



# The West Virginia HIGHLANDS CONSERVANCY

Special Edition of The Highlands Voice

Vol. 16 No. 8, Sept. 1984

## WVHC — An Advocate for the Highlands—A Retrospective

### An Idea Whose Time Had Come

The events leading to the formal organization of the West Virginia Highlands Conservancy went unrecorded, but Max Smith of Grafton and Tom King of Bridgeport remember. When members of the Canoe Cruisers Association gathered for their first annual Whitewater Weekend on the North Fork of the South Branch of the Potomac in April 1964, reports of a proposed scenic highway across Dolly Sods were troubling them.

By the following spring, when a number of them met at Bob Harrigan's Camp at Seneca Rocks, the concerns had grown. In 1965, Seneca Rocks and Spruce Knob were threatened too. In the first of many meetings at Harrigan's camp, the group committed itself to exploring methods of keeping the areas natural. The process eventually led to formation of the West Virginia Highlands Conservancy.

One of the first steps was to plan an event to publicize reasons for saving these areas. They settled on a "Fall Review" atop Spruce Knob—scheduled for late October's full color. Thanks to Rupert Cutler's efforts, the Wilderness Society printed a brochure to announce the meeting and mailed it to its full membership. Although the day turned out cold, wet and miserable, the group swelled to 350 to 400 people, far exceeding anyone's expectations.

Max Smith's most memorable recollection of the event was of the evening meal and the meeting that followed, held in a revivalist's tent with generators running to provide light. First an excellent barbecued chicken dinner was cooked and eaten in the rain. Then Secretary of Interior Stewart Udall and Senator Robert Byrd spoke. During Senator Byrd's

speech the generators abruptly cut off, prompting him to remark that it was the first time he'd ever had the lights turned out on him.

Throughout 1966 the group held more organization meetings, deciding to act as watchdog for wilderness in West Virginia and be an activist organization rather than just a coordinator for the activities of other outdoor groups. Knowledgeable and forceful individuals from other groups joined to get things rolling—Jim Johnston and Bob Harrigan of Washington and Tom King of Bridgeport with the Canoe Cruisers Association; Bob and Sue Broughton of the Pittsburgh Climbers; Rupert Cutler with the Wilderness Society in Washington; Joe Rieffenberger of the State Department of Natural Resources; Max Smith with the West Virginia Wildlife Federation; Sona Smith with the West Virginia Garden Clubs; Bob Waldrop from the Sierra Club in Washington, Carl Walker and Lou Greathouse with the West Virginia Recreation Society, Bob Burrell of Morgantown, Joe Hutchinson and Bob Maynard.

At the mid-winter meeting held at Blackwater Falls Lodge on the last weekend of January 1967, a constitution and by-laws were adopted and the name proposed by Bob Broughton, the West Virginia Highlands Conservancy, was accepted. The group elected Dr. Tom King to serve as president, Sona Smith as secretary-treasurer and Max Smith as corresponding secretary.

The meetings of the group were long and exhausting, but those taking part thought the objectives worth the time and effort. The group addressed many issues affecting the highlands, including scenic roads and parkways.

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This retrospective of the WVHC is largely the work of Linda Cooper Elkinton, with help from Lowell Markey. The many hours spent on this review of the beginning and the progress of the WVHC over 20 years represent only a fragment of the total time they have dedicated to the work

of the Conservancy.

Keep this issue. When these pages are combined with the part yet to come, you will have a fairly complete picture of one of West Virginia's strongest conservation organizations—your organization.

### Presidents of The WVHC

- 1967-71 THOMAS KING, BRIDGEPORT
- 1971-73 BOB BURRELL, MORGANTOWN
- 1973-74 DAVID ELKINTON, DAVIS
- 1974-75 JOE RIEFFENBERGER, ELKINS
- 1975-77 CHARLES CARLSON, CHARLESTON
- 1977-79 LINDA C. ELKINTON, MORGANTOWN
- 1979-81 JOE RIEFFENBERGER, ELKINS
- 1981-83 JEANNETTA PETRAS, FAIRMONT
- 1983- LARRY GEORGE, HUNTINGTON

### Editors of the Highlands Voice

- 1967-71 BOB BURRELL, MORGANTOWN
- 1971-72 ERNIE NESTOR, ALLOY
- 1973-77 RON HARDWAY, WEBSTER SPRINGS
- 1977-81 TOM DUNHAM, FAIRMONT
- 1981-82 JUDY AND PAUL FRANK, ELKINS
- 1982-83 BRIAN FARKIS, CHARLESTON
- 1984- MARY RATLIFF, LIBERTY

## What is the Highlands Conservancy?

When the West Virginia Highlands Conservancy incorporated in 1969 as a private, non-profit voluntary organization, the incorporators described the objects of the organization—"to promote, encourage, and work for the conservation—including both preservation and wise use—and appreciation of the scenic, historic, open space, wilderness, and outdoor recreation resources of and related to West Virginia, and especially the Highlands Region..."

But even that fell short of the ambition of the group. The sentence describing the objects went on, "...or related to the total environment, for the cultural, social, educational, physical, health, spiritual, and economic benefit of present and future generations of West Virginians and Americans."

Both organizational and individual members make up the Conservancy, members diverse in their personal interests, professions and skills but sharing a common interest. Although the majority of WVHC members reside in West Virginia, many live outside the state's borders as either transplanted West Virginians who still value their mountain home or those who have visited and loved what they have seen or experienced here.

Although specific issues change, the volunteer work of the members centers around monitoring and mak-

ing sure developments proposed for the highlands don't adversely effect significant resources. The work may include conducting land use studies, formulating management recommendations, organizing community interest in a local problem, educating the larger community about resource issues, and advocating legislation. Members attend hearings, write letters, and do the host of things it takes to win protection for the land, water, air and natural resources of the state.

Committee chairs guide work on issues in such areas as mining, public lands, river conservation, highways, Canaan Valley, acid rain and others. In 1984, an outings committee will begin expanding recreational opportunities through the Conservancy.

The officers and Board of Directors of the Conservancy are elected bi-annually. The Board meets four times a year—usually January, April, July and October—to direct organization activities. At these meetings they explore issues, plan activities, and set the direction of WVHC's work.

The president serves as the chief administrative official, assisted by the senior vice president. State and federal affairs vice presidents guide the legislative work in Charleston and Washington, D.C. The secretary and treasurer both do vital work, keeping the operation sound and the records straight.

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# Wilderness in West Virginia—Saving The Best At Last

## The Conservancy's Work

Twenty years ago, the United States Congress faced squarely the problem of declining wilderness and increasing development pressure by passing the ground breaking Wilderness Act of 1964. They recognized that while millions of acres of unspoiled lands had value for at least timbering and mineral development, these special lands also had value in their natural state—for wildlife, for limited recreation, or simply because they existed almost untouched. The nation had a responsibility to save something virtually undamaged by the hand of mankind, for the future.

The founding Conservancy members held a special concern about the fragile and pristine natural areas remaining in the highlands of West Virginia, and soon realized the potential of federal wilderness designation for protecting those lands from what would become regular, if not constant, threats to their integrity. Some would want what grew on them; others would want the minerals under them; some would merely see them as a passageway between cities.

But few Conservancy members could have anticipated the long and arduous struggle which would have to precede final wilderness designation.

After many letters and much work by WVHC's Wilderness Committee under the chairmanship of George Langford, Senator Jennings Randolph and Congressman Harley O. Staggers

introduced wilderness legislation for Dolly Sods, Otter Creek and the Cranberry Backcountry in the spring of 1970. By early 1972, nearly a dozen other bills had been introduced in both houses of Congress on behalf of the three areas. Despite untold hours of exploring, studying, speaking, writing and testifying by WVHC members and others, the Forest Service continued to oppose designation. The bills went nowhere.

The Forest Service at the time was even instrumental in rewriting the Wilderness Act of 1964 in an attempt to deny the spirit and intent of Congress on the matter of wilderness. With the backing of powerful timber and coal interests and the huge sums of money they were able to spend to fight eastern wilderness, all the hard work seemed in vain.

The three areas in West Virginia were added to Senator Jackson's wilderness bill in 1973, and included in another bill introduced that year by Congressman Ken Hechler of West Virginia. This bill, called the "Eastern Wilderness Areas Act," seemed to take root at long last. As a result of Congressman Hechler's hard work, and the ever-growing West Virginia wilderness lobby, West Virginia's Senators were finally beginning to take notice. Senator Randolph co-sponsored the wilderness bill and it appeared all the meetings and letters were finally paying off.

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## Cranberry Backcountry

### Goes Wilderness

The Cranberry Backcountry is a remote wilderness of some 50,000 acres occupying portions of Webster, Pocahontas and Greenbrier Counties in southeastern West Virginia. Steep, narrow valley drainages divide the generally broad, massive mountains with rounded summits. Within short distances the forest screens people from each other, creating the sheer solitude which spells 'wilderness' to outdoor lovers.

Plateaus here range from 2,350 feet at the Three Forks of Williams River to 4,625 feet at the summit of Black Mountain. Hundreds of clear mountain brooks drain the area and flow into the Cranberry, Williams, Gauley and Elk Rivers. Spruce trees cover large areas of the mountain summits and isolated patches of large conifers dot the steeper ridges on the western edge of the area near Three Forks. Elsewhere the forest is largely mixed northern hardwoods.

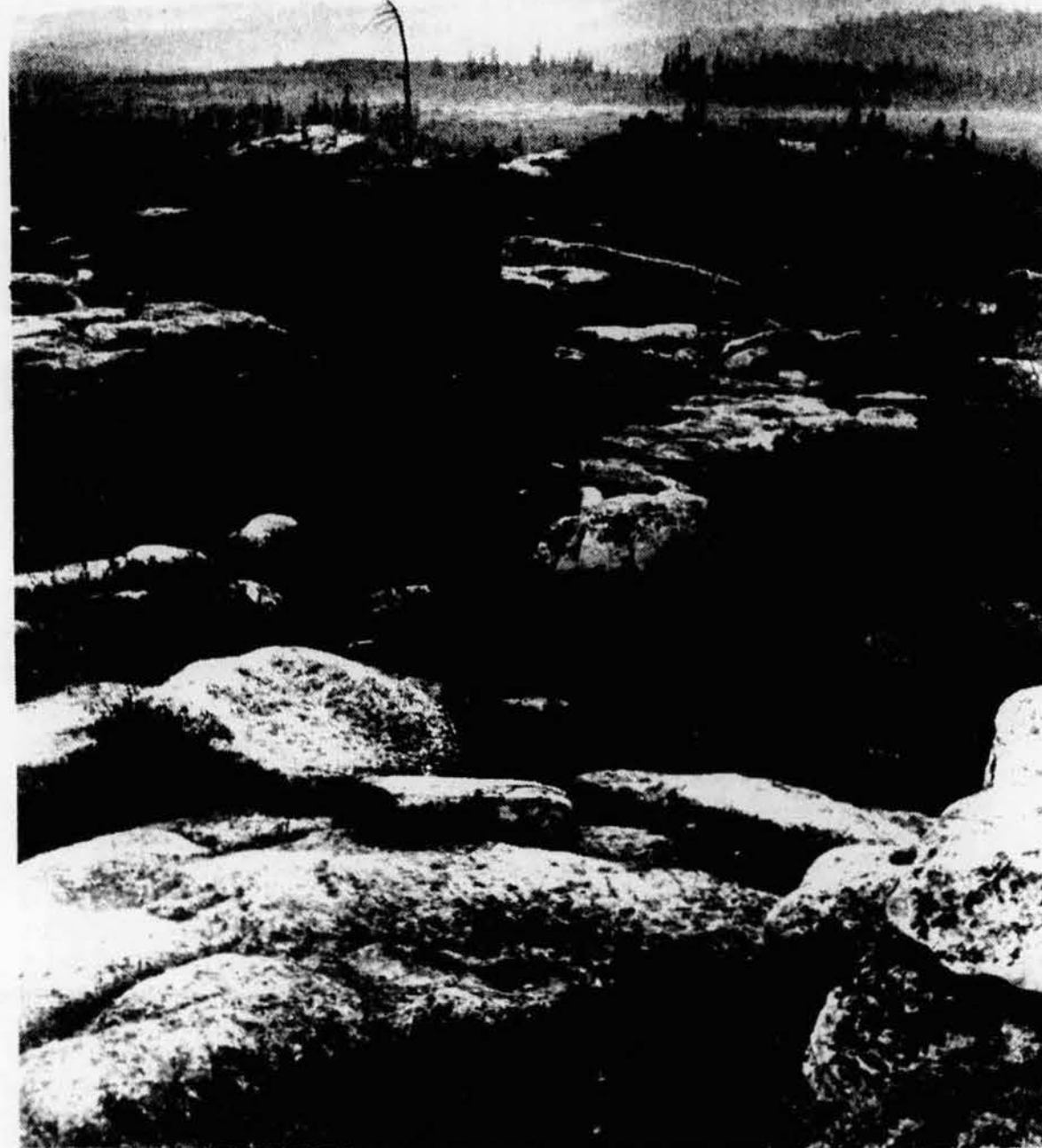
The Backcountry climate remains generally cooler and wetter than the surrounding areas. This accounts, to a large degree, for its lush and varied vegetation. Declared an official Black Bear Sanctuary by the State in 1966, the Backcountry sustains a population of some 200 bear and is now the largest breeding area in the State.

The area is immensely popular for fishing. The West Virginia Department of Natural Resources stocks the Cranberry River with trout regularly during the spring. In addition to attracting hikers and backpackers, the Backcountry is also popular for deer, turkey and small game hunters. Because motor vehicles are not allowed, sports people have contrived all manner of vehicles—wheelbarrows, rubber-tired carts, bicycles, almost anything that will roll—in order to travel the traditional "motorless miles" of gated Routes 76 and 102 in the Backcountry.

On the southernmost edge of the Backcountry is a 750-acre rare botanical area. Here the sphagnum bogs, boggy forests and plant and animal species are more typical of Canada and Nova Scotia than West Virginia. In 1965, this fragile area was established as the Cranberry Glades Botanical Area. The Department of Interior designated it a National Natural Landmark in 1975. A 3,000-foot interpretive boardwalk accommodates public use.

The Forest Service manages the entire Backcountry, which falls within the Monongahela National Forest. But the Chessie System owned the

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Often blustery, but always beautiful, Dolly Sods remains one of the most unusual highlands areas in West Virginia. Photo by Gerald Ratliff, courtesy of GOECD.

## Dolly Sods

Wilderness preservation has been the major point of emphasis for Conservancy action down through the years. In fact, the threat of a road being built across Dolly Sods sparked the informal organization of the Conservancy in 1965. The people who attended that first gathering on Spruce Knob could not foresee that it would take exactly ten years to remove at least a part of the Dolly Sods forever from the threats of road builders.

From the beginning, there was little question of the desire and need for protection for this high plains area of West Virginia. The Sods comprises an area of some 30,000 acres atop the Allegheny Front. It is a tundra area that spread from Route 93 (between Mount Storm and Davis) on the north almost to U.S. 33 where it crosses the Allegheny on its southern end.

Ownership of the area is split, with the northern part, both surface and minerals, in the hand of the Western Maryland Railroad (Chessie System now). The Forest Service owns the southern part, though minerals under that section were in Chessie's hands for many years.

Conservancy member Helen McGinnis knew the area like the back of her hand and produced a hiking

guide and wilderness proposal for it in the early seventies.

The 10,215-acre Dolly Sods Wilderness (the southern end) contains a variety of plant communities and outstanding scenery. The high plains range from about 3600 feet to well over 4,000 feet in altitude. There are sphagnum bogs, beaver ponds, open rocky meadows, and stands of small spruce and hardwoods. The Forest Service planted some small groves of spruce and red pine. From various overlooks, notably Rocky Point, hikers can look down into the deep canyon of the North Fork of Red Creek and its tributaries, clothed in second growth northern hardwood forests with some stands of cove hardwoods near the bottom. Waterfalls, cascades and pools are attractions along Little Stonecoal Run, Big Stonecoal Run and the North Fork of Red Creek. Views to the east and north are also spectacular from such vantage points as Bell Knob Tower and Bear Rocks.

In the fall of 1969, the Forest Service announced that a scenic area of approximately 10,000 acres would be set aside in the Dolly Sods region. Scenic Area designation gave special recognition to this unique and in-

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# One More Great Fall Review — October 12-14

Got an itch to follow the footsteps of 19th century writer/artist Porte Crayon through the wild Blackwater Canyon country? Has it been a long time since you've entered the hushed beauty of the Otter Creek Wilderness? Or have you had the chance to learn the pleasure of climbing Cabin Mountain from Canaan Valley by horseback?

All these options and more will beckon West Virginia Highlands Conservancy members and friends to the Annual Fall Review, to be held October 12-14 at Camp Horseshoe in Tucker County. From the first dinner at the camp on Friday evening, until the Board of Directors meeting adjourns on Sunday afternoon, the weekend promises great recreation, interesting ideas, and warm fellowship.

Although Saturday's outings schedule is sure to stimulate the circulation and the spirit, Fall Review planners Tom Michael and Larry George continue to negotiate arrangements for a speaker to charge your mind. But after dinner at the camp and a rousing speech, they'll have you on your feet again, and swinging through the squares of a good old-fashioned squaredance led by Morgantown caller Taylor Runner. For the inexperienced, the dance will offer a shortcourse on do-si-dos (one of four acceptable spellings) and allemande lefts, so don't let shyness keep you on the sidelines.

The Saturday outings will begin about 9 a.m. at the camp. The most ambitious hike, a rugged six-mile trip through the lower Blackwater Gorge led by Joe Gregory, is expected to take about four to five hours. Sturdy shoes or hiking boots are essential, and hikers should carry water to drink and emergency rain gear (a poncho will do). Since October can be changeable, plan to bring a wool jacket or sweater. The camp will pack your lunch, if you have the full

package registration, but you may want a daypack to carry it.

If you're inclined to a more leisurely exploration, the three to four hour hike through the Otter Creek Wilderness led by Jean Rodman may be your choice. For this beautiful trip through the hardwood forest you'll need sturdy shoes (good tennis shoes will do), water and rain gear. Again, the camp will pack your lunch.

For some, the most intriguing outing may be the possible horseback ride which WVHC will arrange through Cabin Mountain Stables if at least ten people pre-register for the trip and include the trip cost in the Fall Review registration. The Stables offer a two-hour ride in the morning up the Cabin Mountain area, or a two-hour ride in the afternoon into the Valley. At least ten people must sign up and pay for the trip before WVHC can confirm the outing. When you register, please indicate your preference for morning or afternoon trips. If at least 20 people register and the interest is balanced between mountain and valley excursions, WVHC will schedule both trips. The cost of the two-hour trip is \$18 per person. That part of the pre-registration will be refunded if the quota can't be filled.

The final possibility for Saturday's outings will have to remain just a possibility until weather conditions and water levels are known for certain—which will likely be at the last minute. Frank Pelurie, committed to leading a canoe trip on the Cheat, says the easy (Class I) upper section from near the camp (St. George) to Seven Islands will only be runnable if the area's had recent rains. If not, he still thinks the next section, Seven Islands to Rowlesburg known as the Cheat Narrows, will be possible. However, this section requires either Class III skills or Class III courage—preferably the former.

If you want to canoe, please call the Conservancy office—(304) 344-8833 a couple of days beforehand to get a final word on which section will be run. Canoeists are responsible for their own canoes, life jackets, paddles and other amenities. The camp provides the lunches with the full package.

The election will be held at nine on Sunday with the board meeting following. A guided tour will follow

around the Horseshoe Run area. Personnel from Camp Horseshoe will lead this leisurely walk, and participants will be back in time for lunch.

We want you at the Fall Review! Please read the important registration information on this page, then sign up. Either send in the form in this issue, or the form on the brochure (you'll get one if you're a member).

## Fall Review Schedule

<b>Friday, October 12</b>	
6:00 p.m.	Dinner
7:00 p.m.	Campfire, Recreation
<b>Saturday, October 13</b>	
7:30 a.m.	Breakfast
9:00 a.m.	Outings begin from Camp Horseshoe
	Trip 1: Rugged hike into Blackwater Canyon
	Trip 2: Otter Creek Wilderness hike
	Trip 3: Morning horseback ride on Cabin Mountain 2 hours, \$18, only if 10 pre-register
	Trip 4: Cheat River canoe trip (Difficulty and stretch run will depend on water level)
12:00 noon	Lunch in camp, bag lunch for those on outings
	Trip 5: Afternoon horseback ride in Canaan Valley 2 hours, \$18, only if 10 pre-register, time to be announced.
6:00 p.m.	Dinner in camp
7:30 p.m.	Speech/Evening Program
9:00 p.m.	Squaredance
<b>Sunday, October 14</b>	
7:30	Breakfast at camp
9:00	Board Meeting
	Walk/Excursion in Horseshoe Run area
12:00	Lunch at camp
???	Meeting adjourns

**LOCATION**  
Camp Horseshoe is located approximately 12 miles northeast of Parsons, West Virginia. Camp may be found by driving on Rt. 72 north from Parsons or south from Grafton to St. George. Turn right in the center of St. George. Turn left at fork of road by D. Knotts farm and continue to Horseshoe.



### Pre-Register Now For The Fall Review

Count me in! I enclose a check to cover registration costs and meals and/or lodging for \_\_\_\_\_ people.

Registration fee: \_\_\_\_\_ persons(s) @ \$3.00 each \_\_\_\_\_

Full Package:  
2 nights lodging/  
6 meals \_\_\_\_\_ person(s) @ \$23.00 each \_\_\_\_\_  
\_\_\_\_\_ children 5 years or under @ \$14.50 each \_\_\_\_\_  
(children under 1 year free)

Meals only:  
6 meals \_\_\_\_\_ person(s) @ \$17.00 each \_\_\_\_\_  
\_\_\_\_\_ children 5 years or under @ \$8.50 each \_\_\_\_\_

Horseback trip \_\_\_\_\_ person(s) @ \$18.00 \_\_\_\_\_  
( ) prefer morning, either ok  
( ) prefer afternoon, either ok

Total enclosed \_\_\_\_\_

Make checks payable to:  
West Virginia Highlands Conservancy  
Suite 201/ Attn: Mary Ratliff  
1206 Virginia Street East  
Charleston, WV 25301

Registration Deadline Sept. 27, 1984

Dormitory-style lodging, family-style meals. If you can't attend for the full Friday night to Sunday noon schedule of activities and want a partial package, please call (304) 344-8833, the Conservancy's Charleston office, to make alternative arrangements. Babysitting may be available if sufficient demand exists. Please attach a request, giving times and ages of children. The charge is \$1 /hr. per child.

**Nominations Accepted**  
Nominations for all officers and five directors-at-large positions of the WVHC are now being accepted. Please contact John Purbaugh if you wish to nominate someone for one of these positions. Write to: John Purbaugh, Rt. 1, Bx 107, Kenno WV 25248 (Home phone: 988-90)

**Election of Officers**  
The bi-annual election of officers of the WVHC will be held Sunday, October 14, at 9:00 p.m. at Camp Horseshoe. All voting members of the WVHC are encouraged to participate.

## Results Of Omega Hearing Mixed

Monongalia County residents seeking a temporary injunction to halt construction of a controversial up-dip mine by Omega Mining Company got mixed results in Monongalia County Circuit Court at the July 26th meeting. The citizens, joined together as the 4-H Road Community Association to protest the mine, asked the mine be closed while the issues were being resolved in court. On the other side, both the Omega Mining Company and the State Department of Natural Resources asked Judge Starcher to dismiss the citizen complaint.

Although Starcher refused to close down the mining operation because it was not perfectly clear to him that the company was in violation of the law, he did not dismiss the case. He did rule, however, that advertisement of the application for the mining permit was technically correct, thus dismissing contentions that the advertisement was deficient.

Another allegation against the company became moot when the West Virginia Department of Highways issued a permit for excavations under the highway shortly before the hearing.

The primary issue remains the question of whether Omega can legally mine an up-dip or rising coal seam. Although regulation forbids such mining in an acid producing seam, an exception is made for a mine which dips down and then up. The issue has been complicated by a recently enacted regulation which defines "gravity discharge" as only applying to those situations in which the company proceeds consistently upward in its mining.

The definition was added to regulation, modifying the generally accepted meaning of "gravity discharge" implied by the term itself, first by the Federal Office of Surface

Mining in late 1983, and subsequently by the State Department of Natural Resources. The change allows administrators to overlook mining operations which produced acid mine drainage through gravity discharges if the mine slopes slightly downward for any portion of the operation. Figures 1 and 2 represent the difference between the two types of mines.

According to John McFerrin, attorney for several of the citizens, if the mine is like that shown in figure 2, "it only goes down for a very short distance before running up and going for a long distance. Thus, even if the mine does not meet the technical definition of gravity discharge, the pollution problem would be substantially the same because the water would still flow from the mine."

Still pending in Monongalia Circuit Court are a final determination on whether the mine meets the definition, and questions of damage to structures on the surface.

In a separate action, the citizens are challenging the Water Resources Board's issuance of a permit to Omega in Kanawha Circuit Court. Issues pending in that case include:

- whether the Omega Mining Company's permit application was complete;
- whether the operation will cause seeps of polluted water to develop and flow into the stream;
- whether the effluent limits & amounts of pollution allowed by the State are adequate to protect the streams; and
- whether the Omega Mining Company should be required to post a bond to ensure money will be available to treat the water after the company has closed its operation.

No date has been set for a hearing.

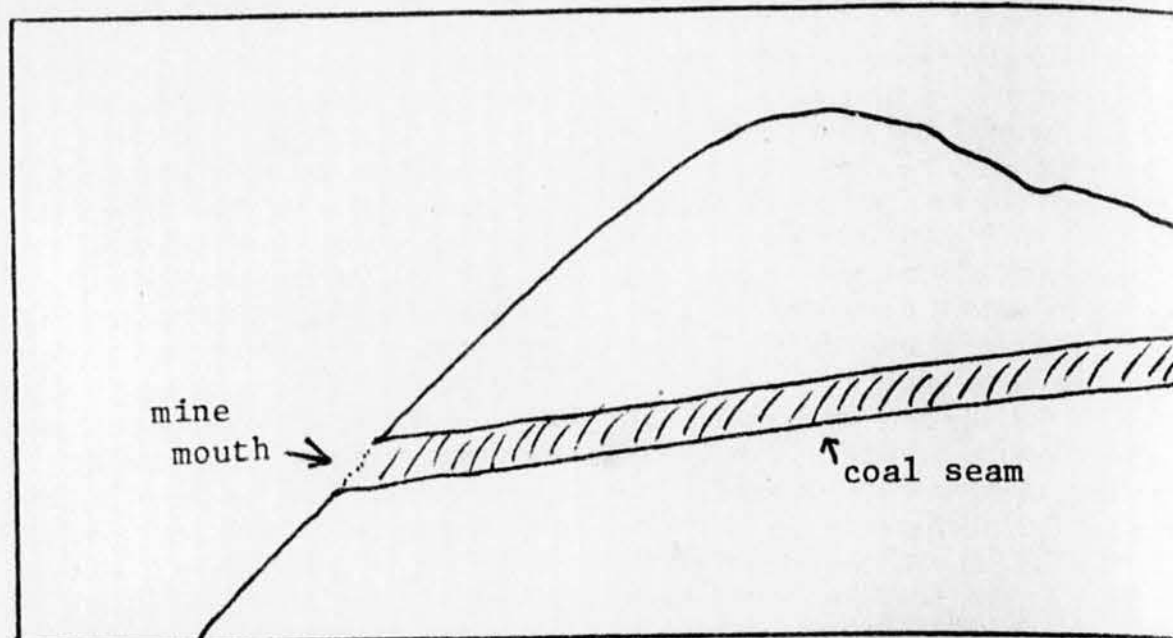


Fig. 1: This mine would fit the new definition of gravity discharge because the mining operation would run continuously upward. In an acid seam it would be clearly illegal.

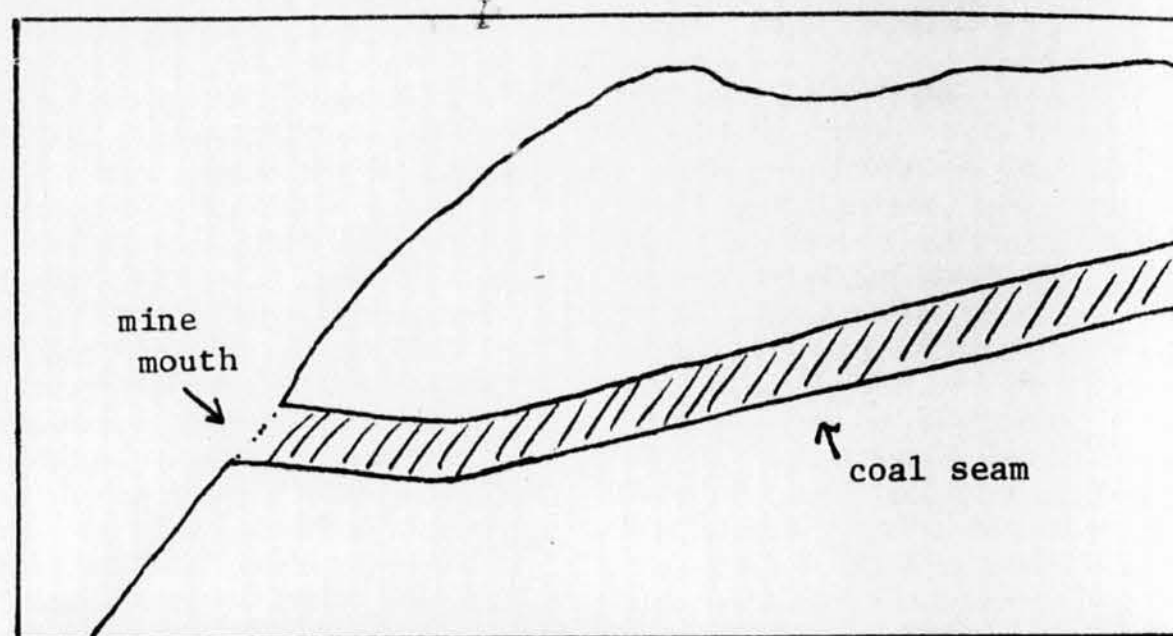


Fig. 2: This mine would not be prohibited under the definition of gravity discharge because a portion of the drift runs slightly upward. Water would be discharged by gravity, though, after the depression filled and water reached the level of the mine mouth.

## No Anti-Coal Agenda In Acid Rain Issue

In a July 26th press release, Conservancy President Larry George responded to charges by Senator Robert Byrd that the "ultimate purpose" of "some proponents of acid rain controls...is to stop the burning of virtually all coal." The remarks were made in a June 18th speech before the National Coal Association in Washington, D.C.

"The West Virginia Highlands Conservancy is absolutely committed to supporting acid precipitation controls which will not impair coal industry production or employment in the Appalachian coal fields and particularly in West Virginia," George said. "The Conservancy categorically rejects any implied or expressed characterization of its support of acid rain control legislation as being intended to impair the state's coal production and mining employment. Senator Byrd was mistaken if he was directing these remarks at the Conservancy or any other West Virginia conservation group," he said.

In October, 1983, the Conservancy endorsed the concept of the Waxman-Sikorski bill, HR 3400, introduced last summer in the House of Representatives with over 100 sponsors as compromise legislation. The Waxman-Sikorski bill would require

installation of "scrubbers" at the fifty coal-fired power plants in the eastern United States with the greatest sulphur-dioxide emissions in order to achieve a ten-million-ton reduction in the present twenty-four-million tons emitted annually. Ninety percent of the cost of installing scrubbers would be financed by a nationwide tax of 1/10 cent per kilowatt-hour on consumer electrical bills, with the remaining 10 percent of costs paid by the utilities.

George said, "In terms of environmental damage, coal production and mining employment, West Virginia probably has more at stake in the acid rain debate than any other state. The Waxman-Sikorski bill will both protect our state's high sulphur coal production and achieve imperative reductions in sulphur dioxide emissions to control acid precipitation."

WVHC has studied numerous acid rain proposals for over a year in seeking legislation which would protect both the environmental and economic interest of West Virginia. The Conservancy has previously contacted the West Virginia Congressional delegation, UMWA President Rich Trumka and Governor Rockefeller asking their support for H.R. 3400.

## Coal Refuse Permit Granted For Hominy Creek Pile

by John Purbaugh

At the end of July, the Water Resources Division of the Department of Natural Resources issued a water pollution control permit to Westmoreland Coal Company for their proposed Blue Branch of Hominy Creek coal refuse pile. The final permit, which had been the subject of comments by the Conservancy and Trout Unlimited, and upon which water resources chief Dave Robinson had held a public hearing, was modified from the draft form originally released for public comment.

The change meant a reduction in

the allowable concentration of iron and manganese in the effluent from the pile from 3.0 milligrams per liter to 1.5 mg/l. This reduction in the effluent limit came in response to the comments which pointed out the existing level of iron in Hominy Creek, a valuable brown trout stream.

Westmoreland, which promised a packed audience at the public hearing, "If we don't get this permit without a reduction in the effluent limit, we're out of business," has quietly informed water resources that the reduced effluent limit is now acceptable.

## Join the Conservancy

## A Good Year For Wilderness Could Get Even Better

by Linda Winter

Five statewide wilderness bills were approved by the Senate the night of August 9th—California, Vermont, Arizona, Arkansas and Florida—a total of 3.3 million acres. The Arizona bill designating one million acres has gone to the President for signature.

If the House of Representatives passes the other four bills, Congress will have designated about 5.7 million acres of National Forest as Wilderness Areas in this session. Acts previously passed by the 98th Congress set aside lands in Oregon, Washington, New Hampshire, Wisconsin, North Carolina and Missouri.

Bills still pending could add lands from Alabama, Colorado, Idaho, Montana, Pennsylvania, Tennessee, Texas, Wyoming, Virginia and West Virginia (if the Mountain Lake Wilderness Area proposed for Virginia is expanded to include 3,000 acres of Monroe County.)

Congress could create as many as 10 million acres of new wilderness areas in 25 states before the session ends, giving this Congress the distinction of protecting more acres—with one exception—than any Congress since the wilderness system was created in 1964. The exception, of course, is the Congress which placed 55 million acres of Alaska under wilderness protection, a total acreage almost impossible to match in the continental U.S.

Particularly exciting is the California bill which will designate 1.8 million acres after a delay of more than five years. The legislation includes "Wild and Scenic" designation for an 83-mile stretch of the Tuolumne River in the Sierra Nevada mountains. The House version of the bill, passed last year, does not include the wild and scenic language for the Tuolumne, so the Senate bill is now headed to the House for concurrence. Action on the bill in the House is expected some time in early September. The California bill would also release 1.3 million acres for timbering, mining and other developments.

Senate action on the Virginia Wilderness bill along with several other eastern bills is expected as soon as Congress is back in session in early September. Expressions of support for inclusion of the 3,000-acre Monroe County, West Virginia, tract in Virginia's proposed Mountain Lake Wilderness Area could influence Senator Byrd and Senator Randolph to offer an amendment on the Senate floor to add the area. The tract could be designated either by full Wilderness Area status or by Wilderness Study Area status. Congressman Staggers has already indicated his support for WSA status.

According to the National Wildlife Federation's July newsletter, the two flawed wilderness bills are those naming inadequate acreages in Idaho and Wyoming. While Idaho has eight million eligible acres, its bill only designates 526,000 acres. The Idaho Wilderness Federation advocates a 4.5-million-acre area. Similarly,

Wyoming's proposed 635,000 acres represents too little of the state's four million acres of undeveloped lands, and could in fact mean a reduction of acreage now protected in the state.

The designated lands will provide nearly undisturbed habitat for native plants and animals. Designated wilderness areas are managed as

places free from roads and most development activities such as mining, timber harvesting and oil and gas development.

## Fall Whitewater Plan For Gauley Advancing

A fall whitewater release plan for the Summersville Dam on the Gauley River has been approved by the Huntington office of the U.S. Army Corps of Engineers and awaits final approval from the Cincinnati regional office. Under the plan the fall drawdown of Summersville Lake would begin September 8th, with scheduled daytime releases at about 2,400 cubic feet per second assured for 20 days, providing reliable flows for commercial rafting.

On August 14th, the Department of Natural Resources agreed to support the plan in a letter from Director Willis Hertig to the Corps, but not without reservations. DNR plans to monitor the impact of the flows on fish and other aquatic life. Hertig specified that DNR wanted to reserve "the right to introduce additional information and comments pertinent to water quality, fishing or other impacts." He also indicated they would object to any release schedule that interfered with the fall trout stocking program.

The Charleston Gazette of August 15th quoted wildlife division chief Bob Miles as saying the major impact of the drawdown will be on fisherman use downstream, with fishing conditions adversely affected by widely varying flows. Hertig referred to the precedent of whitewater releases, comparing them to hydropower releases, which he said DNR had consistently opposed.

The statements do not coincide exactly with the position expressed in a written statement by Miles read to the Conservancy members present at the winter workshop on the Gauley River hydropower proposal. In that statement, Miles said, "We have not taken a position for or against the Summersville Project," then added, "it is the professional opinion of the West Virginia Department of Natural Resources that the Summersville Hydropower Project, as proposed by the Corps of Engineers, will not have an adverse effect on the aquatic and terrestrial wildlife of the area in question."

The statement referred to the Long-Tunnel Plan, which would have reduced flows in the three miles immediately below the dam to a constant 200 cfs and established a daily peaking release below the power station. DNR did object to the alternative short tunnel plan, however, since peaking release schedules would affect the entire lower Gauley River and put the greatest stress on fish and other aquatic organisms.

Bert Pierce, the DNR biologist who presented the department's position at the winter meeting, said then that occasional fluctuations do not harm fish since they can find protection

behind rocks until the high water passes. As the frequency of fluctuation increases, the frequency of adverse effects increase. "In the breeding season," he said, "fish could deposit eggs high and the eggs would be left dry when the water level dropped." The fall releases will not affect the breeding season, however.

Fall drawdown of the lake cause increased flows during September each year. The proposed modification of the schedule to accommodate whitewater recreation will concentrate those flows during the day.

In the summer meeting, the WVHC Board of Directors voted to support the special 20-day release schedule.

## Nature Conservancy Purchases

### Major Cranberry River Tract

The last major private inholding along the Cranberry River was acquired in mid-July after months of complex negotiations and a series of intricate transactions involving the Forest Service, The Nature Conservancy, the Georgia-Pacific Corporation, and the tract's owners, the Ivah B. McClung estate in Charleston. The 904-acre tract is considered a vital addition to the Monongahela National Forest as all traffic headed for the lower gate of the popular Cranberry Backcountry must cross the property. The tract contains more than a mile of frontage on the Cranberry River.

Under the negotiated arrangement, The Nature Conservancy purchased the land and later resold it to the Forest Service. At the same time, timbering rights for that part of the tract which does not front on the river were sold to Georgia-Pacific Corporation. In a carefully structured timber cutting agreement, Georgia-Pacific

will cut the timber on its part of the tract over the next eight years under guidelines established by the Forest Service. At the conclusion of the timbering period, all interest in the tract will go the Monongahela National Forest.

Ed Maquire, West Virginia State Director for The Nature Conservancy, described the transaction as important for several reasons. "At the time we stepped into this project the owners were in the final stages of negotiating an unrestricted sale of the property to Georgia-Pacific. By involving the Conservancy we were able to structure an arrangement which provides the sellers with their asking price, allows Georgia-Pacific to harvest the timber under Forest Service guidelines, and assures future public use of the area."

Payment for the land was arranged with the cooperation and support of Senator Robert C. Byrd.

## Wetlands Protection

### Legislation Stuck

As Congress edges toward the scheduled October 1 adjournment, an important piece of legislation designed to protect critical breeding habitat for fish, shellfish, ducks, geese and migratory birds remains locked in an impasse. The bill, call the "Emergency Wetlands Resources Act," and enrolled as SB 1329 in the Senate and HR 3092 in the House, has been slowed by dickering over a non-germane rider. In the House bill, the rider was added to provide funds for two massive jetties at the mouth of Oregon Inlet on the coast of North Carolina.

Under the proposed act, 100,000 new acres of prime wetland habitat could be purchased each year, saving it from development or "reclamation" for farming purposes. Wetlands are often eyed by developers as presently

useless lands which could become useful if only they could be "dried out." But increasingly, scientific evidence points to wetlands as areas most important to the biological chain, because of the tremendous variety of plants and animals which depend on still water areas for breeding grounds and habitat.

Wetlands continue to disappear at an alarming rate, according to the National Wildlife Federation. NWF has identified Representative Walter Jones (D-NC) as a key player in the action on the Emergency Wetlands Resources Act. They urge concerned people to write Jones, as well as John Breaux (D-LA), one of the bill's original sponsors, to urge deletion of the Oregon Inlet rider and passage of the bill.

# Membership Drive Ready To Go

With the printing of a new membership brochure in late August, the fall membership drive of the West Virginia Highlands Conservancy will be ready to get underway. Through mailings to outdoor and conservation minded people both in and out of West Virginia, through contacts from current members, referrals, news releases and other contacts, the Conservancy hopes to attract hundreds of new members to its ranks.

Although the Conservancy reached its highest membership levels during years when hot issues such as wilderness designation for Cranberry or the Davis Power Project threat to Canaan were brewing, national surveys show concern about the environment is running high. A strong, stable conservation group such as the WVHC should, because of its broad issue base and record of effectiveness, be able to grow substantially.

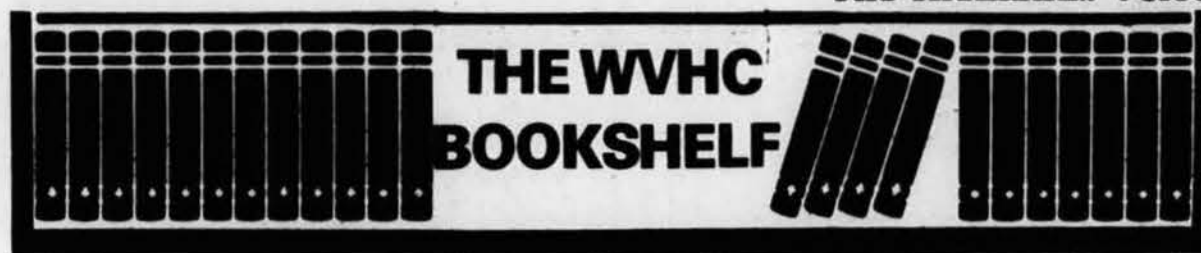
The majority of current members live in West Virginia, but WVHC has attracted many members from surrounding states who value the eastern highlands for recreation and natural beauty. People from Pennsylvania, Ohio, New York, Virginia, Maryland, and Washington, D.C. account for over 200 of the organization's present membership. The organization reaches far afield, though, as former West Virginians and other highland lovers have

spread to Connecticut, New Jersey, Massachusetts, Maine, Vermont, Delaware, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Kentucky, Louisiana, Indiana, Michigan, Oklahoma, Texas, Colorado, Utah, California and Oregon. Even the country's borders won't encompass Highlands Conservancy members—three friends have found their ways to points as far as Katmandu, Nepal, and Blantyre, Malawi, without losing interest in West Virginia.

In the coming months, the Voice will carry progress reports on the drive—and pleas for your participation. Lots of mailing lists just won't reach that friend or neighbor you know who cares about the future of West Virginia's natural treasures. If you hesitate to ask that person to join, why not drop a postcard with your friend's name and address to us? We'll mail a brochure, or make a call, or write a letter. We need your involvement to spread the word about WVHC, so together we can grow.

Please send your ideas, names, or offers to help out the membership drive to Mary Ratliff, WVHC, Suite 201, 1206 Virginia Street East, Charleston, WV 25301. If you have suggestions to phone in, call WVHC's new office number—(304) 344-8833.

By the new year, the Conservancy wants to have 1000 members. And will, with your help.



Available from The West Virginia Highlands Conservancy:

**Care of the Wild**, Jordan and Hughes  
 Copies \_\_\_\_\_  
 An excellent guide to home emergency care for wild animals. (Reviewed in August, 1984 Voice)  
 \_\_\_\_\_ @ \$8.95 paper  
 \_\_\_\_\_ @ \$13.95 hardcover

**Hiking Guide to Monongahela National Forest and Vicinity**, WVHC  
 \_\_\_\_\_ @ \$7.00 paper  
 Invaluable for hikers—includes trail descriptions, topo maps. 240 pages, with Dolly Sods, Otter Creek and Cranberry.  
 postage and handling \$1.50

Total enclosed \_\_\_\_\_

Order your copies of important wildlife and conservation books from the WVHC. Send your check or money order and this order blank to: West Virginia Highlands Conservancy, Suite 201, 1206 Virginia Street East, Charleston WV 25301. allow 3-4 weeks for delivery.

## Members/Chair Needed For New Outings Committee

The WVHC Board of Directors has accepted the recommendation that Conservancy members ought to have more fun—more hikes, more canoe trips, more visits to the special nature areas the organization has worked so hard to protect.

But without organizers, these new plans may get lost in the wilderness. If you have a little time to devote to the Conservancy, why not be a member, or even a chair, of the Outings Committee? The committee will coordinate planning of an April through October schedule of trips for 1985, help make arrangements with

leaders and serve as contacts for people interested in attending.

The outings schedule could be as ambitious as the organization, but the WVHC hopes to at least supplement the current outings with an additional event each month somewhere around West Virginia.

We think our members are itchy to get together for fun. If you'd like to help with the committee or lead it, why not contact Larry George today. Write him at: 9 Crestridge Drive, Huntington, WV 25705, or call (304) 736-1325 in the evening.

Clip and mail to a friend. . . . Clip and mail to a friend

Yes, I want to be a member of The West Virginia Highlands Conservancy

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Organization you Represent (if any) \_\_\_\_\_

Check membership category:

Individuals	Organizations
<input type="checkbox"/> \$15 Regular	<input type="checkbox"/> \$50 Regular
<input type="checkbox"/> \$25 Family (One Vote)	<input type="checkbox"/> \$100 Associate
<input type="checkbox"/> \$30 Associate	<input type="checkbox"/> \$200 Sustaining
<input type="checkbox"/> \$50 Sustaining	
<input type="checkbox"/> \$12 Senior Citizen/Full-Time Student	

(Optional) My special conservation interest/activities include: \_\_\_\_\_

Make Checks payable to and Mail to:  
 The West Virginia Highlands Conservancy  
 Suite 201, 1206 Virginia Street East  
 Charleston, WV 25301

Clip and mail to a friend. . . . Clip and mail to a friend

## The Conservancy

### Needs You!

## Coming Up...

—October 12-14—Camp Horseshoe

—WVHC FALL REVIEW  
 —Speeches, hikes, canoeing, horseback trips, square dance & more. Fall board meeting & election of officers. See page 3 for details.

—September 22, 6 p.m.—midnight  
 —Gauley River Festival  
 —Mountain River Tours Campground, on Hwy. 60 just east of U.S. 19  
 —Benefit for Citizens for Gauley River. Bluegrass music, whitewater films, kayak and raft auctions & raffles. Dancing, comedy, food.  
 —Admission \$3-4 contribution

September 8-9—Seneca Rocks/Dolly Sods  
 —Sierra Club outing—picnic, swim, hike, climb, visit Smokehole Caverns, help with birdbanding. Call Pat Stanley at 485-8293, Glade Little at 422-0492, or Kathy Gregg at 472-3812. 50 cent donation.

—October 6-7—Laurel Fork Wilderness  
 —Sierra Club outing—Saturday dayhike or overnight backpack, children and beginners welcome. Call Jim Sconyers, 789-6889. 50 cent donation.

—September 14-16—Red Creek, WV  
 —Brooks Bird Club Hawk Count.

Ten at-large members of the board of directors are elected on staggered terms from the general membership. Organizations which share WVHC's interest may apply for representation on the board by writing the president. Since each board member is vital to the work facing the WVHC, regular attendance is required. Board meetings are open to the public.

Organizations represented on the board in 1984 are: Kanawha Trail Club, National Speleological Society, Sierra Club, Potomac Appalachian Trail Club, Pittsburgh Climbers, George M. Sutton Audubon Society, Canaan Valley Alliance, West Virginia Council of Trout Unlimited, Mountain Stream Monitors, Kanawha Valley Chapter Trout Unlimited, Brooks Bird Club, and KYOVA Chapter of Trout Unlimited.

To keep members up to date on the activities of the WVHC and current conservation issues in the state, the Conservancy publishes **The Highlands Voice** monthly. An eight-page newspaper, the **Voice** is filled with news, issue analysis, opinion, book reviews, outings schedules, and other items of interest to the members.

Special events highlight the spring and fall quarterly meetings—beckoning both members and the public to join exciting field trips, hear important speeches, panel discussions and debates, and enjoy music, square dancing, films and other recreation. The

field trips range from challenging hikes and canoe trips to leisurely flower and bird walks, and take participants far into the beautiful highlands the WVHC works to protect.

Although the Conservancy opened its first administrative office in 1984 in Charleston, West Virginia, the primary work is still done by volunteer members. The administrative office helps coordinate committee efforts, manages membership development, assists with legislative work, and publishes the **Voice**.

The WVHC remains what it has always been, an organization of dedicated, rugged individualists who have a strong interest in a particular highlands issue or area, but who recognize the value of combining forces. The strength of WVHC's advocacy for the rivers, forests, valleys, caves, wetlands, wildlife—in short, the natural wealth of the state—depends on its strength as a group of volunteers and the personal commitment of its members.

When an issue arises, and someone brings that issue to the board through an officer, through the **Voice**, or in person, the board will decide whether and how the WVHC will act. The board has always encouraged participation—and the effectiveness of the WVHC has proven the value of broad-based input.

**An Idea...**

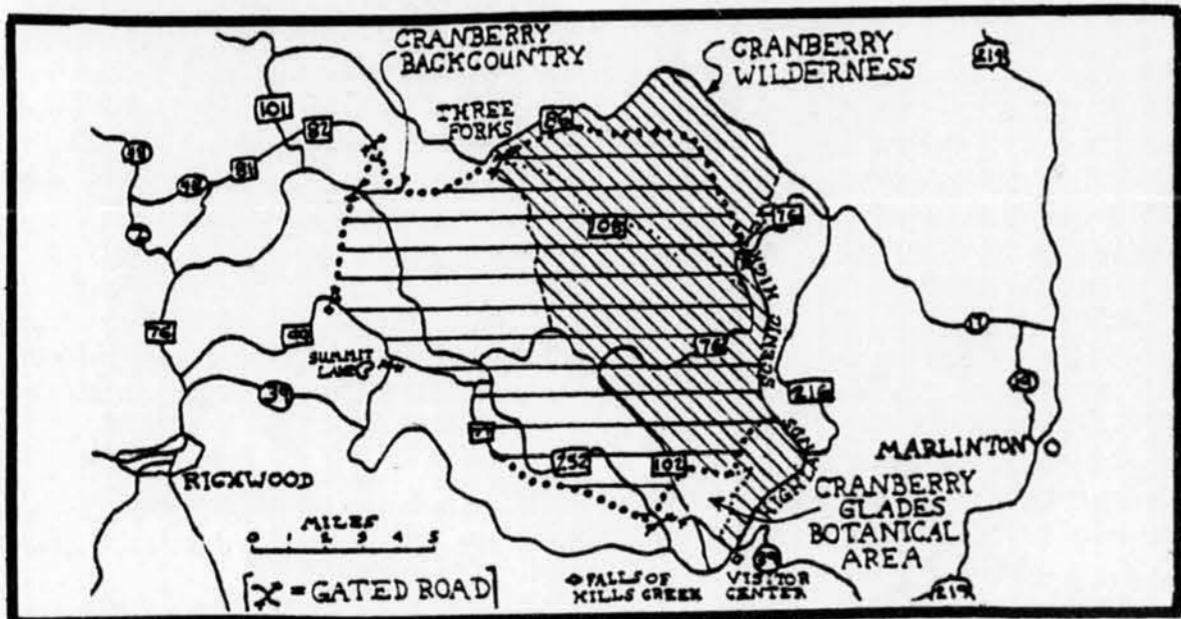
dam construction, unplanned real estate development, strip mining, water pollution, regional management plans, acquisition of inholdings within the National Forest, and preservation of wild lands and rivers.

Gathering at Mouth of Seneca in early October 1967, the Highlands Conservancy held the first Fall Review under its newly adopted name. Co-sponsoring groups were: The Audubon Society of Western Pennsylvania, Brooks Bird Club, Canoe Cruisers of Washington, Explorers Club of Pittsburgh, Tucker County Chapter of the Izaak Walton League, Kanawha Trails Club, Nittany and Pittsburgh Grottoes of the National Speleological Society, West Virginia Chapter of The Nature Conservancy, Pittsburgh Climbers, Potomac Appalachian Trail Club, West Virginia Recreation Society, Atlantic Chapter

of the Sierra Club, West Virginia Garden Clubs, West Virginia Wild Water Association and the Wilderness Society.

Saturday's activities included bird-banding at the Red Creek Campground, a nine-mile hike on Dolly Sods, a float trip through the Trough, hawk-watching at Bear Rocks, a cave trip into the Sinks of Gandy, and a climbing demonstration on the face of Seneca Rocks. That evening, participants bit into a chicken barbecue dinner at the Mouth of Seneca Pavilion. The evening program, "A Plan for the Highlands," featured speakers Ephe Oliver, Supervisor of the Monongahela National Forest and U.S. Senator Jennings Randolph.

The Fall Review attracted more than 300 people. The West Virginia Highlands Conservancy was off and running!



**The Conservancy's...**

The Forest Service purchased from the Nature Conservancy the mineral rights under that part of Dolly Sods already in National Forest and proposed for wilderness designation. Also, the Forest Service and coal companies had by then studied the mineral deposits under both Otter Creek and Cranberry enough to realize they did not contain the vast reserves they had once thought.

United in support of Hechler's Eastern Wilderness Areas bill, the conservation community in West Virginia undertook long, hard work for the bill—appearing at subcommittee and committee hearings, writing letters, and making telephone calls. By late 1983 the bill was making progress, but slowly. In March of 1974 the Senate Agriculture Committee became deadlocked on the issue. The timber and coal lobbies had proven their strength.

In April, 1974, the House held hearings on a compromise bill, with WVHC well represented. But we began to get inklings that wilderness for Cranberry might have to wait. In May, the good and bad news came. The Senate Committee recommended that Dolly Sods and Otter Creek become what was termed 'instant' wilderness, but that the proposed Cranberry wilderness be relegated to 'Study Area' status. The coal lobby would try to keep it.

On May 31st, the Senate passed the Eastern Wilderness Act as recommended by their committee and after an all-out lobbying effort the House followed suit in December.

For the first time and at long last, West Virginia had two federally-protected wilderness areas. The oc-

casional was a milestone in our history. Ron Hardway, **Voice** editor at the time, reflected on the matter: "After more than five years of frustrating postponement, compromise and revision, the Conservancy's efforts on behalf of eastern wilderness bore fruit on December 18 with Congressional passage of S. 3433, the Eastern Wilderness Act..."

"The act brought to a close one of the most entertaining chapters of Conservancy history. We won, of course, Dolly Sods and Otter Creek, overcoming strong objections from the Forest Service, the timbering industry, the road builders.... We have tied the coal industry for Cranberry.... We may yet lose it, or win not enough of it to have made the effort worthwhile. But that fight is yet to come.

"For the moment (and I do mean no longer than) let us sit down and take a deep breath, perhaps a sigh of relief, and reflect on what has gone before.

"The Conservancy has gained many things from this bitter wilderness fight besides two wilderness areas. We have come of age as an organization, leaving behind us the days of a handful of letter writers and an occasional group picnic or hike.

"We are now recognized as the leading environmental organization in West Virginia by every major environmental group beyond your crabby borders. The state government agencies and politicians with whom we must deal now realize that the Conservancy is not an idle group of do-gooders, but an organization of active, intelligent and informed environmentalists."

**Dolly Sods...**

creasingly popular area. It also gave the Director of the Department of Natural Resources a rationale to deny applications to strip mine the area. Since the coal seams in the area favored stripping, open mining was a constant threat.

The Forest Service plan did not include approximately 3,100 acres immediately north of Forest Route 19 because it contained stands of commercial quality timber. It also excluded the lower canyon of the North Fork of the Red Creek, with its beautiful forests and small meadows, and Little Stonecoal Run, with its small waterfalls and unusually large hemlock and beech forest.

Neither WVHC's wilderness proposal nor the Forest Service's Scenic Area Plan covered the upper watershed of the North Fork of Red Creek (the northern portion of the Sods). This portion remains unprotected today. Chessie, which owns both the surface and minerals, allows the public easy access and the area is heavily used by hikers and backpackers. Off-road vehicle users of all types also use the area—some respect the unique qualities of the area and some look only for the deepest mudhole to bore around in. Deer hunting is also very popular.

The possibility that this part of the Sods will someday be strip-mined remains, and such mining could include the very popular Bear Rocks section where birdwatchers have gathered for decades to watch the annual fall hawk migration.

The pumped-storage power plant proposed by the Allegheny Power System for Canaan Valley would, if built, have effects on Dolly Sods. Water from a large impoundment on the floor of Canaan Valley would be pumped up Cabin Mountain to a second reservoir at Dobbin Slashing, a bog in the northwest corner of Dolly Sods (outside the wilderness boundary). Power would be generated during peak power demand periods by letting water down from the upper reservoir through turbines. Should the proposed power project be built, Dobbin Slashing, the largest contiguous bog in West Virginia, would become a 500-acre lake with constantly fluctuating depth and shoreline to accommodate the plant's cycle of pump, store, and generate.

The proposed Allegheny Parkway was routed through this part of Dolly Sods, although alternative routes to the west were also suggested. Planners also routed Corridor H across the

## Cranberry Backcountry...

Continued from Page 2

minerals underlying the area when the drive for wilderness status began.

The Backcountry designation itself was developed by the Forest Service for fire control purposes. After the forests of West Virginia were cut at the turn of the century—"not a stick left standing" in many places—fires plagued the land, causing immense erosion and flooding problems. To minimize public use of the area, the Forest Service designation prohibited roads, motorized traffic and campgrounds.

But the Forest Service sabotaged its own quiet approach to reducing public use and abuse to Backcountry when it began clear-cutting the area in the early 1960's.

### Plans for Wilderness

In 1969, the WVHC and the Izaak Walton League proposed a wilderness plan for the entire Backcountry area. But by 1972, the area south and west of the Cranberry River had to be excluded from wilderness consideration because the area could not qualify for wilderness protection.

In 1970, Helen McGinnis and others of the WVHC developed a second wilderness proposal for the area, centered around the Middle Fork of the Williams River and the North Fork of the Cranberry River.

During the years 1972 to 1975, the effort to achieve federal wilderness protection for Cranberry was combined with that for Dolly Sods and Otter Creek. But Congress denied the Cranberry permanent protection under the Eastern Wilderness Act of 1975. Yielding to the pressure of the timber and coal interests, they called for study of what they were told were immense mineral resources under the area.

Cranberry's designation as a "Study Area" was far from WVHC's goal, but still more protection than it had at the time. The Act stated that the "Study Areas" must be managed "so as to maintain (its) presently existing wilderness character and potential for inclusion under the National Wilderness Preservation System until Congress determines otherwise," and that any activity that would "diminish" its presently existing wilderness character was prohibited. At the time Congress also directed the Forest Service to study the mineral resources under Cranberry and make further recommendations on its wilderness status by December, 1980.

WVHC continued to monitor activities in the area and promote the Forest Service's timely completion of their study. Protection could not come too soon for Cranberry. But little did we know that the most intensive efforts to protect the Cranberry area still lay ahead.

In February 1975, just two months after Congress' designation, the Chessie System sublet the coal under the northwestern quarter of the Study Area. Powellton Coal Company, the lessee, constructed 20 miles of new roads in the area the next summer. The roads were poorly built and choked both the Williams and the Cranberry Rivers with trout-strangling silt.

Formal reports indicated Powellton planned two deep mines. One mine opening was to be just outside the Study Area boundary and the other five miles inside the Study Area. Construction on the mine openings, additional road construction and railway extensions were scheduled to begin in April 1977.

Despite loud protests, the Forest Service under advice from the Department of Agriculture's counsel, absolutely refused to intervene and enforce the protective provisions of the Eastern Wilderness Act. Chessie held a broad-form deed to the minerals which they claimed gave them the right to do essentially whatever was necessary to mine coal in the area. The Powellton Company forged ahead and the State granted them the required mining permits to open the mines. On December 8, 1976, the West Virginia Department of Natural Resources issued the last required permit, a water discharge permit. WVHC appealed its issuance and lost.

As a last resort to block the mining, the Conservancy filed suit against Powellton, the Forest Service, and the EPA. The attorneys deliberated the various laws and regulations for months. Finally, on advice from the U.S. Attorney for the Southern District of West Virginia, the Forest Service declared Powellton would have to acquire federal permits before opening the mines and they would also have to provide extensive written mining plans. Later, the Forest Service indicated it might choose to interpret Chessie's turn-of-the-century deed restrictively and perhaps require the coal be mined by methods prevalent when the deed was negotiated in the early 1900's.

The lawsuit generated much publicity and became highly controversial across the state. A bill was introduced in the West Virginia Legislature in early 1977 to prevent mining until Congress could make a decision on the area's wilderness status. But not until 1978, when Conservancy mobilized massive support for the bill, did it pass by an overwhelming majority in both state chambers.

In 1979 the Forest Service completed a report as required by Congress under the Roadless Areas Review (RARE II) program. Since the Forest Service had received many letters in support of wilderness and their mineral studies showed the resources underlying the area were quite sparse, they recommended Congress designate 35,550 acres in the Cranberry Backcountry as wilderness. In 1980, even Chessie dropped its opposition.

But the way was still to be rocky, slowed by hesitations of West Virginia's delegation in Congress, haggling by local political officials worried about loss of tax revenue and potential coal mining. In 1981, Congressman Cleve Benedict introduced a new bill. The early 1982 hearings went well, but when Congress recessed for the fall elections the bill remained at the bottom of the Senate.

In the closing days of the lame duck session after the 1982 election, Senator Byrd called up H.R. 5161, the



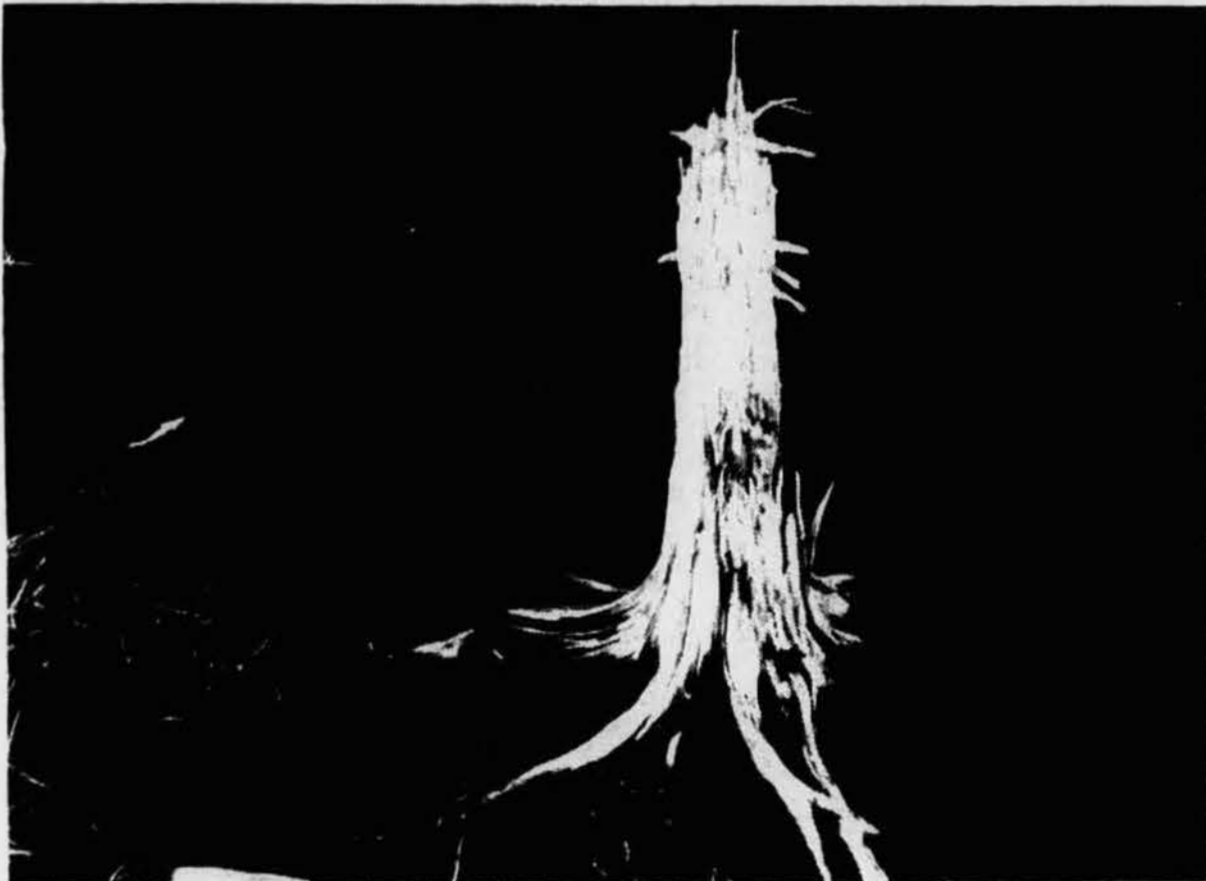
The boardwalk through the fragile wetlands of Cranberry allows visitors to see a unique habitat and rare plants without causing damage. This area lies on the southern border of the Cranberry Wilderness. Photo by Gerald Ratliff, courtesy of GOECD

Cranberry bill, and after midnight on December 20, passed it. Because of a change which provided compensation for counties for lost revenue, the bill had to return to the House, where it immediately drew opposition from Rep. Mick Staton (R-WV).

But on December 22nd, 1982, at 2 a.m., the Cranberry Wilderness Act became the last bill to pass the 97th

Congress. Even then, the bill came close to a pocket veto on President Reagan's desk. Only after Senator Byrd intervened on the bill's behalf did the President add his signature.

After twelve long years, the Conservancy could finally rejoice. Along with Cranberry, 12,100 acres of the Laurel Fork and entered the National Wilderness System.



In the West Virginia highlands, the stark weathered beauty of the stump can tell as much about the fragile world at the mountaintop as anything. This is on Dolly Sods. Photo by Gerald Ratliff, courtesy of GOECD.

## Dolly Sods...

Continued from Page 7

Sods at one time. The eventual harvest of young hardwoods on the plateau is still a possibility.

The January 21, 1973, official designation of the Dolly Sods Scenic Area by the Forest Service meant no strip mining in the federally owned section. But the Forest Service strongly opposed wilderness designation because they contended that no areas of true wilderness quality existed in the East. In addition, they preferred to maintain all the lands they owned in 'multiple-use' categories so they could make all decisions about use, including whether or not and when lands should be timbered. The Forest Service interpreted 'wilderness' as a very limited kind of multiple-use.

With all the threats to the area's attractiveness, it's not hard to see why protection of as much as possible of the Sods was an early and strong WVHC cause. Conservancy members' hard work paid off in 1974 with final wilderness designation for Dolly Sods. Like all federal wilderness, the protected area can only be used for hiking, fishing, camping, trapping, hunting, bird-watching, and other recreation forms. There can be no use of motorized vehicles or equipment, no manipulation of vegetation or water courses.

From now on, at least part of the Sods will exist as it is today, in its natural beauty.