Highlands Conservancy as well as the

"This is something new really," Stack admitted, a procedure that has not really been tried before. The idea everybody who is likely to raise a significant objection will be involved.

"We want to get together with the people who want the forest protected and hammer out some reasonable

"I'm optimistic," he said, "that most of the objections" can be dealt



## Sterile Streams

The chairman of the Conservancy's acid rain committee suggests that stream conditions —

not socioeconomics — should define the proper response to acid rain.

**By DON GASPER** 

The U. S. Forest Service recently released figures showing that of some 1,300 miles of streams on the Monongahela National Forest large enough to support a fish population about one-tenth - 130 miles - were called "sterile."

These were too devoid of nutrients and alkalinity (and hence too acid) to support a fish population. There are probbly as many streams off the forest also that are too pure to support trout. At least some of these had no fish in them as far back as 1920.

Streams too pure to support trout

have an alkalinity (to pH 5.4) averaging only 3.5 parts per million and an electrical pH averaging 5.3. This has been added to a "susceptibility curve" (developed by the Environmental Protection Agency for lakes in the Minnesota-Canadian Boundary Waters Canoe Area) in the form of a "+"

This is just how far some very important W. Va. trout streams have to go to become too sterile or pure for trout.

It is not far!

THE "SUSCEPTIBILITY" OF "WEST VIRGINIA

ENDANGERED STREAMS" TO EXTINCTION

The term "W. Va. endangered streams" always has meant those

MEAN DANGER

with less than 15 ppm alkalinity. The average of this group is shown on the curve with an arrow. The average pH (electric) is 5.65, and the alkalinity is

West Virginia's endangered streams consist of well over onequarter of W. Va. native brook trout streams, over one-quarter of those are now and could be stocked with catchable-sized trout, and over onequarter of the state's potential wild trout water (see map).

This is an enormous portion of W. Va. trout heritage that is at risk. The present atmospheric acid inputs average pH 4.5 and total over 500 net metric tons per year to every 35-foot wide streambed on the western faces of the Alleghenies. This is resulting in the further impoverishment of infertile forest watershed soils (see the December issue of the VOICE). Finally, so few nutrients and alkalinities are left that these trout populations will be lost forever.

Legislators in Washington are now considering weakening the Clean Air Act. That would permit even more sulphur in the air - sulphur that is a predominant cause of acid rain. This would be very short-sighted for all.

and harmful to trout waters in West Virginia and the East. It is becoming clear that over one-tenth of eastern trout water is similarly threatened.

The best effort to reduce sulphur in the air is contained in the Mitchell bill which suggests that a 40 per cent reduction can be accomplished in ten years. This is all that is widely considered practical and possible. It will take very conservation-minded citizen's active support to accomplish

This bill, though, may not be enough. Perhaps little will be done for five or even eight years. I would suggest a 20 per cent reduction in three .. years and another 20 per cent reduction in the next two years.

An adequate response is not what socio-economics indicates, but what these watersheds indicate. We must recognize this as a "biological imperative" that permits no compromise. We cannot stand like the dinosaur dimly blinking in the face of the same extinction. This must not be "the environmental issue of the '80's" as is so comfortably stated - or they will all be lost forever. Watershed and water quality studies indicated acid rain reduction is urgently needed.

THE ALLEGHENIES' SLOPES Saving the Salan Enviro Energy spends some dol

BY DR. THOMAS P

EDITOR'S NOTE: One of few populations of a little - a species that apparen unique places in the clustered together high western slopes of the A was transplanted one wa night this year.

Gathered up in the d from the rocks and rill fauna that spring out of t sides were 45 Cheat Salamanders. Each, w would have died as a development of the first expected to be 30 underg in the heart of the Mono tional Forest, on the b Shavers Fork of the Ch Randolph County.

The mines, schedule millions of dollars worth o "compliance steam" cos developed on national for Enviro Energy, Inc., a pany to the mineral ow Lumber Co.

> Salamande One provision of approved by the (Mining (OSM) to E to survey all propesites, haul roads, a the Cheat Mountain

> Dr. Thomas Pau the department of Salem College, was viro during the sum amine these propo report follows:

"I surveyed 28 drilling sites and ac proposed haul roads ed mine sites. I **Mountain Salamand** ed access roads.

"I recommended re-routed around sites. In each case surveyed to assure free of the sala salamander was no the proposed core-mine sites except Three mine site on SI

"Since the specie declared endangere and Wildlife Servic bably have been dif

## One More Round

(Continued from page 1)

more mines planned in the area by the mineral owner, Mower Lumber Company. The mines operated by Mower's lessee Enviro Energy are the first in the series. The OSM study concluded that adverse impacts on water quality, wildlife, recreation, rare species and wetlands may be expected from acid drainage, mine subsidence and surface disturbances. Despite these findings, OSM Regional Director Patrick Boggs denied a petition from the W. Va. Highlands Conservancy to decleare the area unsuitable for mining. Instead, he decided that enrequested.

ing OSM to deny permits where can be expected during mining operations or as a result of post-mining seepage and subsidence. Highlands Conservancy participation in the review process is being coordinated to discuss new data emerging from by Bardwell Montgomery in the permit review process. Such a Charleston and Rick Webb in Elkins. conference would also trigger a

vironmental impacts must be con- servancy has also requested an extensidered case-by-case for each permit sion of the comment period. The OSM equested. study of proposed mining on the The Highlands Conservancy is ask- Shaver's Fork is availabe at the Charleston office as well as at the significant environmental damage Monongahela National Forest headquarters in Elkins.

The Conservancy is also requesting that OSM schedule a conference to give interested parties an opportunity Comments on pending permit ap- deadline for rendering a decision on plications will be accepted until Jan. the permits. Federal regulations re-11 by the OSM at 603 Morris Street in quire that a decision be published Charleston (25301). However, the Con- within 60 days of the conference.

7.5 1 POTENTIALL 7.0 THE YEARLY AVERAGE pH 6.5 OF ALL THE STREAMS CALLED ENDANGERED--OVER 1/4 OF W.VA. TROUT WATER

STREAMS TOO PURE TO SUPPORT TROUT 1500 1000 ALKALINITY-(µeq/I)

5.5

FIGURE 1-The relationship between pH and alkalinity in 85 BUCA 1 NP lakes

THE YEARLY AVERAGE OF ALL THE

## THE ALLEGHENIES' SLOPES

# Saving the Salamander

Enviro Energy spends some dollars rescuing a rare species hemmed in by its environment and beset by man.



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BY DR. THOMAS PAULEY

EDITOR'S NOTE: One of the world's few populations of a little salamander - a species that apparently defines 27 unique places in the world, all clustered together high up on the western slopes of the Alleghenies was transplanted one warm summer night this year.

Gathered up in the dead of night from the rocks and rills and forest fauna that spring out of the mountainsides were 45 Cheat Mountain Salamanders. Each, without doubt, would have died as a result of the development of the first of what are expected to be 30 underground mines in the heart of the Monongahela National Forest, on the banks of the Shavers Fork of the Cheat River in Randolph County.

The mines, scheduled to carve millions of dollars worth of high grade "compliance steam" coal, are being developed on national forest lands by Enviro Energy, Inc., a sister company to the mineral owner, Mower Lumber Co.

Salamander Survey

One provision of the mining permit approved by the Office of Surface Mining (OSM) to Enviro Energy was to survey all proposed core-drilling sites, haul roads, and mine sites for the Cheat Mountain Salamander.

Dr. Thomas Pauley, chairman of the department of natural science at Salem College, was employed by Enviro during the summer of 1981 to examine these proposed areas. His report follows:

"I surveyed 28 proposed coredrilling sites and access roads, three proposed haul roads, and two proposed mine sites. I found the Cheat Mountain Salamander in four proposed access roads.

"I recommended that each road be re-routed around the salamander sites. In each case the new route was surveyed to assure that the area was free of the salamander. The salamander was not found in any of the proposed core-drilling sites or mine sites except Linan Number Three mine site on Shavers Mountain

"Since the species has not been declared endangered by the U.S. Fish and Wildlife Service, it would probably have been difficult to prevent

it, but heather that have be-

the development of this mine site. After consultation with representatives of the West Virginia DNR, U.S. Forest Service, Office of Surface Mining, W.Va. Highlands Conservancy, and the Sierra Club, it was decided to attempt to transfer this population to a suitable habitat where the species was not found.

"A suitable habitat would be one that has the relative humidity, soil moisture, and soil temperature similat to that of known Cheat Mountain Salamander populations.

"After examining several areas, a site was selected. . . . Since the Cheat Mountain Salamander is nocturnal, careful systematic collections were made in the Linan site during nights as well as two days. A total of 45 individuals were removed during these collections and released on the night of June 25, 1981 . .

'It is my intent to visit this area in the spring and fall of each year for the next five yars in an attempt to ascertain the success of this transfer. In this regard, I submitted a grant proposal to Enviro Energy on Sept. 2, 1981 to sponsor this research endeavor, but as of this date have not

"If this population transfer is suc-cessful, the data gathered will be invaluable to the transfer -and thus the protection -of non-game as well as game animals involved in future habitat disturbances and population transfers.

History

"The Cheat Mountain Salamander has been of great interest to biologists since it was described in 1938 by Dr. N.B. Green. This interest is due to its limited range and distribution, and what appears to be a rather precise

"In four study sites selected where the salamander occurs, the relative humidity was higher than in control sites or areas selected where the salamander does not occur. In addition, the Cheat Mountain Salamander was found in areas with higher relative humidity than the red-backed salamander, one of the two salamanders in competition with the Cheat Mountain Salamander for living space.

"Laboratory dehydration studies also indicatd that the Cheat Mountain Salamander cannot withstand as great a loss of body water as the redbacked salamander. The CM Salamander is therefore a species restricted to more moist, terrestrial habitats.

"In 1948 Maurice Brooks defined the range of the Cheat Mountain Salamander to be 'from a point along the headwaters of Condon Run, near Bickle's Knob, Randolph County, to the southern end of the Cheat Range at Thorny Flat, Pocahontas County.'

"In 1971 Richard Highton of the University of Maryland found that the range of the CM Salamander extended in the northern area of the range described by Brooks, east to the high elevations of the Allegheny Front. During this study and two subsequent studies, I surveyed 181 sites above 3,400 feet throughout the Monongahela National Forest but found the CM Salamander in just 27.

"All 27 of these populations are disjunct; that is, they are separate or discontinuous.

"As a result of these surveys, the total range of this salamander has been to determines to consist of an area 30 by 80 km, extending from McGowan Mountain to Dolly Sods, south to Spruce Mountain, southwest

altitudinal distribution for the CM Salamander. The greatest such distribution ranges from 4,520 to 4,020 feet, or a total of 500 feet.

"The question arises as to why the Cheat Mountain Salamander is restricted altitudinally. According to the US Department of Commerce, the annual average precipitation in the Allegheny Mountains is 50.9 inches, and 45.4 inches in the Allegheny Plateau. Based on information collected on the moisture requirements of the CM Salamander, it is not known if this precipitation difference is a major factor in limiting its altitudinal distribution.

"An alternative hypothesis that should be considered as a limiting factor is the competition for moist sites between the CM Salamander and the Mountain Dusky Salamander. It may be that the MD Salamander prevents the downhill expansion of the CM Salamander through competition for moist sites.

"Whatever the reasons, it is an established fact that the CM Salamander has a very restricted altitudinal distribution in addition to a restricted total distribution. The result of this limited altitudinal distribution is the 27 disjunct popula-

"The separation of animal populations puts any given species in a precarious position. Not only does this condition prevent the mixing of genetic material within the range, but if a population is removed through habitat destruction, the genetic material of the population is gone forever. . . . "

**Populations Disturbed** 

"In addition to the discontinuous range, a second reason for the precarious status of the existence of the CM Salamander is the present distribution in most of the 27 known populations.

These disturbances include old lumbering roads, foot trails, skiing slopes, Forest Service roads, and strip mines. When trees are removed the soil is exposed to the drying effects of the sun and wind. This will obviously decrease the soil moisture that is important to the survival of the CM Salamander.

"Considering what is now known about the limited range and distribution and environmental disturbances in or near many of these populations, the existence of this salamander may

be in jeopardy.

So Who Cares? "Why should Man be concerned about the survival of a single, lowly animal such as this?

"Aldo Leopold, the founder of wildlife management, compared the plants and animals of the forest with the vital organs of a living organism, and in doing so he emphasized that all plants and animals have a specific function in a forest -- as vital organs do in an organism.

"Salamanders feed for the most part on insects of the forest floor, a very important factor in maintaining the ecological balance in the forest. The loss of a species -- or even a single population - would remove a vital part or link in this ecological balance that has taken nature years to establish."

The salamander's survival is precarious partly because the known populations exist independently of each other.

e con- servancy has also requested an extenpermit sion of the comment period. The OSM study of proposed mining on the is ask- Shaver's Fork is availabe at the where Charleston office as well as at the amage Monongahela National Forest head-

quarters in Elkins.

The Conservancy is also requesting that OSM schedule a conference to give interested parties an opportunity linated to discuss new data emerging from ry in the permit review process. Such a Elkins, conference would also trigger a nit ap- deadline for rendering a decision on il Jan. the permits. Federal regulations rereet in quire that a decision be published ne Con- within 60 days of the conference.

havitat of red spruce forest above 3,500 fet in elevation.

"This interest received additional impetus in 1976 when the United States Forest Service contracted Dr. Jesse Clovis and me to make a detailed study of this species. Dr. Clovis was to study the vegetations types associated with this salamander, and I was to study the range, distribution, and habitat preference.

"The study for the Forest Service revealed several interesting facts about this salamander. While no correlation was shown between the occurrance of the salamander and the vegetation types, the elevation range was found to be true - but moisture is the most important environmental factor regulating the general and altitudinal distribution of the Cheat Mountain Salamander.

to Back Allegheny Mountain, and north to McGowan Mountain.

**Competing Species** 

"A second salamander species that inhabits the same area and habitat as the CM Salamander is the Mountain Dusky Salamander. These two species have moisture requirements that are nearly the same, and are therefore most likely in competition for living space.

"There is a very interesting vertical or attitudinal distribution between both of these species and the redbacked salamander. In most of the CM Salamander populations, the redbacked and the CM Salamanders are symparic (co-exist in the same area) while the Mountain Dusky is found at or near the low altitudinal limit of the

CM Salamander. "This results in a restricted

operamining hlands in the **ELKINS** 

## Hats Full of Reasons

## Environmentalist Rick Webb believes the coal industry and the DNR may be pinioning themselves needlessly.

doing itself a disservice by playing they're doing.' politics with the issue of the W. Va.

And the state is doing itself a disservice by playing along.

In fact, Webb said in the wake of state reclamation commission hearings in Buckhannon last month, the state's coal industry's leaders have lined up so solidly behind what is really a minor issue in terms of the state's total coal production that it may have blown the problem all out of propor-

"Do foreign investors feel confident?" he asks, after they've dipped into some of the industry and media coverage of the event. "Probably not. "Yet most of West Virginia's coal

does not have this problem" of producing acid with today's reciamation technologies, he noted.

"It doesn't make good economic sense to promote your worst product and jeopardize your best product," he said.

The fact is, Webb added, most of the state's coal reserves can be mined under the current laws without severe environmental damage. That assertion matches squarely with the views of the director of the state's Department of Natural Resources, Dave Callaghan. Early in 1981, he termed the problems with acid production in the Kittanning coals in Upshur, Webster and Randolph counties the last great, unsolved problem for coal mining in West Virginia.

Callaghan's belief that it was an unsolved problem resulted in his announcement that he would issue no more permits to the Island Creek Coal Company operating at Ten Mile in Upshur County. That administrative designation of the area as unsuitable for mining with present technologies and the information which apparently led to Callaghan's conclusion - formed the basis of the Rivers' Coantion's petition for formal unsuitability designation under the state's new surface mining laws.

But the reclamation commission's handling of that petition itself has been peculiar, Webb said last month. That handling has been so peculiar that Webb believes it is "probable" that the commission is deliberately attempting to provoke an appeal of its decision into the state's court system.

What the commission has failed to do, he said, is supply the public with a description of the analytical process which the reclamation commission will use in determining whether or not the petition should be granted or denied. In addition, Webb and the Coalition have requested a chance to several major coal companies that review the administrative record in there was, in fact, a problem. He the case in order to determine what information was used to reach the been attempting to solve their acid conclusions that the commission will issue

That request, Webb said, was made of Information Act. Despite the five- believed they would be pursuing day-response requirement under the would be to place similar sheeting act. Webb said there has been no atop the segregated piles of toxic response at all.

"We may have to go to circuit court

active environmentalists, Rick Webb, ments can't be relevant to what can wrap it up in lots of ways, but the believes the state's coal industry is they're doing if we don't know what geologic process is going to continue.'



Rick Webb

lengthen the entire process, and "it's really hurting people to make this thing drag out like this."

In a Dec. 23 letter to Callaghan in his capacity as chairman of the state's reclamation commission, Webb said the commission's failure to respond "precludes relevant comments," and he requested an extension of the comment period until at least 20 days after the commission responds to the FOIA request.

The reclamation commission and the governor, Webb agreed, "have got a hard decision to make." He said he believed that Rockefeller's long-term national ambitions urge him "to be a responsible governor" while the technology for successful reclama-

But in any case, shuffling it into the court system only delays the process. "It'll just put it right back in their laps again," he said.

What Webb views as the political ploys of the government and the coal industry clearly aggravate him. "I wish they would just decide the issue on its technical merits," he says.

On the other hand, Webb did say he was encouraged by the admission of noted that DLM Coal Company had drainage problems by covering vast acreages with a thick plastic sheeting (see the December, 1981 issue of the in a Nov. 21 filing under the Freedom the VOICE). He said another tack he overburden before they are buried.

But Webb said he remains unconto an extension of the com-vinced that anything is going to work. period," Webb indicated on "You've got this mountain of toxic

He said his review of available The effect of not supplying the infor-literature on hazardous waste Rivers' Coalition's unsuitability peti- mation, Webb said, is to simply disposal indicated that the use of plastic and similar sheetings to prevent water infiltration and outflow was simply not working: the sheetings deteriorate and puncture.

Putting the coal industry's media blitz aside (it was "based on misinformation," he charged) - Webb said he was encouraged by the conduct of the hearing itself. Aside from being kicked in the rump by one apparently disgruntled miner. Webb said he was pleased with the response of the audience in that there was little disruption of his half-hour presentation, and he felt he was able to make his point. the pattern for the past ten or 12 He did point out, however, that his years," a pattern he said was most half-hour presentation was followed recently reiterated in the Holly Grove with two-and-one-half hours of rebut- decision. There, he said, DNR direc- nothing left. tal by all five intervenors: Island

ston coal companies.

He said comments of some leading miners at the hearing were actually former union official who suggested that coal companies truly interested in the welfare of the miners would spread the work out over a longer period to give the industry time to develop solutions to the problems of mining the Kittanning.

Whatever happens as a result of the petition, however, Webb is glum about the prospects for any long-term effectiveness. Even if granted, he said he hat. believed the petition would probably be ignored.

"It'll be dumped," he said. "They'll come up with something. That's been

One of the Mountain State's most behalf of the Coalition. "Our com- materials," he pointed out, "and you Creek, DLM, Amax, Grafton and Pitt- tor Callaghan reversed an earlier denial of the state permit to mine based on a handful of new core samples which, he believes, did not present encouraging, especially those of one substantive new information to indicate that acid mine drainage would not occur. And, he adds, Callaghan's original, correct decision to deny the permit was upheld by the evidence adduced in the Holly Grove study process conducted by the Environmental Protection Agency.

Webb believes the same thing may happen again. Callaghan, he said, "can always pull a reason out of his

Webb predicted that each mining operation probing the Kittanning seams would develop a new and - in the state's eyes - promising method to prevent acid mine drainage.

Each, he believes, will fail. "They'll just go on until there's

Wilderness

(Continued from page 1)

of oil and gas may underlie the two Laurel Forks. He noted they lie atop the rapidly-developing Eastern overthrust belt which is being punctured by drillers from Maine to Georgia. The overthrust belt is currently being explored in adjacent areas, and the first of what may be a flurry of many wells is about to plunge 4,000 feet beneath the Shavers Fork.

Similar activity has caused the value of coal lands to skyrocket. Monongahela Forest geologist Dr. Tom Manley said that during the last decade the value of a typical acre of coal lands has leaped from \$30 to \$300 - and is still going up. The Cranberry has something more than 16 million tons of coal by U. S. Geological Service estimates - about a half-a-billion dollars worth.

Churchill's and Manley's inferences are lent credence by the language of in November. the Melcher-McClure letter:

but reflect some modifications based on reassessment of resource values nor any of the listed recommendations should be construed as having our total endorsement or the endorsement of the Reagan Administration."

Benedict's staff put it a little simpler: "The administration is saying that based on the potential for mineral resources, wilderness designation may not be feasible."

On the other hand, the staffer said, "this isn't etched in concrete" - and bill. He termed the administration's position "unfortunate" from Benedict's viewpoint, but agreed that it was one that squared with "the whole philosophy" of the Reagan administration.

Hearings on the wilderness bill are expected shortly after the Congress reconvenes, the staffer said - and he

added flatly that Benedict would not back away from support of the measure.

"I believe he will actively support it," he said, but added that "we can make changes ... There's no sense in working as hard as we have if we can't get it through.

Some conservationists believe the prospects for passage may be heightened by Benedict's decision to Byrd. The Congressman's investment in the Cranberry bill is generally viewed as a middle-of-the-road, statesman-like undertaking - a project that has enhanced Benedict's image as an effective legislator. Thus, environmentalists believe that Benedict will be able to convince the Reagan administration to soft-pedal any opposition it may feel towards the Cranberry bill in order to further Benedict's chances for defeating Byrd

But in more real terms, the Conser-"These revisions," they wrote, vancy's Washington vice-president, short-term, politically sensible course referring to their attachment Stark Biddle, spelled out the need for of action is to permit mining to con-tinue despite the lack of available Forks as non-wilderness, "are based vancy members. "It's very important on the RARE II Final EIS proposals to develop a solid, bi-partisan record for the privately owned mineral rights on this bill."

He said strong support for it from and updated resource information. Gov. Jay Rockefeller is essential. He Although we have consulted with the described the governor's support for Harley Staggers - as "rather ambiguous" and "lukewarm. But now," Biddle said, "his support is essential."

Biddle said that while passage through the House was virtually assured because the Cranberry bill's sponsorship was "exactly the right mix." the measure faced "a hard row the bill, language will be added to in the Senate."

neither, for that matter, is Benedict's together on this one," he predicted.

The three areas -- Cranberry, Laurel Fork North and Laurel Fork generation" land management plan is South - comprise 47,590 acres and ac-developed cording to Benedict will "benefit the mended for wilderness designation in a difficult and long-standing issue."

the Forst Service's RARE II study, and received ratings among the highest of the 700 study areas in the eastern United States.

The cranberry area is one of the largest wilderness regions in the east. consisting of 35,550 acres, the Cranberry has long been recognized as a biologically unique undeveloped national forest," Benedict said. Much of the area has been closed for oppose incumbent U. S. Sen. Robert motorized use since its designation as the Cranberry Back Country in 1936. Bordered on two sides by the Williams and Cranberry Rivers, the Cranberry is home for some 50 species of birds and rare vegetation. The area offers excellent opportunities for primitive recreation, and is bordered on the east by the Highland Scenic Highway affording easy access to Cranberry's scenic beauty.

The Laurel Fork North and Laurel Fork South areas feature much of the same outstanding wildernes qualities. These areas include the picturesque Laurel Fork stream. The acreage for Laurel Fork North is 6,120, and Laurel Fork South is contained in 5,920 acres.

The bill will provide compensation beneath the Cranberry, a three year timetable is proposed to transfer the coal rights, presently owned by the CSX Corporation (formerly the Reagan Administration in develop- the last Cranberry bill - posited Chessie System) to the federal ment of these revisions, neither these under former U. S. Congressman government through arbitration and land exchange. Benedict said, "the provisions for land exchange are based on consultation with all interests involved, and will provide incentives for both sides to work diligently to resolve the exchange issue in a reasonable and expedient manner."

During committee consideration of release Seneca Creek, Cheat Moun-"We'll have to get our energies tain and all RARE II non-wilderness recommended land from further wilderness review until a "second

Benedict concluded his remarks to citizens of West Virginia and the coun- the House saying, "I feel this bill will try by making worthy additions to our provide the necessary compromise national treasure of wilderness between the development and enareas." All three areas were recom- vironmental concerns and will resolve

## **CANAAN VALLEY**

# Canaan Contumely

The head of the W. Va. Office of the National Audubon Society deplores the state's lackadaisical attitude toward the destruction of trout fisheries in Canaan — and seeks contributions for a court suit.

By LINDA COOPER ELKINTON W. Va. Office National Audubon Society

and distinctive features of Canaan Valley's streams. They hatch from the eggs laid down by the big mom-mas wiggling through the ripples and around the rocks to the headwaters of the some of the smallest tributaries of the Blackwater in the southern end of the Valley. And they are stocked as fingerlings by the W. Va. Department of Natural Resources, then nourished

man.

dramatically, and, of the eight or so go ahead and operate his system as is. streams where they once lived, it is today.

and home are in serious jeopardy.

for the discharge of treated sewage development, Land of Canaan, Inc., into a tributary of Freeland Run, by far the best of these strerms and the only remaining one where trout naturally spawn.

The sewage treatment plant of Land of Canaan accomodates the discharge from the intial 24, two-bedroom condo units in this development. It is located on Freeland Run Road, one-half mile north of the ski-slope. Construction has been competed on four of the units already. What is distressing about this development is that the particular treatment involved utilizes a chlorine system. This is most significant because of the well-established fact that trout can tolerate cholorine at only a very, very minute level - in fact, at levels that are only detectable with very sophisticated testing equipment. This kind of equipment is not avaiable to the operators of the plant or to the DNR. The result is that the operation of this development could well eliminate the trout from Freeland Run and destroy this stream's capacity for natural trout reproduction.

In an effort to prevent the threats posed by Land of Canaan, and, on a broader scale, stop the permitting of chlorine treatment systems on trout streams statewide, the Kanawha Chapter of Trout Unlimited and the W. Va. Rivers Coalition in cooperation with the W. Va. Highlands Conservancy and an affected land-owner in the Valley appealed Land of Canaan's permit to the water resources board. A hearing on the appeal was held in mid-November. Of utmost importance to this entire matter is the fact that other kinds of treatment systems (in particular, ones that use ultraviolet light to treat the waste) are readily available, less expensive to operate and of no threat to trout and their invaluable habitat.

At the hearing, the developer of Land of Canaan claimed that he, too, was a trout fisherman and expressed

concern about the problems his development would cause for the stream. After some discussion, he agreed to seriously consider changing Large, healthy brown trout and his system; an action that prompted brook trout have long been popular the board to postpone the hearing until the details of such a change could be worked out.

## Go ahead.

Unfortunately, since the hearing, there has not been the promised to thrive in the Valley's cook, dark follow-up on these changes by the developer. Also, despite the They are a thrill to see and provide developer's contention that the oeprathe greatest sport known to the fisher- tion of the system would discharge chlorine far in excess of the state stan-Over the years, the number of dards, and, concomitantly, above the tributaries that provide habitat for level tolerable to trout, the water these priceless creatues has dwindled resources board agreed that he could

State water resources personnel now the opinion of fishery profes- seem concerned about the situation sionals that only two or three remain but hold that the discharge into the tributary will be insufficient to kill or As a result of fast-paced second- harm fish in Freeland Run itself. condominium Therefore, no plan exists for the state developments, these remaining ones to monitor the situation in a special manner or to suspend the permit until This past summer, the DNR's water arrangements for a non-chlorinated resources divison granted permission system (capable of being retrofitted to the present system) are made. water from one condominium Rather, in this case, water resources has left the burden of proof of damage to the fish and the citizenry.

That's case number one.

#### And number two ...

Just north of an adjacent to the Freeland Run drainage in Canaan is Yoakum Run, a drainage now owned virtually in its entirety by Allegheny Properties, Inc., developers of the Timberline resort. Allegheny Properties this summer filed a permit application with the DNR for a chlorine package treatment plant on Yoakum Run to accomodate the down-hill ski complex and 40-unit cluster-home development scheduled to open last fall. Their five-year plan includes construction of three double-chair lifts and artificial snow-making equipment for an expanded ski complex, a golf course and 1,000 condominium units on the side of Cabin Mountain -200 a year for the next several years. With such a chlorinated system in the drainage of Yoakum, trout there as well as those further downstream are destined to the same fate as those in Freeland Run.

## And then there's ...

Then there's the west side of the

At present, the waste from the five treatment plants of the Canaan Valley State Park is discharged into the Blackwater River. These systems utilize chlorine in treatment and, ac- violate their own water quality stancording to the DNR, are maintained in dards - as in this case - is surely intip-top order by well-trained, on-site excusable. operators - key factors, we're told, to prevent malfunctioning and stream necessary to rectify the situation deterioration.

available to state inspectors.

Canterbury Inn's sewage treatment come from? plant and lagoon also drain into the Blackwater in this area. Their system, although originally designed to accommodate more than the Inn itself, is presently in the process of being expanded.

Why? You guessed it. No less than seven buildings with seven, twobedroom condo units each (49 in all) that will surround the Inn. Their permit for this expansion is pending with the DNR.

> Things are By no means Standing Still

But then, as we stated previously, been heard and decided in Maryland chlorine is lethal to trout at very low where the use of chlorine tratment levels (.002 parts per million) which systems on trout streams is forbidden cannot be detected by equipment by law. And, even if we can find an at-Besides the Park discharges, a reduced fee, where will the money Earmark it for "Canaan Valley." It's

Once again, we desperately need your help. Please send a contribution to help protect Canaan's native trout to the W. Va. Highlands Conservancy. torney who can handle such a case at P.O. Box 506, Fairmont, WV 26554. tax deductible.

## Sludge

(Continued from page 1)

department which regulates such Modern Earthline's proposal, combindisposal recently announced their intention to get out of the solid waste business. The reclamation and water resources divsions of the DNR may become responsible for regulating this sludge by default, although it is unclear what statutory authority the DNR has to regulate disposal of this sludge. Modern Earthline has yet to formally apply to the DNR for an application.

One state official raising serious concerns about the issue is Gus Douglass, the state's agriculture com- solid waste disposal in West Virginia.

missioner. (See below)

Some good may come of all this. ed with the weakness in the state's regulatory programs and the decision by the health department to get out of the solid waste business may force the legislature to take a long, hard look at the state's role in solid watse - including sludge disposal. A well-financed solid waste program with adequate regulations covering sludge disposal is long overdue in West Virginia.

This coming legislative session could well be the turning point for

by Gus R. Douglass

As you can see, things are by no means standing still in Canaan Valley. Maintenace of water quality, as we have feared, is of upmost concern. The wildlife refuge will not halt development in the Valley, but it will insure that water quality and other resources are not sacrificed in the process to the extreme detriment of all involved.

Until the refuge is established, however, the efforts of interested individuals and organizations with very strained resources are all that's available to continue to prevent the valley's destruction.

The state DNR gives !ip-service to protecting trout streams in this, the state's only proposed national wildlife refuge, but it's difficult to see a great deal of evidence of that protection in Canaan Valley these days.

One would think that when the law requires the state to protect its fish and waters that the burden of proof would rest with the body proposing a development rather than the floating bodies of the resource itself, the native trout.

But "you show me that damage is occurring (fish being killed) and we'll stop the discharge" is what we hear from the state. And, from the lawyer for the developer (fisherman or no): "What's a few fish? Why, we can go out and buy some to replace them!

As things stand, we are faced with doing battle to protect the Valley case by case, stream by stream, permit by permit. For citizens to have to take on such time-consuming and expensive work when it is the statutory duty of our government is reprehensible.

And, for an appellate board to sustain a permit which they admit will

A court suit will no doubt be the same kind of suit that has already

Reports keep coming to me of firms seeking permits to dump sludge, the end product of sewage disposal systems, in West Virginia. This is a revival of past unsuccessful efforts to hauf municipal garbage from eastern cities. to West Virginia for use in reclaiming strip mine land or as a soil conditioner or fortilizer substitute

There's no doubt that dozens or even hundreds of possible contaminating chemicals, plus the derivatives created during sowage treatment, make U.S. sludge the most dangerous in the world. Among the known contaminants are PCBs, flame retardants, nitrosaminos, pesticides of all kinds, polio and hepatitus viruses, nickel, cadmium, lead and several other metals. All of these and the dozens of others which have been detected are dangerous and doubly so if allowed to leach undetected into domestic water supplies. As one report says, "Sludge is an ungodly brew of countless synthetic and natural compounds of unknown structure. properties and toxicity." Each load is different, and the cost of analyzing each sample for 50 to 60 known, dangerous contaminants can be hundrads of dollars.

A clay soil will need upwards of 100 tons per acre of sludge to noticeably improve the physical structure, and I'm told it can only be applied one to two inches deep per week. This is impractical. Sludge is also a poor fertilizer, with an analysis of 3-1-1 or less. If all of the sludge in the nation were to be used, it would replace only 0.2% of the nitrogen fertilizer now being used each year or about 21,000 tons.

Another problem is that plants grown on the sludge take up the contaminants or are contaminated by splashing or vaporization. They, therefore, are dangerous to eat or to feed to stock. Stock is also contaminated by eating soil particles that cling to the roots of plants pulled from the soil during the feeding process. As some of the contaminants have been known to stay in the soil for years and years, we can only assume that sludge-treated land will be lost forever for agricultural and recreational purposes. Since land utilization may change with time. permanent maps should be prepared to indicate land treated with sludge so that future generations can avoid it until its safety has been proven.

I worry about the use of sludge on strip mines because the contaminants will ultimately leach into the surface and/or ground water. But, even if the sludge is reprocessed to be safe, doesn't the haulback method now in usu in strip mine reclamation replace the topsoil? If so, further conditioning of the soil should not really be necessary; and since the nutrient value of sludge is nearly nonexistent, there is nothing to be gained ... except another

"specialized" landfill. As proof of the danger involved in applying sludge to agricultural land, six major food companies, including Del Monte, the world's largest, refuse to process foods grown on sludge-treated lands. Also, the state of New York has now placed a two-year moratorium on the disposal of sludge on agricultural land. And, FDA has formulated a policy against the harvest of many foods from land treated with sludge. I don't believe anyone has yet addressed the problem of contamination of wildlife; but this, too, will be a

Is there an alternative? Yes, sludge can be incinerated as is presently being done in over 300 cities across the country. Urban refuse, paper, etc., is used to dry and burn the sludge. This destroys the organic compounds and the disease organisms and converts most heavy metals to more insoluble forms. The ash can be buried in geologically acceptable landfills. or it can be mixed with other materials in construction projects

Agriculture is our only essential industry. Why should we take a chance when alternatives are available? It may be the old story of short-term gain that breeds long-term tragedy. We need to approach the matter slowly. The cost of embargoing the use of sewage-contaminated land for agriculture will be very expensive because it will have to be monitored, but it may be the only way that the unprocessed sludge problem can be handled

**NEW YORK** 

# The 'Doomsday Chic' Assault

the inter dependent

A journal of international affairs interviews an Illinois economist who is debunking the doomsayers.

300 East 42nd Street New York, N.Y. 10017

The following article is reprinted—at the suggestion of the Conservancy's Washington vice-president Stark Biddle—from the Interdependent, a New York-based journal supported by the Overseas Development Council, the U.S. Association and the Experiment in International Living.

by Alan Tonelson

"Here I am sitting in central Illinois. I'll have to depend on you to tell me what impact my work is having in Washington."

Julian L. Simon's modesty is admirable but slightly suspect. For the University of Illinois economist has startled policymakers and academics across the country by savaging the view that Spaceship Earth is rocketing toward a Malthusian crack-up.

In a series of articles and in a new book called The Ultimate Resource, Simon argues that the physical constraints widely cited as threats or even barriers to continued worldwide economic growth—finite supplies of fuel and non-fuel minerals, of overpopulation, of exhaustible soils, forests and fisheries, and of industrial pollution—are either illusory or surmountable.

Indeed, a small but increasingly influential band of researchers is arguing that the global-resources picture is brighter than commonly believed. Thus, University of Chicago demographers Donald Bogue and Amy Ong Tsui generated news and controversy in 1978 by announcing that the world population explosion had slowed markedly. Nick Eberstadt, a Harvard development economist, claims that UN and World Bank hunger estimates are wildly exaggerated and that they ignore great variations in different peoples' nutritional needs.

An Arlington, Virginia think tank, the Mellon Institute, has published a report contending that market forces alone can stabilize US energy demands and costs and can virtually eliminate imports by the turn of the century. And libertarians such as R.J. Smith, a Washington environmental consultant, argue that private ownership of resources can ensure the wise use of resources because entrepreneurs cannot exhaust their stocks without threatening future income.

After years of relative obscurity, Simon himself is now publishing in popular magazines such as The Atlantic Monthly. His book has drawn raves in Business Week and Fortune. He recently appeared on William F. Buckley's TV show, Firing Line. And the prestigious American Association for the Advancement of Science plans panels on The Ultimate Resource and on Global 2000 at its annual meeting in Washington in January 1982.

Says Davidson Gwatkin, a demographer at Washington's Overseas Development Council, Simon's book "certainly is arousing a lot of attention in the population community.... My own sense is that it will be quite influential—for better or worse." And

according to John O'Sullivan, editor of the Heritage Foundation's quarterly Policy Review, "In the general conservative community, books like Simon's are generating excitement and interest. They will be reviewed and generate more articles and discussion."

Yet Lester R. Brown of Worldwatch Institute disagrees. The author of the newly published Building a Sustainable Society, who warns that current human demands are consuming Earth's "productive resource base," predicts that Simon's works "will be forgotten very quickly once they come under critical review."

However, the views of the "optimists" are likely to have a big political impact. As O'Sullivan notes, "Their arguments do tend to justify what the Reagan Administration is trying to do, and the intellectual underpinning they provide makes policymakers more confident."

Simon emphasizes that man's secret weapon is human ingenuity ("the ultimate resource"), which can "forever continue to respond to impending shortages and existing problems" and leave mankind "better off than before the problem arose." Contrary to his critics, Simon insists, "I am not saying that all is well now, and I do not promise that all will be rosy in the future... What I am saying is that... the trends are positive, rather than negative."

And as he explained in an interview, he believes that many environmental activists are "guilty of excesses and exaggerations," which may guarantee that people "will lose hope, will lose will, will not use their talents to the fullest." A prime example of the "defeatism" Simon opposes is the Global 2000 Report, a weighty Gov-

ernment study that warns of a world "more crowded, more polluted, less stable ecologically, and more vulnerable to disruption" by the turn of the century.

Fears about the dangers of growth date to the dawn of the Industrial Revolution in the late 18th century. The Rev. Thomas Malthus won lasting fame by predicting that population will forever grow geometrically and thus will outstrip increases in food production, which is destined to grow arithmetically. (Less well-known are Malthus' later concerns that birth control would slow population growth too much.)

But amid the often stunning economic growth and scientific progress of the next century and a half, such scenarios seemed far-fetched. Indeed, the US Government's first comprehensive post-World War II study of the country's resource stocks, the 1952 Paley Commission report, found no danger that any key raw materials would run out during the next 25 years.

In 1963, economists Harold Barnett and Chandler Morse (now of Washington University in St. Louis and Cornell University in Ithaca, New York, respectively) came to even more encouraging conclusions: since the end of the Civil War, the real costs of extracting most raw materials had steadily fallen, thanks to the innovations and adjustments that all modern "efficiency seeking" economies devise.

Then, the economic ills, environmental threats, famines and resource bottlenecks of the early and mid-1970s undermined traditional faith in continued growth. Several gloomy studies reinforced the new pessimism, notably The Limits to Growth (1972), the Club of Rome study that argued that the dangers of "overshoot and collapse" are built into expanding modern economies and urged that all such growth halt within 30 years.

Dissenting voices, such as London University economist Wilfred Beckerman and Hudson Institute futurologist Herman Kahn, struggled to be heard. But their words were drowned out—and seemingly belied—by a continuing flood of bad news.

Why are their views catching on now? Brown characterizes Simon's work as "a yearning for the kind of world that used to be but no longer is." But O'Sullivan ventures that many Americans are worried that environmentalist thinking has condemned the lower and middle classes to their current shares of an inadequate economic pie. He also points to a "revival in popularity of neoclassical economics—the supply side—which means of course a revival of interest in price questions."

Yet Simon is no mouthpiece for the Reagan Administration or for conservatism in general. He backs greater Government research and expenditure in many areas, such as nuclear fusion and farmland preservation. A reinvigorated space program, currently a prime target of Reagan budget-cutters, is also high on his priority list. In fact, the debate between resource optimists and pessimists is a debate over a surprisingly complex concept—resource availability.

At first glance, the problem seems purely physical—the finite Earth must have a finite endowment of resources. But some resources are renewable. such as trees and fish. Still others are recyclable. And neoclassical economists have long insisted that physical considerations are all but meaningless. Between man's imperfect knowledge of natural systems and mineral deposits and his ability to substitute abundant materials for scarce, they argue, resource availability varies with price and technological progress.

These complexities emerge in sharp relief in the assumptions and methods behind Simon's The Ultimate Resource and Brown's Building a Sustainable Society.

Time frames are a major bone of contention. As Simon explains, "It's a question of how long you want to look back. He [Brown] wants to look back ten years, I want to look back one hundred." But where Simon regards the "diminishing returns" and higher resource prices of the recent past as a short plateau in the middle of a long curve of increasing abundance and declining prices, Brown sees the 1970s as a turning point revealing the first signs of long-term decay. (Both claim that the latest data support their

They differ, too, in evaluating the importance of human decisions on resource availability. Asked about declining per capita food production and soaring populations, which seem to be creating a "Malthusian trap" in black Africa, Simon responded, "The problem is, Africa has practically nothing to do with underlying resource issues. The problems are governmental and political." Even the Sahel, he contends, is "no more ecologically fragile than Israel." Brown grants the "human factor," but argues, "The important thing about soil erosion is that if it's not arrested, changing the other factors won't compensate."

And they clash in population policy—the locus of Simon's major heresy. Simon rejects the picture generally drawn of a dangerously crowded world struggling to provide for millions of new mouths every day. He not only argues (correctly, Brown believes) that population growth rates are slowing. He insists that population growth is ultimately beneficial. More people mean more producers as well as consumers. And since most humans produce more than they consume, living standards rise.

Even in poor third world countries, Simon maintains, higher population densities result in more efficient economies of scale, transportation networks able to distribute food during lean years and greater amounts of "human capital" capable of alleviating poverty and suffering. And he specifically disparages as "ridiculous" and "sterile" the notion that the planet has a "finite carrying capacity" that population levels will strain in the foresceable future. ("I don't know about ten thousand years from now," he adds, arguing that the distant future is not worth worrying about.)

Brown, on the other hand, contends that "in focusing on growth rates, we miss a crucial consideration. From 1960 to 1976, world population grew from three to four billion. The fourth billion was very critical. It pushed human demand above sustainable yields" of farms, grasslands, forests and fisheries.

At bottom, Simon is challenging not only the subtance of doomsaying, but its very wisdom. An endless flow of bad news, he believes, generates despair, not resolve. But could stressing the positive breed apathy and complacency? Simon answered, "I think there are enough problems in our communal and national lives to provide enough challenge for anyone." But such arguments are inherently less convincing than his charts, tables and statistics. For if the human mind is the ultimate resource, it is the ultimate mystery as well.

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