



THE HIGHLANDS VOICE

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Colson Hall - WVU
Morgantown WV26505

Published monthly by the W.Va. Highlands Conservancy

VOL. 19 NO. 3 MARCH 1986

Holding our own in the Legislature

Faerber confirmation, DNR reorganization dominate conservation agenda

Modest gains for conservationists have characterized the 1986 regular session of the West Virginia Legislature according to Conservancy President Larry W. George. With only a few days left to the March 8 adjournment, legislation to reorganize the Department of Natural Resources and the Public Land Corporation have earned the most attention from conservationists.

This legislative session has also seen a change in the WVHC's representatives at the Capitol. Conservancy Vice President/State Affairs Perry Bryant represented both WVHC and the West Virginia Citizen Action Group very effectively at the Legislature since 1980.

Bryant left his position as CAG Environmental Director and WVHC legislative representative in early February. Conservancy President Larry George has taken over Bryant's duties at the Legislature with the assistance of Charleston attorney John Purbaugh and other WVHC members.

Faerber confirmation

The legislative issue receiving the most public attention in the conservation field this year has not been a bill, but instead, the pending confirmation by the Senate of Commissioner of Energy Kenneth Faerber. The Commissioner has been the subject of intense public controversy because of his financial interests in coal mining and land reclamation which are prohibited under the Federal Surface

Mining Reclamation and Control Act and the Federal Clean Water Act.

Faerber's recent divestiture of these interests resolved his statutory conflict of interest under the federally supervised surface mining program. However, the U.S. Environmental Protection Agency has advised the Moore Administration in writing that no state official with authority to regulate water pollution is allowed to have held significant financial interests in a regulated industry within two years prior to appointment.

The apparent result is that Faerber will not be permitted to regulate water pollution under the federal program until 1988. But the Department of Energy is charged by statute with regulating water pollution associated with coal mining and oil and gas production.

In the interim, the Department of Natural Resources continues to regulate water pollution and issue discharge permits for coal, oil and gas operations even though the authority to do so was transferred to DOE last year in the 1985 Energy Act. The resolution of this conundrum, with the possible loss of state regulatory authority to the federal government, has seen much maneuvering by the Moore administration.

At a public hearing in late February, George testified before the Senate Confirmations Committee in opposition to Faerber's confirmation at the direction of the Conservancy's

Board of Directors. The Commissioner's inability to regulate water pollution because of his past financial interests were the exclusive grounds for this position. Also opposing the confirmation were CAG and Common Cause.

With four days left in the session, it appears that Faerber will be confirmed by the Senate, possibly by a close margin. Statehouse sources have indicated that the Commissioner's confirmation will probably be traded by the Legislative leadership for favorable action by the governor on bills of importance to the leadership.

DOE bill vanishes

The greatest surprise of the 1986 session has been a non-event: the refusal of the Moore Administration to introduce legislation to revise the 1985 Department of Energy Act and thereby comply with mandates from the federal Office of Surface Mining. This issue has been the subject of extensive and detailed coverage in past editions of *The Highlands Voice*.

It is sufficient to observe that the Moore Administration may have risked a federal takeover of surface mining regulation in West Virginia by not requesting corrective legislation. The much flawed, much maligned 700-page bill has been characterized by House and Senate leaders as the greatest legislative debacle in memory and has been the subject of relentless derision in the news media.

The governor's office reportedly drafted the required legislation in February with input from OSM and DOE staff. Officials said that the bill's introduction awaited only the governor's decision on a few remaining policy issues, but the legislative filing deadline came and went with no DOE reform bill.

One popular explanation for the inaction has been that Moore and his staff decided to risk the displeasure of OSM rather than confront an alliance of conservationists, coal miners and House Speaker Joe Albright, all of whom would be determined to roll back the provisions of the 1985 bill which eroded environmental quality and mine safety requirements.

DNR Reorganization

Reorganization of the DNR has been of most interest to the Conservancy and represents several important, if mundane, improvements. The

DNR bill as originally proposed by the Moore Administration would have:

1) created a new Division of Hazardous Waste and Groundwater to assume duties of the Division of Water Resources;

2) transferred the Environmental Engineering Division (which regulates construction of wastewater facilities) from the Department of Health to DNR.

3) granted the DNR Director the ability to retain in-house legal counsel to supplant the Attorney General's Division of Energy and Environment in representing the Department in permit appeals; and

4) most significantly, transferred all regulatory authority over water pollution and hazardous wastes from the State Water Board to the DNR Director.

The Conservancy generally supported the bill but strongly opposed replacing the Attorney General's office for legal representation of DNR because of the AG's excellent staff and record on environmental issues. The "lawyer issue" became the only major confrontation between the Conservancy and the Moore Administration before the House of Delegate's Committee on Judiciary which was considering the bill.

By a close vote, the Committee removed the provision from the DNR bill and thereby required that the agency continue to seek legal counsel from the Attorney General.

For the past year, the Moore Administration has attempted to replace the objective expertise of the Attorney General's Office with in-house legal counsel for both DNR and DOE. The apparent goal of these attempts has been to eliminate any independent legal officer who might hinder attempts to shortchange environmental or mine safety laws or attempt to have such laws properly enforced.

Other provisions in the DNR bill were strongly supported by the Conservancy, particularly the removal of regulatory authority from the Water Resources Board, a source of difficulty for both industry and conservationists for many years.

Finally, one important improvement was made to the state water pollution control act by the DNR bill: the addition of "shall enforce"

(continued on page 2)

Get ready for the Spring Review, May 2-4

Conservancy members will have the opportunity to canoe Smoke Hole, 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. A registration form with details on lodging, meals and outings is found on page 8 of this *Voice*.

The outings list is incomplete and review planner John Purbaugh said he hopes to add a couple more outings to the list before May 2.

Jim Van Gundy, director-at-large from Elkins, will take 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 on Saturday evening, followed by a square dance. Conservancy member Jackie Burns of Elkins has offered to 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 form on page 8.

Sign up now!! See you at Camp Pioneer!!

Legislature (continued from page 1)

language which compels the Director to enforce water quality regulations and would permit citizens to bring legal action to require such enforcement. The inclusion of this language came at the initiative of DNR Director Ron Potesta and was supported by the Conservancy.

The House Judiciary Committee reported the DNR bill to the House floor on March 4 with a favorable recommendation on a voice vote. Unfortunately the provision to transfer the Environmental Engineering Division to DNR was deleted by the Committee on a last minute request by the Moore Administration.

Public Lands Corporation

Reorganization of the Public Land Corporation is the subject of a bill introduced by Sen. Steve Cook (D-Monongalia). The PLC holds title to most state lands, including state parks and riverbeds, and had operated in obscurity for decades until last summer.

In early 1985, the PLC Board voted to sell Mt. Chateau State Park to private developers in exchange for a private tract within Holly River State Park.

This exchange, covered extensively in past editions of **The Voice**, ignited a controversy which landed the PLC on the front pages of the state's daily papers for several months and ended its past anonymity forever. The controversy spawned Senate Bill 180 which overhauls the procedures by which the PLC can sell or exchange state lands or lease minerals.

The Conservancy supported the bill which has passed both houses of the Legislature and, at deadline, was before a joint conference committee to work out differences between the Senate and House versions.

Bottle bill

The final legislative conservation initiative this year was the "bottle bill", a bill intended to reduce litter by requiring compulsory deposits for beverage containers. This perennial bill was introduced by Delegates Marjorie Burke (D-Gilmore) and James McNeely (D-Mercer) in the face of stiff opposition from both labor and business.

A public hearing before the House Committee on Judiciary saw a full-court press by the AFL-CIO, International Glassworkers and the West Virginia Chamber of Commerce to stop the bottle bill on the grounds that it would eliminate jobs and increase consumer costs.

Particularly significant was the testimony of officials from Weirton

Steel which employs 7,000 steelworkers in the Northern Panhandle and is the country's largest producer of non-returnable beverage cans. Weirton Steel, essentially an icon in the Legislature because of its famous employee buyout in 1983, testified that its market would be severely impaired by any returnable container legislation.

The testimony of Weirton and union officials representing glass producers employing approximately 6,500 in the state was compelling, particularly because the bill's proponents did not have the necessary economic data to counter the claims of lost jobs and higher prices.

The leading proponent of the bottle bill this year was the West Virginia Public Interest Research Group, a student organization based at West Virginia University. The Conservancy, League of Women Voters and CAG provided secondary support to PIRG in its effort to enact a bottle bill.

At the Committee hearing, the Conservancy took a cautious approach on the bottle bill, somewhat to the chagrin of the bill's more outspoken supporters. George informed the Committee that the Conservancy supported the concept of a bottle bill, but requested that it be referred to an interim study committee because the impact on jobs and consumer costs in West Virginia were in need of thorough analysis.

The bill's supporters claimed that the Conservancy's position impaired chances for the bill's passage. George said that in his judgement the bill had no chance of passing this year and that to force a Committee vote would only impair its chances in future sessions. More importantly, he said, opponents raised legitimate questions which could not be answered with any reliability.

George said it would be both irresponsible and debilitating for the Conservancy to support immediate passage of the bottle bill under these circumstances. A professional economic analysis and additional time to build grassroots support for the bill will significantly increase chances for passage during the next Legislative session, he said.

On March 4, the House Judiciary Committee refused to report the bottle bill to the House floor by a vote of 12-9.

With only four days left in the session at deadline, there can still be some important Legislative action and all developments will be reported in the April edition of **The Voice**.

Permit sought to mine Cranberry tract

A permit has been requested to prospect on 17,000 acres of privately-owned coal on the Cranberry and North Fork of Cherry River drainages on the Monongahela National Forest.

The tract is on the south side of Cranberry River from Dogway Fork downstream to near the lower locked gate and across the mountain to the North Fork of Cherry drainage. Part of the tract is in the Cranberry Backcountry.

Hewitt and Associates of Richwood own mineral rights to the coal and have applied to the Forest Service and the state Department of Energy for a permit to prospect.

MNF Supervisor Ralph Mumme has said the Forest Service's position is that the coal may be mined, but others contend that public outcry could delay mining on the watershed for an indefinite length of time.

Most of the coal outcrop in question is 2,000 feet from the river. Mumme said public reaction would probably depend on the mining plan put forth. He said it might not be controversial if the owners minimize the impact.

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"Check-off" Line 8 on your WV Income Tax Form.



Mon Trail Recovery Project**Sierra Club, FS join forces to repair damages**

The West Virginia Chapter of the Sierra Club has entered into an agreement with the U.S. Forest Service to help repair some of the estimated \$7 million damage sustained by the Monongahela National Forest during the November floods.

The Sierra Club will be responsible for organizing, recruiting and supervising volunteer groups and individuals to provide the necessary labor for the Mon Trail Recovery Project. The Forest Service will provide training, tools, supplies, publicity and technical expertise. Scheduling of tasks will be done through Monongahela National Forest District Rangers to coordinate with their own work projects.

More than 700 miles of trails criss cross the MNF and a number are in need of work due either to flood waters or to normal deterioration over time. Because of mutual interests in the recreational opportunities of the forest and stewardship of natural resources, the Sierra Club and the Forest Service decided to work together in repairing and maintaining the trail system.



Many trails such as this in the Monongahela National Forest sustained damage in the November floods. Sierra Club volunteers will soon begin the Mon Trail Recovery Project to repair MNF trails.

Photo courtesy: Ron Snow, GOECD

Volunteers are invited to participate in the following tasks:

1. *Trail inventory for damage assessment:* doing a thorough trail log focusing on needed repairs while hiking the trail with a measuring wheel. Taking detailed notes on trail condi-

tions and submitting a report to a project coordinator.

Data derived from this trail inventory will be used by the West Virginia Highlands Conservancy in the next edition of the **Hiking Guide to Monongahela National Forest.**

2. *Light Trail Maintenance:* blazing and sign posting. Clearing brush, rocks and other debris. Cutting back overhanging branches, rhododendron, greenbrier, etc. Installing water bars.

3. *Trail reconstruction:* removing large rocks, dead falls and hazardous trees. Reshaping slopes and trailbeds. Relocating trailbeds. Repairing and reconstructing retaining walls. Repairs fences and stiles.

4. *Log bridge construction:* sawing and milling logs to specifications. Building bridge foundations, generally with native materials. Erecting log bridges.

If you are interested in helping with the Mon Trail Recovery Project, contact the coordinators, Paul Turner or Mary Wimmer, at Mon Trail Recovery Project, Box 4142, Morgantown, WV 26504 or the Forest Supervisor in Elkins.

To encourage people with children to participate, daycare facilities are planned for specific weekends during the year. Also, the coordinators are available to present programs about the project and the Forest Management Plan.

Park Service outlines 12-point program for 1986

A new 12-point program for planning and management decision making will guide the National Park Service during 1986. Director William Penn Mott, Jr. developed "The Challenge" as a guide to both park personnel and the public on how the National Park Service will conduct its business.

The 12 points of "The Challenge" are:

1. Develop a long-range strategy to protect our natural, cultural, and recreational resources.
2. Pursue a creative, expanded land-protection initiative.
3. Stimulate and increase interpretive and

visitor services for greater public impact.

4. Share effectively with the public the service's understanding of critical resource issues.
5. Increase public understanding of the role and function of the National Park Service.
6. Expand the role and involvement of citizens and citizen groups in national parks.
7. Seek a better balance between visitor use and resource management.
8. Enhance the service's ability to meet the diverse uses that the public expects in national parks.

9. Plan, design and maintain appropriate park facilities.

10. Expand career opportunities for employees.
11. Develop a team relationship between concessionaires and the National Park Service.
12. Foster and encourage more creativity, efficiency and effectiveness in the management and administration of the service.

The 12-point plan was developed with the aid of private citizens, employees at all levels, and a wide range of concerned organizations and businesses.

Another in the rock outcrop series**Lost Passage Rocks**

Roaring Plains — elev. 4,240'

By Bob Stough

Making up a large sandstone formation along the edge of the Allegheny Forest, these rocks offer one of the most magnificent vistas in all of the West Virginia highlands.

The view sweeps from north-northwest east to south-southwest and takes in the summits of Cabin Mountain and the high plains of the Dolly Sods. Also visible is the spruce-crowned crest of the Front itself, falling 3,000 feet into the deep valley of the Potomac.

Across the gorge one can see New Creek Mountain with its giant talus slides looming up to the northeast, and North Fork Mountain rising high and wild to the east, its huge palisade cliffs in full view all along its peak. The panorama also takes in the spectacular outcroppings of the river knobs, Champe Rocks and Seneca Rocks like gleaming sentinels below, and then far to the east along the crests of the Long Ridges, then

sweeping south towards the high valleys and the great bulk of Spruce Mountain, as well as several summit ridges of the central plateau.

Vegetation in the immediate vicinity is mainly dense heaths and stunted northern hardwoods, with a few ancient spruce seemingly growing out of the rocks themselves. Beautiful lichen beds and gnarled silver snags of long-dead laurel are also found. The area is naturally a favorite of many soaring birds, and includes a large number of resident songbirds and a healthy rattlesnake population.


Easiest access to the viewpoints will be found in the birch grove within sight of the oaks by locating a rock cairn on the edge of this thicket.

There is good camping in the open forest close by the outcroppings but water must be hauled from a small stream flowing through the meadow near the jump-off on the South Prong trail.

Don't forget the Spring Review

MAY 2-4

See page 8 for registration form



NATURE SKOOL

A comprehensive program of hands-on nature/wildlife education and fun for children, ages 3-10.

**WVHC
Spring Review
MAY 2-4**

\$2/hour

Groundwater: the environment

Groundwater Policy Forum makes recommendations For management and protection of the resource

Groundwater is the source of drinking water for more than half the population of the United States. Because this water is an out-of-sight resource, it is also often out of the public's mind. But pollution and depletion of groundwater are fast taking their place among this country's most pressing environmental problems.

In early 1985 the National Groundwater Policy Forum was established to examine the growing problems of groundwater contamination and devise recommendations for its management and protection. The Forum was convened and sponsored by The Conservation Foundation in cooperation with the National Governors Association. It is composed of top officials from industry, environmental organizations, state and local governments and groundwater experts.

Members of the Forum spent 1985 examining policy options. Their goal was "to articulate a thoughtful, organized, persuasive national program for groundwater management and protection, assigning responsibilities among all levels of government and the private sector."

In November, their proposed conclusions and recommendations were published in a booklet entitled **Groundwater — Saving the Unseen Resource**. Forum members said they hope their recommendations and conclusions will provide a focus for a much-needed discussion about groundwater policy. After public debate on the issues presented, Forum members will revise the document and final recommendations will be issued this spring.

This article summarizes the main points from the proposed conclusions and outlines the Forum's suggested strategies for managing and protecting our groundwater resource. More information about the Forum and its recommendations is available from The Conservation Foundation, 1255 Twenty-third Street, NW, Washington, D.C. 20037.

The groundwater problem

People in every state depend on groundwater for some purpose. It provides almost one-fourth of all water used in the country. Municipal governments, industries, farmers and people in rural communities all depend to some degree on the availability of groundwater. In addition, groundwater helps maintain many ecosystems. In periods of drought, particularly, groundwater provides fresh water for many lakes, rivers, inland wetlands, bays and estuaries.

Fortunately most groundwater supplies in the United States are still in relatively good condition. In some localities, however, contamination has caused well closures, public health concerns and economic losses. Concern is now mounting as governments and citizens learn more about the extent and seriousness of groundwater contamination. There is not yet a national groundwater crisis but there are serious threats to groundwater resources.

Contamination of groundwater can be caused by different sources, many difficult to control or even identify. These include hazardous waste dumps, surface impoundments for liquid wastes, septic tanks, underground storage tanks, deep well injections, mining operations, wastewater treatment systems, saltwater intrusion, and pesticides and fertilizers applied to croplands. This myriad of possible contamination sources makes monitoring and management difficult.

Once an aquifer is contaminated, clean-up is often very costly and sometimes not feasible. Some clean up techniques can result in the release of toxic pollutants into the air or the creation of other toxic wastes that, if improperly handled, again become a source of contamination. Rather than trying to assess how best to clean up contaminated



Although this waterfall is made up of surface water, the stream could recharge groundwater sources somewhere, contributing to the contamination of the groundwater resource.

Photo courtesy GOECD.

aquifers, the Forum directed its recommendations to the future and how best to prevent such pollution from occurring.

Although several federal laws address groundwater management, none is primarily concerned with controlling groundwater pollution. Many sources of pollution are not covered by any statutes. In addition, many provisions of laws intended to prevent contamination have not been implemented.

Efforts by the U.S. Environmental Protection Agency to develop a more comprehensive and aggressive groundwater protection strategy have stimulated widespread disagreement over intent and approach. Current EPA policy focuses on coordinating its own responsibilities and providing technical assistance to states which request it.

At the state and local levels, a wide variety of policies and programs are evolving. Some states and localities have enacted groundwater protection statutes. Others are holding back, fearing that federal actions later may preempt their decisions. Most communities remain uncertain about their role and authority.

Duplication of effort, inconsistent programs, and inadequate protection are likely to result in the absence of federal and state leadership. The National Groundwater Policy Forum has recommended a series of actions to reduce the existing confusion and promote more effective and efficient protection of groundwater.

Recommended management strategies

The Forum recommends that the nation aim to "protect the physical, chemical, and biological in-

tegrity of the nation's groundwater reserves and ensure that they are not degraded in any way that may be harmful to humans or the environment." Members concluded that a more aggressive policy is needed to protect the resource adequately for future generations.

To meet this protection goal, Forum members said a new environmental partnership is required. They make specific recommendations as to the roles of federal, state and local governments, private industry and public interest groups.

Because groundwater resources vary widely in their composition, location, uses and threats, complete regulation by the federal government is not feasible. The Forum suggests that Congress enact legislation establishing a national groundwater protection goal and requiring states to enact programs to achieve that goal. The recommended legislation would allow for reviews of state programs, provide technical and financial assistance and create inducements to states to take quick, effective action. The Forum does not recommend formation of a new regulatory process or bureaucracy to carry out these responsibilities. Rather, members believe that existing statutes provide for any federal action which becomes necessary. They suggest that the proper role of the federal government is to assure consistency and equity among the states by stimulating state and local action, and to provide technical support and oversight.

States must assume the primary responsibility for protecting groundwater. This responsibility should be assumed within a new type of federal-state government relationship that not only sets forth a clear national mandate but also ensures that state governments have room to operate. The keystone of this partnership should be state programs which manage groundwater comprehensively as a resource without dividing its protection among uncoordinated laws and agencies. The Forum recommends that each state enact legislation to authorize and implement a comprehensive groundwater protection program. Suggested components of such a program are outlined below.

Although state governments would be responsible for planning and controlling a groundwater program, the Forum suggests that local governments must play a large role in the implementation. Local governments often experience the groundwater contamination problem most directly because they are responsible for providing safe drinking water supplies. Localities must ensure that potential sources of contamination such as landfills and municipal sludge disposal are adequately controlled. They are best able to regulate other potential contamination sources such as septic tanks. Local governments must control these sources in addition to implementing other parts of their state's programs. State governments should provide technical assistance and financial inducements to local governments to carry out these programs.

Forum members also recommend that the private sector assume the tasks of reducing the generation of wastes through process modification, resource recovery or recycling or materials substitution and of undertaking research into im-

Potential groundwater contamination sources

- LANDFILLS
- SEWERS
- IRRIGATION
- DISPOSAL WELLS
- FERTILIZER RUN-OFF
- HIGHWAY DE-ICING SALTS
- HAZARDOUS WASTE DUMPS
- SEPTIC TANKS
- CATTLE FEEDLOTS
- CITIES

Environmental problem of the future?

proved technology for hazardous waste neutralization. Without this cooperation by private enterprise, efforts to protect groundwater could generate unnecessarily burdensome and costly regulation. Private industry faces the challenge of undertaking initiatives that provide protection without stronger regulatory control.

Environmental organizations and other public interest groups also play a vital role in the Forum's proposal for a comprehensive groundwater management program. Such groups should assist in identifying priority protection areas; educating the public about limiting residential uses of fertilizers, pesticides and other products; promoting recycling programs; providing oversight of the implementation of government programs; and assessing the efficiency of groundwater protection efforts.

Suggested program components

The Forum recommends that each state enact legislation incorporating the groundwater quality goal outlined above and implementing a program with the following components. Members suggest that the first six of these components be mandatory and the remaining four be left to the discretion of the state.

1. *Aquifer definition:* Clear descriptions of all significant aquifers are necessary before an effective protection plan can be developed. More information is needed about the physical configurations, hydrological characteristics, chemical properties, sensitivity of discharge and recharge areas, location of wellfields, rates of recharge and discharge and the location of contaminated water within them. The Forum recommends that implementation of a program proceed while this information is being gathered. Such a program should have enough flexibility to incorporate modifications as more information is produced.

2. *Classification:* The Forum recommends that each state classify all its potentially useable groundwater. Classification will help establish priorities and articulate a basis for the efficient allocation of program resources and for sound land-development programs. An anticipatory classification system will be more efficient and protective than a reactive, or passive, system. Anticipatory classification involves mapping aquifers as soon as the necessary data are available and defining applicable regulatory requirements in advance of any regulatory decisions at the site. This provides maximum guidance to communities, water supply managers and potential polluters by identifying the high-value aquifers as well as those that may be less vulnerable or require less regulatory protection.

3. *Ambient quality standards:* Forum members recommend the establishment of proper ambient

quality standards as an important element in effective groundwater management. Ambient quality standards are numerical limits for contaminant concentrations. Such standards can be used to trigger controls on sources of contamination and to gauge the effectiveness of limits on discharges that cannot be measured, such as those from non-point pollution sources. Because many states do not have the expertise or funds to conduct the scientific analyses necessary to set such standards, the Forum recommends that EPA contract with a competent scientific body to assess the potential effects and risks of various contaminants on human health. EPA could then issue guidelines for levels of potentially toxic compounds. States could use these guidelines to set standards consistent with the objectives of their classification systems.

4. *Discharge control:* Both point and non-point

Suggested components of a comprehensive groundwater management program

- Mapping of aquifer systems and their recharge and discharge areas.
- Classification of aquifers to provide regulatory guidance.
- Designation of authority for imposing controls on contamination sources.
- Development of programs for monitoring, data collection and data analysis.
- Adequate provisions for enforcement of regulations.
- Integration of withdrawal and protection programs.
- Coordination of groundwater and surface water management.
- Coordination of groundwater programs with other relevant protection programs.

sources of potential contamination must be controlled adequately in an effective groundwater management program. Forum members said this can be done either by regulating discharge rates by potential contaminators or by restricting surface use in sensitive areas. Many potential polluters are regulated by existing laws but others are not. The Forum recommends a thorough review of sources not adequately controlled to determine the potential risk and the feasibility and cost of preventative actions. Identification and control of groundwater contaminants is an important component of a protection program.

5. *Monitoring:* Success of groundwater management policies depends on an adequate base of knowledge. The success or failure of a program can only be gauged by monitoring groundwater quality. Each state should be responsible for adopting a

data-collection strategy that best serves its groundwater protection efforts. Specific surveys for each state will depend on the hydrogeologic characteristics of its aquifers, the nature of the threats to them, and the type of management program adopted. The Forum does not recommend a national data base because contamination problems are typically local.

6. *Enforcement provisions:* State and local governments must have legal authority to act against violators. In addition, states must be able to ensure compliance from federal agencies which have in some cases failed to control contamination on lands they own or from facilities they operate.

7. *Withdrawal control:* Integration of protection programs with existing controls on withdrawal and use of groundwater is essential. The Forum recommends that states coordinate groundwater quality concerns with quantity management, because groundwater quantity can often have practical repercussions for water quality. For example, excessive pumping from wells can speed the spread of a contamination plume through an aquifer. Such considerations must be made when issuing withdrawal permits.

8. *Surface water management:* Groundwater management programs should also be closely coordinated with programs for managing surface-water quantity and quality. Surface waters are often a major source of recharge for many aquifers and groundwater is the major source of base flow in many of the nation's streams. Thus programs to protect the two should be coordinated as much as possible.

9. *Coordination with other programs:* Groundwater protection efforts would benefit from coordination with programs already controlling specific types of contamination. These could include programs controlling the disposal of hazardous wastes, the use of pesticides, the operation of sewage treatment facilities, air pollution, and radioactive wastes.

Conclusions

The United States is fortunate that groundwater contamination has not yet reached crisis proportions. But the threat is there and to maintain this resource in a clean, useable condition, Americans must develop a strategy for management and protection. The Groundwater Policy Forum sets forth a demanding agenda for protecting our country's groundwater resources. Members propose a balanced, forceful strategy for preventing contamination of groundwater. The strategy calls for action on the part of federal, state, and local governments, private industry and environmental organizations. Specific roles for each of these groups are outlined in the Forum's conclusions and recommendations.

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.

Yes, I'd like to support the West Virginia Highlands Conservancy and receive **The Highlands Voice**. Please accept my membership in the category I have checked.

<p>INDIVIDUAL</p> <p><input type="checkbox"/> \$15 regular</p> <p><input type="checkbox"/> \$25 family</p> <p><input type="checkbox"/> \$30 associate</p> <p><input type="checkbox"/> \$50 sustaining</p> <p><input type="checkbox"/> \$12 senior citizen/student</p>	<p>ORGANIZATIONAL</p> <p><input type="checkbox"/> \$50 regular</p> <p><input type="checkbox"/> \$100 associate</p> <p><input type="checkbox"/> \$200 sustaining</p>
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Name: _____ Phone: _____

Address: _____

City/State/Zip _____

Make checks payable to: West Virginia Highlands Conservancy
Mail to: Suite 201, 1206 Virginia St., E., Charleston, WV 25301

<p>Membership Benefits</p> <ul style="list-style-type: none"> • 1-year subscription to The Highlands Voice • Special meetings with workshops and speakers • representation through WVHC's efforts to monitor legislative activity. 	<p>The West Virginia Highlands Conservancy is a non-profit organization. Your contribution is tax-deductible. Please keep this for your records.</p> <p>Date _____</p> <p>Amount _____</p> <p>Check number _____</p>
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Don't forget the Spring Review, May 2-4

121 mid-Atlantic mammals described in new book

***Mammals of the Carolinas, Virginia and Maryland*, published by the University of North Carolina Press**



The black bear is one of many animals described in the new book, *Mammals of the Carolinas, Virginia and Maryland*. It is the only bear native to eastern North America.

Looking for a guidebook to help identify some of those little furry creatures you encounter in the woods? The University of North Carolina Press may have just the book for you.

Mammals of the Carolinas, Virginia and Maryland is a well-written, comprehensive guidebook which describes and illustrates the mammals of this four-state region.

Dealing specifically with the mid-Atlantic region, the main body of the book details the natural history, distribution, abundance and habitat of 88 terrestrial and 33 marine mammals. Entries include not only detailed identification information such as size, weight, color, and markings, but also habitat, feeding and reproductive information.

Anecdotes and interesting facts about different species are sprinkled throughout the volume and combined with the conversational life history descriptions make it lively reading for a field guide. High quality color plates accompany the text, providing another valuable aid to identification.

The authors begin by outlining the characteristics of the major habitat types found in the four-state region covered by the book. Habitats in this region range from mountaintop spruce-fir forests to subtropical, palm studded coastal islands, and the diversity of mammal species is correspondingly great. More than 85

percent of the native and introduced terrestrial and marine species of mammals in North America can be found in this region.

Brief outlines of the major characteristics and adaptations of mammals and suggestions on how best to observe and study them also precede the main body of the text. These sections are interesting but differ little from the standard type of information presented in field guides.

Species descriptions are grouped by Order with 11 Orders represented in the book. Those included are the pouched mammals, shrews and moles, bats, armadillos, rabbits and hares, gnawing mammals, meat-eating mammals, cetaceans, manatees and hoofed mammals.

Preceding each section is a brief description of the major common characteristics of the species in that Order. A description and details of the distribution, abundance, habitat and natural history of each individual species are then provided.

An index, glossary and a comprehensive list of references are found at the back of the book.

Mammals of the Carolinas, Virginia and Maryland should prove valuable to everyone interested in learning about or identifying mammals. It is available in hardback for \$16.95 from The University of North Carolina Press, P.O. Box 2288, Chapel Hill, NC 27514.

Booklet details fights to protect water sources

Fighting against the contamination of drinking water by extractive industries is the focus of a booklet recently published by the Highlander Center in Tennessee.

This booklet is not a guidebook or manual. Rather, it contains the personal stories of five individuals who have taken a stand for water in their communities. These individuals were among a group of Appalachian people who attended a workshop at the Center in June 1984.

The Highlander Center serves as an institution where grassroots leaders in Appalachia and the South can obtain information, analyze problems, and develop strategies to deal with pressing social and economic issues in their workplaces and communities.

At the workshop, representatives from grassroots groups shared their strategies for action and received training on how to organize people, how to use legal services, how to monitor water and streams and how to use the media to express their concerns.

Water — You have to drink it with a fork, was published as a response to the expressed need to hear the stories of people who had experienced the real human costs and benefits of taking a stand against water pollution. The stories in the booklet reflect problems which have troubled people throughout Appalachia.

Two focus on West Virginia controversies. Gail Thompson of Putnam County describes how the Jim Ridge Citizen Action Committee got started

and its fight to get problems caused by oil and gas drilling fixed.

Cindy Rank, a founding member of Friends of the Little Kanawha, tells the story of how her West Virginia community got involved in preserving its land and water from the pollution caused by strip mining.

All the stories describe potentially devastating problems which have been averted by citizen's actions. They demonstrate the importance of citizen monitoring and vigilance in safeguarding our natural resources.

Water — You have to drink it with a fork is available for \$4 plus \$1 postage from the Highlander Center, Route 3, Box 370, New Market, TN 37820.

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: _____

Address: _____

Return this form to WVHC, P.O. Box 506, Fairmont, WV 26555.

NEWS BRIEFS

(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 you.

Please send any contributions or questions to me at the address listed in the roster. Be sure to write the date and name of the newspaper on the clipping. Thanks!!!)

Superfund program cuts could begin soon

The federal Environmental Protection Agency will begin shutting down Superfund toxic waste cleanup programs soon unless Congress passes legislation to replenish the program's budget.

Superfund technically expired Sept. 30, 1985 when EPA lost its authority to collect special taxes from industry to finance the program. Legislators were unable to agree on new Superfund legislation before that date and so far have given no assurance that agreement will be reached.

EPA administrator Lee Thomas reduced Superfund operations last summer in anticipation of budget problems, but even with cutbacks in programs he says the program will be broke by September. This would mean no money to enforce Superfund regulations and the lay off of about 1,500 employees.

The shortage of funds means the agency will shift its remaining monies to cover emergency action. Four hundred cleanup projects already in progress would begin to run out of money sometime in April and contracts would have to be terminated if Congress does not at least authorize short-term funding.

—reported in *The Charleston Gazette*, 1/30/86

Dioxin found in Kanawha River fish

Levels of dioxin in a batch of fish taken in 1985 from the Kanawha River near Nitro were higher than levels found in a similar sample of fish in 1983.

The federal Environmental Protection Agency studies Kanawha River fish as part of a national pollution program. Most of the fish sampled had dioxin levels between 13 and 22 parts per trillion. One spotted bass, however, was recorded as having 51 parts per trillion.

Guidelines for safe levels of dioxin are available from studies in the Great Lakes. There, scientists determined that fish with more than 50 parts of dioxin per trillion should not be eaten and that fish with readings of 25 parts per trillion or less should not be eaten more than twice a month.

Although the vast majority of Kanawha River fish tested had levels of dioxin below the guidelines, all fish had some traces of the chemical.

Dioxin is a toxic chemical and was a key ingredient in the defoliant Agent Orange used during the Vietnam War.

The state Department of Natural Resources and Health are waiting for the Center for Disease Control in Atlanta to examine the results before deciding whether to issue health warnings. Action could range from banning fishing in the river at that area to doing nothing, depending on the CDC's recommendation.

—reported in *The Charleston Gazette*, 2/16/86

Equipment problems slow PCB cleanup

Efforts to destroy hazardous polychlorinated biphenyls in Minden were slowed recently because of equipment failures and machinery inadequacies.

The federal Environmental Protection Agency was attempting the first ever on-site destruction of PCBs using new machinery to process and clean the contaminated soil. But the machinery did not process the soil quickly enough and is being redesigned.

Cleanup has been suspended until the spring when a new attempt will be made to remove the contaminants, according to EPA officials. Some of the PCBs will be destroyed on-site and others will be moved to a landfill.

EPA had hoped that the on-site destruction method would work and eliminate the need for transporting this hazardous substance from one site to another. Officials are still optimistic that such a procedure will be made viable.

PCBs, which can cause cancer, were found at Minden two years ago. EPA officials say the contaminants are not a threat to public health unless people enter the contaminated area.

—reported in *The Charleston Gazette*, 2/20/86

DNR plans include new lakes, access sites

The state Department of Natural Resources has big plans for 1986. Development of three new lakes, new access sites for anglers, and acquisition of land for hunting and fishing are major projects currently in the works.

The three new lakes will be on the Poca River (250 acres), on Tug Fork of Mill Creek near Ripley (250 acres) and on Mud River in Lincoln and Boone counties (307 acres). They will be constructed by the U.S. Soil Conservation Service.

DNR will construct access sites at these new lakes and also on other lakes and rivers in the state. One 1986 project will be the construction of an access site on the Kanawha River at Leon in Mason County.

Addition of land to current hunting areas will also be continued this year. DNR currently manages fish and wildlife on 41 public hunting and fishing areas in the state with a land mass of more than 300,000 acres.

DNR has an agreement with the Army Corps of Engineers to manage for fish and wildlife on their projects. Those areas involved an addition of 74,000 acres of hunting land managed by the state.

—reported in *The Charleston Gazette*, 2/23/86

DOE establishes regional offices

Establishment of regional offices by the new state Department of Energy was part of the agency's plan to streamline the process for issuing coal, oil and gas permits.

A regional office is already in business in Welch and an office in Oak Hill will be ready soon. DOE officials say other regional offices will be located in Logan, Charleston, Philippi, Fairmont and Clarksburg.

The rationale behind establishing regional offices is to place emphasis on administering DOE policy in the field where effects of policies are felt.

Industry representatives have complained in the past about the time required to get a permit. Much of this time is built into federal surface mine laws but the intent of the DOE is to streamline the process as much as possible and present a more cooperative attitude to industry.

DOE Commissioner Kenneth Faerber is also considering increased permit fees for industries, once the one-stop shopping procedure for issuing the permits is in place. Current permit charges do not cover handling costs.

—reported in *The Charleston Gazette*, 2/23/86

DU grant to improve waterfowl nesting

Ducks Unlimited, a national waterfowl conservation organization, will give the state Department of Natural Resources a \$10,000 grant to develop a wetland area in Randolph County for waterfowl.

The wetland is part of a 31-acre tract owned by the DNR. It is located south of Valley Bend in the Tygart River Valley.

Ten acres at the site are already managed to attract resident and migratory waterfowl. The grant will be used to build dykes, potholes and implement other water control measures to provide nesting sites.

The DU grant marks the first time the organization has entered a cooperative project with the state to improve waterfowl habitat. It is part of DU's national marsh program which was started last year.

DU's marsh program will spend \$3 million on 29 projects in 15 states. Previously all DU money had gone to waterfowl improvement projects in Canada where 70 percent of all waterfowl in the U.S. and Canada nest.

—reported in *The Charleston Gazette*, 2/23/86

Gypsy moth discussions slated for March

Meetings to discuss the gypsy moth situation in Morgan and Berkeley counties will be sponsored by the state Department of Agriculture at Cacapon State Park and the Martinsburg-Berkeley County Public Library on March 25 and 26 respectively.

The Cacapon State Park meeting will be at 7:30 p.m. and the library meeting will be at 7 p.m. The meetings are designed to give citizens a chance to review the areas where treatment will take place and ask questions.

Alan Miller, Forest Entomologist for the Department of Agriculture, said the areas slated for treatment either had heavy defoliation in 1985 or are known to have high gypsy moth populations. These areas will be drawn on maps to be displayed at the meetings.

Agriculture Commissioner, Gus R. Douglass, said the gypsy moth has moved westward and southward in West Virginia but not at alarming rates. The treatment in 1985 on major mountain ranges in West Virginia is responsible for having retarded movement of the moth.

People with concerns about the treatment program who cannot attend the meetings may write or call the Plant Pest Control Division, Capitol Building, Charleston, WV 25305 (telephone: 348-2212) before March 21 to voice their concerns.

—from the West Virginia Dept. of Agriculture

DEADLINE FOR APRIL VOICE

MARCH 25

Send contributions to Deborah Smith

See address in roster



Children look, listen and relax for a few minutes at a recent NATURE SKOOL. Teachers exploring the out-of-doors with small groups of children bring science to life. NATURE SKOOL will be offered for children (ages 3-10) at the Spring Review.

WVHC SPRING REVIEW
MAY 2-4, 1986 **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 offer something for everyone. In addition to those listed below, other outings may be planned. Watch your next Voice and the Spring Review brochure for more information.

A. 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 you have it; six loaner sets will be available. Meet at the dining hall at 9 a.m. The seminar will be at the Camp Pioneer ponds during the morning with on-your own stream fishing in the afternoon.

B. Smoke Hole Canoe Trip led by Carter Zerbe. See the legendary and beautiful canyon of the Potomac's South Branch. This trip is suitable for intermediate and experienced paddlers. The river has several class 2 and 3 rapids and one portage around a class 4 rapids. Make your own canoe arrangements; life jackets required. Limit 6 canoes. Leave Camp Pioneer at 7:30 a.m.

C. Work Hike to repair damage caused by the November floods. We will join the Sierra Club's Mon Trail Recovery Project to do light trail maintenance and possibly some heavier work on a trail chosen by the Forest Service. We need at least 8-10 energetic workers. Meet at the dining hall right after breakfast. The Forest Service will provide the tools; wear boots and bring your lunch.

D. Spring Hike in or near Otter Creek led by Dave McMahon, with an opportunity to participate in observing the spring warbler migration.

E. Caving Trip close to Camp Pioneer led by Jim VanGundy. 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 1½ 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 Beverly.

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 18, 1986

Name _____

Address _____

Phone _____

Registration fee: \$3/adult \$ _____

(This fee is used to defray the costs of brochure printing, trip insurance, 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

breakfast \$2.00 X _____ = _____

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.

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 morning would be

3 hrs. X \$2 X 2 children = \$12

Children's name/s and ages _____

Total child care/Nature Skool cost \$ _____

TOTAL ENCLOSED \$ _____

Please make check payable to **WVHC-Spring Review** and return with this form to:

Jim Van Gundy
 240 Boundary Avenue
 Elkins, WV 26241

FIELD TRIP PREFERENCE

_____ A. Fly Fishing Seminar

_____ B. Canoe Trip

_____ C. Work Hike

_____ D. Spring Hike

_____ E. Caving

*Camp Pioneer is a 4-H Camp and you are asked not to bring or use alcohol or drugs at the Camp.