

THE HIGHLANDS VOICE

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OSM receives comments on DOE bill at public hearing

By John Purbaugh

Results of a review of the new West Virginia Department of Energy act should be announced by Office of Surface Mining officials before July 11.

At a well-attended public hearing June 18, OSM officials listened to public comment on the substantive adequacy of the bill compared to federal law.

Representatives of all major conservation action organizations in West Virginia were present and criticized the bill in three primary areas: 1) the lack of a conflict of interest requirement applicable to the DOE commissioner, 2) the reduction of environmental performance stan-

dards and bonding requirements for mines of 2 acres or less, and 3) the loss of civil service coverage for department heads in the new agency.

Ed Hayne and John Richard spoke on behalf of the Kanawha Valley Chapter and the West Virginia Council, respectively, of Trout Unlimited. They objected to the fragmentation of water pollution permitting authority caused by the act.

Becky Cain, president of the League of Women Voters of West Virginia, focused her remarks on concerns with the 2 acre exemption. John Purbaugh, representing the Conservancy, pointed out numerous technical flaws in the bill and called for OSM to

require correction by the Legislature either before July 11, or within 3 months.

Larry George, Conservancy president, also spoke on behalf of the Washington, D.C. based Environmental Policy Institute and pointed out the national implications of this situation since OSM is being audited by the Government Accounting Office and several congressional oversight committees.

Perry Bryant, acting director of the West Virginia Citizen Action Group, briefly recounted the bill's history and forcefully stated the need for strengthened OSM oversight in West Virginia.

Other individuals and organizations including the Sierra Club and the Communications Workers of America also spoke out on the conflict of interest and civil service issues.

Ben Green, an official from the West Virginia Surface Mining and Reclamation Association, defended the bill and disputed the major points made by the environmental groups.

Options open to OSM include: 1) disapproving the entire surface mining section of the bill, 2) approving the entire bill, and 3) disapproving only those sections with deficiencies in essential areas (such as conflict of interest) and allowing the rest of the bill to go into effect. A decision should be announced by July 11.

General permit proposed for oil and gas industry

By John McFerrin

The issuing of general rather than individual permits for the oil and gas industry in West Virginia has been proposed by the division of water resources of the West Virginia Department of Natural Resources.

If the general permit is approved it will take the place of individual permits which state and federal water pollution control statutes presently require for each drilling operation.

For several years, both state and federal laws have required oil and gas operations to obtain a National Pollutant Discharge Elimination System (NPDES) permit before discharging waste water from drilling sites. In spite of the approximately 3,500 wells drilled in West Virginia each year, however, almost none of the oil and gas companies apply for or obtain these permits.

Although disposal techniques vary within the industry, this has resulted in discharge of water from the drilling operations in a haphazard and uncontrolled way.

The components of the waste water differ from site to site. Most common are chlorides, iron, aluminum, manganese, and barium. Other metals found are cadmium, vanadium, boron, beryllium, lead, molybdenum, tin, cobalt, chromium, copper, nickel, titanium, zinc and mercury. The waste can also contain crude oil, toluene, benzene, sylene and ethylbenzene.

DNR officials say the division of water resources does not have the resources to review



individual applications from all oil and gas operations. The general permit has been suggested as a response to this problem.

The general permit would relieve the industry of the obligation to apply for and receive individual, site-specific permits. Other persons and industries discharging waste into the waters of West Virginia are required to apply for and receive an individual permit authorizing the discharge.

Two principal discharge methods not previously legally available would be allowed with the general permit. These include discharge of waste water into streams and land application of waste water.

DNR officials say the rate of discharge into streams would be slow enough to dilute the waste, preventing adverse effects on the stream.

At a public hearing June 13, the DNR heard comments from oil industry representatives and citizens. Criticisms from citizen's groups included the following.

—No provision for notice to the landowner of planned discharges.

—Compliance with the terms of the general permit would require a degree of diligence and expertise the industry has never demonstrated.

—Some toxic and potentially toxic materials not addressed by the permit are contained in the waste water.

—State sanction is granted to activities such as land application which are not often allowed under oil and gas leases or severance deeds.

—The problem of breaking and overflowing of pits holding the waste water is not addressed.

Comments on the general permit proposal were accepted by the DNR until June 24. The U.S. Environmental Protection Agency is also reviewing the proposal.

A final decision on whether the general permit will be issued is expected in August.

Controversy H The story continues

By Geoff Green

Corridor H, a four-lane highway proposed to tame the wild and wonderful highlands of West Virginia, is providing lots of entertainment for aficionados of argument. If the "wilderness freaks stopping jobs and progress" heading is getting

stale, check out the more subtle controversies concerning Corridor H on each side.

At the May West Virginia Highlands Conservancy board meeting, President Larry George came out for Conservancy support of the Parsons route. Current stance of

the board is in favor of the no-build alternative with the Parsons route the preferred alternative of the build schemes. This is a position from which the board has not wavered in nearly a decade (although inertial

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Acid rain accuracy is vital

(Editor's note: The following editorial disputing facts presented in the article about acid rain in the May 1985 Voice appeared in the State Journal May 20. It is reprinted with permission from Robert Paine, publisher of the State Journal. Following the editorial is WVHC president Larry George's response)

By Norman Kilpatrick

Larry George has been appointed to the National Coal Council, as readers of *The State Journal* and the *Highlands Voice* know.

George is president of the West Virginia Highlands Conservancy, a well-known Mountain State environmental group.

Because earlier appointments to the council were people with coal industry backgrounds, George's appointment by U.S. Energy Secretary John Herrington is understandable.

What is not understandable is the 2 1/2 page article on acid rain that appeared in the same edition of that organization's newspaper announcing George's appointment. The article was written by one Sandy Fosbroke, stated to be a "Conservancy member and graduate student at West Virginia University."

A major point in the article is what alternatives are if sulfur emissions for power plants are to be reduced. Switching to low-sulfur coal or requiring power plants to install chemical scrubbers are the major choices discussed.

Here two major errors of fact appear in the Fosbroke article. First is

the false claim that switching to low-sulfur coal would require use of coal from "the northern Plains and the Rocky Mountain states" rather than Appalachia.

Fosbroke then adds, "Supporters of scrubber technology, on the other hand, claim such a system can be cost effective and need not result in increased utility rates for customers."

Readers of *The State Journal* utility coal reports are aware that large amounts of low-sulfur Appalachian coal are burned by plants throughout the east.

During the past five years, I do not recall a single advocate of scrubber retrofitting who does not think they will cost power companies billions of dollars. The issues connected with 'forced scrubbing' have always been exactly how much they cost, and who should pay for these costs—the local electric users or the nation as a whole.

Perhaps George has better information than Fosbroke. He should if he's going to make a creditable contribution to the Coal Council. And he should see that the next edition of *The Highlands Voice* corrects Fosbroke's misinformation. We need facts, not fiction, in discussing acid rain.

Conservancy president responds

TO THE EDITOR:

I wish to respond to Norman Kilpatrick's May 20th column in which he asserted that an article on acid precipitation published in the May 1985 edition of *The Highlands Voice* contained technical errors. The *Voice* has been published monthly since 1967 by the West Virginia Highlands Conservancy, a state conservation organization.

Mr. Kilpatrick's column represented that the *Voice* article contained inaccurate claims that (a) switching to low sulfur coal by utilities would shift coal demand from eastern states to the Northern Plains/Rocky Mountain states, and (b) that scrubber technology would not increase electric utility rates. Such information would be at least partially flawed, if not totally incorrect. Fortunately, it was not the intent of the *Voice* article to make such claims.

Instead, the discussion of shifting utility coal demand from eastern to western states was only anecdotal, and not conclusive, in nature. Further, regarding the impact of scrubbers on utility rates, the article merely presented two opposing viewpoints, advocated neither, and forthrightly observed that "there is considerable debate about the cost effectiveness of using scrubber technology."

The intent of the *Voice* article written by WVU graduate student Sandy Fosbroke was to present an overview of acid precipitation issues without advocating a specific public policy. The Conservancy has traditionally maintained the *Voice* as an open forum and invites the submission of letters and articles representing diverse viewpoints on natural resources issues affecting West Virginia.

Acid precipitation is a complex and compelling West Virginia issue which presents overwhelming implications for our state's economy and natural resources. Under these circumstances, all viewpoints are deserving of discussion in a public forum and *The Highlands Voice* will continue to present an opportunity for doing so.

As Mr. Kilpatrick noted, I was recently appointed by U.S. Secretary of Energy John Herrington to the National Coal Council, an advisory panel to the Reagan Administration on coal policy. As an attorney, civil engineer, and conservationist I am looking forward to serving on the Council and will appreciate any input *The State Journal* or its readers may offer regarding acid precipitation or other matters of national coal policy.

Larry George
President, WVHC

Winter resigns as 'Washington' Vice President

Open letter to the WVHC Board:

This letter is to notify you that on July 1, 1985 I will have resigned from my position as Vice President for Federal Affairs. I have accepted a 6-month, full-time position with a national conservation organization here in DC. Because of the increased work load that I anticipate in this new

position, I will not be able to effectively carry out the responsibilities of a Conservancy vice president and therefore I must resign.

I have thoroughly enjoyed my past two years with the Conservancy!! Being your representative here in DC provided me with many interesting opportunities and experiences. But

more importantly, I found you to be a wonderful group of people to work with, and I treasure the friendships that I have made with you.

Although I will no longer be the Conservancy's representative, I still retain my strong interest in West Virginia and its natural resources. I therefore plan to continue to coor-

dinate the activities of the WV Conservation Forum and to attend the Conservancy's Spring and Fall Reviews. And so, although I will miss working more closely with you, I look forward to seeing you all again at the October board meeting.

Sincerely yours,
Linda Winter

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Mining operation poses threat to Panther State Forest

By John McFerrin

The New Windward Coal Company of Iaeger, McDowell county has applied for a permit to open an underground coal mine that poses a potential threat to Panther State Forest. Although the mine will be located outside the forest, the road to and from it passes through the forest for approximately 3,900 feet.

Coal trucks would pass through the group camp and past the swimming pool and picnic areas possibly having adverse effects on recreational opportunities in the forest.

In addition, use of the road threatens Panther Creek, a popular local trout stream which parallels the road. Run-off from construction activities necessary to make the road suitable for coal transport would also damage the stream.

There is substantial question of the legality of allowing such an operation on Forest land. West Virginia law prohibits surface mining on state land without an authorizing Act of the Legislature.

Although this road is part of a deep mining operation, the WV Surface Mining Reclamation and Control Act defines "surface mine" to include the surface effects of deep mines also. In addition, West Virginia statutes prohibit mining within 300 feet of a public park.

The Conservancy's mining committee has written the Department of Natural Resources to express concern with this operation and interest in the decision on the permit application.

Conservation Forum Progresses

By Linda Winter

The West Virginia Conservation Forum (see Voice, February 1985) held its second meeting May 11 in Buckhannon, WV. Representatives from Trout Unlimited WV Council, Sierra Club WV Chapter, Izaak Walton League WV Division, WV Citizen Action Group, WV Highlands Conservancy, Potomac Valley Audubon Society, and the League of Women Voters of WV attended in spite of the perfect sunny weather.

A productive discussion centered around the recently published directory of member groups, the new WV Department of Energy, and future directions for the Forum.

The Forum's next meeting will probably be around the middle of Oc-

tober when Region 3 of the U.S. Environmental Protection Agency intends to meet with conservation groups within the state. The Forum plans to assemble earlier that day to decide which environmental issues to discuss with the EPA representatives.

The Forum also agreed to sponsor a legislative workshop. WVCAG's Perry Bryant said, "Given the results of the 1985 legislative session, there is a definite need for the conservation community to be better prepared for the next legislative session."

The workshop will be Saturday, December 7 and will be open to all interested conservation groups. Details will be published in the October or November issue of the Voice.

Woodcock prints for sale by Conservancy

Approximately 35 prints of Karl Badgley's American Woodcock drawing which he donated to the Canaan Valley Alliance are now for sale by the Highlands Conservancy.

Badgley, a prominent wildlife artist, donated the prints to the Alliance to aid in the effort to create a wildlife refuge in Canaan Valley. The Conservancy inherited the prints when the Alliance was dissolved early this year.

The pen and ink drawing of a single woodcock resting on a nest in its natural habitat was selected in a national competition, earning Badgley the right to illustrate the U.S. Fish and Wildlife Service's publication, "Management of Migratory Shore and Upland Game Birds."

Badgley has hiked, hunted, and fished in Canaan Valley for years and feels there is no better representative of the Valley's wetland ecosystem than the American woodcock.

The 15" x 18" sepia reproductions are signed and numbered and available for \$20 from the Conservancy.

ORIGINAL AMERICAN WOODCOCK PRINT



15" x 18
Pen and Ink
signed and
numbered
sepia
reproductions
\$20.
Limit: 35

Karl Badgley, a prominent wildlife artist, donated 100 of his American Woodcock prints to the CVA to aid in the effort to create a wildlife refuge in Canaan Valley. Mail order to:

The West Virginia Highlands Conservancy, Suite 201, 1206 Virginia St. E., Charleston WV 25301



FROM THE PRESIDENT

By Larry George

The Conservancy lost one of its most effective and active officers this month when Linda Winter, WVHC Vice President for Federal Affairs, received a promotion. Effective July 1, 1985, Linda has accepted a professional staff position with the national office of the National Wildlife Federation where she will specialize in wildlife and public lands management issues.

Linda held the "Washington" vice president's post for more than two years and did an excellent job of serving as the Conservancy's advocate before Congress and the Reagan Administration. She continued the WVHC's longstanding reputation as one of the very few state conservation organizations in the nation which can be effective on Capitol Hill.

The Conservancy has been blessed with a series of effective and capable Washington vice presidents including Nick Zvegintzov and Stark Biddle. Linda carried on this tradition with ease.

We all wish Linda the best of luck in her new role as a professional conservationist and I know we will be able to count on her support and assistance in the future.

Coal Council members meet in Washington

I experienced one of my greater surprises this year when in April I learned that U.S. Secretary of Energy John Herrington had appointed me to the National Coal Council. I had been nominated for the post by U.S. Rep. Nick Rahall and Senator Robert C. Byrd last January but had not really expected the appointment.

The Council was created by the Reagan Administration last October to serve in an advisory capacity on a variety of coal issues including transportation, environmental, technological, and marketing concerns. The Council has now grown to include 110 members and its expected to have a two to three million dollar budget to conduct technical, economic and public policy analysis at the request of the Secretary of Energy.

The Council's organizational meeting was held June 10 and its membership is essentially a who's who of CEO's and Board Chairmen of Fortune 500 coal, railroad and utility companies. Several university and public officials, including Governor Arch Moore, also serve on the committee.

It became very apparent shortly after arriving at the meeting that I was the only representative of a conservation organization on the Council. This observation was reinforced when the seating arrangement left me surrounded by the chairman of the New England Electric Power System, the CEO's of two independent coal companies and E. Morgan Massey, president of A.T. Massey Coal Company. Although UMWA President Rich Trumka is a Council member, he did not attend and sent an alternate.

The first meeting consisted entirely of administrative matters. Former Virginia Governor John Dalton was elected the private sector co-chairman with Secretary Herrington as the federal co-chairman. Dalton will make appointments to the various administrative, technical and policy committees which will carry on the real work of the organization which would start in late summer.

It is too early to determine what impact, if any, I can have upon the Council's recommendations, or for that matter, the Council on the Reagan Administration. However, I am looking forward to serving on what has become a fairly distinguished committee and it should be a very interesting experience.

Revisions expected in MNF Draft Plan

Early indications from the professional staff at the U.S. Forest Service seem to suggest the agency is leaning toward moderating its Draft Management Plan for the Monongahela National Forest. The agency is expected to make the initial policy decisions this month concerning the general direction Forest management should take, with specific longterm goals for timbering, roads, conifer conversion, and other matters to be developed by the planning staff.

It has been a popular belief among conservationists that the threefold and greater increases in clearcutting, road construction, and mineral leasing contained in the MNF Draft Plan were the result of a Reagan Administration directive to exploit the National Forest System. It now appears more likely that the 50 year plan was used by agency professionals as an academic study to determine the maximum production potential of the National Forests without any real intention to implement the higher resource production goals. Indeed, the first ten years of the MNF plan does maintain production levels at the status quo and the National Forest Management Act does require the Plan to be revised every ten years.

It was apparently the intention of the USFS staff to revise downward the timber and mineral production goals during the next ten-year planning cycle and essentially maintain MNF management unchanged. Why the agency chose to incorporate this study into its 50-year plan instead of simply preparing an internal analysis would probably make an interesting story.

The Draft Plan was supposed to inform the public of the agency's intentions for the National Forest over the next 50 years and apparently West Virginians took them at their word. The MNF office in Elkins received 3,957 letters in response to the Draft Plan, more than any other National Forest, and the vast majority were opposed to the asserted intentions of overwhelming increases in resource development on federal lands.

Environmentalists express opinions in WVU survey

Attitudes of West Virginia environmental and energy group leaders toward energy resource development in general and electricity generation and export in particular are presented in a recent report released by the West Virginia University Energy Research Center.

The report, part of a larger project entitled "An integrated assessment of electricity exports from West Virginia," also examines the inter-relationships among environmental groups in the state.

Conducted during the summer and fall of 1984, the survey solicited opinions from spokespersons from 16 organizations in West Virginia. Although not every environmental group in the state was included in the survey, researchers said the major groups were represented.

The person contacted from each organization, not necessarily the leader or official spokesperson, was asked to complete an interview questionnaire.

Organizations participating in the survey are listed in Table 1. They include environmental issue groups such as Mountain Stream Monitors, naturalist organizations such as Audubon Society, energy-consumer organizations such as The West Virginia Citizen's Action Group, and health organizations such as The West Virginia Lung Association.

Attitudes toward energy development

In answer to questions about energy resource development in West Virginia, most respondents said they were not opposed to economic growth as a societal goal although they indicated that growth should not override other goals.

Approximately three-fourths of those questioned favored the state's role as an energy exporting state but all said they saw no need for additional generating capacity in the Northeastern U.S.

The survey also sought opinions on the environmental consequences of existing and potential energy facilities. The goal was to identify problems associated with various energy development strategies.

Results indicated that nuclear-based energy systems are perceived to pose the greatest catastrophic and chronic threats to West Virginia. No

region in the state was seen as an acceptable site for a nuclear power plant. Most respondents said additional coal-fired plants were preferable to construction of nuclear facilities.

"Clean-burning coal-fired plants are infinitely safer and cheaper than nuclear power plants," one environmentalist said.

Acid rain was cited as a significant problem of coal combustion by several respondents but more than two-thirds said they believed coal combustion could be conducted in an environmentally sound manner. Eighteen percent of those questioned said coal combustion is never conducted in an environmentally acceptable manner.

Coal slurry pipelines are expected to have greater chronic impacts on the state than high voltage transmission lines, according to survey respondents.

Hazardous waste disposal, acid mine drainage, and acid rain are seen by environmental leaders as the most critical and pressing problems facing West Virginia.

According to one respondent significant environmental problems in West Virginia include "increased hazardous air emissions and increased acid rain; road hazards caused by speeding, overloading trucks; disposal of wastes, the waste of water resources, and the deterioration of water quality downstream from the plants."

Relationships among environmental groups

In addition to specific questions about energy resources and environmental impacts of various energy development strategies, the survey also sought to identify groups perceived as key contacts for information about specific issues by other groups.

Groups contacted in the survey focus on a wide range of energy and environmental issues. Some groups target specific problems such as the protection of cold water habitat, while others are interested in a broad range of problems. Advocacy, monitoring and oversight, public education, and research are among the activities undertaken by the

organizations included in this study.

Spokespersons for each group were asked to identify the groups they would contact to get information about specific energy or environmental topics. From this information researchers attempted to identify the level of expertise certain groups are perceived to possess.

When leaders were asked which organization they would go to with questions about technical aspects of an energy facility, for example, the most common answer was APPAL-RED. Other groups cited as sources of technical information on this subject were Citizen's Action Group, League of Women Voters, and the Appropriate Technology Group.

For information about air pollution equipment and technology the organizations viewed as having the most expertise were the Citizen's Action Group and CHOKE. APPAL-RED and the Appropriate Technology Group were also respected for their knowledge on this subject.

Mountain Stream Monitors is the group most frequently mentioned as the source for information about water availability, water quality, and water pollution control technology. This organization is viewed as having a high degree of expertise with respect to water questions and is very well known to other environmental groups.

Trout Unlimited and Citizen's Action Group were also cited as sources for water resources information.

Researchers also formulated a cohesion index which indicates the degree of mutual information exchange about a certain topic. A high cohesion index for water resources questions suggests that water quality issues are a prime concern for many environmental groups.

The report points out that this finding is not surprising because water quality issues such as acid mine

drainage, suspended solids, and point and non-point sources of water pollution have long been of major concern to West Virginia groups.

Three groups, APPAL-RED, Mountain Stream Monitors, and Citizen's Action Group, are the main sources of information for other environmental groups in the state, according to the report.

Report conclusions

Although results presented in the report are preliminary, they will serve as the basis for a more comprehensive sampling of environmental organizations in the future.

The groups included in the study play an important role in educating the public on environmental issues, monitoring the enforcement of state and federal regulations, and bringing environmental issues to the attention of elected officials.

For these reasons, the report concludes that the groups have a vital role in planning for energy development facilities in West Virginia.

Table 1: Environmental organizations participating in a "Survey of State Environmental Leaders", part of a larger project at the West Virginia University Energy Research Center.

- APPAL-RED
- Appropriate Technology Group
- Audubon Society
- Citizen's Action Group
- CHOKE
- FOLK (Friends of the Little Kanawha)
- Highlands Conservancy
- League of Women Voters
- Legal Services Plan
- Mountain Stream Monitors
- Nature Conservancy
- Sierra Club
- Trout Unlimited
- West Virginia Lung Association
- West Virginia Wildlife Association
- Inak Walton League

Changes and challenges to Park System examined by Conservation Foundation

By Alan Smith

National Parks in the US are not adequately prepared for the future according to a recent report by the Conservation Foundation.

The Foundation, a Washington, DC based non-profit environmental research organization, released a report entitled "National Parks for a New Generation: Visions, Realities, Prospects," June 9. Third in a series of major studies of the park system, the book examines changes the system has undergone in recent years and challenges that lie ahead.

Detailed case studies of four parks provide background for discussion of problems facing our national parks and recommendations by the Foundation for dealing with these problems.

The report coincides with President Reagan's recent appointment of a Commission on Outdoor Recreation Resources Review (CORRR). Many

topics covered in "National Parks for a New Generation" are part of the mandate given to CORRR earlier this year.

Three broad actions are needed to preserve park resources and to respond to rising public expectations, according to the Foundation's report. These include: 1) a comprehensive program to protect park resources, 2) special attention to historic and cultural resources, and 3) a campaign to combat external pressures on the parks.

The Highlands Voice will present a full review of the findings and recommendations included in this important new book later this year.

Copies of the book are available for \$19.95 plus a \$2 shipping and handling fee from: Ms. Lydia Anderson, Publications Department-XX, The Conservation Foundation, 1717 Massachusetts Ave., N.W., Washington, D.C. 20036.

WVHC Board meets at The Current Sunday, July 21

The West Virginia Highlands Conservancy Board of Directors will meet at 9 a.m., July 21 at The Current near Hillsboro in Pocahontas County.

The Board meeting should be completed by noon or as soon thereafter as possible. Some WVHC Committees are planning meetings on Saturday evening and a Saturday afternoon field trip may be organized by the Outings Committee.

All agenda items should be forwarded to Larry George by July 12.

The Current is a bed and breakfast inn recently opened by former WVHC Cranberry Coordinator Leslie McCarty. It is located five miles east of Hillsboro on the Greenbrier River at Beard. The Current opened just this summer and offers semi-vegetarian fare, featuring garden fresh and home-canned foodstuffs including honey, fruit, maple syrup and fresh fish.

Reservations for meals, lodging and/or camping should be made directly to Leslie at Box 64, Hillsboro, WV 24946 or call 304/653-4722. Costs at the Current are as follows:

Camping	\$ 5.00
Bed & Breakfast (Couples)	each 12.50
Bed & Breakfast	each 15.00
Breakfast only	3.00
Lunch	3.00
Dinner	5.00

Plan response digested by FS

Monongahela National Forest personnel have compiled all the comments about the Draft Management Plan and are now working toward making major decisions about the questions raised by the public, according to Gil Churchill, Forest spokesman.

Results of the analysis indicated that seven major decisions had to be made before specific recommendations and changes could be formulated. These decisions will determine the basic course of action to be taken in various areas of forest management.

Churchill identified the following subjects as those requiring a policy decision by MNF planners.

1) Whether development suggested in the Draft Plan threatened the public's conception of the forest as a special place.

2) How many new roads are desirable in the forest and where they should be located.

3) How much timber cutting should be done.

4) What to do about coal leasing.

5) Whether conifer conversion is desirable.

6) What mix of management prescriptions should be maintained across the forest.

7) Legitimacy of legal and format questions raised about the Draft.

Churchill said decisions on these questions will be made sometime in July. Then MNF personnel will follow the suggested policy in making



specific recommendations for revision of the plan.

"The comments we received formed a good base for making changes in the plan," Churchill said. "It was a much better balanced data base than we thought."

Response to the plan was much higher than to any other plan put forth by forest personnel. The last plan, in 1978, generated only 250 comments compared to the 3,597 comments about the current plan.

Similarly, the RARE II plan generated 1,500 comments, the Wild and Scenic River Study 40 and the Highlands Scenic Highway only 29, Churchill said.

Nonpoint source pollution problems studied by DNR

Areas for study on nonpoint source pollution problems have been identified by the West Virginia Department of Natural Resources.

A one-year sediment assessment and clean-up project will be conducted in the Elk River watershed and another sediment study pertaining to oil and gas activities will be conducted in Ritchie County according to an article in *Mainstream*, a quarterly publication of the division of water resources. Site-specific animal waste problems in the Eastern Panhandle will also be studied.

The Elk River study is a joint venture between the DNR and the U.S. Geological Survey. Researchers hope to identify nonpoint pollution problems, sources, and responsible parties and to correct the problems through voluntary cooperation or appropriate enforcement action.

Sampling for flow and suspended sediments at established sampling stations will be done for a one-year period. Samples are currently collected at three locations on the Elk mainstream and at four locations on major tributaries between Charleston and Sutton.

The study in Ritchie is more specific, aiming to observe and measure erosion and sediment resulting from oil and gas well development. A common interest in

preserving and protecting the land and streams from problems associated with oil and gas industries prompted this investigation which is a cooperation effort between the DNR, the Soil Conservation Service and the Little Kanawha Soil Conservation District.

Comparisons of soil erosion and sedimentation problems in areas with and without drilling activities will be made to determine what effect, if any, the drilling activities have.

A report providing results, listing the practices used and not used, and recommending changes in erosion control practices will be prepared at the conclusion of the study.

Animal waste problems will be studied on tributaries of the Shenandoah River in the eastern Panhandle. High nitrate levels in ground and surface waters in that area prompted this study which will be conducted over a three year period.

The goal is to determine what effect the installation of 10 animal waste treatment facilities in the area will have on agricultural nonpoint source pollution.

This information was obtained from an article in the April 1985 issue of *Mainstream* which provides up-to-date information about the activities of the division of water resources.

Coopers climbing ban case to be decided this summer

The fate of a ban on rockclimbing at Coopers Rock will take another turn this summer as the Kanawha County District Court considers a motion by the Department of Natural Resources. The DNR requested March 13 that the Coopers Rock case filed against them by the West Virginia Highlands Conservancy and two other non-profit organizations be dismissed or be subject to a summary judgment.

The Conservancy filed suit against the DNR early this year when DNR officials refused to rescind a ban on rockclimbing in Coopers Rock State Forest. Imposed April 24, 1984, the ban prohibited technical rockclimbing and rappelling at the state forest, one of the most popular areas for this sport in the state.

Conservancy lawyers have filed a memorandum opposing the request for a summary judgment. The court will probably decide the case sometime this summer. The Conservancy has argued against a summary judgment on the grounds that the DNR has not proven the legal correctness of its position in issuing the ban and that issues of fact are still in dispute.

DNR officials have defended the ban by citing other activities which are restricted on state lands in the interest of "efficient and proper management and operation of the state recreational system for the public's welfare and benefit." Examples include not allowing bottles, cans or food in swimming pool areas, limiting the number of people occupying cabins, and establishing quiet hours in campgrounds.

The Conservancy argues, however, that the DNR has not proved the ban is in fact similar to other restrictions or that approved procedure was followed in issuing the ban.

Unlike violation of other restrictions cited by the DNR, violation of the rockclimbing ban will not result in a fine or citation, according to DNR documents. Thus the rockclimbing ban is not the same as the other restrictions cited.

The procedure followed in issuing the ban is also a matter of contention. State law calls for public review and comment on proposed rules, but no such public input was allowed before the Coopers Rock ban was imposed.

Secretary of State Ken Hechler has also disputed the procedure. The Secretary records all rules proposed by executive agencies of state government and ensures that regulations in the Administrative Procedures Act are followed. This act calls for state agencies to open up the rule making process to the public to allow input in the formulation of rules.

Hechler has stated that no notice of the DNR rockclimbing ban was filed with his office and thus the proper procedure was not followed.

In addition to disputing the legality of the DNR's action in imposing the ban, the Conservancy disputes the facts used by the DNR to justify the ban.

DNR officials cited the presence of the rare flat spired three-toothed land snail as a reason for restricting climbers in the forest. While concern for the survival of this snail is real and not disputed by the Conservancy, it is unclear what damage rockclimbing can do, as distinguished from other activities such as hiking. DNR cites heavy trampling of the leaf litter as the primary threat. Rockclimbing is certainly not the only activity resulting in trampling of the leaf litter.

Conservancy lawyers also contend that the actual range of the snail is unclear. Although the DNR has cited the snail's rare status as a reason for prohibiting rockclimbing, the actual range has not yet been determined. Officials have said, however, that they hope the snail is found to be prevalent throughout the forest because imposing restrictions at the overlook area would be impractical.

The Conservancy also questions the factual basis of safety questions cited as reasons for the ban. Safety factors present in rockclimbing are also present in other hazardous recreational activities such as white water rafting, hunting and skiing, to name a few. Few other outright prohibitions of activity exist, despite the dangers involved.

Protection of the public's right to review and comment on proposed rules is the Conservancy's main objective in pursuing this litigation. No stand has been taken by the Conservancy on the merits of banning rockclimbing at Coopers Rock.

Coming Up...

—July 21 WVHC Summer Board Meeting. At the Current near Hillsboro. Call the Conservancy office (344-8833) for more information.

—July 20 Visit to Shannondale Springs. The Nature Conservancy. Meet at 10 a.m. at the east side of the St. Rt. 9 bridge across the Shenandoah River approximately 4 miles east of Charles Town.

—July 18-21 Terra Alta weekend. Brooks Bird Club. Preston County.

—Various dates through the summer. West Virginia Highlands Photography workshops in Canaan Valley by Fred and Dorothy Busk. Contact: WV Highlands Photography Workshops, Red Creek, WV 26289.

Help the Conservancy. JOIN!!

DOE bill:

Public responds to problems at town meetings

By Tom Michael

At its spring meeting the West Virginia Highlands Conservancy Board of Directors voted to participate in a series of town meetings designed to make legislators aware of problems with the Department of Energy bill.

At the same time WVHC requested review of the legislation by the Federal Office of Surface Mining. Problems with the bill which prompted these actions have been discussed in previous Voice articles.

The town meetings were intended to provide legislators with information about environmental concerns with the new agency so when the bill came before them again they would have the necessary background.

Meetings have been held in Clarksburg and Morgantown. The Clarksburg meeting on May 22 was sponsored by WVHC, Trout Unlimited, WV Citizens Action Group, and the United Mineworkers of America-COMPAC, District 31. The Morgantown meeting on June 6 was sponsored by the same groups and also by the Mountaineer Audubon Society and the League of Women Voters.

Two delegates, Floyd Fullen and Joe Minard, and fifty citizens attended the Clarksburg meeting. Mr. Fullen voted against the bill while Mr. Minard voted for it.

Fullen pointed out that the House leadership had worked long and hard on the Governor's original bill drafting a revised version which addressed environmental and safety concerns but still streamlined the permitting process. Unfortunately the improved bill fell victim to last minute political maneuvering.

Minard defended the bill as necessary to improve the state's business climate. However, Mike Burdiss of the UMWA pointed out that there are already 1,400 fully permitted mines which are not operating.

Minard conceded that the coal market, not the permitting procedure, was the real problem. He also acknowledged there were errors in the bill which would need correction.

CAG representative Anne Romance presented a petition for the Legislature to call itself back into session to address the problems with the bill. Fullen signed the petition but Minard declined.

Approximately 100 citizens and three

delegates, Shelby Leary, Florence Morrow and Larry Schifano, attended the Morgantown meeting.

Leary was on the House committee which drafted an improved version of the Governor's bill. She voted against the DOE bill which was passed and said she hopes the Legislature gets another chance at the legislation.

Morrow said she was an environmentalist and would not have voted for the DOE bill if she thought it would harm the environment. She expressed a willingness to reconsider the bill if it comes before the Legislature again.

Schifano aggressively defended the bill, arguing that nothing had really changed. Mary Wimmer of the Sierra Club challenged him by asking, "If nothing was changed, why did anything happen?"

Schifano's attack on those present eventually alienated the crowd and at one point about 20 UMWA members walked out as he spoke.

Perry Bryant of CAG and WVHC said he was encouraged by the citizen response. He also expressed appreciation to those delegates who attended the meetings.

Additional town meetings are planned for Charleston and the southern coal fields.

Controversy H. . .

(Continued from Page 1)

momentum is no argument for retaining that position).

In fact, the WVHC published, about 10 years ago, a monograph outlining the specific social and economic advantages of a northern route: better access to and for the underutilized labor pools of Parsons, Thomas and

Davis; better health services for those with the longest distances to hospitals and emergency care; better access to secondary and post-secondary educational facilities for the population centers of the region; less destruction of the economically important sport fisheries; and more.

Yet at this time, the board appears to be most influenced by those who think any kind of four-lane in the corridor H area is not worth the cost. Highways Committee chair Geoff Green camps on that side of the issue. He points out that existing roads could be upgraded at a fraction of the financial and environmental cost of a new four-lane, that no version of Corridor H links major transportation centers, that there are no specific benefits guaranteed by construction, that most tourist and sporting facilities are already overutilized, and that in general the unique qualities of the highlands will be degraded by the project.

Actually nobody has come out in favor of a Parsons route at this time. Most of all environmental organizations and the West Virginia Department of Natural Resources have a similar position: that being the "no-build" scheme as the preferred alternative and a Parsons route being the best of the rest.

At the July WVHC board meeting, Green will propose that the WVHC support a decision by the State to select a northern route for the project, should the State do so.

"This will be a watershed vote," Green said. "Please let your opinion be known."

Meanwhile back at the office, the bulldozer of progress has apparently been throttled back temporarily. Rumor has it that the current preferred corridor location is subject to

review by the Moore administration.

As it stands now, the original southern route has been selected as the preferred alternative. The Conservancy's support of a northern route might help tip the scales if the rumor is true.

In another switch, indicating the polemics continuing within the government, a two-lane section of Corridor H is being designed for the Seneca Rocks National Recreation Area, requiring changes in the Draft Environmental Impact Statement.

The Spruce Knob National Recreation Area is being skirted by the planned four-lane in another basic design change. In some small ways, Department of Highways staff are coming around to environmentalists' views (i.e. a two-lane road in the NRA is essentially just upgrading Rt. 33) while at the same time leading environmentalists are coming out in favor of construction.

Because of these changes and other more pressing projects, the schedule for completing the State's part of the paperwork has been pushed back again, with no deadline set.

Tucker county remains an enigma in Controversy H. Generally one would expect Tucker countians to be pro-anything that even hints of development, yet the area remains curiously silent. The Highways committee would welcome information giving some insight into Tucker county's position on Corridor H.

Help needed in membership drive and with Voice articles

Efforts to increase the Conservancy's membership are continuing as brochures are sent out to people from other conservation-oriented organizations.

Passing along copies of the Voice to potential members is a good way members can let others know what issues we are addressing and that we need their help and support.

If you know anyone who may be interested in joining the Conservancy please write their names and addresses on the form below and send it to the Conservancy office.

The Voice also needs your help - we need interesting articles about things people do in the great outdoors.

When you get home from your

canoe, hiking, climbing or caving trips take a few minutes to write a short story about your adventures to share with Voice readers. The editor can keep up with the issues and topics of concern but is dependent on YOU—the members—to help make the Voice more interesting.

As you can see from this issue, the Voice is also woefully short on photographs which all good newspapers are usually full of. Not being a photographer, the editor must depend on contributions from others to give some visual appeal to the Voice. So if you take your camera along on your summer trips, remember the Voice when you get those snaps back!

I think the following person(s) may be interested in Conservancy membership. Please send them the membership brochure and other information about the Conservancy.

Name _____
Address _____

Name _____
Address _____

Please return this form to:
The West Virginia Highlands Conservancy
Suite 201
1206 Virginia St., East
Charleston, West Virginia 25301

Late update on DOE bill

A June 23 Sunday Gazette-Mail story reports that a letter from the Environmental Protection Agency to Governor Arch Moore states that he does not have authority to transfer to the DOE the federally approved water pollution program.

Approval for the program within the DNR was given in May after two years of consideration. The program was transferred from the water resources division to the reclamation division.

When the DOE bill becomes effective, however, the reclamation division will be disbanded. By default the water pollution program will probably end up back in the DNR's water resources division, according to John Purbaugh, Conservancy member.

DNR director Ron Potesta said, however, that the transfer of the program will be just a formality and that he attaches no particular significance to the caution in the letter.

NEWS BRIEFS

(Editor's note: Each month I would like to publish a News Briefs page summarizing relevant news stories from newspapers around the state. It is hard, however, for one person (me) to have access to all the different papers. Therefore, help is needed!!! If you regularly read a local newspaper, including the Charleston ones, and would be willing to clip out articles about environmental issues or other topics of interest to Conservancy members I would like to hear from you. Please send any contributions or questions to me at the address listed in the roster. Be sure to write the date and name of the newspaper on the clippings. Thanks!!)

Locals protest Cheat Lake land transfer

The Department of Natural Resources transferred 29 acres of land along Cheat Lake to two businessmen in exchange for 190 acres within Holly River State Park in early May prompting protest from Cheat Lake residents.

The outcry resulted in a request by the Monongalia County Commission for Attorney General Charlie Brown to rule on the validity of the property transfer.

The property was exchanged because the Cheat Lake parcel, the former Mont Chateau State Park, was losing money and could not be developed. The Holly River property has more potential and will consolidate land holdings within Holly River State Park, according to DNR director, Ron Potesta.

The businessmen said they plan to develop part of the Cheat Lake area and will allow the public to continue using the beaches.

Although local residents were upset by the transfer, a DNR official said the state is not required to have a public hearing prior to such an exchange of property.

A legislator from Monongalia County said she was told the property would probably stay in state hands after a group of legislators sent a letter of protest.

—reported in the *Charleston Gazette*, 5/15/85

Help needed for Allegheny Trail upkeep

Interested in adopting a section of the Allegheny Trail? The West Virginia Scenic Trails Association is looking for people to help maintain the trail in this state.

If you live near a portion of the Trail or frequent an area the trail passes through and you want to take on the task of maintaining a segment of it, contact the Trail Coordinator of the section you are interested in.

Trail Coordinators are: Section 1—George Rosier (296-5158), Section 2—Fred Bird (636-7478), Section 3—Anita Tracy (478-2318), and Section 4—Doug Wood (727-8463).

The Scenic Trails Association will appreciate your help!!

—reported in the *WVSCT March/June newsletter*

Nature Conservancy honored for progress

The West Virginia Chapter of the Nature Conservancy was recently named the recipient of the Outstanding Chapter Progress Award for 1984.

This award, to be presented at the national membership meeting in Orlando in October, is only one of two given annually by The Nature Conservancy's National Board of Governors.

Several accomplishments by the West Virginia Chapter were recognized by the Board. These include protection of 1,595 acres with an estimated fair market value of \$1.3 million, launching of the important Natural Areas Campaign, and a big increase in the number of special ACORN supporter members.

The Nature Conservancy is a national, non-profit land conservation organization committed to preserving natural diversity by protecting lands containing the best components of our natural world.

West Virginia Highlands Conservancy member can be proud that the Nature Conservancy is doing so well in West Virginia.

—reported in the *Nature Conservancy's Spring '85 newsletter*

Right-to-know law takes effect July 12

Information about hazardous substances handled by chemical companies and manufacturers must be provided to the state Department of Health, the county sheriff and the nearest fire department starting July 12 according to the state's new community right-to-know law.

The law requires any employer storing more than 55 gallons or 500 pounds of a hazardous substance to provide information about the chemical, its physical properties, potential physical health hazards (eg, fire), and guidelines for emergency handling.

Deadline for August Voice

JULY 21

Send contributions to Deborah Smith

See address in roster

A document prepared by the Department of Health will list all the hazardous substances covered by the right-to-know law. A department official estimates it will contain about 700 chemical substances.

Companies must be in compliance with the law by November 15. Most of the information they must provide is included in Material Safety Data Sheets which most manufacturers produce for the substances they make.

—reported in the *Charleston Daily Mail*, 6-4-85

New process successful in PCB cleanup

Soil contaminated with polychlorinated biphenyls, PCB's, at a site in Fayette County is almost clean thanks to a new process for destroying hazardous wastes.

A Department of Natural Resources official discovered the contamination last fall. The Environmental Protection Agency declared the site a public health hazard because the levels of PCB's in the soil were as high as 260,000 parts per million and they had soaked into the soil as deep as 14 inches.

The process for extracting the toxic chemicals from the soil involves the use of Freon which soaks up the PCB's, thus cleansing the soil. It has been used on a small scale to study material in the soil but had not been proven to be cost effective on a large scale.

An EPA official said the process will probably be patented and could revolutionize how hazardous wastes are destroyed.

PCB's were used as insulators in electrical equipment until health officials found they were a possible cancer-causing agent. The Fayette County site was a field filled with electrical equipment leaking PCB-laden oil. The equipment has been shipped to out-of-state incinerators.

—reported in the *Charleston Gazette*, 5/17/85

National Forest fees proposed by Reagan

Visitors to the nation's 155 National Forests would be charged entrance fees if legislation proposed by the Reagan administration is approved by Congress.

The proposal calls for anyone 16 years of age or older who enters a National Forest to have an annual pass which would cost \$15 per person or \$25 for a family.

Money collected would supplement fees already imposed for use of campgrounds, boat docks and picnic areas at many National Forests.

A similar bill providing for the collection of fees for access to National Park lands was introduced last year but no sponsors in the House or Senate could be found.

The National Trails Council is seeking opinions on this concept. The address is 13 W. Maple St., Alexandria, WV 22301.

—reported in *Conservation* 85, 4/26/85

Eagles nest in WV for 2 years in a row

For the second consecutive year, two bald eagle nestlings have been found and banded in West Virginia by Department of Natural Resources and National Wildlife Federation personnel.

The birds are banded so biologists are able to recognize individual eagles and determine whether those hatched in the state return here to nest.

Located in Hardy County, the nest is the only known active bald eagle nest in the state.

Bald eagles are on the endangered species list and money from the non-game wildlife tax checkoff is used to help maintain these birds.

Residents are asked to report eagle sightings, especially during the period between February and June which is the breeding season. Reports should be made to Nongame Wildlife Unit, Wildlife Resources Division, P.O. Box 67, Elkins WV 26241.

—reported in the *Sunday Gazette-Mail*, 6/16/85

Harpers Ferry project nears completion

The National Park Service is completing the first part of a \$3 million project to enable tourists to retrace John Brown's 1859 route to Harpers Ferry.

Brown's men crossed the Potomac River on a railroad bridge in Maryland's southern Washington County. Until now, it has been illegal for hikers to cross the river on the existing rail bridge.

By autumn, however, a pedestrian walkway on the downstream side of the bridge should be completed. In addition a 5,000 section of an old masonry wall along the Chesapeake and Ohio Canal is being repaired.

The bridge and the wall repair are the first two phases of the project underway in Harpers Ferry. The final phase will be the reconstruction of Lock 33, a very deep, dramatic lock which walkers will be able to see as they come down the pedestrian walkway.

Park Service rangers will take visitors upstream for interpretative tours of other locks, including sections built by George Washington's Shenandoah Falls Canal Co. once the project is complete.

—reported in the *Herald Dispatch*, 6/15/85

The Conservancy wants you!

Natural history guides available



Ferns are often the most difficult plants to identify and many people don't attempt to do so, preferring instead to concentrate on more colorful plants such as wildflowers. In addition it is often hard to find a simple identification guide to ferns in a particular area.

A new booklet published by the West Virginia University Extension Service should make fern identification in West Virginia a little easier.

One of a new series of natural history booklets produced by the extension service, "Introduction to Ferns of West Virginia" provides illustrations and descriptions of 41 common ferns and allied species found in the state. Information on basic fern biology and a comprehensive fern checklist is also included.

The fern booklet and "Winter Birds of West Virginia" are currently available and four others in the series will be finished soon.

Descriptions and illustrations of 54 birds found in West Virginia in the winter are included in the bird booklet along with a comprehensive checklist of winter birds.

All the booklets contain nontechnical, easy-to-understand information and are suitable for anyone interested in the natural history of West Virginia.



BIRDS

Winter Birds of West Virginia

Titles of booklets currently being prepared are "Spring and Summer Birds of West Virginia," "Owls," "Wetland Plants of West Virginia," and "Dragonflies of West Virginia."

The booklets can be ordered from the Division of Agriculture, Forestry and Community Development, 406 Knapp Hall, Morgantown, WV 26506, P.O. Box 6031, or from the WVU bookstore. Cost is \$3.50 per copy.

FERNS

Introduction to Ferns of West Virginia

WVHC seeks new 'Washington' vice president

By Larry George

West Virginia Highlands Conservancy Vice President for Federal Affairs Linda Winter has resigned effective July 1 to accept a professional staff position with the National Wildlife Federation. Conservancy President Larry W. George is seeking individuals interested in serving in this post, traditionally held by a resident of the metro Washington, D.C. area.

The vice president for federal affairs is responsible for Conservancy contacts with the state's Congressional delegation, developing and managing strategies to influence legislation and Administration policy

and liaison with national conservation organizations. This officer often plays a leading role in natural resources legislation, appropriations, and policy initiatives of national significance. There is substantial interaction with members of Congress, Administration policymakers and their staffs.

As a member of the WVHC Board of Directors, the vice president for federal affairs is expected to attend quarterly Board meetings, usually in eastern West Virginia. The position will be appointed for the unexpired term through October 13, 1985 at which time it is subject to election by the membership at the WVHC annual meeting.

This office has historically been one of the Conservancy's most important positions and has always played a leading role in advocating the organization's conservation goals.

A knowledge and background in West Virginia and natural resources is preferred and Capitol Hill or other political experience is desired. However, the majority of past vice presidents came to this position without any special political or conservation experience and have been quite successful.

A commitment to the conservation of West Virginia's natural resources and the interest and ability to be an advocate of such goals before Congress and the Administration is sufficient.

For additional information or to express interest, please contact either: Larry W. George, WVHC President, 9 Crestridge Dr., Huntington, WV 25705, 304/736-1325 (h); or Linda Winter, 102 Cabin John Parkway, Rockville, MD 20852, 301/762-5016 (h).

How your Member of Congress voted on environmental issues

By Linda Winter

How our congressional representatives vote on environmental issues is a key indicator of how important these issues are to them. It also allows us to judge how helpful particular representatives are to organizations such as the West Virginia Highlands Conservancy.

Each year the League of Conservation Voters publishes charts showing the floor votes of all members of the House and Senate on the most crucial environmental and energy issues. LCV is a national, non-partisan political committee which

works to elect conservation-minded candidates to office.

Issues covered by LCV's charts include water pollution funding, synthetic fuels, wilderness, toxic waste, Superfund, water projects, energy conservation, etc.

The chart below shows how often your members of Congress voted for environmental legislation. The scores represent the percentage of times each member made the environmentally correct vote. One hundred percent is the highest possible score.

WV CONGRESSIONAL DELEGATION VOTING RECORD

	Year		
	83/84★	82	81
Senators: Byrd (D)	61	69	75
Randolph (D)	44	62	56
	84	83	82
Representatives:			
Mollohan (D-1)	50	53	46
Stagers (D-2)	82	71	
Wise (D-3)	80	93	
Rahall (D-4)	66	53	56

★ Scores were not compiled for the Senate floor votes in 1983 but are combined with the voting record for 1984.

From: **How Congress Voted on Energy and the Environment—1983-84 Senate Voting Chart, 1984 House of Representatives Voting Chart**, \$4, LCV, 320 4th St., NE, Washington, D.C. 20002.

St. Croix poster available

June was American Rivers Month and as usual, production of a beautiful poster was sponsored by the American Rivers Conservation Council.

The subject of this year's poster is the St. Croix National Scenic Riverway along the Minnesota-Wisconsin border.

River Conservation Committee chairman Ray Ratliff has 12 copies of the poster which are available free to any interested Conservancy member. The posters are folded but Ratliff said he would probably get some unfolded ones later this summer.

For your free copy of the St. Croix poster write to Chris Leitchlitter, Executive Assistant, WVHC Office, Suite 201, 1206 Virginia St., East, Charleston, WV 25301. But hurry, there are only 12 available!

Help Us

Help You

Take a part in

West

Virginia's future!!