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# Highlands

Voice

Published Monthly by the W. Va. Highlands Conservancy

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### Spring Review to feature mining film; discussion of Corridor H.

Spring Review is just around the corner. So, if you haven't told Frank Young you are coming, DO ITRIGHT NOW. He's been holding his breath waiting for your call (304-372-9329).

Lots of fun is organized for the weekend — canoeing Smoke Hole Canyon, tour of Dolly Sods or Senaca Rocks climb, plus music from the Zucchini Pickers augmented by those of you who can whistle, sing, clap, or play a more musical instrument.

(See Page 8 for complete registration information if you did not receive a flyer ... or it is lost in that pile of other really important stuff on your kitchen table.)

Nature Skool will be available for the kids. (Don't delay in registering. Enrollment is limited, so call 296-0565 by April 25.

The weekend will also have a serious side. Bob Gates' documentary film of strip mining, "In Memory of the Land and People," will provide the basis for a discussion of the continued ravages of strip mining in West

This film is effective in accomplishing the intent of its producer 'to provide the viewer with a gut level feeling for what strip mining as it is actually practiced does to the land and its people'," wrote Elizabeth A. Lawrence of Tufts University in a review of the film.

Her review continues: "Unlike many documentaries, Gates's presentation includes no script or narration. Rather, it is composed of a series of striking visual images, skillfully photographed and artistically integrated, which make both the process and the effects of strip mining vividly and painfully clear.

Most of the voices heard in the film are those people who reside, or formerly resided, in regions where strip mining has taken place, and describe in their own words its devastating effects on their land and lives.

"A unique feature of the film is a sound track that is especially appropriate for enhancing its visual effect: the monstrous machines are shown digging violently into the earth to the accompaniment of the thundering and funereal sounds of music by Bartok. the force and harshness of this somber music accentuates the sensation of doom the viewer feels while watching the horrifying process.

"In contrast to these sounds that serve to underscore the power and might of machinery are the light and gentle notes of singing voices articulating the words of folk songs that protest the ravaging of the land."

See Review, page 5

### WV Environment gets Earth Day scrutiny

An Earth Day Symposium on the Ziemkiewicz of West Virginia Uni-State of the West Virginia Environ- versity. ment is underway.

The symposium will include approximately 80 presentations on topics including acid mine drainage, chemicals and community health, communication strategies, composting, incineration, protection of Canaan Valley, Greenbottom and other aspects of our natural heritage, timber regulation, waste reduction, and many other subjects.

was April 6 at West Virginia Institute of Technology, Montgomery, in con-junction with the West Virginia Academy of Science Annual Meeting. The session included presentations concerning timber and mining industries and their environmental impact, as well as a variety of other subjects.

Authors for the session included West Virginia Highlands Conservancy secretary Richard DiPretoro, William Gillespie of the West Virginia Division of Forestry, Steven Stevenson of Fairmont State College and Mary Wimmer and Paul

Keynote speaker was West Virginia House Speaker Chuck Cham-

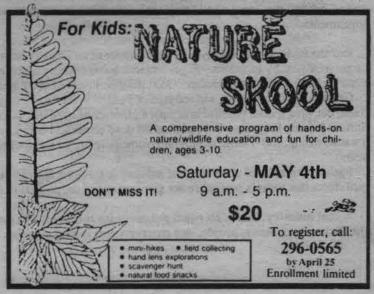
The second meeting will be April 19-20 at West Virginia State College, just outside Charleston. More than 50 papers on environmental issues will be presented at this time. Exhibits, information tables and open panel discussions are planned.

U.S. Representative Bob Wise will

ginia State, Friday, April 19. Published proceedings of the symposium will include the papers, selected questions and comments from the audience and the authors'

An intriguing aspect of both sessions of the Earth Day symposium will be discussions/debates involving papers that are open for review and discussion prior to (and during) the symposium. Issues treated this way include acid mine drainage, groundwater pollution, incineration of municipal waste, investigations of community health, and timber regulation.

### also at Spring Review:



Deadline for May Voice: April 30

## — from the heart of the mountains—

# Bring on OSM

Systemic change is required in order to improve the W. Va. Surface Mining Regulatory Program. (Not news to anyone!)

The deeply entrenched power and influence of the coal industry in the State will not allow any such far reaching change to be initiated on the State level. (News to anyone?) Direct Federal involvement is essential to achieve change of the depth and magnitude

that is needed. (!!!!)

In 1988, the W. Va. Highlands Conservancy joined 14 other organizations in a lawsuit against the State of West Virginia and the W. Va. Division of Energy for failure to perform their statutory duties mandated by both State and Federal Surface Mine laws. The suit attempted to define some of the major deficiencies in the program and to bring about some serious attempts to correct these deficiencies. Other options at that time included calling for Federal takeover of the State program.

As a new Governor took office in W. Va., he brought with him what appeared to be sincere resolve to do the right thing in matters of this DOE stepchild of the former administration. Hopes mounted that the lawsuit had been the right course of action. A Settlement Agreement was signed in July 1989 which outlined reasonable actions the State agreed to implement within reasonable periods of time to correct the problems identified in the

lawsuit.

However, two-and-a-half years and three Legislative Sessions after filing the Notice of Intent to Sue, I finally must agree with those who, back in 1988, argued against the lawsuit and in favor of filing a "733 Action" under Federal regulation that would call for the Federal Office of Surface Mining (OSM) to step in and correct the deficiencies in the State regulatory program deficiencies that had been enumerated not only in the lawsuit, but also in each of the OSM Annual Reviews of the State program ever since W. Va. was granted primacy in 1981.

For me, the recent 1991 Legislative Session provided the final straw. The coal industry, which benefits from chaos and confusion in the coal fields and in the regulatory scheme of things, also flourished in the confusion that it created in the minds of legislators who were asked to fund the needed improvements in DOE. (See related story, page 4)

It became clear that the coal industry was not willing to spend any additional money to strengthen the Surface Mine program, but insisted instead, that extra money be allocated at

the expense of other portions of the state budget.

After much debate, and in the midst of much confusion, new monies were allocated by the legislature, but the amount falls short of the need and the sources are questionable at best (i.e. possible surplus monies and an already under-funded special reclamation ac-

What we've got is a small band-aid for a large sore. It is certainly not a cure. Even as a step in the right direction, the available funds are hardly reliable enough to use as a foundation for hiring people or building a program.

Outside Federal authority must be brought to bear to correct the ailing State

A reluctant but firmly convinced convert, I fully support whatever actions are necessary

to bring on OSM.

Substitute Federal enforcement can involve any or all aspects of the program (permitting, enforcement, administration, bonding, etc.). It is difficult to point to one isolated area that requires more attention than any other areas. There is some good that can be said of every aspect of the program and there are individuals within the current Administration and among Agency personnel on all levels who are willing to make the necessary changes and adjustments.

But the historic and deeply rooted influence of an industry accustomed only to the red carpet treatment by its minions in government and regulatory agencies continues to thwart even the loftiest of good intentions. OSM must be involved in all areas of the program.

Granted, the bureaucracy and red tape of Federal involvement may not be a bed or roses, but what it does promise is at least a glimmer of hope that at long last the W. Va. Surface Mining Program will be pushed off dead center and onto a path which will lead to a stable, strong, and consistent program (something feared and fought by industry for

Such a program will allow the coal industry to continue but will also provide greater guarantees that today's profits are not garnered out of the pockets of tomorrow's citizens.

A coal industry, that is an equal partner with the long term sustainable future of the State, its economy, people, and environment, is long overdue.

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The Highlands Voice is published monthly by the West Virginia Highlands Conservancy, P.O. Box 306, Charleston, WV 25321. Articles, letters to the editor and other information for publication should be sent to the editor, 36 Meade St., Buckhannon, WV 26201.

### LETTERS TO THE EDITOR

### Media ignores scientific studies

Dear Editor:

Thanks for the rundown on the 60 Minutes presentation about the NAPAP study in the January VOICE. Irresponsible treatment by the media seems to have alarmed EPA too. The Conservancy is lucky to have well-informed and vocal citizens like Mr. Webb and a newsletter that presents the issues.

A Conservancy sponsored forum on acid rain held in 1988 featured Mr. Webb and others concerned about the acid rain issue and its effects on West Virginia streams and forests. Anticipation about the newly-elected governor and the upcoming congressional reconsideration of the Clean Air Act provided the political context. The upcoming release of the NAPAP study was not anticipated to strengthen arguments for more stringent pollution controls. After release, media coverage of the study was limited.

To the national media, the story was the release of the study at the conclusion of the designated ten-year period. Presumably, editors perceive no additional story in acid rain as a phenomena of local impact and national significance and relegate it to some generic environmental

The phenomena we call acid rain and its impacts should not be conveniently categorized, pushed aside or ignored. It is a story readers need to know about now.

While everyone has access to technical articles discussing the chemistry and chemical interactions creating acid rain, information from EPA on amounts of pollutants and the process of deposition, and local data on stream pH and watershed buffering capacity, limitations on time and resources make it impractical for individuals to conduct such involved research independently.

The national media has demonstrated the level of coverage it can provide to readers on issues like acid rain. I don't see why they should limit that coverage to the one month celebration of the twentieth anniversary of Earth

Sincerely, Karen S. Farris

### Garbage broker is a growing problem

Full text of a Letter to the Editor from our Waste Management Committee Chairman Carroll Jett. An edited version appeared in the Charleston Gazette.

Dear Editor:

I'd like to respond to Lee Snyder's letter which appeared [in the Gazette] Feb. 11, 1991. Mr. Snyder runs a giant garbage dump which recently opened in Berkeley County. I think it is fair to say that the operators of this dump have "bullied" their way into the community.

The local residents have voiced their objections to this monster dump for years by picketing the area, holding protest rallies, etc. Last year, many of these people made the six-hour trip to Charleston to lobby for the law which provides local citizens the chance to vote on the issue before anyone can open a class "A" landfill. Although the legislature passed this law, the operators of the LCS dump have found a way to circumvent it.

Mr. Snyder state that "West Virginia has a serious and growing waste disposal problem." This is true. Mr. Snyder (and other "trash tycoons" who want to enrich themselves at the expense of our quality of life) are a part of that problem. As other states have tightened their environmental regulations with respect to landfills, garbage brokers have looked to West Virginia as someplace to establish an East Coast dumping ground.

Environmental regulatory agencies here are understaffed and underfunded, and groundwater protection laws are non-existent. A polluter's paradise.

Although Snyder listed a Martinsburg address, his is definitely not a locally-owned "mom and pop" garbage dump. LCS appears to be a front for a Delaware Corporation which is heavily involved in interstate garbage trafficking. Their intent is obvious. In their dealings with local residents, they appear to have been schooled by Southern West Virginia Coal Operators. Besides denying admittance to DNR inspectors, they have employed goon guards, attack dogs, barbed wire, "Philadelphia" lawyers, and an unrelenting PR campaign.

I'm against this dump.

I'm particular about the kind of people who handle my garbage.

Carroll Jett

Tom Rodd urged others immediately to send letters similar to the one below to Director Snyder with a copy to Congressman Nick Rahall, 343 Cannon House Office Building, 1st and Independence Avenues, S.E., Washington, D.C. 20515.

Harry Snyder Office of Surface Mining 1951 Constitution Ave., N.W. Washington, DC 20240

Dear Director Snyder:

I am writing about the contents of draft "remining" legislation being circulated by OSM.

Certain concepts and language in this draft would be dreadful steps backward, and a guarantee of chaos in the coal fields.

First, the OSM draft includes relaxing acid mine drainage protections. This is a frightening prospect.

Under the present "strict" law and regulations, which purport to ban the creation of new-source AMD, billions of gallons have come on line since 1977. Please look at the enclosed photos. This is all post-77 mining.

For God's sake, don't open the door to a nightmare of new AMD-area mining, by relaxing AMD standards in "remining" legislation.

Second, the OSM remining draft would allow lower

performance standards for all aspects of remining. What a Pandora's box! Since almost all areas of West Virginia are open to "remining," a field day would be created for opportunism and chaos. Don't let this happen!

Third, operators on remining sites wouldn't be permit-blocked on regular mines. Mr. Director, permit-blocking is hardly working now. Please don't create more loopholes.

In conclusion, this legislation would cause, on a national scale, the abuses we in West Virginia already experience every day.

Responsible coal operators (yes, there are such persons) who accept strict performance standards would be forced by competition to take a lowest-common denominator approach.

Mr. Snyder, responsible remining legislation is feasible. But it must not give up the gains we have fought so hard for for decades.

Very truly yours, Tom Rodd

#### Friends -- here and there

The Land Stewardship Project is a non-profit education program working for the development of a sound stewardship ethic toward our nation's farmland and for public policy changes that will lead to the development of a sustainable agricultural system. The ideal toward which the project is working is that one day Americans will cherish our farmlands as a precious, finite gift; and as individuals, each farmer and landowner will strive to leave the land in better condition that when he or she received it.

Articles in the Land Stewardship Letter primarily reflect the project's mid-western farming base. They also exalt stewardship as the only viable approach to the earth's resources and so are a marvelous reminder of the other different ways that people are working to preserve the earth. A recent edition had articles on urban sprawl, the GATT talks, Save Our Seeds, Earth Day plans, the cost of agribusiness, and a variety of book reviews.

The Land Stewardship Letter, 14758 Ostlund Trail North, Marine, Minnesota, 55047, (612) 433-2770.

\*\*\*\*

Save Our Streams is a national stream protection program established by Isaak League Maryland chapters in 1969, and expanded nationwide by the League's national office. SOS is currently operating in more than 37 states. The West Virginia SOS project is run by the League's national office in Arlington, Va., and is funded primarily by the Virginia Environmental Endowment and the Appalachian Community Fund. SOS is participating in a project called Citizens Assessment Team for Streams (C.A.T.S.) in cooperation with the DNR and the West Virginia Environmental Council.

Formed in 1922, the Izaak Walton League of America is a national nonprofit conservation organization, whose 53,000 members are dedicated to protecting and restoring America's precious natural resources.

The Isaak League has 1,091 members and 13 chapters in West Virginia. For information about stream monitoring workshops, call Karen Firehock or Eunice Groark, Save Our Streams Program, (703) 528-1818, or Paul Brant of the League's West Virginia Division, (304) 574-3036

### Canaan Valley is subject of WVU Extension publication

West Virginia University Extension Service has a publication available on Canaan Valley.

A 32-page publication written by Norma Jean Venable, with original

A 32-page publication written by Norma Jean Venable, with original illustrations by Ann Payne, Canaan Valley describes the valley, its history, culture, geology, plants, wildlife, and trials. I contains checklists of birds, plants, and wildlife.

Price is \$6, and includes shipping.

Included on the Natural Resources Program Publication List from the WVU Extension Service are:

Introduction to Dragonflies of West Virginia	\$4.00
Night Birds: Owls	1.00
Aquatic and Wetland Plants of West Virginia	6.00
Introduction to Ferns of West Virginia	4.00
Winter Birds of West Virginia	4.00
West Virginia Hawks	3.00
Guide to Common Birds of West Virginia	6.00
Wildlife of West Virginia	6.00
Winter Botany, Common Trees of West Virginia	4.00
Selected Trees and Shrubs of West Virginia	5.00
Skinks, Scales, Scutes, and Newts;	
Common Herptiles of West Virginia	5.00
Canaan Valley	6.00

Publications are nontechnical with original illustrations. Prices include

shipping.
Send orders to:
Norma Jean Venable
Natural Resources Program
West Virginia University Extension Service
1074 Agricultural Sciences Building
Morgantown, West Virginia 26506-6108

Make check payable to: West Virginia University.

### DOE & the Land of OZ

by Cindy Rank, president, West Virginia Highlands Conservancy

Remember the land of OZ?....where things were not always as they seemed?

..Where the scarecrow danced, the tin woodsman talked and the lion was afraid of his tail? .... Where a wonderful horse changed colors in a blink of an eye?....and the powerful Wizard was only an ordinary flimflam man who created elaborate special effects from a control panel behind a

The recent legislative attempt to address the funding needs of the Mines and Minerals Section of the W.Va. Division of Energy (DOE) has been a little like paying a visit to the Land of OZ.

To their credit, leadership in the Department of Commerce and the Division of Energy began months ago to broadcast the message, "Yes, seriously folks, we need more money

'We need more money to comply with the W.Va. Surface. Mining laws and regulations; we need more money to effectively enforce those laws; we need more money to do thorough and adequate review of permit applications, especially for sites which pose potential environmental problems; we need more money to set up a program which will provide us with adequate background checks on ownership and control matters where corporate shell games often let "bad operators" off the hook; etc., etc., ...We need more money to do a good job...PERIOD!
"...And if that isn't reason enough to increase our funding, we

need more money to comply with the Settlement Agreement from the Save Our Mountains lawsuit against W.Va. DOE.

...And, even more importantly, the actions required by that Settlement Agreement are essentially the same things the federal Office of Surface Mining (OSM) is insisting the state do in order to maintain primacy of the surface mine program in West

Knowing how disruptive and counterproductive battling over issues in the halls of the Legislature can be, in early January DOE set about the annual ritual of gathering together representatives of the often-times opposing forces of industry, agency, and environmental interests. The meetings were intended to work out solutions to the funding problem that would be agreeable to

Everyone could then skip on down the yellow brick road with the agreed-upon solution in hand to be delivered to the Legislature where the harmonious and unified support of all involved would pretty well assure passage through both houses with little or no major pitfalls. And all would be made right.

For representatives of the environmental community the need was clear cut. In order to perform adequately and to meet the requirements of OSM, DOE's Mines and Minerals program needed an infusion of close to \$3 million in new monies, i.e. over and above current funding levels.

The solution was equally clear cut: assess a couple of cents on every ton of coal produced and dedicate the proceeds to regulating the Surface Mining Program.

DOE had taken a similar position and proposed statutory language to initiate the additional assessment.

End of the relatively happy, relatively simple scenario.

Enter the endless confusions and complications.

Industry first agreed, somewhat, then balked — first at the amounts of money being requested, then at the inclusion of additional funds for the Health, Safety and Training Section of DOE, then at the proposed methods of obtaining the necessary funding, then at the original assumption that any additional funding was needed at all, even for the Mines and Minerals

The clear cut need and clear cut solution became convoluted and confused.

Approval of the annual budge, normally a difficult process for the Legislature in a state with decreasing financial resources and increasing societal needs, was complicated even further by the mixed signals received from coal industry representatives.

Were the figures inflated? Did DOE really need to hire 67 more people? Or was the opposite true and some current DOE positions could be eliminated by allowing one inspector to do three jobs at one time? ...

How believable were those graphs presented as part of the Administration's budget request that showed West Virginia has 9 staff people per million tons of coal mined, while Virginia has 2.3, Kentucky - 2.8; Ohio - 3.4; and Pennsylvania - 5.5?

And what about the graph that showed that the West Virginia regulatory program spends \$42,000 per million tons of coal mined, while Kentucky spends more than twice that (\$105,000), Ohio, four times that (\$168,000), and Pennsylvania nearly eight times as much (316,000)?

And then there was the graph that showed West Virginia has 62 inspectable units per inspector, while Kentucky, Ohio and Pennsylvania have 28, 29 and 18 respectively. And the graph that showed West Virginia has 29 inspectable units per staff member, while Kentucky, Ohio and Pennsylvania have 10, 9 and 4. ...

Was OSM serious about taking action if the money wasn't allocated, or was it just another instance of DOE "crying wolf"? Were industry representatives from the more established groups willing to buy into the DOE request, sell out to the State and hang smaller, independent operators out to dry? Did the independent coal and timber operators of Logan and Preston counties need special protection? ...

By the time the Wicked Witch of the Senate Finance Committee finally considered the new "fees bill" (proposed by DOE to raise at least a small portion of the needed funds, and passed out of the House of Delegates), the Committee handily whittled it down from providing some \$1.7 million to providing less than \$500,000.

The beautiful field of poppies at the end of the yellow brick road turned into a stupefying morass of confusion which brought the journey to a complete halt, far short of its goal.

Originally anxious to support efforts to obtain additional DOE funding, representatives of the environmental community took a giant step back out of the fray during the last weeks of the ssion. For the Legislature to approve sufficient funding levels, they recognized, industry would have to make it happen. If coal wanted to keep the Feds out, they would have to do a better sales job on their home turf of the Senate to get approval for the needed

In July 1988, plaintiffs in the Save Our Mountains lawsuit (including the W.Va. Highlands Conservancy) refrained from calling for Federal intervention by OSM into the sadly deficient W.Va. Surface Mining Program. They chose rather to sue the state and the Division of Energy for failure to comply with the statutory mandates of both federal and state Surface Mine Laws and Regulations. The intent at that time was to seek state solutions to state problems.

In recognition of a more responsive attitude on the part of the new administration, all parties signed an out-of-court Settlement Agreement in July 1989 which listed a number of severe problem areas in the state program, and set forth corrective measures with reasonable time frames in which to undertake them.

From 1989 to 1991, efforts to improve the program, to implement the Settlement Agreement, or to generally bring the program into compliance with federal requirements have been plagued by the same financial and staffing constraints which contributed to the underlying problems within the state program.

As the 1991 Legislative Session approached, the Conservancy and other plaintiffs in the SOM lawsuit decided to forego pushing for the impossible. Instead, we would focus on funding: funding to alleviate the financial and staffing constraints.

Time had come to put an end to the sad faces and sorry excuses from DOE: "Well, we'd like to be able to track inactive sites, bond forfeitures, ownership records, etc., etc., but we just don't have the staff and we don't have the time.

"And, yes we know we should be doing more enforcement in some areas, but we just don't have the staff and we don't have the

"And, yes we know the regulations require us to do more in several other areas, but we just don't have the staff and we don't have the time."

Appeals to industry and to the Legislature would have to produce the additional monies needed to beef-up the program, to hire additional staff, and to create more time by expanding the capabilities of the staff.

When confusion about these funding needs turned the Legislative process into an adventure as incredible as the fabled journey to the Emerald City in the Land of OZ, plaintiffs had little choice but to revisit their original decision and reconsider the wisdom and advisability of federal intervention in the state program. If sufficient new monies were not found, we would have to support and encourage OSM to perform it's statutory duty under Section 733 of Federal Regulations to come into West Virginia and straighten out the deficiencies in the program.

The Legislature was extended for an extra week solely to deal with the budget; DOE funding was a major source of debate. As best we can tell, on March 17 the Legislature approved the following funding for DOE:

- 1) Start with General Revenue monies: \$6.7 million was allocated for DOE - Administration, Mines and Minerals, Oil and Gas, and Health, Safety and Training. (This amount was approximately equal to the money appropriated to DOE last year from General Revenue.)
- 2) Then add new monies for the Mines and Minerals section to administer the Surface Mine Program:
- \* \$1 million was allocated from the special reclamation account. (This is the fund designated by state law to be used in reclaiming mine sites forfeited since 1977 - the same fund that is already desperately underfunded by millions of dollars, especially if you take into account the perpetual treatment of acid mine drainage that is needed on many of these sites. Shortfalls of the special reclamation fund are at the very heart of major portions of the SOM lawsuit and OSM's dissatisfaction with West Virginia's program.)
- \* Another \$1.5 million was allocated to come from surplu monies expected to remain in the state's coffers at the end of the fiscal year in June. (The first \$21 million of surplus is to go to the Division of Health and then, if an excess of money has materialized, DOE is to get its \$1.5 million.)
- 3) However, you must subtract \$1.2 million, which represents funding available to DOE last year on a one-time-only basis, and therefore must be made up for in DOE's 1991 budget to break even.

According to Energy Commissioner Woody Wayland, the total increase in funding approved by the Legislature "could be as little as \$300,000." (A far cry from the original request for \$3 million in new monies!)

At present, there seems no way to wake up from this most recent twister dream ride to the baffling Emerald City. Nor is it possible to predict what additional special effects the GREAT OZ will produce from behind that curtain.

In the meantime, endless meetings and frantic phone calls are taking place between Washington, D.C., and in Charleston,

Although visions of working with the Federal bureaucracy are not all pleasant or comforting, involvement of OSM at this point may well be a refreshing change and may, over the long term, create some of the reform and direction so badly needed in the state surface mine program.

### **Committee Notes**

#### Waste Management

Chairman Carroll Jett has added two new members to the committee: Doyle Coakley of Webster County and John Christiansen of Berkeley County.

"Doyle was very instrumental in organizing the recent uprising in Webster County which torpedoed the proposed John Faltis dump," Carroll wrote. "John still stands with the many other "Hedgesville Heroes" who continue to resist the LCS Enterprise. John's favorite quote: 'When the people lead, the leaders will follow!"

### Reflections on the legislative session

by Missy Woolverton

The legislative session is over, and after a couple of weeks away from the Capitol, I may be gaining some perspective on what did and did not happen with environmental legislation.

It was a mixed bag to be sure.

We had the considerable successes of groundwater, BRC ('below regulatory concern' nuclear waste), and medical waste. As an active observer during the groundwater negotiations, I applaud Cindy Rank, Mary Wimmer, Chico DePretoro, and Norm Steenstra for their dedication, acumen, and

With this year's expanded lobby team the enviro-presence was felt continuously in both House and Senate - in public hearings, committee meetings, and up and down the halls. The team was also active in working on timbering, DOE, industrial siting, and ORVs, and while none of the related legislation was passed this session, much educating on the issues was accomplished.

But the evening of March 9th in the Senate was real disappointment. It was there that this year's progressive solid waste legislation HB 2802 - was killed by a Senate which refused to act until it was too late. Among the provisions of this bill was a mechanism for limiting out-of-wasteshed garbage, a prohibition on commercial solid waste incineration, a cap on Class A landfills, a Class B referendum, and funding for recycling and landfill closures.

With the death of HB 2802, it is obvious that

many of our senators are not willing to protect West Virginia's environment. Folks, the environment is simply NOT a priority for many of our representatives. Those of us who would advocate stewardship of the environment over special interests such as the coal, manufacturers, chemical and waste management lobbies, are personas non grata under the dome.

We are criticized for alleged stridency.

The environmental community does not compromise easily, and hold the bizarre belief that legislators should represent the citizenry and should work to preserve the quality of life for all West Virginians. We don't have big money to throw around, but we tend to be very vocal on behalf of the preservation of this state. Many of us write letters, make phone calls, pound the halls, and in general, don't respect the private club atmosphere that pervades

With the election of several environmentally-conscious senators and delegates we ARE making inroads. We must continue to elect replacements for those who would sell out the state. In this entrenched network, it won't be easy, but it IS possible.

We must keep hammering, working on our legislation, increasing our numbers across the state, honing our strategies, and electing more of us. In the meantime, I'm going to work on getting my sense of humor back. I think I lost it somewhere in a natural resources committee meeting....and I hope to find it during the special session.

CELEBRATE

### Key Democrat assails park air quality, EPA

reprinted from the Richmond Times-Dispatch, Friday, March 22, 1991

#### Times-Dispatch state staff

A California congressman yesterday called air quality in Shenandoah National Park "a disgrace" and chided the Environmental Protection Agency for maintaining a position that "is bad for the environment and bad for the Virginia tourist industry.'

The unusually harsh comments from Rep. Henry A. Waxman, D.-Calif., followed a hearing yesterday in Washington by a subcommittee headed by Waxman that is dealing with amendments to the Clean Air Act.

The congressman blasted EPA officials for maintaining that some 20 proposed power plants in Virginia will not harm environments such as the Shenandoah national Park and the James River Face Wilderness area in the Jefferson National Forest.

"It is inconceivable that anyone could think that these plants can go forward as planned without further damaging the park," Waxman

Similar arguments last week split the state Air Pollution Board when it granted permits to Multitrade Limited Partnership and to Old Dominion Electric Cooperative, two companies that are planning power plants.

The permits were the first issued by the state in the face of opposition from environmental groups, the National Park Service, and the U.S.

Forest Service. They argue that pollutants from the plants will further harm the two so-called Class I areas as well as the Chesapeake Bay.

Both permits are subject to an amendments that would require modifications if methods now under development are able to clearly establish the impact of the plants. Such methods also must incorporate the impact on Virginia of out-of-state emissions source

Waxman, who holds considerable influence over air quality matters through his chairmanship of the Subcommittee on Health and the Environment, asked the EPA earlier this month to supply detailed information about its approach to overseeing air quality in Virginia.

The state is undergoing a surge in plant construction that is believed to be the most ambitious in the country. One key study says that air quality in Virginia actually will deteriorate over the next 10 years even if air act amendments reduce harmful emissions in most

Citing what he called the "apparent lack of thorough analysis," Waxman said that he wants the EPA to review studies that showed the 20 power plants would have no harmful impact on sensitive areas of Virginia.

Waxman has described as impressive efforts by the Park Service and Forest Service to show harmful effects from the plants and called on the EPA to establish whether the new amendments adequately protect visibility and the environment in protected areas.

# **Earth Day Resolution:** Cut down on trash

Americans throw away enough iron and steel every day to supply the nation's automakers. With landfill space rapidly shrinking, we need to reduce the amount of

Earth Day, April 22, is a good day to start reducing the amount of goods we throw away, reusing what we buy and recycling to save energy as well as landfill space. Below are some suggestions on how to be conservative.

\* Use washable china and silverware instead of plastic or paper.

Bag fruits and vegetables yourself to avoid buying excessively wrapped foods on throw-

Invest in five or six washable cloth grocery bags you can reuse. Some stores now pay you to bring your own bags

Use reusable cloth napkins and dish towels instead of paper.

Avoid throwaway lighters, cameras and other minimum-use convenience items.

\* Buy the largest shampoo container and refill a smaller bottle you keep in the shower.

\* Use both sides of scrap paper.
\* Buy beverages in returnable containers to save money and landfill space.

Switch to reusable razors and blades or an

\* Avoid buying single-serving containers.

\* Recycle cans, paper, and glass whenever

\* Use products that come in recycled paper containers. Look of a gray interior, indicating recycled paper, in boxes containing cereals, detergents, and cake mixes.

\* Look for unbleached paper products like coffee filters, toilet paper, paper towels and tissues. Bleaching paper with chlorine can create one of the most toxic man-made chemicals,

(reprinted from the WVU Cooperative Extension Service April newsletter, Upshur

### Review

"...Through the shattered lives of those who have experienced strip mining firsthand, the basic values of contemporary society are called into question. As one informant in the film expressed it: 'If we lived in a country that loved the land, then we'd live in a country that loved

After supper Saturday, we'll talk about another aspect of land use -- Appalachian Corridor H will be the focus of a panel discussion which will include Dr. Mary Wimmer of the from page 1

W.Va. Sierra Club, representative of the West Virginia Department of Highways and some folks from the Eastern Panhandle.

Routing for the four-lane highway from east of Elkins to the state line has been an important issue for Conservancy members for many years. No matter which route is chosen, sensitive areas of the state will be impacted. Almost every unique natural area in the Highlands Region is

### REVIEW

The Holy Earth by Liberty Hyde Bailey The National United Methodist Rural Fellowship, Columbus, Ohio 117 pages. \$5 paper.

Reviewed by Marta Cleaveland

If you accepted the premise that the earth was created by God, then it follows that the earth is hallowed and should be treated as such.

This is the fundamental theme of The Holy Earth, Liberty Bailey's 1915 classic on environmental ethics. He wrote, "to live in sincere relationship with the company of created things and with conscious regard for the support of all men now and yet to come, must the be essence of righteousness."

Because Bailey's message of moral responsibility for caring for the earth is even more pertinent today, The Holy Earth has been reprinted by the National United Methodist Rural Fellowship.

The book sets forth a philosophy of rural life we cannot afford to lose. Bailey asks, "Are we to make righteous use of the vast accumulation of knowledge of the planet? If so, we must have a new formulation. The partition of the earth among the millions who live on it is necessarily a question of morals; and a society that is founded on an unmoral partition and use cannot itself be righteous and whole."

From his vantage point as head of the Horticulture Department of Cornell University in 1915, and as a poet, philosopher, scientist, theologian, author, and traveler, Bailey already saw the problems of large land holdings administered by corporate management. He points out that the economic results from land use are not the most important results. The ultimate good in land use is the development of people. The morals of land management are more important than the economics of land management.

He counts the "many and many" years it takes to grow a forest, to fill the pockets of the rocks, and how satisfying are the landscapes. he also notes how quickly we can "reduce it all to ruin and emptiness," and judges our habits of destructiveness to be uneconomic in the best sense of that term, and certainly not social, not moral.

"Most of our difficulty with the earth lies in the effort to do what perhaps ought not be done,"

The book is composed of 29 short chapters that touch on such topics as the work ethic, the aesthetics of earth-keeping, the need to make the delights of nature available to all, a proper diet, spiritual life, and the roles of industry and government.

The book's language carries the flavor of the early 1900s era so, although it is not inclusive (he writes "man" where we would prefer "people"), it has a gracefulness often missing in modern text. Just as the Psalms or the Beatitudes read better in the King James Bible.

Every page invokes a thought worth remembering, a scene worth visualizing, a pledge worth keeping.

(reprinted from Winter 1991 Land Stewardship Letter, Land Stewardship Project, 14758 Ostlund Trail North, Marine, Minnesota 55047. Marta Cleaveland is LSP's Public Information Coordinator.)

"The earth does not belong to man; man belongs to the earth. This we know. All things are connected like the blood which united one family. All things are connected." Chief Seattle

### Soil and Water Stewardship Week

AS YOU SOW is the theme of the 37th annual Soil and Water Stewardship Week sponsored by the National Association of Conservation Districts. The dates for the 1991 observance are April 28-May 5. The art on this year's materials is a reproduction of an oil painting by the famous Dutch artist Vincent van Gogh. The art and the theme remind us that our individual actions (good or bad) have an impact on the earth's environmental health and that we will reap the consequences.

Conservationist Neil Sampson wrote the text for this year's booklet. It concludes with the following call to action:

One hazard of discussing the global scope of today's environmental problems is that people may spend too long searching for solutions at the global scale, in reality, most solutions to global problems begin at the local scale and build upward. They start with people...you and me.

...We must each see ourselves as sowers — for good or for bad. Every action we take, every decision we make, has an effect on the people and the natural world around us. Every sweep of our hand scatters seed — of some variety — somewhere. Our responsibility, then is to become a skilled, responsible, loving sower whose effect is positive rather than negative.

...Starting with everyday living and building to the community and political action level, every person can be a sower, not just in the fields where food crops are grown, but in the broader fields of life, where God's people live and labor together, as part and partner in the ongoing march of Creation.

For as you sow...

You can order a sample kit of 1991 Soil and Water Stewardship materials, which include a reference booklet, church program, children's educational materials, bookmark, poster, place mat, background material and clip art for \$2.75. Slide/tape or video presentation also available. Contact: NACD Service Center, 408 E. Main, P.O. Box 855, League City, Texas, 77574-0855, (713) 332-3402

(reprinted from the Winter 1991 Land Stewardship Letter, Land Stewardship Project, 14758 Ostlund Trail North, Marine, Minnesota 55047)

The fifth edition is 320 pages and includes:



 classic West Virginia hiking areas like the Allegheny Trail, Otter Creek, Spruce Knob, Blue Bend, Dolly Sods and more;

 detailed descriptions of 164 hiking trails covering 780 miles;

\* 60 maps;

\* 39 black and white scenic photos;

\* hiking and safety tips;

\* conservation concerns.

To order your copy of the Monongahela National Forest Hiking Guide send \$9.95 to:

The West Virginia Highlands Conservancy P.O. Box 306 Charleston, WV 25321

Please include \$1.50 for shipping and handling. West Virginia residents include \$.60 sales tax. (\$11.45, or \$12.05 in W.Va.)

I have included a _	check or	money
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### Monongahela National Forest Hiking Guide, Fifth Edition

by Bruce Sundquist and Allen de Hart

with the cooperation of the Monongahela National Forest staff and numerous hikers

# 1991 timber sale data available for Monongahela National Forest

A complete report on the timber sales from the Monongahela National Forest is now available from the Supervisor's office in Elkins.

Timber sales in the Monongahela National Forest in 1990 produced total revenues of \$2,553,216 from a 28.3 million board foot harvest, forest Supervisor Jim Page reported recently.

Once expenses were deducted, the forest service made \$501,991, or \$17.73 per thousand board feet on the sale. The state of West Virginia got another \$21.33 per thousand board feet for the same timber, for a total public income of less than \$40 per thousand board feet.

In addition to revenues to the U.S. Treasury and the State, the Monongahela timber program in fiscal 1990 generated 299 direct and indirect jobs for the local economy, according to the Monongahela National Forest News.

The annual report is compiled from the Forest Service Timber Sale Program Information Reporting System (TSPIRS). TSPIRS tracks and

records costs and benefits of the timber sale programs on every national forest. The total Forest Service timber program produced national revenues of \$1,375,471,000 from a 10.5 billion board feet harvest.

"Over the past several years the public has questioned the costs and benefits of timber sales on the national forests," Forest Service Chief F.Dale Robertson said. "TSPIRS information is invaluable in our efforts to increase the cost efficiency of our timber sale program nationally and to explore opportunities for improving the efficiency of the program on each National Forest."

A complete report of the TSPIRS information for the Monongahela National Forest is available from the Supervisor's Office, 200 Sycamore Street, Elkins, WV 26241-3962. In addition to the statement of revenues and expenses, the report includes an economic report and a report of social and economic impacts.

### DNR to survey for endangered spiraea

West Virginia Division of Natural Resources will survey Virginia Spiraea this summer along the Gauley, Meadow, and Bluestone rivers.

Virginia Spiraea is a shrub in the rose family and is listed by the U.S. Fish and Wildlife Service as a threatened species under the Endangered Species Act.

The survey, to be conducted by DNR's Natural Heritage Program, is being performed under a contract between DNR and the National

Park Service, said Bob Miles, chief of DNR's Wildlife Resources Section.

Information obtained during the survey will be used by the National Park Service to ensure that future development of these river segments will not jeopardize the rare species, Miles said. Pre-planning of this nature saves both time and money, he added, by preventing conflicting uses.

### Spring Events provide lots of chances to learn and enjoy

### Symposium focuses on climate change

National Weather Service, Charleston, and the College of Agriculture and Forestry, West Virginia University, will sponsor a symposium on climate change in West Virginia April 24 at the Ramada Inn, South Charleston.

Global warming and its possible effects on life on earth is a widely discussed topic. This symposium will address the possible effects of global warming in West Virginia and examine responses to problem.

Topics and speakers include:

Global Warming and Climate Change, Dr. Stanley J. Tajchman, Professor of Forest Meteorology, WVU Division of Forestry.

\* Climate Change and Forests, Dr. Ata Qureshi, Climate Institute, Washington, D.C.

\* State and Regional Climate Programs, Dr. Warren W. Knapp, Professor of Atmospheric Sciences and Director of the Northeastern Regional Climate Center, Cornell University.

\* Forestry, Climate Change, and Regional Economics, Dr. Robert Phelts, Forest Inventory, Economics and Recreation Research, USDA-Forest Service, Washington, D.C.

\* Climate Change in West Virginia over the Past 30,000 Years. A Geologic Perspective, Dr. Robert E. Behling, Professor of Geology and Dr. J. Steven Kite, Associate Professor of Geology, WVU Department of Geology and Geography.

\* Climatic Changes in West Virginia over the Past 100 Years, Ken Batty, National Weather

Service, Charleston.

\* USDA Response Programs, Dr. William T. Sommers, FFASR-USDA Forest Service, Washington, D.C.

\* The Changing Climate for Energy Policy; Global Warming and its Potential Impact on West Virginia, Dr. Robert D. Duval, Associate Professor of Political Science, WVU, and Joe Clayton, Department of Political Science, WVU.

\* What is State Government Doing to Address the Issues Relating to the Atmosphere? Dale Farley, Director of West Virginia Air Pollution Control Commission.

What is West Virginia Industry Doing to Address the Issues Relating to Climatic Change? Industry Representative.

The Problem of Public Awareness and Understanding, Tony Cavalier, WSAZ-TV

Registration fee of \$15 includes luncheon and refreshment breaks. Institutions in West Virginia that have taken climatic observations for the last hundred years will be honored at the luncheon. To register, contact National Weather Service, 501 Eagle Mountain Road, Charleston, WV 25311, (304) 342-7771.

### Spring Nature Tour at North Bend State Park

Dr. Bill Grafton, naturalist and wildlife biologist, will be the featured guest speaker at the annual Spring Nature Tour set for April 26-28 at North Bend State Park. Dr. Grafton has been with the WVU division of Forestry for the past 25 years as an Extension Wildlife specialist

The weekend is filled with events such as the Premier of the Rail Trail. Three hikes, of varying distances, on the Rail Trail are planned for Saturday morning, April 27.

Entertainment ranges from the Glenville State College Barber Shop Quartet on Friday night to the Rocky Mountain Bluegrass Band on Saturday night.

Crafts, area tours, slide shows, and delicious gourmet offerings from the North Bend Restaurant round-out the weekend.

Spring has finally sprung so why not enjoy it on the Spring Nature Tour. For more information call (304) 643-2931 or 1-800-CALL-WVA, or write North Bend State Park, Cairo, WV 26337.

### Richwood schedules Cranberry Mountain **Spring Nature Tour**

Richwood's 25th Annual Cranberry Mountain Spring Nature Tour will be Friday and Saturday, May 10, 11. The event is sponsored by the Richwood Area Chamber of Commerce, Rhododendron Garden Club, W.Va. Department of Agriculture and U.S. Forest Service.

The beauty of the area and the quality of tour leaders have attracted nature lovers to the tour for a quarter of a century.

Actual tours are Saturday. Friday's events include slide and lecture programs and dinner and

Slide and lecture programs on the wonders of nature will be at Richwood City Hall, 9:15 a.m. to 2:30 p.m. Scheduled speakers include Bill Gillespie, W. Va. Forestry Director; Sterling Spencer, naturalist; Bob Beanblossom, W. Va. Department of Commerce; Jim Pack, wildlife biologist; and Bill Vanscoy, superintendent of the West Virginia Wildlife Center (French Creek Game Farm). Cost is \$1 for students and \$2 for adults. Registration is open 8:30 a.m. to 9:15 a.m.

Dinner and nature talk are at Gale's Supper Club. Cost is \$7.50 and reservations must be made by May 6. Social hour (45 minutes(?) is 5:45 p.m. to 6:30 p.m. Dinner is 6:30 p.m.

Nature tours will leave from the Cranberry Mountain Visitor Center, 23 miles east of Richwood on West Virginia Route 39/55, at 9:30 a.m. Saturday. Registration begins at 8:30 a.m. Cost is \$4 for adults and \$1 for children 12 and under. Free coffee and donuts are available during registration. Participants in all-day tours must bring their own lunch and beverage.

Tour leaders for Saturday include Beecher Hinkle, naturalist; Sterling Spencer, naturalist; Janet Anselment, U.S. Forest Service; Merle White, naturalist; David Bud Hill, botanist; Gay Brown, botanist; Bill Gillespie, W.Va. Forestry Director; Bob Beanblossom, W.Va. Dept. of Commerce; Jim Fleshman, botanist; Osbrey Eye, botanist.

Cranberry Glades - half-day tour.

Travel the 2,500-foot boardwalk into the midst of arctic bog life. See unique mixture of northern

and southern botanical specimens, unusual at this latitude and presumably brought together nearly 10,000 years ago by the advancing Ice Age.

Cowpasture Trail in the Cranberry Glade Area — all-day tour.

Here you will experience an interesting variety of forest, field, and stream environments and a profusion of spring wildflowers and songbirds. Tour is approximately seven miles and requires five hours hiking time. Wear sturdy hiking shoes. Binoculars are a plus.

High Rock Trail on the Highland Scenic Highway — all-day tour.

A two-mile hike out to the outcrop of High Rocks. Along the way the forest offers a variety of wildflowers and other vegetation. The top of High Rocks offers a panoramic view of the Greenbrier River Valley, including the town of Hillsboro.

Beartown State Park and Droop Mountain Battlefield - all-day tour.

At Beartown, you will visit a most unusual formation of rocky cliffs and columns, an area that holds ice until late summer. This special place harbors unusual lichens and mosses growing on the rocks which are deeply pocked by erosion. A boardwalk trail winds through Beartown. Droop Mountain is a Civil War Battlefield but also a nature-lover's delight.

Williams River-Highland Scenic Highway - all-day tour.

walk is open to anyone. Wear sturdy hiking shoes.

Auto tour with frequent stops to view special plants and wildflowers. Scenic areas, some reaching elevations of 4,500 feet, provide spectacular views. Binoculars and camera a plus. A joy for anyone, but especially nice for those with difficulty walking long distances.

10K Guided Volkswalk - all-day tour. This walk will follow the course of the Seasonal Year-Round Volkswalk event that is sanctioned by the American Volkssport Association. The 6.2 mile trail loops through a variety of ecological environments between Cranberry Mountain Visitor Center and the Cranberry Glades Boardwalk, IVV credit and event medal is available for purchase at the end of the walk, but the

For additional information on the Cranberry Mountain Spring Nature Tour, or to pre-register, contact the Richwood Area Chamber of Commerce, 50 Oakford Avenue, Richwood, W.Va. 26261, (304) 846-6790.

### Save Our Streams offers workshops on stream monitoring

West Virginia Save Our Streams (SOS), a program of the Izaak Walton League of America (IWLA), will offer a series of stream protection training workshops this spring. SOS teaches citizens to identify pollution problems, monitor water quality by surveying a stream's aquatic life and take action to protect a stream from pollution.

The program is being conducted in cooperation with the West Virginia Division of Natural Resources (DNR). "I feel this project will prove beneficial to our (West Virginia's) water quality protection efforts," said DNR Director Ed Hamrick.

Data gathered by volunteers is compiled on the League's computer database and is used by the DNR to gain a broader and more accurate perspective of the quality of West Virginia's rivers.

Workshops are scheduled for 1-5 p.m. at the following locations: Saturday, May 18 - Whitewater Information, Inc., Glen Jean.

Sunday, May 19 - Riverside Inn, Inc., Pence Springs.

Saturday, June 1 - WV Division of Natural Resources, Water Resources Office, Charleston. Sunday, June 2 -- Sutton Dam, Sutton.

#### Workshop Agenda

1:00 p.m. Introduction to the Save Our Streams Program: program overview, goals

2:00 - 3:30 p.m. Field trip to stream to learn monitoring technique using "kick -seine" method.

3:30 - 4:00 p.m. Discussion of state water issues, project ideas and promotional hints.

4:00 - 5:00 p.m. Participants target specific streams for monitoring.

Bring: Snack and drink, old clothes and sneakers of rubber boots for stream monitoring, and pen

Workshops are open to all interested citizens and are free of charge. Workshop participants will learn river restoration and monitoring techniques through presentations and hands-on training and will then register to adopt a stream of their choice to monitor and protect.

Interested citizens should register by contacting Karen Firehock or Eunice Groark, Monday through Friday, 9 a.m. to 5 p.m. (703) 528-1818; Paul Brant of the League's West Virginia Division (304) 574-3036; or Mike Arcuri of the DNR, (304) 348-2108.

### REMEMBER SPRING REVIEW MAY 3, 4, AND 5

See back page for details. For additional information, contact Frank Young (304) 372-9329, or Carroll Jett (304) 273-5247.

## Spring Review: May 3, 4, and 5

### Yokum's Vactionland and Campground

### Located at Junction of U.S. Route 33 and State Route 55 at Seneca Rocks

Three outings are planned for Saturday:

Tour Dolly Sods, Smoke Hole and Canaan Valley, all areas of long-standing concern to WVHC members. Tour will be primarily by vehicle with a small amount on foot, Contact for this tour is Joe Rieffenberger, (304) 636-4559.



Dolly Sods (Photo courtesy of Gerald Ratliff)

#### Canoe Smoke Hole Can-

yon, one of West Virginia's most scenic runs. The rapids through Lower Smoke Hole are fairly steep and with enough complications to make paddling interesting. Contact for the canoe trip is Charlie Mullins (304) 342-0183 or 776-6220.

ACCOMODATIONS---- DELUXE CABINS-sleep up to cleven (call Frank Young for cabin rates) EFFICIENCY APPARTMENTS-(fully equipped), sleep up to six. REGULAR MOTEL ROOMS-sleep 2 or 4.

**CALL NOW** 

1991 WVHC SPRING REVIEW -- REGISTRATION FORM-- Return before April 15, 1991

NAME ADDRESS

CITY PHONE(

(in your party) Reservations: Cabins-\$50.00 to \$120.00, depending on size and number of people-for exact rates and cabin reservations call Frank Young (304) 372-9329. Registration fee: \$3.00 for each adult attending-\$ . Campsites available: Pay the small campsite fee upon arrivalbut return this form to us.

Efficiency apartments (sleeps up to six): \_\_\_\_\_# of nights X \$50.00/nt. \$\_ Motel rooms (one or two double beds): \_\_\_\_\_# of nights X \$35.00/nt. \$\_

QUESTIONS? call Frank Young (304) 372-9329 WANT ANSWERS? call Carroll Jett (304)-273-5247

Rt. 1 Box 108 Ripley, WV 25271



Seneca Rocks (Photo courtesy of Gerald Ratliff)

Climb Seneca Rocks on a developed trail and tour Spruce Knob, one of the highest of the W. Va. Highlands and the surrounding Monongahela National Forest areas, including lower Seneca Creek. Contact for the climb and tour is Frank Young, (304) 372-9329.

All trips leave from the Seneca Rocks Visitor Center. Canoeists have to get up early to be ready to leave at 8 a.m. SHARP! Folks heading for Dolly Sods and Seneca Rocks get an extra hour sleep. Both depart the Visitor Center

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Senior/Student Regular Associate Sustaining Patron Mountaineer Name:	\$ 12 15 30 50 100 200	\$ 25 50 100 200 300	\$ 50 100 200 400 600	* Special meetings with workshops and speakers.  * Representation through WVHC efforts to monitor legislative activity.  The West Virginia Highlands Conservancy is a non-profit organization. Your contribution is tax deductible. Please keep this for your records.
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