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Legislative gains modest

DNR bill lost; Faerber confirmed; rafting, PLC bills vetoed

The West Virginia Legislature concluded the 1986 regular session at midnight March 10 amid confusion and lost opportunities.

The session saw only modest progress on conservation issues and found the Legislature suffering with an inadequate staff, a new computer system and a governor determined to do things his way. These circumstances proved to be the deciding factors in the most important environmental issues considered this year.

DNR bill is "lost"

The bill to reorganize the Department of Natural Resources, strongly backed by the Conservancy, suffered the most ignominious fate imaginable. It was lost. Literally.

The DNR bill was the subject of constant work by DNR Director Ron Potesta and Conservancy President Larry W. George during the final ten days of the session. The legislation

was intended to create a new Division of Hazardous Waste, transfer regulatory authority from the Water Resources Board to the DNR Director and enact "shall enforce" provisions to compel DNR to enforce water quality standards. (See March Voice.)

After overcoming a litany of policy and political obstacles the DNR bill passed the House of Delegates on March 9 and appeared primed to receive Senate approval in the final hours of the 1986 session. Director Potesta had secured the assistance of Sen. Ralph Williams (D-Greenbrier) to shepherd the bill on the Senate floor.

With 35 minutes left, Williams was finally recognized to move the bill for passage, but was left hanging when the Senate floor clerk reported the official copy was not at the clerk's desk as required.

Potesta and George, on standby in the Senate caucus room went running in different directions to find it. Unbelievably, a legislative staffer had carried off the original copy and absentmindedly left it on a table in the Senate Caucus room.

Unfortunately, by the time Potesta found it among the clutter, only minutes remained to the midnight adjournment and the bill never got a second chance in the rush to pass other

Despite rumors that opponents had "kidnapped" the bill, George was satisfied that the incident was an unfortunate, but not unique, foul-up.

Faerber confirmed

The long travail of Commissioner of Energy Kenneth Faerber finally ended March 9. The Commissioner had suffered from constant media attention to his financial conflict of interest violations under both federal surface mining and water pollution control programs.

The problems were only partially

resolved when the Commissioner divested his mining interests early this year. The U.S. Environmental Protection Agency remains unsatisfied because the Federal Clean Water Act prohibits financial conflicts within two years of assuming regulatory office. (See March Voice.)

In January the Conservancy Board of Directors voted unanimously to oppose confirmation exclusively on the basis of the Commissioner's inability to lawfully issue water pollution control permits. This represented the first occasion in its history that WVHC had opposed a gubernatorial appointment.

The Senate Confirmations Committee held repeated hearings which eventually lost sight of the conflict problems and delved into such matters as campaign contributions to Governor Moore and state contract work performed by Faerber's mine reclamation firm.

(See Legislative gains, Page 3)



Learn about fly fishing at the Spring Review, May 2-4 at a seminar led by Trout Unlimited members Photo courtesy of GOECD. John Richards and Don Brannon. See page 8 for details.

Greenbrier study expected by 1990

Final evaluation of flood control options on the Greenbrier River will be completed by the Army Corps of Engineers by 1990.

The Huntington District of the corps will study all alternatives between now and 1990, including local protection projects and tributary watershed dams. The study will be an expansion of a local flood protection study which was underway when the November flood occurred.

The study is expected to cost about \$1.2 million and will be funded through the normal budget process. It will be done in two phases; the first will identify options and select those for further evaluation and the second will evaluate the chosen options and produce a draft report.

A plan of study for these activities by the corps has been prepared. The plan reviews past flood control efforts in the Greenbrier Basin and outlines

a schedule and funding requirements for the study. Major aspects of this plan of study will be outlined in the May Voice.

The corps will also be examining possible alternatives for flood control on the Cheat River, including reactivation of the Rowlesburg dam project. A dam of the Cheat River would be under the jurisdiction of the Pittsburgh District.

The Conservancy, in conjunction with the Environmental Policy Institute, has filed a position statement on the Rowlesburg dam. A condensed version of this statement also will be printed in the May Voice.

From the President

River Conservation Chair appointed

The Conservancy has a new chair for the Rivers Conservation Committee. Ann Gentry was appointed committee chair by Conservancy President Larry W. George in March.

Ann takes over one of the WVHC's most important projects: protection of the state's outstanding scenic rivers. The committee is responsible for issues involving scenic rivers, water rights and flood control dams proposed by the Army Corps of Engineers.

Ann is a veterinarian from Sissonville and is a lifelong resident of West Virginia.

She replaces Ray Ratliff who had served as committee chair since 1984. Ray will continue to serve as a member of the Committee and will work on wild and scenic river protection for the Gauley, Greenbrier and other rivers.

Conservancy purchases computer system

The Conservancy purchased a computer/printer system for maintaining membership records and word processing in March. Costing \$1,800, the new system consists of a Leading Edge Model "M" computer and a Panasonic KX printer. Purchase of a computer system was authorized by the Board of Directors at the winter meeting.

The computer will be maintained at the home of WVHC Membership Secretary

Adrienne Worthy in Charleston.

Purchase of the computer was seen as the solution to several years of difficulty with commercial computer services and dissatisfaction with the accuracy of membership records. The Conservancy now has the capability to identify members on the basis of membership categories, legislative districts, conservation interests and volunteer assistance.

The new data processing capabilities should significantly enhance the efficiency of the Conservancy and will also be applicable to future membership and financial development campaigns.

Volunteers needed for WVHC projects

Monongahela National Forest - The Conservancy is seeking an individual to serve as co-chair of the WVHC Public Lands Management Committee. This individual would monitor management of the Monongahela National Forest and serve as liaison with the U.S. Forest Service at MNF headquarters in Elkins.

Specific issues would include timbering, recreational development, road construction, protection of scenic areas, mining, gas drilling and other matters affecting the MNF. Responsibilities would include making recommendations for action to the WVHC Board of Directors, preparing comments on USFS proposals, monitoring activities on the MNF, preparing Voice articles and coordinating WVHC volunteers in such activities.

No specific experience is necessary. An ability to communicate and a commitment to exercise leadership in issues affecting National Forest lands is all that is

required.

Interested individuals should contact Conservancy President Larry George as

noted in the roster on page two.

Financial Development — Volunteers are requested to serve on a new WVHC Finance Committee to be established at the May 4 Board of Directors meeting.

The Committee will be responsible for enhancing financial support for the Conservancy in West Virginia as well as the Pittsburgh and Washington, D.C. metropolitan areas.

The goal of the committee is to seek funding for a full-time office and support staff. Financial sources to be targeted include membership development, WVHC Endowment, non-endowed individual gifts, monthly retainer members and small foundation grants.

Interested individuals should contact Conservancy Senior Vice-President Tom

Michael as noted in the roster on page two.

Hazardous Waste - The Conservancy has been requested to name an individual to serve on the West Virginia Hazardous Waste Advisory Committee. The committee serves in an advisory capacity to the West Virginia Department of Natural Resources and meets monthly in Charleston.

It is made up of four members from each of four categories: public officials, public interest groups, economic interest groups, and unaffiliated citizens. The purpose of the panel is to advise the DNR director on the economic, social and environmental impacts of the Hazardous Waste Management Act.

Interested individuals should contact Conservancy President Larry George as

noted in the roster on page two.

River Conservation - Ann Gentry, the new chair of the WVHC River Conservation Committee, is seeking volunteers to serve on the committee and work on

a variety of issues.

Issues include: 1) state management plan for protection of the Greenbrier River; 2) Congressional designation of the Gauley River Canyon as a National Recreation Area; 3) proposals for Corps of Engineers' dams and other flood control projects on the Greenbrier and Cheat Rivers; and 4) an individual to serve as WVHC representative on the New River Gorge Task Force established by the U.S. National Park Service to develop a management plan.

Interested individuals should contact Rivers Committee Chair Ann Gentry as

noted in the roster on page two.

WVHC 20th Anniversary — Volunteers are requested to assist in planning a 20th anniversary celebration for the Conservancy. Although the Conservancy was informally organized in 1965, the first Board of Directors and membership system was established in January, 1967.

Interested individuals should contact Conservancy President Larry George as

noted in the roster on page two.

Roster of Officers, **Board Members & Committee Chairs**

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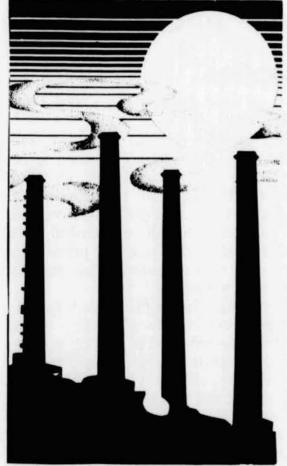
International reforestation projects seek help from environmentalists

Environmental activists are being recruited to join reforestation brigades in Nicaragua. Two groups of fifty members each will travel to Nicaragua this summer, one in June and the second in August.

The projects will include planting trees to form windbreaks and to protect farmland from flooding and erosion.

If you are interested in more information about this international conservation work, contact Milt Zelermyer, 20 Arlington Court, Charleston, WV 25301. (304/342-2996).

JOIN WVHC TODAY



Legislative gains (continued from page 1)

Natural Resources Defense Council:

WV air quality program challenged

The Natural Resources Defense Council is challenging the federal Environmental Protection Agency's approval of portions of West Virginia's air quality program. According to a report in NRDC Newsline West Virginia's program exempts most large new industrial projects from stringent air pollution control requirements.

Ordinarily, the builder of a major new pollution source in a polluted area must meet three stringent requirements: use state-of-the-art pollution controls, bring all of its existing sources into compliance, and get a pollution 'offset' at another source to make a net reduction in total pollution.

But the West Virginia program defines a pollution 'source' as an entire plant, rather than the individual boilers, chemical process units, or blast furnaces within a plant.

Under the plantwide source definition, the builder of a new boiler, for example, can escape these requirements by making a partial 'offset' at another source. In this way total plant pollution is even allowed to grow.

Under the Supreme Court's 1984 decision in Chevron v. NRDC, this plant-wide definition is permitted if the state's overall clean air program assures that federal air quality standards will be met by the deadlines imposed by the Clean Air Act.

West Virginia has not met the 1982 deadline for two pollutants, sulfur dioxide and particulate matter. NRDC contends that for this reason the state should not be allowed to exempt new projects from pollution control requirements.

NRDC's suit, filed in the U.S. Court of Appeals for the Fourth Circuit, seeks to overturn the EPA's acceptance of the West Virginia plan.

Because this is the first time EPA has approved the new definition of 'source' in a polluted area with an inadequate air quality program, a NRDC court victory would set a precedent preventing other states from evading these Clean Air Act requirements.

This issue was barely mentioned in the closing debates on the confirmation. Finally, a favorable recommendation was made by the committee in a 7-2 vote. The entire debate was to become irrelevant. Faerber's confirmation was considered by the Senate leadership as their best trump card with the governor. It would not be decided on its merits, but instead would become part of a political trade with the governor.

In the session's final days, the FY 1987 budget was the source of untold grief as the governor vetoed the first finance bill and threatened a second veto unless the Legislature capitulated on a \$32 million adminstration spending package. The second veto was averted when the Senate leadership and the governor reached a deal which included Senate confirmation of Commissioner Faerber.

Within eight hours of adjournament, Governor Moore signed the 1987 budget. Almost immediately, the Senate took up the confirmation of Faerber and granted approval by a 28-6 vote. Opponents were Senators Boettner, Fanning, Holliday, Holmes, Kaufman and Stacy.

While the Conservancy expected approval, the margin was not as close as first predicted. Several senators were privately troubled by Faerber's shortcomings, but voted for confirmation to avoid the governor's disfavor when it became apparent that the Senate leadership had traded the confirmation for approval of the budget.

Rafting regulations

In other action, the Legislature enacted Senate Bill 340 which essentially expunged the authority of the DNR to regular commercial whitewater rafting. Governor Moore vetoed this bill on March 27.

The fight for this bill in the Legislature highlights the fact that West Virginia's conservation organizations have generally overlooked the environmental aspects of regulating commercial rafting.

DNR was granted regulatory authority over rafting by the Legislature in 1981 when the Commercial Whitewater Advisory Board was established to advise the DNR Director in establishing limits for each outfitter.

The regulatory process has been the source of constant irritation to many rafting companies. Although commercial rafting exists on the Cheat, Gauley and New Rivers, DNR's attention has focused on the New which now sees more than 50,000 rafting customers annually.

The Board's historical approach has been to set a ceiling for total daily individual customers, now about 2,200 on the New, and then divide the quota among the existing dozen commercial outfitters. The process is, at present, essentially one of economic regulation analagous to utility regulation by the Public Service Commission.

Recommendations of the Board are usually accepted by the DNR Director who issues them as regulations. Environmental and aesthetic considerations have normally been secondary considerations.

Small outfitters have claimed that the four major companies rafting the New have received unwarranted favorable allotments to the detriment of smaller outfitters.

The smaller outfitters convinced several House members to use S.B. 340 as a vehicle to eliminate the Director's authority. Originally the bill simply added the Commissioner of Commerce as a member of the Advisory Board.

It was amended in the House Committee on Government Organizations to establish a floor of 2,500 raft customers daily on the New River. The new level represented the maximum ridership ever recorded and exceeded the DNR proposed limit of 2,200 rafters daily.

The small outfitters recruited House Majority Leader Bill Wooten (D-Raleigh), Del. Pat Hamilton (D-Fayette) and House Natural Resources Chairman Sam Love (D-Ohio) to plead their case. Hamilton's district includes the celebrated Thurmond to Fayette Station run on the New and he led the effort to end DNR's rule.

DNR Deputy Director Mike Fotos was the agency's point man on the bill and appeared to have successfully fought off the onerous amendment when surprised by the Wooten-Hamilton-Love axis in the House

Committee during the final days of the session.

DNR considered opposing the bill when it was returned to the Senate for concurrence in the House amendments. The agency eventually acquiesced, however, with the expectation that Governor Moore would exercise his veto.

Moore did veto the bill. George said, however, that the Conservancy will monitor the activities of the Commercial Whitewater Advisory Board more closely in the future.

Public Lands Corp.

Some progress was made this session on legislation concerning the Public Lands Corporation. Senate Bill 180 was passed on the last day.

This bill would have overhauled the manner in which the Public Lands Corporation can sell, trade and lease public lands and minerals. But Governor Moore vetoed the legislation on March 27.

S.B. 180 enacted a statutory process requiring public notice, hearings and a right to comment on any proposed sale or lease of state lands or minerals. The Conservancy supported the bill which was sponsored by Sen. Steve Cook (D-Monongalia).

The Public Lands Corporations, an autonomous state agency which holds legal title to most state lands, gained notoriety in the Mt. Chateau State Park controversy last summer. (See March Voice).

Wildlife legislation

The Legislature also acted favorable and without serious opposition on several bills affecting wildlife management.

Most significantly, a wildlife endowment fund was created which gives state residents the option of buying a combination lifetime hunting and fishing license for \$300. Separate lifetime licenses are available for \$200 each.

All lifetime license fees are deposited in an endowment fund with the income dedicated to wildlife management programs operated by the DNR Division of Wildlife Management.

The wildlife endowment was a cherished proposal of Wildlife Resources Chief Robert Miles who spent untold hours guiding the bill through the Legislature.

Also enacted was a \$5 waterfowl hunting stamp with the proceeds divided equally between the Dominion of Canada and the State of West Virginia for waterfowl management programs.

Overview

The Legislature had a difficult time this year dealing with natural resources legislation.

An unusually large turnover in the legal staff left the relevant House and Senate Committees with no expertise in environmental law. At one point, Conservancy President George, a former Senate Majority Counsel, was drafted to prepare amendments to the DNR bill for the House Finance Committee due to a staff shortage.

The new \$1.7 million legislative computer system exacerbated the difficulties it was intended to resolve in the handling of voluminous bills. Further, the Legislature's nightmare in passing the 700-page Department of Energy bill in 1985 left every legislative leader with an obvious disdain for any bill affecting environmental regulation.

Both were factors contributing to the difficulties and eventual downfall of the DNR reorganization bill.

The 1986 session will probably be best remembered by conservationists for what did not happen. The Moore Administration failed to present the Legislature with the necessary legislation to correct the multitude of environmental and mine safety short-comings of the 1985 DOE bill.

The Moore Administration has been under mandate by the U.S. Department of Interior's Office of Surface Mining to correct the statutory shortcomings in the surface mining regulations transferred to the newly created DOE. The modifications were required by April 15 and touched on many crucial aspects of the regulatory program. (See past issues of the Voice).

Regardless of the reasons, the lack of a DOE reform bill may easily lead OSM and the Environmental Protection Agency to take some compelling enforcement actions against the Senate of West Virginia.

The next few months could prove to be very interesting indeed.

Backcountry water and diseases

Precautions for recreationists using wildland water supplies

By Franklin Boteler

West Virginia is well known for the wildland recreational opportunities it provides. Activities such as whitewater rafting, camping, backpacking, hunting, and fishing bring hundreds of thousands of enthusiasts to state wildlands each year.

Although such endeavors are usually associated with a pristine nature, for backcountry users some concern with contagious disease does exist, particularly if recreationists must rely on local water resources. Water bodies or watersheds contaminated with the feces of warm-blooded animals have been associated with the spread of enteric diseases. These diseases range from several forms of gastroenteritis to more exotic illnesses such as hepatitis, typhoid fever and amoebic dysentery.

Diseases contracted

On the Grand Canyon segment of the Colorado River, outbreaks of shigellosis, a severe gastrointestinal disease, occurred among whitewater rafters in 1972 and 1979. Shigellosis is contracted by injesting the wastes of infected warm-blooded animals (i.e., drinking contaminated water or eating flood with bare hands that have come into contact with fecally contaminated soil).

Scientists have found that the bacterium Shigella sp. occurs in intestinal discharges. One shigella species is a common cause of dysentery epidemics while another is thought to cause colitus and cystitus.

Fecal coliform (FC) and fecal streptococcus (FS) counts are commonly used to test for the presense of such infectious bacteria. Water quality standards are written in terms of the number of FC bacteria per 100 ml of water sampled or the total number of FC in all samples. No FC colonies are acceptable for drinking water. Water used for swimming should have less than 200 FC bacteria per 100 ml.

In examining disease potential in the Grand Canyon, scientists report that from 1978 to 1980 FC counts were usually within tolerable limits. During periods of watershed flushing, however, a very real potential of endangering the health of river users existed. FC counts in bottom sediments of the river ranged up to 50,000 per 100 ml.

Giardiasis has also become a concern for wildland users. Injestion of giardia, a flagellate protozoan, causes severe diarrhea. Like shigella, giardia is found in the intestinal tract of infected warm-blooded animals. Many, if not most, of the headwaters in the Pacific Northwest are infected with it. A recent giardia infestation in the water supply of McKeesport, Pennsylvania resulted in residents having to use trucked-in water for a week.

Recreationists going into the backcountry need to be aware of the potential for contracting contagious diseases.

Making water potable

Unfortunately, conventional wisdom does not protect wildland users from contracting such infectious diseases. Many people believe that fast-running clear water in remote areas is safe to drink. But infectious bacteria or fungi may not affect water clarity or odor in backcountry settings, according to some scientists. Also, fast-running water does not purify itself. Indeed, certain bacteria may be reduced in number if given the opportunity to fall into the sediment of calm water.

Finally, researchers report that lighter recreational use has been associated with heavier fecal contamination of streams in the Rocky Mountains than heavier use. They suspect that increasing numbers of people displace animals that defecate in creeks. If this is so, wildland settings with

heavier use may have cleaner water than less heavily used settings.

The spread of diseases such as shigellosis and giardiasis indicate that recreationists need to be aware of potential contamination in wildland areas. In West Virginia, the Department of Natural Resources, the U.S. Forest Service, and the National Park Service, all recommend that water be treated before drinking. In particular, surface water should not be trusted. Many experts are also skeptical of springs.

For recreationists anticipating extended stays in wildland settings, several means of treating water are available. The safest method of making surface water potable is to obtain a large sample from a clear-flowing tributary, allow any sediment to settle, draw off the top, and boil it for at least three minutes. Unfortunately because boiling removes oxygen, the water tastes very flat.

Another method is to add household chlorine bleach at the rate of eight drops per gallon. After adding the bleach, the water should be allowed to sit for at least 30 minutes. Halogen may be used to treat water in similar manner. Unfortunately, chemical treatments are unlikely to control giardia. Some enterprising companies are now beginning to market portable water purification devices

which can be carried into the backcountry.

Recreationists going into the backcountry need to be aware of the potential for contracting contagious diseases. Although such diseases are not yet common in West Virginia, local populations of some (e.g., giardia) have been found.

Simple hygenic habits can do much to reduce the chances of contracting such diseases. If recreationists need to rely on local water resources, water supplies should be treated before injestion. Also, campers should be wary of walking barefoot around heavily used sites and hands should be washed before handling food.

Bottle bill study requested by WVHC

The Conservancy has requested that a professional economic and public study be made of potential beverage container deposit legislation in West Virginia. The request was forwarded in mid-March by Conservancy President Larry W. George to the Regional Research Institute of West Virginia University.

Beverage container legislation, popularly referred to as the "bottle bill," was introduced during the 1986 regular session of the West Virginia Legislature by Delegates Jim McNeely (D-Mercer) and Margorie Burke (D-Gilmer). (See March Voice.)

The bill was considered by the House Committee on Judiciary which on March 4 refused by a 12-9 margin to report the bill to the House floor. The legislation was the subject of an intense but relatively uninformed debate regarding its economic impacts.

The Conservancy, while supporting the bill in concept, had requested the Judiciary Committee to place the bill under a study resolution for further analysis and eventual consideration during the 1987 regular session. However, after the losing vote, the bill's sponsors did not pursue the study resolution and no further action was taken.

George requested that the Institute investigate the bill's impacts on employment, consumer costs and the markets for West Virginia products.

-PEOPLE-

Rahall scores high on 'green' vote

Representative Nick Rahall (WV-4th District) scored highest among West Virginia congressmen in the League of Conservation Voters' "green grades" report card issued in March.

Grades are based on the league's evaluation of how members of the House of Representatives voted on 12 key environmental, health and energy floor votes in 1985.

Rahall scored 58 percent, followed by Representative Harley Staggers Jr., 55 percent; Representative Bob Wise, 54 percent; and Representative Alan Mollohan, 25 percent.

Votes covered such issues as toxic waste cleanup, water pollution, soil conservation, conservation jobs for youth, international family planning and highway, water and energy projects.

Only thirteen congressman received ratings of 100 percent.

Arceneaux resigns from AG's office

Deputy Attorney General Jay Arceneaux resigned in March as head of the Environment and Energy Division to go into private practice in Charleston.

Arceneaux will be replaced by Brenda Hill Cole of Institute, an assistant attorney general in the Tax Division and the wife of state Board of Regents acting Chancellor Thomas Cole.

Brown named Arceneaux to head the Environment and Energy Division in March 1985.

In January, Arceneaux confirmed allegations by then-deputy attorney general David Grubb that Brown had solicited employees for campaign funds. Arceneaux said his decision to leave the attorney general's office had nothing to do with the solicitation incident.

Eye retires after 34 years with DNR

Raymond Eye, special assistant to the director of the Department of Natural Resources and long time law enforcement officer, retired in March.

Eye had been with the DNR for 34 years, including a 13 year stint as chief of the law enforcement division. During that time, emphasis shifted from merely hunting and fishing arrests to full police powers.

Under Eye's term, conservation officers began to spend more time enforcing littering and boating laws, a hunter safety program was inaugurated and a special DNR law enforcement training school was started.

Eye was named special assistant in 1981 and as part of his duties served as legislative liaison for the Department of Natural Resources.

Stream repairs causing problems

The Allegheny Highlands Chapter of Trout Unlimited has charged that the U.S. Soil Conservation Service is doing more harm than good in repairing flood-damaged streams.

TU Chapter president Gary Lang said the SCS is dredging and widening creeks unnecessarily, sometimes bulldozing stream beds to three or four times their natural dimensions, according to a report in The Charleston Gazette.

Lang said environmental laws are being ignored and that the North Fork of the South Branch of the Potomac River is now only a culvert, incapable of supporting fish. Stream banks have been denuded of all vegetation and only sliding mounds of gravel have been left to secure the banks during future floods, Lang said.

TU charges that only SCS contractors are benefiting from the work and that much of the work is accomplishing nothing toward stream stabilization.

SCS officials have defended their actions, saying there is no way to return the severely damaged streams to their former state. Ron Gilkeson of the SCS office in Philippi said it is one of the agency's top priorities to keep equipment out of the flowing streams while restoring the channels but that sometimes this is not possible.

SCS conservationist Paul Dunn denies charges that the agency is violating environmental laws.

WV trails: facts and figures

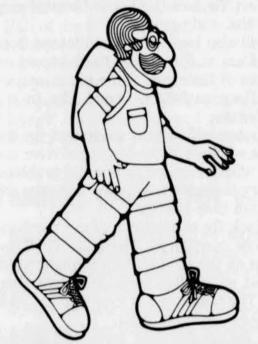
By Allen de Hart

After five years of research and field work, I completed walking all the known foot trails in West Virginia last December. I did not see any "lions and peacocks" as John Lederer claimed he saw in 1669 when looking toward the Alleghenies, but I saw plenty of bears and rattlesnakes.

Of the 1,760 miles of trails, 862.9 miles are in the Monongahela National Forest.

The MNF has six ranger districts with a net acreage of 848,879; 191 foot trails (as of January 1, 1986); 1,208 miles of forest roads; 21,3000 acres of pioneer zone; four wilderness areas with a net acreage of 77,810; and three national recreation trails (Beavers Tale, Laurel Creek and Whispering Spruce).

Trail maintenance: 18 trails are maintained annually; 152 every one



to three years; 21 trails between four and 10 years. Ten trails have been dropped from all maintenance lists. All MNF trails are blazed in blue except the Allegheny trail (yellow), and nine trails which are unblazed. Seventeen trails, many with bridges, were damaged by the November 1985 flood.

Trail usage: 57 trails are hiked frequently, 115 occasionally, and 19 rarely.

Animal and plant life: 72 species of fish, 374 species of vertebrate wildlife, and 1,454 species of vascular plants.

In 1985, 43 million board feet of saw timber were harvested. In addition, there are approximately 54 grazing allotments in the forest.

The longest trail in the MNF is 124 miles of the Allegheny Trail that traverses four of the districts. Among the shortest trails are the Beavers Tale Trail, Northland Loop Trail and Cranberry Overlook Trail.

The highest trail is Whispering Spruce Trail (4,861 feet), and the trail with the greatest increase in elevation is Flatrock Run Trail.

Some of this information and approximately 500 other items of information acquired from the MNF was sent last year to the editor of Hiking Guide to Monongahela National Forest and Vicinity.

My favorite trails? The most scenic? The worst, the wettest, the wildest, the most wonderful? Look for my thoughts on this in a future report.

Reasons to join WVHC

The West Virginia Highlands Conservancy is a private, non-profit environmental organization started in 1967. Its objectives are "to promote, encourage, and work for the conservation - including both preservation and wise use - and appreciation of the scenic, historic, open space, wilderness, and outdoor recreation resources of and related to West Virginia, and especially the Highlands Region . . ."

Members include people and organizations diverse in their personal interests and professions but united by a common interest. Most WVHC members are West Virginians but many live outside the state.

The Highlands Voice, a monthly

8-page newspaper, is sent to all Conservancy members. It is filled with environmental news on topics of interest and concern to members as well as articles about trips and outings.

The Conservancy sponsors two special weekends each year. These are usually at some scenic spot in the highlands and feature speakers, outings and board meetings.

Your contribution to WVHC is tax deductible and joining is as simple as filling out this form and returning it to the office in Charleston.

Join today and become part of an active organization dedicated to preserving West Virginia's natural resources.

INDIVIDUAL \$15 regular \$25 family \$30 associate \$50 sustaining \$12 senior citizen/student	ORGANIZATIONAL\$50 regular\$100 associate\$200 sustaining
Name:	Phone:
Address:	of Japan of the Lawrence transfer over the
City/State/Zip	Market A. C. J.
Make checks payable to: West Virginia H	Highlands Conservancy
Mail to: Suite 201, 1206 Virginia St., E., C	charleston, WV 25301
Mail to: Suite 201, 1206 Virginia St., E., C	The West Virginia Highlands Conser-
Mail to: Suite 201, 1206 Virginia St., E., C Membership Benefits	charleston, WV 25301
Mail to: Suite 201, 1206 Virginia St., E., C Membership Benefits 1-year subscription to The Highlands	The West Virginia Highlands Conservancy is a non-profit organization. You contribution is tax-deductible. Please

Endowment Fund 1st quarter report

The Conservancy Endowment Fund has exceeded its goals during its first quarter. The endowment has received tax deductible gifts of more than \$16,000 in cash, stocks and real estate in progressing toward its first year goal of \$50,000.

The Endowment was authorized by the Board of Directors last fall and formally established in December to accept perpetual gifts in support of the conservation and wise management of West Virginia's natural resources.

Income from the fund is dedicated to the conservation projects of the Conservancy. These projects deal with issues such as river conservation, National Forest lands management, surface mining, historical preservation and environmental quality.

In addition to monetary gifts, the Endowment accepts gifts of stocks, bonds, real estate, mineral rights, royalty interests and other personal property interests. The proceeds from the sale of such assets or the income generated are deposited in the Fund.

The Conservancy wishes to express its deep appreciation to the many individuals and businesses whose support has made the Endowment a success. We recognize the following contributors during the first three months of the Endowment's operation:

INDIVIDUAL CONTRIBUTORS

Senator and Mrs. John D. Rockefeller	. Charleston, WV
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To make a gift to the Endowment, or for further information, please contact: Larry W. George, President, West Virginia Highlands Conservancy, Suite 715, Quarrier Street, Charleston, WV 25301. Telephone: 304/343-6401 (office) or 304/346-3705 (home).

Mumme leaves MNF after 12 years

Forest Supervisor Ralph F. Mumme will conclude 12 years as Chief Administrator of the Monongahela National Forest in May when he will be promoted to a new position in the Atlanta Office of the Forest Service.

Mumme, who has directed management of the 850,000 acre MNF in the highlands of West Virginia since 1974, will become resposible for the National Forest timber program in 13 Southern states, Puerto Rico, and the Virgin Islands.

During his tenure in West Virginia,

Mumme has tried to emphasize caring for the land and serving the people.

MNF accomplishments during this time include the purchase of more than 18,000 acres of land for the public, the construction of the Seneca Rocks Visitor Center and creation of five wilderness areas.

Recognizing these accomplishments, the U.S. Secretary of Agriculture presented an Award for Superior Service to Mumme in 1981 for his leadership of the Monongahela National Forest.

Since 1981, the biggest project on the Forest has been the preparation of a 10-year Forest Plan. MNF officials are responding to public desires and will publish a Final Plan this spring. The plan will place increased emphasis on wildlife habitat, recreation and scenic values of the forest.

Prior to his arrival on the Monongahela, Mumme spent 14 years at various Forest Service assignments in Utah, Minnesota, Wisconsin and Illinois.



Ralph Mumme

Conservation directories now available from NWF

Now available from the National Wildlife Federation is the Conservation Directory 1986, a one-volume natural resource, conservation, environmental and wildlife management encyclopedia.

The directory is billed as the most complete source for up-to-date detailed information on environmental conservation, education, legislation and management. It contains listings for federal and state government agencies, colleges and universities with conservation programs, national, international and interstate organizations and commissions, and many other organizations.

Each listing contains information such as names and addresses, descriptions of program areas, size of memberships, principal publications, and officers or staff.

A new Subject Index has been added to this year's directory. This index lists organizations by their special areas of interest, such as Land Use Planning, Endangered Species, Water Pollution, Environmental Law and Oceanography. It includes more than 60 categories to ensure thorough cross-referencing and easy access to information.

The 302-page directory is available from the National Wildlife Federation, 1412 Sixteenth St., N.W., Washington, D.C., 20036-2266 for \$15. (plus \$2. for postage).

With each directory NWF is giving away a copy of its Wildlife Week poster for 1986 entitled "Discover Wildlife in your World." The posters feature a bald eagle in a marshland setting and were developed for NWF's 50th Anniversary Year.

Task force to make recommendations for use, management of New River

A river management plan for the New River National River will be developed for the National Park Service by the West Virginia University division of forestry.

The plan will make recommendations to the NPS for managing the New River for fishing, private boating, commercial rafting and shoreline camp-

Dr. Franklin Boteler, a forestry division professor, is the leader of the two-year study. He is a member of the Whitewater Advisory Board and has done rafting studies of the Cheat and Gauley Rivers for the state Department of Natural Resources.

Boteler will serve as chairman of a 30-member task force which is being assembled. A represen-

LWV sponsors meeting

The League of Women Voters of the Huntington Area will sponsor a public meeting on hazardous waste management on Thursday, April 17, at 7:30 p.m.

Program content will include an overview of West Virginia's waste program presented by Ron Shipley, Hazardous Waste Coordinator for West Virginia. League members will also present information about local hazardous waste concerns and

The meeting will be at the Johnson Memorial Methodist Church, 5th Avenue and 10th Street. Entrance is on 10th Street.

For more information contact Helen Gibbins, 6128 Gideon Road, Huntington, WV, 25705 (telephone 736-3287).

tative of the West Virginia Highlands Conservancy will be part of the study group.

The group will also look at water releases from the Bluestone Dam at Hinton and their impact on recreational uses of the river. Some users, mainly whitewater rafting outfitters, would like to see more water releases.

Customer quotas will not be examined by the task force but it will look at the density of river use and determine whether crowding is a real problem. Members will try to decide how many rafts are too many in a certain time interval.

Control of black fly populations along the New River also will be considered. The state DNR opposes treatment on the grounds that it might harm aquatic life and no control measures have been taken to date. The task force is expected to come up with control recommendations.

Other issues facing the task force include the adequacy of private boating access and the effects of camping along the river. Soil compaction and litter from private camping could lead to a recommendation for designated campgrounds.

The first meeting of the task force will be in early July and a final river plan is due in late 1987.

Don't forget
May 2-4
WVHC
Spring Review

Check out the WVHC Bookshelf

The following conservation and wildlife books are available from the West Virginia Highlands Conservancy. Order your copies by sending check or money order and the order form below to:

West Virginia Highlands Conservancy P.O. Box 506 Fairmont, WV 26555

* Care of the Wild Jordan and Hughes

This is an excellent guide to home emergency care for wild animals. It is available in both hard and soft cover editions.

* Hiking Guide to Monongahela National Forest and Vicinity
West Virginia Highlands Conservancy

An invaluable guide for hikers, this book includes trail descriptions and topographical maps for more than 200 trails in the Monongahela National Forest. The Dolly Sods Wilderness, Allegheny Trail and the Greenbrier River Trail are included.

* A Citizens Guide to River Conservation Diamant, Eugster, and Duerksen

A how-to manual for people who want to help in the fight to save rivers and streams from development and pollution.

WVHC BOOK ORDER FORM

Please send me the following books:

Care of the Wild, \$8.95 paperback \$13.95 hardback

____Guide to Monongahela National Forest and Vicinity, \$8.95

_A Citizen's Guide to River Conservation, \$7.95

Add \$1.50 for postage and handling (except when ordering just the hiking guide) and make check out to West Virginia Highlands Conservancy.

Total Enclosed_____

Name: _____

mont, WV 26555.

Return this form to WVHC, P.O. Box 506, Fair-

NEWS

(Editor's note: Each month I 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

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 clipping. Thanks!!!)

US to spend \$5 billion on acid rain

Conceding for the first time that acid rain is caused by man-made pollution, President Reagan in late March endorsed a report calling for a five-year \$5 billion U.S. commitment to test new ways of reducing industrial sulfur dioxide

The report, prepared by former Transportation Secretary Drew Lewis and his Canadian counterpart, was signed at the conclusion of a two-day summit meeting between Reagan and Canadian Prime Minister Brian Mulroney.

Canada contends acid rain is damaging its forests and waterways and originates in large measure from U.S. air pollution. Most of the pollution is thought to come from coal-fired industrial plants in the Midwest.

Half of the \$5 billion called for in the report will come from the federal government and half from industry. Approximately \$400 million in government funds is already available and Reagan has requested \$85 million in new funds for the fiscal year starting in October.

The pollution control program will be essentially voluntary on industry's part, although congressional and public opinion could in the future threaten air polluters with new federal emission regulations.

-reported in The Charleston Gazette, 3/2/86

Taxing twice for waste cleanup illegal

The Supreme Court ruled in early March that companies cannot be taxed by both federal and state governments to pay for cleaning up toxic wastes.

The decision was made in a case challenging a New Jersey law that taxed com-

panies which make or handle hazardous chemicals.

Such a tax cannot be collected because the companies are already taxed under the federal Superfund law, according to the court decision. The justices said, however, that the state could tax the companies for the cost of any cleanup not eligible for Superfund money.

The toxic waste case was brought to the court by Exxon Corp., Monsanto Co., Tenneco Chemicals Inc., Union Carbide Corp. and BF Goodrich Co. The companies argued the state was taxing them for the same reason as the federal government.

Because the ruling allows the state to tax for the handling of non-Superfund sites, it was not seen as a complete disaster by environmentalists. But a New Jersey environmentalist said new funding sources are needed to complete necessary cleanups, perhaps through an increased corporate tax.

New Jersey is number one among the states in the number of toxic waste sites

on the Superfund priority list.

-reported in The Charleston Gazette, 3/11/86

DNR urges anglers to release trout

Last November's floods washed away an estimated 60 to 75 percent of West Virginia's wild and native trout and Department of Natural Resources officials are urging anglers to release all trout caught in flood-damaged streams this year.

In addition to sweeping away fish already in the streams, the flood washed away thousands of brown, brookie and rainbow trout eggs when water ripped through the gravel spawning beds.

Despite the immediate damage to trout populations, the flood may actually have improved habitat in some streams by providing increased cover in the form

of fallen trees and deeper stream channels.

The DNR considered implementing mandatory catch-and-release laws for wild and native trout streams. But enforcement of such a law would have required a public listing of all the trout streams which could, in the long run, have caused more harm than good.

Officials predict that it will take five years for wild and native trout populations in the flood-stricken areas of northern and eastern West Virginia to return

to pre-flood levels.

-reported in Trout Lines, March 1986

DEADLINE FOR MAY VOICE **APRIL 30**

Send contributions to Deborah Smith See address in roster

BRIEFS

WV streams included in acid rain study

Agriculture Commissioner Gus R. Douglas announced in March that the West Virginia Department of Agriculture Forestry Division will cooperate with the federal Environmental Protection Agency in a survey of selected West Virginia streams believed to be potentially susceptible to acid deposition from precipitation.

The survey is part of the National Acid Precipitation Assessment Program mandated by Congress. Its goal is to provide policymakers with technical information on the potential environmental effects of acid rain.

The Forestry Division will assist Lockheed Engineering and Management Services, Inc., the contractor for EPA on the project. Fifty stream sections from across the state have been selected for collecting water samples on a periodic basis during the spring and summer.

The samples will be used to determine which streams are naturally acid, whether acid neutralizing materials are present in the soil and stream beds and if

any aquatic life can or does exist in the stream.

The Forestry Division will be the contact with EPA and will use topographic maps to assist the survey teams in locating the sections of streams to be sampled. Division staff will also assist in obtaining the names and addresses of landowners so permission can be obtained to cross their property to get to the sample points.

Acid drainage could affect Tygart Lake

Fishing in Tygart Lake could be adversely affected if the Buckhannon River becomes too acidic, according to a draft report on acid mine drainage compiled by fish biologists of the Department of Natural Resources.

The report cites acid soils in the Buckhannon's Upshur County watershed as the main problem. Coal mining in the area has disturbed the soil, resulting in

water acidity which must be treated.

DLM Corporation mined the area in the past and spent large sums of money treating the water. Last year it gave land and other assets to the state in exchange for release from treatment obligations.

The lower Buckhannon River is fairly fertile and has the buffering capacity to

balance periodic slugs of acid water.

The state is now spending \$12,000 to \$30,000 on treatment each month. The report concluded that if this treatment fails or is discontinued the resulting acid load in the river would threaten Tygart Lake, an Army Corps of Engineers impoundment in Taylor County.

Without continuous treatment enough acid would be going into the river to decrease the pH to 4.3 to 5.8 (a pH value of 7 is neutral), the report stated. -reported in The Charleston Gazette, 2/28/86

Monsanto prepares cleanup plan for dump

Thirty years ago the Monsanto Company dumped its trash and chemical wastes at Manilla Creek near Poca in Putnam County. Now company officials are preparing a study on cleanup activities for the federal Environmental Protection Agency.

Two years ago the EPA found levels of dioxin, the most toxic substance known to man, at the site to be as high as 57 parts per billion. The EPA considers any level higher than 1 part per billion to be hazardous to human health.

Monsanto's Nitro plant was a major producer of 2,4,5-T, a popular herbicide and an ingredient of Agent Orange. Dioxin is an unwanted byproduct of the manufacturing process and it was dumped at the Manilla Creek site.

Other chemicals could also have been dumped at the site although Monsanto had an agreement with the owner, Amherst Coal Co., not to dump toxic chemicals there. But Monsanto officials point out that toxic standards were less stringent in 1956 than today.

Monsanto has agreed with the EPA to handle the dioxin hazard and any other chemical contaminants will be sealed up and removed as well, a company spokesman said.

-reported in The Charleston Gazette, 3/2/86

Faerber says dual role is no problem

Commissioner of Energy Kenneth Faerber said recently that the state's mine regulators are ready to get tough with mining law violators.

The energy chief said he sees no conflict between his department's responsibilities to enforce mine health and safety laws and its charge from the governor to promote, develop and encourage the extraction of coal in West Virginia.

The dual role for the Department of Energy came about because Governor Moore wanted to improve the state's economic well-being by streamlining the process of permitting new mine operations.

Faerber said his staff now makes every effort to issue permits within 60 days after applications are received. The DOE also plans to establish a network of six regional offices throughout the state to facilitate the permit application process.

The DOE was formed last year by combining the former Department of Mines and the surface mine inspection and reclamation functions performed by the Department of Natural Resources. Faerber's nomination to head the agency was confirmed by the Senate on the last day of the 1986 session.

-reported in The Charleston Gazette, 3/23/86

Spring Review May 2-4 **Camp Pioneer**

UGAUGAUGAUGAUGAUGAUGAU

Conservancy members will have the opportunity to canoe, cave, hike, help clean up a flood damaged trail, attend a fly fishing seminar or just relax and enjoy the highlands at the 1986 Spring Review.

The Review is scheduled for May 2-4 at Camp Pioneer near Elkins, West Virginia. Directions to Camp Pioneer are found below. In addition, Elkins has many alternate accommodations for those who do not wish to stay at the camp.

Spring Review outings are described below and should include something for everyone. John Purbaugh is in charge of the outings and can be reached to answer questions as noted in the roster on page two.

Jim Van Gundy is taking care of arrangements with Camp Pioneer and registration materials should be sent to him at the address indicated.

Congressman Nick Rahall, 4th District, will speak Saturday evening, followed by a square dance. Conservancy member Jackie Burns of Elkins will be the caller and it should be an evening of fun for everyone.

Nature Skool will be offered all day Saturday, Saturday evening, and Sunday morning. Registration information for Nature Skool is included on the registration form.

Sign up now! See you at Camp Pioneer!!

Spring Review Outings Come one, come all!

As you can see from the following list, outings at the West Virginia Highlands Conservancy's Spring Review offers something for everyone. Sign up for outings on the registration form or when you get to the Review. See you there!!

1. Fly-Fishing Seminar led by Trout Unlimited members John Richard and Don Brannon. This seminar is suitable for beginners or intermediate anglers and will cover casting, fly selection and equipment. Bring your own tackle if possible; six loaner sets available. Meet at the dining hall at 9 a.m.

2. Advanced Canoe Trip on the Glady Fork of Cheat River. Led by Carter Zerbe, this 16-mile trip is suitable for experienced paddlers; rapids are mainly Class II and III. Make your own canoe arrangements, life jackets required. Limit 6 canoes. Leave Camp Pioneer at 8:30 a.m.

3. Intermediate Canoe Trip on Shaver's Fork. Led by Frank Pelurie, this 22-mile trip is suitable for intermediate and novice paddlers; rapids are mainly Class I and II. Make your own canoe arrangements, life jackets required. Leave Camp Pioneer at 8:30 a.m.

4. Work Hike to help repair flood damaged trails. We will work with the Forest Service doing light trail maintenance. We need at least 8-10 energetic workers. The FS will provide tools. Leave Camp Pioneer at 9 a.m. Wear boots.

5. Spring Hike in or near Otter Creek led by Dave McMahon, with an opportunity to observe the spring warbler migration. Moderate distance. Leave Camp Pioneer at 9 a.m.

6. Caving Trip led by Jim VanGundy. Explore a cave in the vicinity of Camp Pioneer. Suitable for novices. Bring flashlight, old clothes and sturdy boots. Limit 12 people. Leave Camp Pioneer at 9 a.m.

1986 Spring Review Schedule Of Events

FRIDAY, MAY 2

7-10 pm - Registration 9 pm - Slides/movies (details later)

SATURDAY, MAY 3

7-8:30 am — Breakfast 9 am-5 pm — Field trips (sack lunches available)

> 6 pm — Dinner 7 pm — Speaker-Honorable Nick Rahall, 4th Congressional

> > District of

West Virginia 8:30-11 pm - Square Dance (live music)

SUNDAY, MAY 4

7-8:30 am - Breakfast 9 am - Board Meeting

12 pm — Lunch

Finding Camp Pioneer

The West Virginia Highlands Conservancy's Spring Review will be at Camp Pioneer near Elkins. To get to Camp Pioneer, take 219 & 250 south of Elkins to Beverly, 8 miles. Then turn left onto Files Creek Road at the old Bank building. Go 11/2 miles and take the first right turn to Camp Pioneer. Watch for signs off Files Creek Road.

Other Accommodations

Many motels and campgrounds are available in the Elkins area. Stuarts Park, Forest Service campground, east of Elkins on old U.S. 33, is approximately 20 minutes from Bever-

The Cheat River Lodge, east of Elkins on old U.S. 33 is adjacent to Shaver's Fork of the Cheat and offers a free continental breakfast. Call (304) 636-2301 or write Route 1, Box 116, Elkins, WV 26241.

West Virginia Highlands Conservancy 1986 Spring Review: May 2-4 Registration Form Deadline: April 25, 1986

Name
Name
Address
Phone
Registration fee: \$3/adult
(This fee is used to defray the costs of brochure printing, trip insurand and the evening program.)
LODGING - Camp Pioneer
Dorm Accommodations
Friday: \$5.00 X =
Saturday: \$5.00 X =
Camping, per campsite
(hot showers, no hook-ups)
Friday: \$3.00 X =
Saturday: \$3.00 X =
Lodging total \$ MEALS
All meals \$13.75 X =
(Sat. breakfast through Sunday lunch)
Individual meals Saturday
Saturday
lunch \$2.75 X =
dinner \$4.25 X =
Sunday
breakfast \$2.00 X =
lunch \$2.75 X =
Meals total
NATURE SKOOL/CHILD CARE
Nature Skool, age 3-10 \$2/hr.
Pre-3 Care\$1/hr.
Skool Pal, ages over 10 Free
Hours available: Saturday 9 a.m. to 5 p.m. and 7 p.m. to 12 p.m.
Saturday 9 a.m. to 5 p.m. and 7 p.m. to 12 p.m. Sunday 9 a.m. to 12 p.m.
Sat. 9-5 — 8 hrs. X \$ X children =
Sat. 7-9 — 2 hrs. X \$ X children =
Sun. 9-12 — 3 hrs. X \$ X children =
Example: Nature Skool for 2 children for Sunday mornin
would be 3 hrs. X \$2 X 2 children = \$12
Children's name/s and ages
Total child care/Nature Skool cost\$
TOTAL ENCLOSED \$
TOTAL ENGLOSES 4
Please make check payable to WVHC-Spring Review and return with the
form to: Jim Van Gundy
240 Boundary Avenue
Elkins, WV 26241
FIELD TRIP PREFERENCE
4 Work Hike
1. Fly Fishing Seminar 4. Work Hike 5. Spring Hik
3. Intermediate Canoe Trip 6. Caving Trip