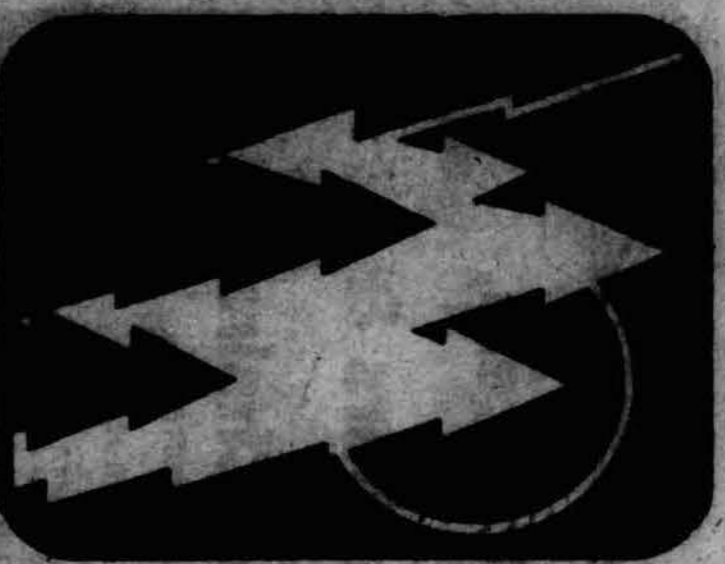


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THE HIGHLANDS VOICE



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WVHC tall board meeting Members consider mining, water quality problems

The recent agreement between DLM Coal Company and the state regarding liability for acid drainage treatment on the Buckhannon River dominated the fall West Virginia Highlands Conservancy board of directors meeting. The Mt. Chateau Land Exchange, Canaan Valley, and actions by the federal Office of Surface Mining on the new West Virginia Department of Energy were also discussed and acted on by the board.

Mining Committee Report

Great concern was expressed over the potential implications and consequences of the DLM agreement by John Purbaugh who gave the mining committee report in the absence of John McFerrin, chairman. He said that neither committee

were: 1) the state's failure to check into the company's assets, and 2) the absence of cost calculations for future water treatment by the state. Purbaugh commended Acting DOE Commissioner Ken Faerber for getting more money than the \$225,000 bond forfeiture would have provided. Because DLM will also forfeit its bond, it will have to make special application in the future to mine in West Virginia. But Purbaugh said the whole situation highlights the need to look closely at the state's action on permit applications for adjacent sites.

The board passed a motion approving action by the mining committee in pursuing two goals: to review the circumstances of the DLM deal and to contemplate future action by the Conservancy. A motion was also passed which authorized the mining committee to consider the issuance of a new permit to the Emery Coal Company on the Right Fork of Ten Mile Creek of the Buckhannon River. Emery plans to mine 10,000 acres on the same seam of coal as the DLM operation. This would be a much bigger mine and the same acid drainage problems are likely to arise as at the DLM site.

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State Affairs

A decision in the conflict of interest review by OSM on the appointment of Ken Faerber as commissioner of the DOE is expected by the end of October, Purbaugh reported. OSM is investigating and reviewing materials submitted by

Voice falls victim to Nov. floods

As most Conservancy members have by now realized, the November issue of the Highlands Voice never arrived.

The November Voice was prepared as usual during the last week of October and sent to Glenville for typesetting. Unfortunately the following week was flood week and the Voice fell victim to the waters as did many homes and businesses in West Virginia.

Although the shop in Glenville was somewhat flooded, the typesetting was finished and the Voice put in the mail. It never arrived, however, and our best guess is that flood caused chaos at the Post Office was responsible.

So please don't harbor hard feelings against the editor because you did not get a November Voice. Just enjoy this month's extra long paper which is a combination December/January issue.

The season for frozen streams and cross country skiing. Photo by Steve Payne.

Reclamation Board allows mining near Panther State Forest

by John McFerrin

The Reclamation Board of Review approved December 4 a previous decision by the West Virginia Department of Energy to allow the New Windward Coal Company to operate a deep mine adjacent to Panther State Forest in McDowell County. The mine is located immediately outside the forest and its operation will require coal hauling through the forest.

The West Virginia Highlands Conservancy opposed the mining before the Board. According to the Conservancy, Panther State Forest is a "public park" within the definition of that term in the Surface Mining Act. Federal regulations state that a "public park" is any area used primarily for recreation and such areas are off limits to coal mining or

hauling. According to testimony at the December 4 hearing, the Panther State Forest is used by approximately 65,000 people each year.

Had the Board determined that the Panther State Forest is a "public park," the forest would have been entitled to additional protection under the Surface Mining Act. Instead, the decision was made in favor of coal hauling through the forest.

The Conservancy also contended that the actions of the Department of Energy amounted to a lease of publicly owned land for mining purposes. According to West Virginia law, public land can only be leased for mining if the action is approved by the legislature. No legislative approval was sought or given in this case.

In an earlier development, the Circuit Court of McDowell County had issued an injunction prohibiting the New Windward Coal Company from using the road through Panther State Forest for heavy vehicle traffic. Without declaring whether coal hauling was an acceptable use of the forest land, Special Judge John Frazier decided that the bridges on that road were not strong enough to support heavy vehicle traffic.

Since that decision, the West Virginia Department of Highways has made substantial improvements to the bridges. According to the Department of Highways, the bridges are now strong enough to support heavy vehicles.

The Conservancy now has the option of appealing the decision of the Reclamation Board to the Circuit Court.

Fate of climbing ban unsure; commerce position unclear

The Conservancy's opposition to the ban on rockclimbing at Coopers Rock State Forest has taken on a new twist now that jurisdiction for the area has moved from the Department of Natural Resources to the Department of Commerce.

A suit was filed by the Conservancy in early 1985 when DNR officials refused to rescind the ban imposed in 1984. The ban prohibited technical rockclimbing and rappelling at the state forest, one of the most popular areas for the sport in the state.

The ban isn't finding favor at the Department of Commerce. Ray Ratliff, who is representing the Conservancy in this case, told *The Charleston Gazette* in early December that he thought the Department of Commerce was interested in developing, not prohibiting, the tourism aspect of rockclimbing.

A department spokesperson said a total assessment of climbing at Coopers Rock was being made. Recreation, environmental concerns, community interest and other aspects will be considered before a decision is made about the ban.

Legally the Department of Commerce is a successor in interest in the case because parks are now part of that department.

State liability in case of injuries and the presence of the flat-spined 3-toothed snail, a threatened species, were initially cited as reasons for implementing the ban.

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

Senator urges reactivation of Rowlesburg Dam project

Pennsylvania senator, John Heinz, plans to advocate reactivation of the proposed Rowlesburg Dam on the Cheat River because of the damage caused in Pennsylvania and West Virginia by recent flooding, according to a recent report in *The Charleston Gazette*.

The Rowlesburg dam was authorized by Congress in 1965 but deactivated by the Corps of Engineers in 1977 after then Gov. Jay Rockefeller said he was opposed to it because it would flood fertile farmland in Tucker County and provided only minor flood control protection in West Virginia.

The dam was also strongly opposed by Tucker County property owners, environmental organizations, including the West

Virginia Highlands Conservancy, and white-water rafting outfitters.

Heinz is asking the Corps to reactivate the project which would have cost an estimated \$394 million. He said Corps' estimates indicated that the dam could have prevented \$77 million worth of damages along the Monongahela River and completely protected two West Virginia communities from \$14.5 million in damages during the November floods.

A Rockefeller aide told *The Charleston Gazette* in late November that the senator would support at least re-evaluating the project if it was primarily a flood control project and its benefits accrued equally to West Virginia.

WVHC Board of Directors plan winter meeting for Jan. 19

Members of the West Virginia Highlands Conservancy's board of directors will meet at Jacksons Mill 4-H camp January 19 for their annual winter meeting.

Board members can stay in cabins at the camp Saturday night and eat Saturday supper, and Sunday breakfast and lunch at the camp. Tom Michael, senior vice president, is in charge of reservations.

The cost of lodging will be \$9 per person and meals are \$5 each for supper and lunch and \$3 for breakfast. Reservations must be received by Michael no later than January 11. His address is Rt. 2, Box 217, Lost Creek, WV 26385.

The board meeting will be 9 am Sunday morning. For more information, contact Tom Michael.

Campsites, streams, trails suffer flood damage, destruction in WV

The flood which inundated much of West Virginia in early November destroyed lives, homes and businesses. In addition, many recreation, scenic and wilderness areas in West Virginia have sustained heavy damage.

Although most recovery work to date has focused on getting people back on their feet, there are some estimates of the damage to Monongahela National Forest locations and facilities.

In the Cheat Ranger District the Stuart and Horseshoe Recreation Areas were damaged and several Forest Service buildings and vehicles were destroyed.

The Potomac Ranger District was hard hit by the flood. Seneca Creek, Big Bend and Smoke Hole Campgrounds were destroyed as well as the Seneca Rocks and Sites Memorial Picnic Areas. The Visitors Center at Seneca Rocks was damaged but FS personnel say it could be operational next summer.

Bridges and highways in the Potomac Ranger District also suffered badly with

Highway 28 closed for at least one month and the Laneville Bridge destroyed. The Seneca Rocks suspension bridge was also washed away.

Many roads were closed in the Greenbrier Ranger District but no facilities were destroyed. The Laurel Creek and Island Campgrounds were damaged as were several buildings.

A Trout Unlimited newsletter reports that damage was extensive at trout hatcheries around the state. Some 150,000 trout at the U.S. Fish and Wildlife hatchery at Bowden were destroyed and rearing ponds were left clogged with sediment.

The Reeds Creek hatchery in Pendleton County was also damaged and approximately 260,000 trout being reared there are believed to have been lost, according to Trout Lines. Reeds Creek has been the key source of brown trout for use in the Department of Natural Resources' wild trout fishery programs.

Roster of Officers, Board Members & Committee Chairs

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Cindy Rank: Rt. 1 Box 227, Rock Cave WV 26234 (924-5802)
Ray Ratliff: 1206 Virginia St., East, Charleston WV 25301 (344-2437)
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John McFerrin: 1105 Tinder Ave., Charleston WV 25302 (345-5646)

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Sayre Rodman: 32 Crystal Drive, Oakmont PA 15139 (412-828-8983)
Skip Deegans: 126 W. Washington St., Lewisburg WV 24901 (645-1656)
John Purbaugh: Box 2502, Dudden Fork, Kenna, WV 25248
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W.V.A. MOUNTAIN STREAM MONITORS PROJECT: Milton Zelemyer
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Rt. 1 Box 79A, Burlington WV 26710 (289-3565)
MANAGEMENT REVIEW COMMITTEE: Tom Michael
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CLASSIFIED ADS

WANTED -- people to place classified advertisements in the *Highlands Voice*. The *Voice* will start a new classified ad section in the February issue.

Individual members of the West Virginia Highlands Conservancy with items to sell, trade or give away may send ad information to Deborah B. Smith, Voice editor, 914 11th Street, Huntington, WV 25701. Deadline for each issue is the third Friday of the month.

The new ad section will be valuable in selling old canoes or camping equipment, finding trip partners, etc. Conservancy members are invited to take advantage of this new service.



Conservancy Business

From the President

by Larry George

New leadership

In the past month the Conservancy has created two new committees to pursue tasks important to our work.

The new Publications Committee is chaired by WVHC Director-at-large W.E. "Skip" Deegans and will be responsible for the publication of a new edition of the *Hiking Guide to Monogahela National Forest*. Our present stock of the most recent fourth edition of the Guide will be exhausted by next fall and work must begin now for the substantial revisions which are expected.

Suggested revisions to the Guide include the addition of cross-country skiing information, enhanced maps and graphics, more photos and updating of trail information. The committee will rely on volunteers to accomplish this work during the next six months and your assistance would be greatly appreciated. Contact Skip Deegans at the address listed in the roster if you are interested in helping.

The Conservancy's second new panel is the Membership Development Committee which will be chaired by Milton Zelermyer, a WVHC Organizational Director representing Mountain Stream Monitors. This committee will centralize all WVHC projects associated with membership growth and focus its efforts on direct-mail solicitations. The committee is also interested in other membership development techniques and members with suggestions should contact Milton Zelermyer at the address in the roster.

The final change in WVHC leadership is the appointment of Jim Stout of Charleston as chairman of the Highway Committee which monitors the proposed construction of

Interstate Corridor H from Elkins east through the 100,000 acre Spruce Knob/Seneca Rocks National Recreation Area (NRA). Jim is an Organizational Director representing the Kanawha Valley Chapter of Trout Unlimited which has historically worked with the Conservancy on Corridor H. He will be assisted by former chairman Geoff Green, a professional consulting engineer who has led the Conservancy's efforts on Corridor H for many years.

The Conservancy owes a great deal of thanks to Geoff who has spent hundreds of hours since 1971 representing our organization and preparing the comprehensive technical analyses of alternative Corridor H routes. His past and present efforts have greatly enhanced the WVHC's influence in attempting to modify the Department of Highways' original proposals for an aesthetically and economically unsound route through the NRA.

Foundation support

The WVHC Executive Committee recently authorized me to investigate the opportunities for obtaining major foundation support to enhance our conservation work as well as our financial and membership base. I am contacting several grant-awarding organizations to discuss funding in the range of \$60 - \$70,000 annually for a three to five year period.

I will report to the Board of Directors at the January 19 meeting on the potential for major foundation support. The Board will consider whether to pursue such funding by filing formal grant applications.

The tentative objectives of such financial support would

be to maintain a full-time office and staff to accomplish the following:

- provide professional assistance to volunteers where desirable to achieve the Conservancy's conservation goals (i.e., creation of a Canaan Valley National Wildlife Refuge, river conservation measures aimed at the Gauley, Greenbrier, and other scenic rivers);

- support an aggressive membership development campaign to attain 2,000 individual and organizational members within three years and;

- achieve the goal of one-half million dollars for the Conservancy Endowment Fund.

A primary goal of a professional staff would be to make the Conservancy financially self-sufficient within five years through a combination of expanded membership base, the Endowment Fund, other special financial support and publication sales. Attaining our tentative Endowment and membership goals alone would negate the need for outside financial support.

The Conservancy has always been, and should remain, an organization of lay conservationists. The objective of a professional staff would be to assist and enhance, not supplant, the energy, leadership and efforts of volunteer Conservancy members. I believe such a complementary relationship between professional staff and volunteers is possible, but only with the affirmative support and consent of Conservancy members.

Therefore, I would be interested in learning of members views on foundation support before the January 19 meeting of the Board of Directors. Your thoughts would be both appreciated and helpful in making these important decisions.

OSM gives Faerber 90 days to resolve conflicts

The federal Office of Surface Mining (OSM) notified West Virginia Department of Energy Acting Director Kenneth Faerber October 25 that he had 90 days to sell companies which OSM determined to present a conflict of interest with his regulation of surface mining.

The notification came after an investigation by OSM into whether Faerber's ownership of a firm that reclaims strip mine sites for the state and for private industry conflicts with his job as regulator of the mining industry in West Virginia. Under federal regulations, employees of state regulatory agencies are prohibited from having any direct or indirect financial interest in coal mining operations, including reclamation of mined areas.

Faerber has stated in press releases that he will attempt to sell Battle Ridge (a surface mine in Boone County), his stock in Diamond Shamrock and Ashland Oil (companies which own mines in the state), and Green Mountain Co. (a mine reclamation company). In addition, he must provide documentation that he has already sold three other firms, or demonstrate that they do not

coal mining or reclamation work.

Conservancy vice president for state affairs Perry Bryant who requested the Legislature to include a conflict provision applicable to the DOE director said, "We thought all along that these were blatant conflicts and shouldn't have been allowed."

The Conservancy, Trout Unlimited, and the West Virginia Citizens Action Group had earlier notified OSM of their intent to sue if federal regulations prohibiting Faerber from serving as DOE Commissioner while he was coal owner and operator were not enforced.

According to a Charleston Gazette report, public debate about Faerber's potential conflicts of interest has not kept him from expanding his companies' private business with the state.

Since he was named Acting Commissioner of the DOE, two of Faerber's companies have been awarded four new state contracts worth \$1.3 million, the Charleston Gazette reported November 3.

The new contracts bring the amount of state business Faerber's companies have received since February to \$3.66 million.

Conservancy Endowment Fund ready to accept donations

A perpetual fund to accept tax-deductible contributions from individuals, corporations and other organizations in support of a comprehensive program of natural resources conservation in the state has been established by the West Virginia Highlands Conservancy.

The WVHC Endowment Fund was formally created in early December. It is dedicated to supporting the protection of West Virginia's scenic rivers, natural areas, National Forests and other public lands, historical sites, and environmental quality. Gifts to the fund are perpetual; only the investment income is applied to the Conservancy's conservation work.

The long-term Endowment fund goal is \$500,000 with an immediate goal of realizing \$50,000 within the next year, according to Conservancy President Larry W. George.

"The Endowment provides West Virginians with a unique opportunity to make a lasting gift to the conservation of the state's natural resources and environmental quality managed by an organization with a 20-year history of success and commitment," George said. "The Conservancy expects the Endowment Fund to become the most significant source of financial support for the next five years."

In addition to monetary contributions, the Endowment will accept gifts of tangible assets including real estate, mineral rights, stocks, bonds, and other personal property interests. The income from the sale of such assets will be deposited in the Endowment.

For more information about the Endowment Fund, contact Larry W. George, President, West Virginia Highlands Conservancy, Suite 201, 1206 Virginia St., E., Charleston, WV 25301. Telephone: (304) 736-1325.

Acid drainage problems may plague new permit applicant

The West Virginia Highlands Conservancy, Trout Unlimited, and several local residents have filed objections to Enoxy Coal Company's application for a permit to surface mine 717 acres on the Right Fork of Tenmile Creek of the Buckhannon River in Upshur County.

Comments by TU and the Conservancy point out that this mine would be in the same Kittanning seam which is producing perpetual acid mine drainage at the nearby DLM site. This seam of coal is described as high sulphur with pyritic soil surrounding the coal, a combination which can cause major

acid drainage problems.

The Department of Energy reached an agreement with the DLM company last fall to transfer DLM assets to the state. In return, the state released the coal company from liability for future treatment of acid mine drainage. The agreement was made because DLM was unable to find a permanent solution to the problem of acid drainage and treatment of the problem became too costly.

In November the state received from DLM about \$850,000 in cash, bond forfeitures and equipment and may receive a total of 4,341 acres in surface, minerals and fee

land. Acting director of DOE, Ken Faerber, said the state will shoulder the problem of correcting acid drainage on the DLM-mined land.

Some environmentalists have expressed concern over the possibility of similar insoluble acid drainage problems arising from mining by Enoxy in the same area. Citing a recent study by the Department of Natural Resources wildlife division, TU and the Conservancy contend that the new Enoxy site will produce an acid load which, when combined with that from the DLM site, could cause the acidification of the entire

Buckhannon River system.

The two groups also object to the proposed filling of the two reproducing native brook trout waters by the mine, and proposals for the construction of large in-stream sediment and chemical treatment ponds.

Ken Faerber, acting director of the Department of Energy, said that issuance of a permit to Enoxy will depend on a very close site-specific review of the application. He said that while Enoxy has some acid discharge problems, they are not the same as DLM's. Much of Enoxy's problem stems from runoff from ongoing mine operations.

Canaan Valley streams named national resource waters

by Linda Cooper Elington
Chair, Canaan Valley Committee

A recent state Water Resources Board action initiated by the West Virginia Highlands Conservancy resulted in the designation of "national resource waters" in Canaan Valley. This development is hailed as "very significant" by those who have worked for the protection of water quality in the state.

It is not only the first time the Board and the Department of Natural Resources have recognized the existence of such waters in the state, but it is also the first time a state agency dealing with water resources has given formal recognition to the importance of natural resources in Canaan Valley.

The action came as a consent order by the Board in the matter of a WVHC appeal of a permit for a sewage disposal and water discharge system for a development built in a wetland area in Canaan. As a result of the order, WVHC dropped its challenges to a permit for the Blackwater Center, a restaurant, shopping mall and apartment complex on the banks of the Blackwater in Canaan Valley. Ditching and sump pumps are required in this development to keep the floors dry during periods of high water.

The order could serve to protect water quality in a manner that may not have been possible otherwise. It was for this reason that the case was settled without further action.

The order, signed by the Water Resources Board, the DNR water resources chief, counsel for WVHC, and a representative of the development company, mandates that the Board and DNR designate, as special the streams and waters in Canaan Valley which possess resources of "national significance."

"National resource waters" are specifically defined by Board rules and include naturally reproducing trout streams, waters located in protected areas such as state and national parks, and other waters with high ecological values. The designation carries with it the highest possible level of protection against degradation.

The order instructs the chief of water resources to initiate a listing of reproducing trout streams in Canaan within 30 days and to "diligently pursue" and complete within a "reasonable time" an inventory of the more than 54 miles of stream fisheries in Canaan to determine their status in this regard.

The Conservancy, as a result of its studies of Canaan Valley and analysis of studies conducted by many state and federal agencies over the past 30 years, maintains that many of the streams in Canaan and other locations in the state meet the criteria for this designation. Conservancy water resources experts also contend that a listing of such waters state-wide is long overdue.

Ever since Canaan Valley was first proposed as the site for a 7,000 acre lake for pumped-storage power production in 1970, the Conservancy has led the struggle to protect the extensive wetland areas, diverse wildlife, and scenic resources in the area. With the publicity

generated by that battle and the attractive recreational features of Canaan, the area has been subject to intense development pressures in recent years.

The intensity of this pressure is reflected in a recent sale of a one-third interest in a 200 acre mountain-side tract which brought \$1.6 million on the auction block (70 acres for \$1.6 million). Local landowners reacted with both surprise and confusion. One was overheard to say, "I never thought it was by that much this fast."

Land use changes in Canaan are a source of concern to an ever-increasing number of local residents and the many who visit and love the area. The threat posed to groundwater and wetlands water supplies and stream quality are increasingly evident. In many cases, the sewage and water discharge systems of recent developments are creating new "streams," as they sink wells for water supplies, pass the water through their multi-unit developments and then discharge it into places where water does not normally run, except when it rises seasonally.

Water and engineering experts for state agencies maintain that because of high rainfall in the area, flows will always be adequate to dilute and accommodate discharges. Two factors about these contentions cause concern.

First, waters in predominantly wet areas do not always flow or run off quickly. Sometimes they stand or become part of the wet area. Second, despite what may be the state's best inspection efforts, the reality of the situation is usually far different than expected. Waste treatment systems do not always function according to design and are not always maintained and operated to the high standards their permits require. This is due to a variety of factors including adverse weather conditions, human error, and system failures.

The order mandates that the Board and DNR designate as special the streams and waters in Canaan Valley which possess resources of "national significance."

In the last three years, state officials and local residents have witnessed lagoon algae blooms which are not normal in properly maintained systems, by-pass valves opened without DNR prior approval, disinfection bulbs not replaced after they have burned out, and even one treatment system known to be malfunctioning to the point of creating a pronounced stench.

Many concerned observers have warned that without careful planning and reasonable controls, such occurrences are inevitable. Now concern is mounting over what the present developments will be like under inevitable second and third ownerships if present standards are not met, filed to more appropriately address the conditions of this area.

In its challenges to water discharge permits

NWF says he has approved new rules that would change how the Corps enforces these regulations. Dawson has said the changes are to make the system more efficient but the NWF maintains they will just weaken the Section 404 programs.

The federal Environmental Protection Agency, 33 states, and many national conservation organizations have opposed the new rules which will have the following effects according to the NWF.

- 1) redefine wetlands so approximately two-thirds of the wetlands in the lower 48 states would no longer be protected under Section 404.
- 2) shorten the public comment period on applications from 30 to 15 days, and
- 3) eliminate the requirement that the public be notified of their right to request a hearing.

Wetland areas threatened by Corps nomination Redesignation of wetlands could cause 50 million acres to lose protection

Two new threats to the protection of wetlands surfaced in 1985. Both the nomination of Robert K. Dawson to head the U.S. Army Corps of Engineers and a wetlands definition set by the Sixth Circuit Federal Court of Appeals in Cincinnati could result in less protection for wetlands, according to the National Wildlife Federation.

Last fall, NWF officials voiced strong opposition to the confirmation of Dawson, contending that he has demonstrated overt hostility to the goals of the Clean Water Act and that he refuses to concede that Congress enacted this legislation to protect our nation's wetlands.

Dawson has been Acting Assistant Secretary of the Army (Civil Works) since May 1984. The Corps is responsible for administering Section 404 of the CWA by authorizing permits for dumping dredged or fill material into wetlands. During Dawson's tenure as Acting Assistant Secretary the

and other actions, the Conservancy has insisted: 1) that the impact of development on water, wildlife, and economic resources in Canaan Valley be measured; 2) that permits, if and when granted, meet the highest possible standards; and 3) that more effort be made to develop systems better equipped to meet the needs of a unique and harsh environment.

Detailed study of the long-term effects of present land use changes and effects on water quality are needed to more accurately predict possible future consequences and further elucidate the need for overall planning. Litigation, when necessary to prevent clearly impending damage to resources and to require more adequate protection or full implementation of laws and regulations, is justifiable and imperative.

One such matter presently needed for the legal calendar is a disputed interpretation of state law and department regulations related to the necessity for the issuance of permits prior to the commencement of construction. At present, neither DNR nor the state Health Department is attending to this matter. As a result, no independent review of the suitability of a site for development, water discharge, and soil disturbance, or other important concerns are being addressed before the investment of millions of dollars in development construction.

This will no doubt be the subject of the next chapter in the ongoing saga of the changing face of Canaan Valley.

Dawson's nomination has been approved by the Senate Armed Services Committee and will soon go to the full Senate for a vote.

The second threat to the definition of wetlands comes from a federal court in Cincinnati. According to the court, only lands "frequently flooded by adjacent streams" qualify as wetlands.

Such a narrow definition, if upheld by the U.S. Supreme Court to which the ruling has been appealed, would exclude millions of acres of prairie potholes in the lower 48 states and the Alaska tundra which are now classified as wetlands by the Corps of Engineers.

The Justice Department and the National Wildlife Federation prefer the current definition which designates wetlands based on the type of vegetation and the degree of ground saturation.



More than one hundred beaver dams are found in Canaan Valley, providing habitat for many plants and animals. Photo by Steve Bradley.

Board Meeting continued from page 1 the state and will inform the governor what corrective action must be taken to resolve any problems they find.

Purbaugh said OSM has never had to make a decision like this before and expressed some concern that it may take a less than strong interpretation of the conflict. It was suggested that the Conservancy may want to challenge the decision in Washington, D.C. and involve the Environmental Policy Institute which has expressed interest in the case.

A motion was passed to authorize litigation to enforce opposition to Faerber's appointment and \$500 was appropriated for this action.

Although the Mt. Chateau land exchange was ratified by the Public Land Corporation, Perry Bryant, Vice President for State Affairs, said, "We lost the battle but won the war."

The PLC agreed to rescind the authority delegated to the DNR and the governor to make such deals. Thus, although Mt. Chateau land is lost, similar exchanges will be subject to public hearings in the future. The WVHC board voted to ratify the position taken by the executive committee in which they opposed the sale on procedural grounds. The action was taken after the summer board meeting.

The PLC also voted to have the DNR study property at Kumbrabow and Panther state forests for possible coal leasing. Larry George, Conservancy president, said he had requested DNR to keep the Conservancy informed as to the status of these studies.

Canaan Valley Committee

In her report on Canaan Valley, Linda Cooper Elkinton, committee chair, said a permit appeal by the

Conservancy had been settled in exchange for a consent order by the Water Resources Board designating waters in Canaan as "national resources waters." She emphasized the significance of this designation which is the first of its kind in West Virginia.

For additional information about the status of Conservancy actions in Canaan Valley see page 3 of this Voice.

Other action

Larry George reported that a brochure to solicit donations to the WVHC Endowment Fund was almost complete and would be sent out to prospective donors soon. The first donation to the fund, some real estate in central West Virginia, is expected to be accepted sometime later this year.

Distribution and updating of the WVHC Monongahela Hiking Guide was also discussed. The Conservancy has entered into a non-exclusive contract with Jalamap Corporation to sell the guides.

A new edition of the guide will probably be printed in the next year and board members agreed that revisions and improvements should be made for the next edition. Jalamap officials have said they think the guide is underpriced and needs better lay-out and pictures. George said he would nominate a committee to work on revising the guide.

Purbaugh said the outings committee planned to start again with the new year and offer free winter and spring trips.

The public lands committee reported that the hearing on the Coopers Rock climbing ban would be held soon. No new information about the Monongahela National Forest Plan was presented but George said a comment period on the final plan would be open soon.

Congressional budget may curb plan to emphasize recreation in Monongahela

Although Forest Service officials at the Monongahela National Forest have revised the management plan to more closely provide the types of uses demanded by the public, the Sierra Club reports that through the Budgetary process Congress can prevent implementation of such a non-commercial emphasis plan.

Last year's budget provides a perfect illustration of how Congress can prevent implementation of the Multiple Use Law. The Multiple Use Sustained Yield Act was passed in 1960 and requires national forests to be managed not just for timber but for a balance of five different renewable resource uses. Wilderness was added to the list in the 1976 National Forest Management Act.

To meet the goals of multiple use, however, money must be allocated by Congress. Nationwide, last year the Forest Service was able to meet over 100 percent of its mineral

extraction target, over 100 percent of its road building target, and 98 percent of its timber sales programs. In contrast, only 24 percent of trail construction, 34 percent of wildlife and 28 percent of water and soil resources goals were met.

This indicates that Congress has the power to turn forest plans back into commodity oriented plans against the WV public's wishes. This year the House altered President Reagan's budget for the Forest Service by cutting the road building budget by \$50 million and adding dollars to other items such as trails, wildlife, and research.

The Senate Appropriations Committee voted to put back the road money in the bill to be voted on by the Senate. The Sierra Club is urging its members and other concerned citizens to write to their representatives to encourage support for budget allocations for non-commodity uses in the national forests.

Navigating thru the rhododendrons

by Ed Lytwak

For those who may want to duplicate the cross-country section of the Roaring Plains hike, experience in cross-country navigation and caution is recommended. While there is an easy route along the Allegheny Front, large areas to the west are composed of rocky mazes of rhododendron and laurel thickets which are easy to become lost in. These are some directions on how to successfully navigate this section.

A followable deer trail begins in a rhododendron thicket about one quarter mile south of where you leave the trail. The open pasture

runs into a rock field and heavy rhododendrons and a rock cairn marks the trail. It soon crosses a small stream flowing east through the south edge of the pasture.

Continue south with the rock field to the east, entering more old pasture, an open birch forest and then an oak forest. Stay as close to the Allegheny Front as possible. There are several fine views from the eastern edge of this rock field but rattlesnakes definitely inhabit the area.

Once you reach the open oak forest, gradually climb to the southwest until you reach the open old pasture area on the top of the Roaring Plains.

Conservancy members hike in the Roaring Plains

by Ed Lytwak

Approximately 21 Conservancy members chose a tour of the high plains to the south/southwest of the Dolly Sods Wilderness as their Saturday trip at the 1985 WVHC Fall Review.

The high plains are the flat tops (mostly over 4,000 feet in elevation) of the mountains that comprise this part of the Allegheny Front. Red Creek Plains, Flatrock Plains and Roaring Plains, the highest, are included in this area.

The hike began at the eastern trailhead of the South Prong Trail, about one-half mile southwest of the Dolly Sods Picnic Area. Heading south on the Red Creek Plains, the trail passed through a flat, boggy area of young spruce and various heaths. As we climbed, the trail

became more rocky, passing through a beautiful rock garden and later through scattered Table Mountain Pines.

On a clear day, views of North Fork Mountain can be seen from several rock outcroppings just to the east of the trail. This October day had dawned with the high mountains in a low cloud, however, and hikers had to take my word about the view. As the sun climbed higher, hopes for some clearing soared.

A little more than two miles into the hike, the trail bends sharply northwest in an old pasture area near a small stream. Here we left the trail to continue south along the Allegheny Front. Going cross-country, we traversed a continuation of the old pasture, through rhododendron thickets, a young

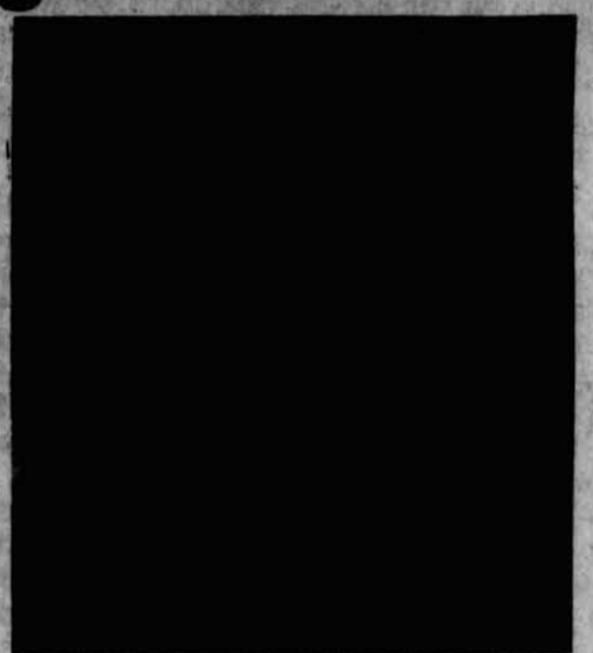
birch forest, and out into an open oak forest. We then climbed southwest to open old pastures scattered with spruce, azaleas, blueberries, and heaths. This was the eastern end of the Roaring Plains.

Anyone who has been up on the plains on a windy day can understand how they got their name. Unfortunately, low clouds still obscured what are some of the finest sweeping panoramic views of the highlands as we continued west along the Front to the gas line.

We followed the gas line for a mile until it joined F.S. 70 (the micro-tower road). Turning east on the road, we went about .4 miles to connect with the Boar's Nest Trail.

Everyone was glad to leave the road for this trails. It crosses the South Fork of Red Creek amid rocks, moss, rhododendron, and spruce. Then a short but rocky climb brings hikers to the top of the Flatrock Plains. Rocky, cold, and windblown, the Flatrock Plains are a testimony to the adaptability and toughness of the high plains vegetation; laurel, rhododendron, spruce, lichens, moss and other shrubs and plants.

As the trail reached the northern edge of the plains, the weather had finally cleared enough to permit spectacular views of Cabin Mountain and the Dolly Sods Wilderness. With spirits renewed, we began the torturous 1,480 foot descent to the



Hikers cross stream high on the Roaring Plains. This Saturday field trip at the Fall Review took Conservancy 8 miles through beautiful countryside.

South Fork of Red Creek.

Slipping and sliding on the slick leaf covered rocks, we dropped into a yellow and black birch forest which gradually gave way to a fine old mixed hardwood forest of beech, birch, maple and basswood. The trail crosses the South Fork at a very picturesque place of rock bluffs and small waterfalls.

A short climb and we were at trail's end. As many tired feet and a few blisters attested, this was not the easiest 8.2 miles you could hike. But sometimes when you want the best you've got to pay the price.

New directors chosen

Five directors-at-large and a vice president for federal affairs were elected at the 1985 annual meeting of the West Virginia Highlands Conservancy Oct. 13.

Bill Wilcox, a resident of Fairfax, VA, who was appointed to the position of vice president for federal affairs in July by WVHC President Larry George, was elected by Conservancy members to complete the final year of the two-year term left vacant by the resignation of Linda Winter.

All of the Conservancy's directors-at-large whose terms expired in 1985 were reelected to their positions. These directors include Geoff Green, Sayre Rodman, Skip Deegans, John Purbaugh, and Adrienne Worthy. Addresses and telephone numbers of these representatives are round in the roster on page 2 of each issue of the Highlands Voice.

No other business was conducted at the annual meeting.

Members tour the Monongahela on Fall Review

by Emma Shelton

We probably had the best field trip of all. It was a chauffeur-driven private tour of the Seneca Rocks Unit of the Monongahela National Forest. The District Ranger, Jerry Bremer, was our guide and mentor. Ray Blum was our chauffeur and raconteur (he earned the nickname, Mouth-of-Seneca, from his co-workers at the Visitors Center) and Geoff Green was the official representative from the Conservancy. F.K. Millar and I were the only takers on an informative trip that gave us a look at some very beautiful countryside.

Jerry had done his homework. He provided maps of the MNF on which our map was traced in red. Along the route were arrows pointing to six stops that represented areas of interest that he wanted us to look at and discuss.

Our first stop was at the Visitors Center where we got an overview of the management of the Seneca Rocks area. Then we moved up Route 33, following Seneca Creek to the Seneca Creek campground on White's run. Here we got a

feeling for the management of campgrounds and the problems the rangers face, including dealing with complaints about noise from inconsiderate campers and controlling the use of motorcycles along the trails.

As we drove up White's run, Jerry told us about the cooperative venture between the Forest Service and Trout Unlimited that has put many small dams in the stream to create pools for the trout during times of low water. The road to Job, Wymer, and Alpena runs along this beautiful stream and it is here that Corridor H, unless stopped, will go. White's Run will be "moved" to make way for the highway.

We felt a bit glum as we came back to Hedrick's 4-U and turned left along state route 9 into Germany Valley. But the valley was so beautiful and peaceful that our spirits began to rise. Jerry pointed out and explained to us the karst formations in this area which is also noted for many sinks and caves. Some caves harbor endangered species of bat and in recent years have been closed to all but the most privileged spelunkers.

We picked up route 33 near Judy Gap then turned onto route 8 and followed it along Reed's Creek to Upper Tract with a diversion at Eliza Hollow. Between Reed's Creek and route 28 we inspected areas clearcut 6 and 20 years ago to see how quickly such areas recover. In each area the hardwoods are coming back although the 20-year growth was not impressive. Another large tract which had been cut up and across a ridge was seen from afar. The gap made by the clearcut looked like a missing tooth on the horizon of standing trees.

The Seneca Rocks National Recreation Area (NRA) unit of the MNF presents the ranger with a diversity of management problems. The Forest Service derives much of its income from the sale of timber and management of timber is of prime importance. Cattle grazing is also a management concern in the NRA. The pastures we saw were well fenced and not overgrazed as are many of the private fields.

Another big management area is recreation: with many campgrounds and hiking trails to maintain and supervise.

West Virginia rafting: how many can go and when?

Just how many people should float the New River each day has been the topic of considerable controversy in recent weeks. Legislation passed earlier this year required the state Department of Natural Resources to establish stricter limits on river usage and to limit the number of rafters.

Raft outfitters and DNR representatives have had a series of discussions on the total number of rafters to be allowed on the rivers and how to divide this total among the 22 companies operating commercial raft services on the New.

Rafting has become big business in West Virginia and some people, DNR officials and private boaters, are concerned that the river is becoming overcrowded. Private paddlers contend that the river is public domain and that their day on the river deserves equal consideration. They say overcrowding is a problem.

The outfitters argue, however, that there are no complaints from customers about overcrowding and that a low limit on the number of rafters would cause financial hardships.

In early October, the DNR announced that it favored allowing on-ly 1,250 to 1,500 rafters on the river each day. This position brought strong opposition from commercial outfitters who proposed a ceiling of 2,400 rafters per day. The largest recorded number of rafters on the river in a single day is 2,180.

The White Water Advisory Board compromised on Oct. 10 and voted to set a maximum daily ceiling of 2,200 rafters before July 15, and 1,800 rafters after that date. Flow is

usually lower later in the summer and safety problems can arise on busy days.

No decision has been made by the Board on how to divide up the allocated number of rafters among the companies operating on the New.

Rafters negotiate rapid on the New River. Quotas probably will not reduce the numbers of rafters next year.
Photo courtesy - Department of Commerce.

Composed of three members of the whitewater industry, three members of the public, and three DNR employees, the Board was established in 1961 to help set policy for regulating the whitewater industry.

It will also consider ceilings for the Gauley, Cheat, and Shenandoah rivers.

Rafting in West Virginia brought approximately \$35.9 million in direct contributions to the state's economy in 1984, according to the state travel director.

WV rivers eligible but not recommended for protection

Final study reports for the Birch, Bluestone, and Gauley Rivers were released by the National Park Service last fall. These reports state that several sections of each river were eligible for designation as Wild and Scenic Rivers.

Because there is little support from landowners and local and state governments for federal acquisition and management, the areas were not recommended for designation as federally administered components of the system.

A 112-mile stretch of the Gauley River including the upper and lower Gauley River, the Meadow River, and the Cranberry River and a 25.5 stretch of the lower Bluestone River between Spanishburg and the normal pool elevation at Bluestone Lake are eligible for inclusion in the rivers program.

Nearly 99 percent of the Cranberry River is already

federally owned and the river is a component of the West Virginia Natural Streams Preservation System. Thus it appears to be sufficiently protected and was not proposed for wild and scenic designation.

The studies also determined that a 17.5 stretch of the Birch River between Cora Brown Bridge in Nicholas County and its confluence with the Elk River in Braxton County was eligible for Wild and Scenic River designation. Eligibility is based on the river's free-flowing character and outstanding scenic and recreation values. Geologic, fish, and wildlife values are also significant.

The recommendation that the rivers not be federally administered does not preclude inclusion in the national system. State and local governments could initiate actions to conserve the rivers under provisions of sections 2(a) (ii) and

11(a) of the National Wild and Scenic Rivers Act.

Section 2(a) (ii) provides an opportunity to add these rivers to the national system through state initiated action and local management. State and local governments could prepare a comprehensive management plan for the rivers, have it approved by the state legislature and submit it to the Secretary of the Interior with a request to add them to the system. The Secretary could then add the rivers to the national system by publishing a notice in the Federal Register.

Section 11(a) allows state or local governments to request National Park Service assistance in preparing river conservation plans. The NPS can help by bringing organizations together to cooperate in developing local management strategies.

The drama and heritage of three centuries

The High Alleghenies

Review by Chris Leichter

"Something about a mountain has always teased the curiosity of man...Mountains are a fact of life throughout Appalachia and this is certainly the case among the Alleghenies." So begins J. Lawrence Smith's examination of the Allegheny mountain region of West Virginia.

In his straightforward, easy-to-read style, Smith presents his history of the Alleghenies as seen through the eyes of those who sojourned and settled there.

He brings to life familiar areas such as the New River, Cheat Mountain, Canaan Valley, and White Sulphur Springs with his historical

accounts and anecdotes. Inclusion of his own personal experiences in these localities adds vitality to his authority and interest in the area. Smith's writings are further enhanced by a liberal offering of pen-and-ink drawings by Bill Pizer, and photographs by various contributors. Of particular interest to the geology minded is a digression in chapter two to the history of the area dating back 600 million years.

In contrast, his final chapter looks to the future: "My journey with the clouds has taken me across the mountain vastness and even time for a view of the last wilderness of the Alleghenies... (that) would live in my memory as

a memento of what has always been and should continue to be... Even as the sun has risen endlessly over the mountains, the light of a new day is dawning across the high Alleghenies."

Mr. Smith's book is available for \$20 and he has kindly offered to give 25 percent of the proceeds from each book sold to Conservancy members to the Conservancy.

Anyone interested in ordering a copy may contact Chris Leichter, West Virginia Highlands Conservancy, Suite 201, 1206 Virginia St., East, Charleston, WV 25301. She will forward orders on to Smith.

Forest planners revise draft to meet public demands Remote habitat and recreation prescriptions outlined by MNF officials

After a series of public meetings about the Draft Management Plan last fall, Monongahela National Forest officials have made changes in the remote habitat prescription (6.1) and developed prescription 6.2 which will set aside 120,000 acres in the forest for non-motorized, remote dispersed recreation.

The following report is a summary of information provided in regular newsletters published by MNF officials to inform the public about revisions to the management plan.

Public response to prescription 6.1 called for an increase in areas with remote conditions over the 45 percent proposed by the FS.

The following changes have been made to the draft plan to provide for increases in remote habitat in the MNF.

- 1) The prescription now applies to areas with white pine as well as hardwoods. Therefore, it can be applied to a larger area.
- 2) The amount of regeneration cutting that can occur during any one entry has been limited. This will extend the rotation ages.
- 3) The re-entry period, and quiet time between projects, has been re-defined to encourage smaller, shorter duration projects.
- 4) The deferred rotation method of harvest has been added. This technique retains some large trees in an area that is regenerated to provide a continuous supply of hard mast.

5) Timber stand improvement projects have been re-defined to limit their application to emphasize wildlife habitat.

6) The standard for protecting seeps and improving them for wildlife habitat has been expanded.

7) The purposes of prescribed fires have been expanded to allow use of this technique to control undesirable vegetation.

8) Dispersion standards have been added to assure that elements of diversity are scattered throughout an area.

9) All public motor vehicle access will be restricted between April 15 and August 15 to protect bear cubs and turkey broods.

10) Standards to protect or relocate trails during other activities have been added.

11) Grapevine will not be controlled unless prescribed for wildlife reasons.

12) Road density has been reduced to 2.5 miles per square mile (approximately the density of existing roads).

Prescription 6.2 is a partial response to the public's perception of the Forest as a "special place." Although the prescription does not create wilderness, it closes roads, prohibits new commercial timber cutting and restricts public motorized vehicles in certain areas of the forest.

The purpose of the prescription is to set aside 120,000 acres of forest land to provide semi-primitive, non-motorized recreation in a natural setting. The following is a summary of the standards to be applied to land in this designation.

the spectacular double Upper Seneca Falls which thundered into a deep pool. Here was warm summer respite, a great contrast with an earlier visit when we were snowbound in the Easter storm of 1985.

After the falls, the hike was slow and long with a 1,860 feet climb to our exit at Spruce Knob. We passed a cascading stream where black cohosh and tall floral candlecra, and then through a waving field of grasses and an incredible display of wildflowers — wild basil, depford pink, birdfoot trefoil, daisy and bittersweet nightshade. We stopped at the intersection with the Judy Springs Trail, a diagonal path to a gushing fount from a rock (named after a pioneer family whose surname was Judy.)

After 6.2 miles we left the Horton-Horseshoe Trail at the base of Horseshoe peak and soon were on a heath meadow

of Huckleberry Trail. Deer lifted their heads from grazing, only to stare briefly and continue their feeding. Around us were dark green spruce and tall cinnamon fern cloistered with mountain laurel, huckleberry, bleeding heart and Canada dogwood.

The sun was low when we reached the Spruce Knob parking lot. We had hiked 9.4 miles, too fast to absorb all the natural beauty. From the observation tower we watched the sun disappear under opalescent streaks of clouds.

"This is awesome," said Richard Davis, my hiking companion. "It is too much for one day." We were humbled.

The red spruce whispered in the evening wind. Could this be the "whispering humbleness" that Shakespeare wrote about?

Hiking from subterranean waters to whispering spruce

by Allen deHart

It was a summer Saturday in the community of Horton. Monarch butterflies were siphoning juice from the milkweed and sparrows were eating ripe serviceberries. We parked across the road from them and the local swimming hole on Gandy Creek.

Our hike on the Horton-Horseshoe Trail began here and led us up Lower Two Spring Run where the right fork twice bubbled from the earth and vanished into its subterranean path. We were in a damp cool cove where sunlight danced through tall maple, beech and birch.

After 2.4 miles we crossed an intersection with the Allegheny Mountain Trail. From here, the descent of one mile was dramatic. It brought us to a log footbridge over Seneca Creek, a native trout stream.

Only 0.2 miles upstream on the Seneca Creek Trail was

Strip mining in the National Forest?

by John McFerrin, mining committee chair

The West Virginia Highlands Conservancy has requested investigation by the federal Office of Surface Mining into the activities of Vickie Energy, Inc. on the South Fork of the Cherry River in Pocahontas County, West Virginia. The area involved is approximately 1,000 feet inside the Monongahela National Forest.

In the summer of 1985, Vickie Energy received a permit for a deep mine at this location. At that time, the Conservancy raised questions about possible effects on water quality resulting from this mine.

After facing up the proposed deep mine, Vickie Energy

found that the geology of the area was such that adequate roof support to safely conduct deep mining at that location was not available. To overcome this problem, the company proposed another facing-up operation adjacent to the original one. Over the objections of the Department of Energy supervisor for the area, this proposal was approved.

Since the approval of the additional face-up area, Vickie Energy has applied for and received a permit to prospect for coal in an area adjacent to the face-up. Prospecting permits are normally granted to determine the presence and quality of coal before a company decides to apply for a permit to mine in an area. Vickie Energy had previously prospected the

Area descriptions: Areas will be natural appearing with a high probability of experiencing isolation from the sights and sounds of man. All are more than 2,500 acres.

Vegetation: Timber may not be cut only to aid in the development of recreation facilities, enhance public safety, or control insects and disease.

Recreation facilities: Appropriate facilities include, but are not limited to, adirondack-type shelters, trail bridges, interpretive and directional signs and trailhead parking.

Trails: A density of one to four miles of trail per square mile may be provided and maintained.

Wildlife: Wildlife species requiring isolation will benefit from this prescription. Existing openings and grasslands will be managed. Fish stocking and construction of fish habitat structures may occur. New wildlife habitat improvements will be compatible with the recreation objective.

Minerals: Exploration is permitted with mitigation measures to protect recreation values. Gas and oil projects will be subject to heavy restrictions. Coal may be leased on a case by case basis but only after appropriate environmental analysis and public involvement and only where the federal coal would be extracted in conjunction with adjacent developments.

More details on changes and additions to the MNF draft management plan are available from the Forest Service at P.O. Box 1548 Elkins, WV 26241, telephone 636-1800.

area of its deep mine face-up before applying for that permit. The WVHC mining committee has contacted the Office of Surface Mining and requested an investigation of the possibility that this operation is no more than a ruse to conduct surface mining in the National Forest.

According to WVHC officials, repeated facing-up operations in an area where it appears that underground mining is impossible may be a means to surface mine within the Forest. Surface mining within the National Forest is prohibited by federal law.

OSM has undertaken an investigation but at press time, no results of that investigation were available.

Involvement in government essential, Wise says

Using success and failure of West Virginia environmental groups as examples, Representative Bob Wise (D-WV 3rd District) commented on how people become involved in the process of government at the West Virginia Highlands Conservancy Fall Review Oct. 13.

Letters describing personal involvement in an issue are the most effective way to communicate with government representatives, Wise said. "Fifty letters seems to be a critical point. If I receive more than 50 letters on a certain subject, I know it's worth looking into," he said.

He emphasized, however, that all mail from constituents is opened and considered. Form letters, clipped coupons, and petitions are less effective in focusing attention on a subject but Wise said all communication is welcomed. "A handwritten letter is obviously the best and most effective," he said.

Wise attributed the designation of Cranberry Wilderness to the persistence of environmentalists in their communications with representatives. It took a lot of work, he said, but the efforts paid off.

The Stonewall Jackson Dam was cited by Wise as an example of how battles can be lost despite strong opposition and communication. He pointed out the bright side of this issue, however, saying that there will never be a similar dam in the country because of what happened here in West Virginia. "We don't see any projects like that being proposed now after the fight over Stonewall Jackson,"

Changes to the Monongahela National

Forest Draft Management Plan also illustrate the value of expressed public opinion, Wise said. Letters and comments have, in this case, forced the Forest Service to reconsider some aspects of the plan and make revisions accordingly.

Wise also discussed the value of West Virginia's environment as a selling point in economic development. "What we have in West Virginia is a way of life," he said. "We could be the Colorado of the East." Wise said West Virginia should use the environment to attract tourists to the state.

After his prepared remarks, Wise answered questions from Conservancy members on issues ranging from Superfund to Corridor H to acid rain.

He said five House committees are working on Superfund legislation, considering where the money will come from, how to devise a cleanup schedule and what citizen's rights to know about chemicals are. All five committees must pass their own versions before the entire House votes on a Superfund bill. Wise said, "I hope that before Congress adjourns for Thanksgiving there will be action."

On Corridor H, Wise said that from what he saw and heard it was not going anywhere. Funding for the Appalachian Regional Commission will probably be cut 20 percent, he said. Roads like Corridor H are funded by the ARC so without increase allocations even finishing Corridor G may be difficult.

"We can't finish what is going on now—let alone start Corridor H," Wise said.

Representative Bob Wise addresses Conservancy Members at the Fall Review.

Surface Mine Act not enforced, NWF says

Implementation of the 1977 Surface Mine Act is a problem in virtually all coal states according to a recent study by the National Wildlife Federation.

A report by the NWF said that the federal Office of Surface Mining is in a state of chaos and is riddled by poor management, neglect and lax enforcement. The purpose of the study was to encourage OSM to do more to oversee state implementation of the Act.

The report indicated that while West Virginia has some enforcement problems, it is not among the worst states. Failure to make an adequate number of inspections, lack of required enforcement actions, and permit packages without all necessary information were some of the deficiencies cited in the West Virginia program.

Sources for the study included OSM records, interviews, court records, and documents obtained under the Freedom of Information Act.

West Virginia reclamation officials say they have done well and better than most states in inspections and enforcement of coal mining regulations. One official said the state has lost ground in reclamation since the act was passed in 1977. —reported in *The Charleston Gazette*, 10/16/85.

ARC funds approved for state highways

The Senate approved in late October legislation providing \$18 million in Appalachian Regional Commission (ARC) highway funds for West Virginia and \$17 million for the Tug Fork flood control project.

Both items were included in the energy and water development appropriations conference report which contains \$85 million overall for the ARC highway program and an additional \$35 million for ARC economic development programs.

Of the \$18 million earmarked for West Virginia highways, \$7 million will be used on Corridor G which runs between Charleston and Williamson. Senator Robert C. Byrd was instrumental in obtaining this special funding for Corridor G.

The \$17 million for the Tug Fork project is part of a \$44.2 million appropriation for the Corps of Engineers in West Virginia.

The Tug Fork project will provide flood protection for several southern West Virginia counties, including Mingo and McDowell.

Byrd said he was happy to get ARC money for West Virginia because the administration had wanted to eliminate the entire program this year. —reported in *The Charleston Gazette*, 10/19/85.

EPA program to aid emergency planning

A new Chemical Emergency Preparedness Program has been created by the federal Environmental Protection Agency to advise communities on how to develop emergency response plans.

West Virginia officials do not expect the program to have a major effect in the Kanawha Valley because it already has a good emergency response program. Other areas in the state will benefit, however, because they are not well organized to deal with chemical accidents.

The program, which so far has no funding, will soon release a list of more than 400 acutely toxic chemicals which could be lethal if released.

West Virginia's new right-to-know law requires companies to report the average quantity of chemicals stored at their plants. Several of the chemicals on the EPA list are stored in large quantities in the Kanawha Valley.

EPA officials hope that the new program will sensitize industries and communities to the risks involved and result in a decrease in the quantities stored at chemical plants. —reported in *The Charleston Gazette*, 11/19/85.

Audubon publishes wildlife book

"Audubon Wildlife Report," a new book focusing on the wildlife management role of the federal government, has been published by the Audubon Society, according to a report in *Valley View*.

The book gathers together a wealth of essential wildlife information. It describes a number of federal wildlife programs including migratory bird management, inland fisheries management, marine mammal protection, animal damage control and endangered species protection.

TNC preserve guide available

An expanded version of the "Guide to West Virginia Preserves" is now available from the West Virginia Chapter of The Nature Conservancy.

The book, first produced three years ago, provides background information on all of the preserves currently owned or managed by TNC in West Virginia.

Guide sheets for Panther Knob, Brush Creek, Wardsville Shale Barren, Back Creek Shale Barren, General Davis Cave,

Twelve chapters written by wildlife professionals cover species such as the grizzly and the condor. The natural history of these species, the importance of the management issues involved, and efforts being made on their behalf are explained in considerable detail.

Copies of the book are available from the Audubon Society for \$16.50. To order, send check or money order to "Audubon Wildlife Report, National Audubon Society, 950 Third Avenue, New York, NY 10022.

and the Hidden Valley Black Pond Preserves are included in the expanded version.

Informational and directional sheets are also available for Craneyville Swamp, Murphy Preserve, Yankauer Preserve, Greenland Gap and the Hungry Beech Preserve.

The complete guide is available for \$1 (to cover mailing costs) from TNC Field Office, 1100 Quarrer St., Room 215, Charleston, WV 25301.

Tree planter's life-inspiring tale

"The man who planted trees" is a book about an individual's reforestation of a barren and almost uninhabitable piece of land.

Written by Jean Giono, a French novelist, the book has universal impact on issues of conservation, ecology, wildlife, reforestation and forest protection.

It was originally published in *Vogue* magazine in 1954 under the title "The man who planted hope and grew happiness." The

book tells a unique tale of the daily planting of one hundred trees which ultimately results in the return of water, wildlife and people to an area of land previously desolate.

"The man who planted trees" is published by Chelsea Green Publishing Company and is illustrated with wood engravings by Michael McCurdy. It is available for \$13.50 from the publishing company at 1 Court St., P.O. Box 283, Chelsea, VT 05038.

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Send contributions to Deborah Smith

See address in roster.