



The Highlands Voice

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When a pastor takes a strong stand

by Tom Burger

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For some it's an environmental question. For other it's an economics debate; but for the Rev. Jeff Allen, pastor of the Keystone-Northfork Charge, a proposed McDowell County landfill is a justice issue.

Rev. Allen presides over a group of citizens opposing the development near Welch of what would be one of the nation's largest landfills.

The McDowell County Commission approved a proposal by Capels Resources, Inc. to establish the controversial dump on a 6,000 acre site two miles from Welch near Davy. Plans estimate that as much as 10,000 tons of trash a day — much of it from out of state — would be hauled to the site by train.

Capels promised 367 new jobs and \$6 million a year in new revenue for the depressed county if the project goes through.

Citizens opposed to the waste facility got busy and formed TEARSWV, Team Effort Against

Ruining Southern West Virginia.

The group soon got the attention of W.Va. Governor Gaston Caperton, who put a hold on the project.

In spite of Capels guarantees, TEARSWV fears the landfill will attract toxic waste and contaminate groundwater in the area.

Rev. Allen, TEARSWV president, said the Philadelphia-based Berwind Corporation, parent company of Capels, has a bad environmental reputation — an opinion Capels refutes.

The young pastor, who studied biology as an undergraduate college student, said his concerns about the dump are more than ecological.

He said the project is "another attempt to abuse the people. They import trash and export money."

Rev. Allen said the landfill proposal represents the same kind of oppressive colonialism that has gone on for 100 years in the state.

"The church needs to address these issues of oppression wherever they



The Rev. Jeff Allen, pastor of Keystone-Northfork Charge, McDowell County, in front of TEARS-WV sign.

exist," he said.

The debate is over who will control the county's land resources, he said. "Who decides the future," he said, "the voters or the companies."

Rev. Allen wondered aloud why

larger states want to send their garbage here.

He insisted that big states must make room for their own garbage and stop taking advantage of small states like West Virginia.

Taking on princes and principalities is no David and Goliath matter for Rev. Allen, who said, "a normal part of being a pastor is to look at the

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Alert

Deadline for comments on proposed changes in Wetlands Delineation Manual has been extended to Dec. 14. See pages 4,5 & 10 for discussion of new criteria.

Conference focuses on volunteer role in water-quality monitoring

Leaders from grassroots water monitoring groups across the country will meet with federal and state government officials March 29 to April 2, 1992 to develop partnerships and share information during the Third National Citizens' Volunteer Water Monitoring Conference.

Co-sponsored by the Izaak Walton League of America (IWLA), Environmental Protection Agency (EPA), Alliance for the Chesapeake Bay, and America's Clean Water Foundation, the conference will be at the Annapolis Marriott Waterfront Hotel in Maryland.

LaJuana Wilcher, EPA's assistant administrator for water, and Virginia Tippie, President's Council on Environmental Quality, are among the invited speakers.

Attendees will participate in more than 25 panel discussions, field trips and workshops given by local volunteer monitoring coordinators and representatives from EPA, the U.S. Forest Service, U.S. Geological Survey and Tennessee Valley Authority.

"Thousands of volunteer groups currently collect and analyze data about America's rivers and streams, which they then share with

state officials who manage these waterways," explained Karen Firehock, IWLA national director of Save Our Streams.

"This conference will use real success stories to show

how to further develop partnerships among schools, governments, environmental organizations and businesses, and to set the future direction of volunteer monitoring nationwide."

"The EPA's co-sponsorship of this conference reflects our strong commitment to volunteer involvement in water monitoring and protection. We want to help volunteers work cooperatively with state and local governments, schools and the private sector," said Dave Davis, deputy director of EPA's Office of Wetlands, Oceans and Watersheds.

Registration for the conference is \$35 and includes three buffet lunches and a registration packet. Transportation discounts are available. In addition, 10 full-travel scholarships will be awarded to people who demonstrate financial need and who are active in volunteer monitoring issues.

To receive a complete agenda and registration form, contact Firehock or Loren Kellogg at the IWLA, 1401 Wilson Blvd., Level B, Arlington, Va. 22209; (703)528-1818.

Established in 1922, the Izaak Walton League of America is a national conservation organization whose 53,000 members enjoy and protect our soil, air, woods, waters and wildlife.

— from the heart of the mountains —

by Cindy Rank

The Fine Art of Giving Thanks

As the first snow of the season begins to melt here in the hills of Upshur County, Thanksgiving is only two short weeks away.

Turkey day has always been a special time for me. Preceding the craziness that has become associated with Christmas, this season is more like birthdays and anniversaries that evoke quieter moments of reflection and giving thanks for good things in life.

But something has happened over the years and giving thanks often comes more grudgingly now than in the past. Perhaps it's a factor of age; perhaps it's just that I grow more cynical as time goes by; perhaps it's not just me but the world that has grown less gracious.

As I sit putting these thoughts into our computer, the bright winter white lights a cloudy day. After the long dry spell this past month that allowed fires to damage some 300,000 acres of forestland here in W.V. I want to give thanks for the snow that began as rain on Sunday...BUT, the sound of trees breaking under the weight of the ice severely diminished any cause to celebrate.

In matters of concern to the Conservancy my thanks-giving is equally equivocal.

As we inch closer to establishing a wildlife refuge in Canaan Valley, we want to give thanks that the local residents and governing bodies are coming to realize that a refuge will benefit the area, and that the power company is claiming its license is "nonutilizable" in its court request for the return of past annual fees. ...BUT, there is still a pall of doubt and question about continued destruction by all-terrain vehicles and potential development especially on power company land in the northern end of the valley.

After years of effort by the WVHC Rivers Committee we want to give thanks for the WV Rivers Coalition and its superb effort to gain wild & scenic status and protection for 13 river segments in the Mon Forest. ...BUT, an unexpected wall of opposition has developed in the unlikely halls of the WV Department of Natural Resources and has unfortunately caused distressing splits within the environmental-sports-conservation community.

After an encouraging meeting last year we want to give thanks for the apparent openness and willingness of the Department of Highways to meet and discuss Corridor H alternatives as studies progress. ...BUT, we know that the DOH is now refusing to release or discuss any studies before next year when the entire Draft EIS is announced.

After the loss of over half of the wetland resources in the country we want to give thanks for our environmental president's strong "no net loss of wetlands" stance. ...BUT, we know that white house approved changes in the 1989 Delineation Manual will redefine wetlands so that the great loss will occur long before any protection measures can be discussed. If these changes are approved we can anticipate that nearly 50% of wetlands in W.Va. (i.e. in Canaan, the Meadow and Greenbrier Rivers, etc.) will no longer be defined as wetlands.

After a failed attempt to pass volatile legislation last spring off-road vehicle associations agreed to work together with members of the environmental community to establish acceptable controls and trail systems, and we want to give thanks for the spirit of cooperation and the apparent agreement to prevent use of ORV's on public lands. ...BUT we know that the association has turned it's attention to making inroads specifically on public lands in the Mon Forest by making the case for ORV use individual opportunity areas throughout the forest.

We want to give thanks for the new Clean Air Act. ...BUT we know that even with the reduced emissions required by law W.Va. streams will continue to be destroyed by acid rain.

We want to give thanks for state action to create a new statewide Department of Environmental Protection. ...BUT we know that the move has also diffused and diverted attention away from the ever ailing Surface Mine Regulatory Program of W.Va.

We would like to give thanks for the new Solid Waste Bill and for all those people from across the state who untiringly gave of their time to tell our legislators that the people WANT to deal with the waste that we create. ...BUT we know that municipal waste accounts for only 1.5 percent of waste generated in the United States, while 6 percent is hazardous waste, 33.5 percent is waste from utilities and energy extraction industries and 59 percent is other non-hazardous industrial waste, and we know that representatives of industry continue to argue against regulation of that more massive part of the waste stream.

I usually think of myself as an optimistic realist, but somehow this thanksgiving season finds an edge of cynicism rising to the top and the art of giving thanks has become a real challenge.

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The Continuing Saga of OSM and the W.Va. Mining Program

or, What did House Bill 217 do? or, The Creation of the W.Va. Division of Environmental Protection

by Cindy Rank

In answer to the question "How can we improve the Division of Energy (DOE) and get OSM off our backs?" the legislature passed House Bill 217 during the special session that took place the first three weeks in October.

In a nutshell, H.B. 217 abolished DOE, authorized the executive branch (subject to legislative oversight) to reorganize all state environmental regulatory programs currently under the authority of the super secretary for commerce, labor and environmental resources (including those from the DOE) into the new DEP (Division of Environmental Protection). H.B. 217 also required the coal industry to provide more money for the surface mining regulatory program by assessing \$.02 on every ton of clean coal produced to go to the program, and authorized the promulgation of a limited site-specific bonding provision to apply to future mining permits. The bill also trans-

fers the current DOE Division of Health, Safety and Training to a newly created stand alone Office of Miners' Health, Safety and Training.

With H.B. 217 the legislature declared that "it is the policy of the state of West Virginia, in cooperation with other governmental agencies, public and private organizations, and the citizens of this state, to use all practicable means and measures to prevent or eliminate harm to the environment and biosphere, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic and other requirements of present and future generations."

The Mines & Minerals, Abandoned Mine Lands and Oil & Gas programs are specifically shifted to the new DEP by this legislation. The Governor can transfer regulatory programs from the Division of Natural Resources to DEP until June 1992, and can transfer other programs in the Department of Commerce, Labor and

Environmental Resources through December 1992. The Legislature is to act on the reorganization in 1993 regular session. The Secretary is further authorized to redesign functions and offices within the Division, again, with legislative approval.

A fourteen member reorganization advisory board is created to discuss all aspects of the division's reorganization. Four members will have significant experience in a regulated industry, four in the advocacy of environmental protection, two in the teaching of public administration, two will be from the House of Delegates and two from the Senate.

David Callaghan, W.V. Department of Natural Resources' Director from 1977 to 1983, has been appointed Director of the new DEP. Steve Weber, former UMW official, has been appointed Director of the new Office of Miners' Health, Safety and Training.

Pastor ————— from page 1

community and to call it to be reflective of the kingdom of God."

Although he has received some threats, the pastor said his congregation has been supportive.

"Most of them are against the dump," he said, "but some are not sure."

He said a few pastors are happy that he has taken a stand, but "most pastors steer clear of the issue."

"Pastors occupy an emotional place in people's lives," Rev. Allen said, because they relate to people in times of crises and during moments of joy. That relationship can be tested, he said, when the pastor lines up on a particular side of a controversial issue.

Rev. Allen is sensitive to the con-

flict between the pastoral and prophetic roles he plays as a church pastor. And it's not always comfortable for him.

"In one sense," he said, "pastors are married to the church. Other concerns are like mistresses luring you away from your duties. There is tension."

He said he felt it important to help create a community model based on mutual care and concern rather than a system governed by power.

Whatever the outcome of the landfill issue, Rev. Allen said he felt justified in getting involved.

"Most issues have a moral base to them," he concluded.

LETTERS TO THE EDITOR

Be more sceptical of government handouts

Dear Editor,

I was dismayed to see that you chose to print a U. S. Department of Agriculture press release as you received it, rather than checking to find out more first. I refer to the article "West Virginia Leads in Something Good" in the August/September Voice. This article is the typical government agency's PR flackery in promotion of itself.

The story praised West Virginia for being a leader in no-till corn farming. No-till farming is a practice that proponents claim is a conservation measure. Farmers plant crops without first plowing. Rather, they plant right in last year's stubble. The purpose of this practice is to save topsoil that would otherwise wash away because of its exposure to the weather after plowing.

There is no doubt that no-till plant-

ing does save topsoil. However, you failed to mention that farmers using no-till planting usually preceded the planting with heavy applications of herbicides, to kill the weeds and other vegetation that would be plowed under as a green manure using conventional plowing.

How can we praise this method of agriculture as "conservation tillage," or "the ultimate in residue protection?" As the expression goes, when we look at one thing we find that it is connected to everything else. We must look beyond the USDA hype to see that we trade one damaging practice for another. Where is the gain? As a respected voice in the environmental community the Voice has an obligation to do more than parrot government platitudes.

Yours truly,
Jim Sconyers

Thanks for the efforts

Dear W.Va. Highlands Conservancy,

On behalf of the citizens of the state of West Virginia, we would like to express our deep appreciation for the effort taken by the W.Va. Highlands Conservancy to assist W.Va. citizens in our effort to stop the abuse of our beautiful state by the mega dump garbage barons.

The friend of the court brief co-sponsored by the W.Va. Highlands Conservancy and 21 other environmentally conscious organizations was presented to the W.Va. State Supreme Court on September 11, 1991 in an effort to apply the new solid waste laws to the LCS/Chambers facility in Berkeley County. These new laws

will allow tonnage restrictions as well as siting approval.

In conclusion we would like to thank the membership of the W.Va. Highlands Conservancy for stating your opposition to this privately owned mega dump. A lot is at risk for the entire state. Thanks to you the fight is alive to clean up West Virginia.

Thank-you,
Eastern Panhandle Citizens
Against Out of State Waste,
Inc. P.O. Box 994
Hedgesville, W.Va. 25427

(See Page 10, for related story)

from the editor...

Is anybody out there having fun?

In some ways, this is just my periodic, pitiful plea for stuff — stories, opinions, drawings, photos, poems, letters, whatever — from all of you 900+ folks whose names pass through my fingers as I label the *Voice* before trekking off to the post office.

I occasionally wonder if, other than the dozen or so I've met at board meetings, you all exist — but then I think of the pile of "I ought to write" notes and letters sitting on my kitchen table (occasionally moved closer to the computer), that tends to get buried beneath the "I have to as soon as I get a minute" pile that is swamped by the "I don't have time but I gotta" stuff — and I feel eternally grateful for those who keep writing, and resolve, myself, to turn over a new leaf (and write on it and actually get it in the mail).

And I read other newsletters that include frantic editorial pleas for something to edit, so I know I am not alone.

But, some of those newsletters remind me that there are folks enjoying some of the things they are working to save. And I wonder about the Conservancy. Is there anybody out there having fun?

I'm not — more than anything else, that's a function of my chaotic work situation where, on a theoretical five-person news and sports staff we've been shorthanded most of the last 18 months, and since September we've lost four people and replaced two (and one of the replacements was also one of the departures).

Right now, fun is a good night's sleep without the kinds of dreams that make me know I'm trying to deal with something (a recent one was set in a darker, colder U.S., where I was confined with other politically wayward

types in a work camp set on a huge garbage dump in Southern West Virginia [psychoanalysis gratefully accepted]).

I look around at other Conservancy folks I know, trying to balance jobs with legislative sessions, special sessions, interim committees, etc., trying to work through concerns on various environmental issues (without the easier dollar-sign touchstone of our opponents), to weigh a variety of interests, and arrive at solutions that serve the most and best values of earth and people for the long and short terms. It is good work, but I see a lot more tired than fun.

I'd like to know that somebody is having fun — floating down a river, climbing a mountain, watching birds through the early morning mists, or noticing the daily delights of the passing seasons. It would remind me that it's possible, and if nothing else, vicarious fun must be better than no fun at all.

So, all you saner souls who live a more balanced life, we (I?) need you to share your joys, experiences, or gentle chiding not to let the beauty of life pass us by. Is there anybody out there?

(Articles, etc. on pressing issues, also welcome.)

A few spirit-lifting reminders have wandered my way recently and I highly recommend them to you. Reviewed elsewhere are "We Are Not for Sale," a tape of original, locally produced music by some of our friends and neighbors, and marvelous little book which introduces many West Virginia's Bed and Breakfasts.

Hamrick criticizes wetlands manual changes

(Excerpted from a letter from W.Va. DNR Director Ed Hamrick to Gregory Peck, Chief, Wetlands and Aquatic Resources Regulatory Branch, U.S. Environmental Protection Agency, commenting on the proposed revisions to the 1989 "Federal Manual for Identifying and Delineating Jurisdictional Wetlands.")

Introduction

The 1991 Manual as proposed has as its purpose, to "improve the 1989 manual's accuracy for identifying and delineating wetlands" by tightening and refining the three criteria (presence of wetland plants, wetland soils, and inundation/saturation) presently used to identify and delineate wetlands. The proposal, as described in the Federal Register, is not intended to reduce jurisdiction, but to maintain and improve the scientific validity of the determination/delineation method and to make the process more user friendly and understandable by the public.

Specific Issue Comments pages 40447-40448

ISSUE 1 - Flexibility to use the manual any time of the year; that the manual not exclude obvious, long recognized wetland types; and comments on alternatives to specify seasonally difficult to identify wetlands.

The proposed rule states that "it is essential that the revised Manual allow an accurate wetlands determination to be made at any time of the year." The rule requires that all three wetland identifiers be independently proven.

This criterion makes it difficult and often impossible, to identify wetlands when plants are either not present or are not identifiable to species during certain times of the year. It is a lesser problem in shrub swamps and/or forested wetlands where woody plants retain unique characters throughout the year.

In palustrine emergent wetlands in West Virginia that are dominated by graminoids and composites, there is a limited period between May and October when plants are present and can be identified. From November into May it is very difficult to identify graminoids and composites to species because no fruits are present and vegetation is not definitive.

We suggest that if wetland soils and hydrology are present, then the wetland vegetation criterion should be assumed. This approach is similar to that used in the 1989 Manual. If wetlands cannot be determined between November and May, then the basis for the 1991 revision (i.e., capability for wetland determination/delineation year-round) is not met.

Since the majority of wetlands in West Virginia are palustrine emergent types, a significant reduction in the ability to identify obvious, historic wetland types will result....

Obvious, but seasonally difficult-to-identify, wetlands in West Virginia are not adequately addressed by the 1991 revision, as proposed.

Many of our palustrine emergent systems do not meet the hydrologic criteria required by the 1991 Manual. We concur with the need for consistent application of all three wetland criteria at all sites, but believe certain latitude (including use of appropriate field indicators and application of professional judgement) are essential to the determination/delineation process.

Of the 18 sites examined in West Virginia,

no single site could be conclusively identified as a wetland because of the need for justification of the hydrological data as proposed in the 1991 Manual. The need to verify hydrology caused the rejection of every site.

ISSUE 2 - The validity and usefulness of secondary field indicators of wetland hydrology; and whether or not water stained leaves, trunks, or stems should be primary or secondary indicators.

Indicators of soil saturation and inundation are valuable tools as demonstrated by their use in the past. These indicators, both primary and secondary, have refined and expedited wetland determination/delineation. The WVDNR believes there is little need to categorize indicators into primary and secondary types. This segregation only serves to further confuse an already difficult assessment process. Our evaluation shows that all indicators, both primary and secondary, are indicative of some amount of inundation/saturation attributable to a high water

table and/or poorly drained soils.

WVDNR request that the primary and secondary designation of all indicators listed in the 1991 manual be removed and that all be considered independently "indicative" of wetland hydrology.

ISSUE 3 - Wetlands which are exceptions to the 3 required criteria as a result of their inability to meet the hydrophytic vegetation criterion.

The new criteria may exclude from designation wetlands currently regarded as important because of their unique geologic or vegetative character. To avoid these exclusions, specific habitats are exempted from the new criteria and still considered wetlands. The need to arbitrarily designate ecosystems falling outside the criteria as wetlands makes it obvious that the determination/delineation methods are inadequate and suggests that a method should be developed which could be more universally applied.

ISSUE 4 - Granting re-evaluation of the 1989 Manual delineations.

The WVDNR believes the 1989 Federal Manual for Identifying and

Delineating Wetlands is a valid, scientifically sound document which, when appropriately applied, results in accurate determinations/delineations. The WVDNR requests that no site reevaluations be considered for West Virginia.

ISSUE 5 - FAC Neutral test and six variations of the FAC Neutral Test.

ISSUE 6 - The validity of determining hydrology by documenting from at least three years of hydrologic record collected during years of normal rainfall. The criterion is then expanded to require that the three annual observation periods have precipitation within at least 90 percent of monthly norms.

The requirement for three years of hydrologic monitoring data combined with the demonstrated difficulty in obtaining precipitation information and "long-term" hydrologic records makes conclusive documentation of the hydrologic criterion completely unworkable for state/federal regulatory agencies.

ISSUE 7 - The manual's basic approach of delineating every site individually. Could it be streamlined? Is it desirable to identify easily recognized wetland? If so how should it be done? Should easily recognized wetland be exempted regionally or nationwide and what processes should be followed to decide which would be exempt?

Many of West Virginia's wetlands are recognizable from their wetland vegetation communities, associated soils and hydrology. These areas are discernable to the naked eye by the average person. WVDNR supports a program to eliminate these obvious wetlands from the determination process.

WVDNR believes a regionalized approach to identify habitats for exemption from the process is preferable to a nationwide approach because of regional differences in wetland abundance, uniqueness and importance. Technical assistance from both private and governmental sources in identifying these wetland communities for exemption is recommended.

ISSUE 8: Growing season intervals.

WVDNR has reviewed the proposed growing season definition (viz. the period 3 weeks prior to the average date of the last killing frost in the spring to 3 weeks following the average date of the last killing frost in the fall) and find it difficult to apply.

The definition eliminates any consideration of the effect of microclimates. Frost occurrences as late as June are not uncommon in West Virginia; however, plant growth begins prior to mid-May.

Based on consultations with soil scientists, WVDNR supports a growing season definition based on soil temperature. These scientists concur that the growing season actually begins when the top 4" to 6" of soil reaches a tempera-

See Hamrick, page 5



State testing of the proposed Federal Manual for Delineating Wetlands would not recognize this wet meadow on the edge of a shrub-scrub swamp in Upshur County. DOH plans to fill the length of this narrow meandering wetland east of Buckhannon have been altered slightly so as to lessen the impact.

W. Va. in path of American Discovery Trail

by Roger Harrison

The American Discovery Trail (ADT), a joint project of BACKPACKER magazine and the American Hiking Society, will be the nation's first coast-to-coast hiking trail and yes, West Virginia trails will be a major link in the system. ADT will provide a way to discover America, passing through wilderness areas, small towns, and even some cities. On its way from San Francisco to Washington, D.C. and beyond, the ADT will follow historic routes such as the Pony Express Trail; traverse great mountain ranges like the Sierra Nevada and Rockies; wander across the Great Plains; and snake through the Appalachians and natural areas of the East.

The trail is designed to offer something to every kind of user, from the seasoned trekker prepared for wilderness travel to the casual dayhiker walking close to home. Many parts of the trail will be multiple-use, appropriate for non-motorized users such as

bicyclists and equestrians.

A three-member scouting team has completed a twelve month voyage along the trail, working with local activists along the way in order to link the trail's 5,500 miles from California to Delaware, crossing West Virginia and eleven other states.

Originally, the ADT was to include only twelve miles of West Virginia trails, passing briefly through the

state's northern panhandle. However, a group of West Virginia citizens, led by Lou Schrader of the West Virginia Lung Association, campaigned to re-route the ADT through the heart of West Virginia, highlighting some of the most breathtaking scenery in the eastern United States.

The ADT is now mapped out to travel over 300 miles in West Virginia which makes up roughly 6% of the national trail, an impressive jump from the original West Virginia proposed route of just twelve miles.

The American Discovery Trail will enter West Virginia at Parkersburg, and travel east on the North Bend Rail Trail to Clarksburg. From Clarksburg, the trail will pass through Valley Falls, Tygart Lake, Blackwater Falls, and Canaan Valley Resort State Parks. The route will then move east across Blackbird Knob and on to the eastern panhandle where it will exit West Virginia near Green Spring, WV, just east of Cumberland, MD.

The ADT scouting team came through the mountain state in early July and I had the good fortune of journeying along part of the Blackbird Knob Trail with them. The pace of the team was slowed quite a bit, however, due to an unforeseen obstacle—BLUEBERRIES.

Nonetheless, after a lengthy indulgence, the team expedited their trek across the Allegheny Front in what Eric Seaborg, scouting team leader, described as "some of the

ADT's most rugged and breathtaking scenery".

The results of the scouting team's biking/hiking trip will be published later in a book for anyone wishing to travel the trail. The book will mention

historical attractions, scenic overlooks, campsites, accommodations, groceries, major roadways, etc. along the 5,500 mile route.

A great deal of thanks is owed to Lou Schrader and the members of the

West Virginia ADT steering committee for their work in mapping the course through West Virginia as well as the hospitality showed to the scouting team during their stay in West Virginia.

Senator seeks support for coast-to-coast hiking trail

Dear Friends:

Because of your involvement in our national trails system, I thought you might be interested in legislation I have introduced to study the establishment of the American Discovery Trail.

The American Discovery Trail would be the Nation's first coast-to-coast hiking trail encompassing 12 states and some 5,500 trail miles. People all across this country would be able to hike, bike or walk along such historic trails as the Pony Express route which played an important part in America's history.

As you may know, last year a three-person team began a scouting expedition to determine a feasible route for the coast-to-coast hiking trail. The trail begins at Point Reyes National Seashore near San Francisco, and travels eastward through Nevada, Utah, Colorado, Kansas, Missouri, Illinois, Indiana, Ohio, West Virginia, and Maryland, ending at the Atlantic Ocean in Delaware. By linking over 17 existing trails, the ADT will form a national network of trails encompassing 27 states and over 30,000 trail miles.

Once the bill is enacted, the Department of Interior will conduct the study to determine National Scenic Trail designation for the American Discovery Trail. Currently, the Appalachian Trail, the Continental Divide and the Pacific Crest Trail have been given this designation in order to provide the public with outdoor recreation, "and for the conservation and enjoyment of the nationally significant scenic, historic, natural or cultural qualities" of areas crossed by the trails.

The American Discovery Trail will give the American people greater access to some of our country's most beautiful scenic vistas. My hope is this will foster increased appreciation of and responsibility for public lands, as well as heightened awareness of our scenic and cultural heritage.

Your input and support concerning S. 1537, which would authorize a study of the American Discovery Trail, would be greatly appreciated.

Sincerely,
Hank Brown
U.S. Senator, Colorado

Hamrick ————— from page 4

ture of 40° F. It is suggested that further information be obtained and serious consideration be given to using soil temperature to define growing season.



General Comments

The revised Manual will require a team composed of a soil scientist, a botanist, a hydrologist and a wildlife biologist to conduct either a wetland delineation or determination. In West Virginia, field testing involved the State Soil Scientist and assistants, professional botanists and biologists.

Teams spent in excess of two hours conducting a point intercept vegetation survey on a 200 foot transect. Hydrology and hydric soils were investigated by other team members while vegetative sampling was conducted.

Completion of determinations was further delayed by continual discussions among evaluation team wetland scientists regarding a) how vegetation sampling should be conducted to best represent the area; b) whether soils should be examined at more than one location at each site; c) whether presence of primary indicators of hydrology were acceptable or if they also needed corroborative evidence regarding frequency and duration of rainfall and/or actual evidence of inundation and saturation of

15 and 21 days, respectively; and d) disagreement over whether the sites were actually wetlands relative to the 1991 guidelines.

If professional scientists working in regulatory fields cannot fully comprehend and apply the requirements of the revised Manual with a high level of certainty, it is unlikely that the public will be supportive or that private consultants could use the 1991 Manual to correctly identify wetlands any better.

Further, technical experts that participated in the field review are not normally available to complete wetland reviews. It is doubtful whether sufficient numbers of individuals with this level of expertise and experience could be found in either the private sector or the Federal agencies charged with making determination/delineation.

As was discussed in more detail in the response to Issues 1 through 8, the required hydrologic data is not easily obtainable. Additionally, the proposed Manual shifts the burden of proof from the developer or applicant to the regulatory agency. If the regulator is required to determine hydrologic parameters by monitoring conducted over three years, determinations will be significantly delayed, as will Section 404 permit reviews and issuance. If the lack of long-term historical hydrologic data precludes a wetland determination, significant wetland acreage in West Virginia will be affected.

The 1991 manual has deviated from an appropriate basis in science. The manual must maintain a scientific and technical methodology for determining wetlands. The policy for permitting wetland development should be separated from the methodology for identifying and delineating wetland. It is inappropriate to utilize the manual to legislate or otherwise mandate wetland science.

Of the 18 well known and obvious wetland sites examined, 4 or 22 percent would no longer be classified as wetlands using the 1991 Manual methodology. As noted, if hydrology must be

verified with methods other than the use of indicators, none of the areas would be wetlands.

It is recognized that were this manual in use today, significant effort on the part of the regulatory agencies to ascertain hydrology would be attempted on these sites. This indicates that this attempt to clarify and tighten the process is hindered by an unworkable hydrological assessment criterion. The hydrological criteria requiring lengthy vegetation evaluation processes will also slow the regulatory process.

West Virginia, a state with few wetlands, will lose the ability to protect many acres of obvious wetlands under the proposed revision. Transitional wetlands will be most severely impacted, with expected loss of protection on 50 percent of the total acreage in this category. West Virginia cannot afford these losses.

Definitely, some changes to refine the 1989 manual could be implemented to strengthen the determination/delineation process. However, based on this evaluation of the 1991 manual, the current proposed modifications fall significantly short of the intended purpose and will require considerable, additional refinement.

It is suggested that, instead of attempting to change the criteria and wetland science of the 1989 manual, that consideration be given to promulgating regulatory guidelines to address problematic situations. This would be a much more practical and scientifically acceptable means of resolving many of the farming and development issues which seem to have fostered the generation of this revision.



Avoiding "Tumult on the Mountains"

Planning for the future of West Virginia's forest-based industries

Roy Clarkson's classic book *Tumult on the Mountains!* illustrates with shocking photographs the clearcutting of the virgin forests which covered West Virginia at the turn of the century. The resulting fires and unhindered water runoff produced massive soil losses due to burning and erosion, destruction of stream quality, and severe flooding. Effects still evident in many areas.

Today, it is difficult to believe this tragedy actually took place. The forests have regenerated, the wildfires are gone, and the reduction in erosion has restored water quality to some of the purest in the nation. After over a half century of regrowth, our forests are reaching maturation and once again are becoming a major influence in the economic development of the state.

The questions to consider now are whether we have learned any lessons from the past. The decisions made now will determine the future of the forest-based segment of our economy: Are we ready for this growth? Are the necessary regulations, training and enforcement programs in place to prevent the environmental damage and overcutting that plagued our past? Are integrated, long-term plans developed to properly manage all forest uses?

Today, we argue NO to these questions. But with proper planning and wise management of our natural resources, West Virginia has the opportunity to develop a sustainable forest products-based economy well into the 21st century. To do this, we must learn from previous mistakes before a resource with such great potential value is irretrievably lost.

The Timber Industry: The Environmental Perspective

Public concern and outcry over exploitation of timber by the logging industry is increasing not only in West Virginia, but around the nation and world. With a few examples, it is not hard to understand why:

1. The clearcutting and rapacious overharvesting that happened in West Virginia at the turn of the century is now occurring in the last remaining virgin forests of the Pacific Northwest and in tropical rainforests. All at the hands of the timber industry.

2. Poor and unregulated timber operations are evident in numerous parts of West Virginia, contributing to the number one pollutant of surface waters, siltation.

3. The negative attitudes taken by many members of the industry in West Virginia and across the country towards wilderness preservation and public participation in forest use decisions are creating a backlash that will certainly impact the industry if this attitude continues.

Despite these valid concerns, environmentalists could become supporters of expanded forest-based industries in West Virginia if certain conditions are met:

1. Unlike coal, our valuable hardwood timber is a RENEWABLE natural resource. When managed for sustained-yields with respect to all multiple uses of the resource (not just timber), it can be a constant source of income far into the future. This requires long-term, integrated multiple-use planning.

2. With use of Best Management Practices (BMP), LITTLE POLLUTION is caused by timber harvesting, a definite plus in view of the major impacts the chemical, coal and natural gas industries have on West Virginia's environment. Timber products industries that do generate polluting byproducts must be regulated accordingly. Other forest-based industries, primarily involving outdoor recreation, not only produce little to no pollution, but also depend heavily upon protection of the state's pristine natural resources.

by
Dr. Mary Wimmer, Public Lands
Chair
W.Va. Sierra Club
and
Brian Hagenbuch, Regional
Coordinator
W.Va. Environmental Council

3. A forest-based industry can be DIVERSIFIED easily if true multiple-use is applied in practice as well as in principle. This requires designating some 'unmanaged' lands to be preserved in roadless, semi-primitive areas with no timber harvesting activities, along with more developed management in other areas. Long-term planning with integration of all uses is critical to avoid conflicting land uses and thereby maximize profits. Other forest uses include:

- rangeland for sheep and cattle grazing
- wildlife habitat, including fisheries and endangered species protection
- outdoor recreation of numerous types
- general watershed and soils protection

These other uses are the KEY, without them, we return to a "boom and bust" cycle dependent on a single, up-and-down timber market.

The Economic Impacts of West Virginia's Forests

West Virginia's forest-based economy has grown to over a billion dollar industry and has become a positive influence in the state economy. Strong potential exists for attracting secondary wood products industries such as furniture and hardwood finishing manufacturers. These would result in a multiplier or "value-added" effect in wood products production which primary log cutting and shipping activity do not provide.

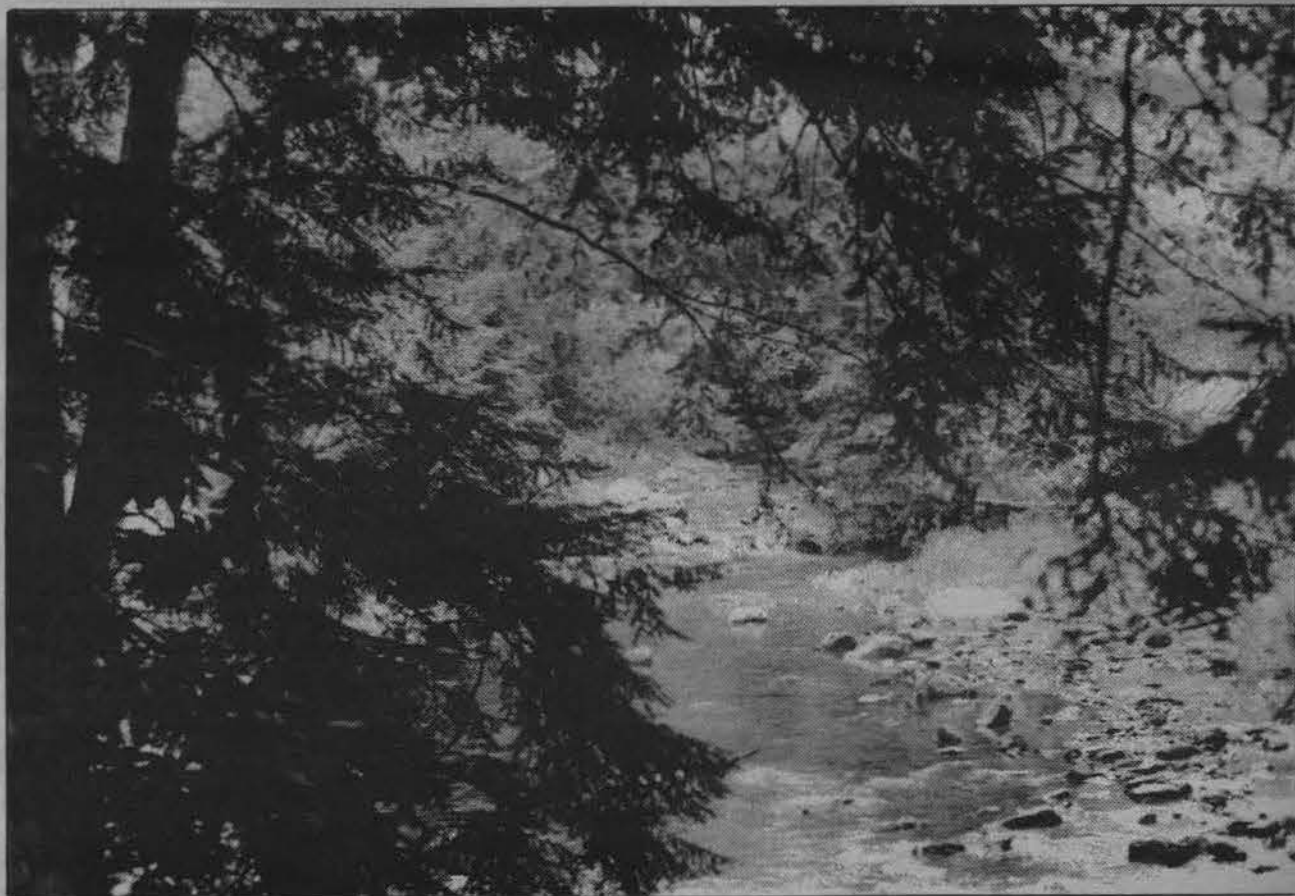
The forests also contribute significant other benefits to state and local economies. Travel and tourism is currently the second leading industry in the state. Much of this is based on forest-related outdoor recreation: hiking, camping, biking, skiing, and location, within a day's drive of major metropolitan areas on the east coast, make West Virginia a premier vacation attraction.

The diverse ecological habitats are home to an incredible array of wildlife, including 2,400 species of vascular plants, 85 reptiles and amphibians, 68 mammals, 171 fish, and 304 birds. Many threatened and endangered species such as the Cheat Mountain salamander, Virginia big-eared bat and Northern flying squirrel also occur in our forests. Hunting and fishing activities provide recreation to thousands of outdoor enthusiasts and millions of dollars in local and state revenues. State parks and recreation areas are attracting tourists from all states and many foreign countries.

West Virginia must recognize these assets and properly plan now to capitalize on the entire spectrum of recreational opportunities the state has to offer, from fully-developed resorts such as Pipestem and Canaan Valley to remote areas in the Monongahela National Forest that represent some of the most wild lands left in the Eastern United States. As populations increase and the demand for wildland recreation continues to grow, natural resources and available lands in the East will be pressed to meet the demand. Because of this, the value of West Virginia's remote recreational lands will only increase. Remember, once wildland is roaded and developed, it is irreversibly lost.

West Virginia's Voluntary Timber Regulation Program

A major controversy during the 1991 legislative session dealt with legislation requiring mandatory registration for logging operations and compliance with BMP's. Governor Caperton, in his State of the State speech, referred to the lack of timbering registration and suggested legislation be developed. While several timber-related bills were introduced, not one was passed and signed into law. Presently, there are no specific laws dealing with



Avoiding "Tumult"

continued from page 6

timbering operations. The only law applicable to logging is a sediment control provision under the water quality statute.

By cooperative agreement under the Silviculture Erosion Control Plan of 1979, the West Virginia Division of Forestry (DOF) and West Virginia Division of Natural Resources (DNR), have conducted a voluntary program with the timber industry which promotes registration of logging operations and use of BMP's to control erosion and sedimentation.

Best Management Practices are proven techniques designed to reduce environmental degradation at logging operations. BMP's are designed to reduce erosion and sedimentation from road building, landings, and stream crossings. The DOF provides non-mandatory BMP training to loggers.

Despite this voluntary program, or perhaps because of it, only a small percentage of logging operations have registered. In a 1986 Logger Compliance Evaluation conducted by the DOF, 350 logging operations performed 875 jobs (2.6 jobs/year). Despite the fact that 71 percent of the loggers understood the purpose of registration, only 27 percent of the jobs were registered. About 90 percent of the loggers surveyed were aware of available BMP training, yet almost 50 percent had little or no working knowledge of BMP's. About 13 percent of the logging jobs surveyed had water quality problems. Of these, 92 percent were due to inadequate or no BMP use.

In 1990, about 750 logging firms were present in the state, performing an average of 4.5 jobs per firm. Thus, approximately 3,400 logging jobs were conducted, a four-fold increase since 1986. While approximately 401 operators were registered (53 percent) only 550 jobs (16 percent) were registered.

It is important to note that unregistered logging operations, in most cases, do not pay taxes. In an economically-troubled state such as this, how much tax money is lost because of unregistered, unregulated operations? Out-of-state loggers can cut down some of West Virginia's most valuable timber, leave the state, and make thousands of dollars per tree. At best, all that is left for West Virginia is a stump!!

The bottom line: While timber operators are aware of voluntary registration programs and use of BMP's to reduce environmental degradation, not all are complying. To its credit, the DOF has made considerable strides in educating loggers about these programs.

The DOF has repeatedly opposed mandatory registration by claiming it will drive loggers out of business. We simply ask them to prove it! Currently, 21 states have enacted sedimentation control laws and 11 have significant regulations on forest practices, including Washington, Oregon, California, Idaho, Alabama, and Maine — major timber producing states. Regulations are not shutting down timber operations in these states. In fact, an improved public image can only enhance the industry's potential.

The environmental community supports legislation for timbering which would make registration of operations mandatory. Registration would follow the four W's—Who? What? Where? and When? and provide the state with an accurate method of identifying logging operations and aid the Tax department in collecting severance and business and occupation taxes. The use of BMP's will help prevent potential environmental problems from sediment pollution in the future as the timber industry expands. The state should also have the ability to file civil administrative penalties on firms not in compliance.

Environmental Problems Associated with Timbering

Major environmental problems posed by timbering operations include soil erosion and sedimentation and loss of wildlife habitat. Currently, siltation is the #1 pollutant of West Virginia rivers, streams and lakes. While siltation and sedimentation are not an immediate threat to public health, they do violate state water quality standards and may result in millions of dollars expended for cleanup costs.

Sedimentation

Because of the wide range of potential non-point sources of sedimentation — timbering, abandoned mines, agriculture, construction, urban runoff, etc. — it is very difficult to isolate sources of the problem, although land disturbances can be easily identified.

According to the West Virginia Water Quality Assessment 1987-1989 report, in 1988, West Virginia had 110 watersheds and 846 stream miles which did not fully support their designated uses. The major cause was from siltation. Of this 846 miles, silviculture had a major impact on 426 miles (50 percent). The state had almost 4,405 stream miles which did not support their designated uses because of moderate/minor impacts from siltation. Of these 4,405 miles, silviculture had moderate/minor impacts on 2,728 miles (62 percent).

The DOF, however, disputes this claim in their publications. In DOF studies of 51 (out of 110) sediment-impacted streams, logging caused much less sedimentation than mining, public roads, oil and gas operations, agriculture, and construction. In another DOF report on these 51 streams, timber harvesting impacted 29 watersheds (57 percent), yet logging operations only occurred on 37 of the streams. Sediment control structures were only installed on 62 percent of the areas involved.

Excessive sedimentation can fill stream channels and result in bank erosion and flooding. Siltation inhibits recreational uses of waterways such as swimming, boating, and fishing — activities which provide significant local revenues. Sedimentation can increase costs for water treatment as was recently the case in Putnam County, although the cause of this problem was sedimentation from construction. In major rivers, dredging must occur because of increasing deposits of sediment which interfere with barge traffic.

Sedimentation also has a profound affect on stream water quality and aquatic life. In mountainous areas where timbering may be the only land disturbance, erosion and siltation reduce trout populations through direct mortality, reduced growth, inhibited reproduction, and lack of forage. Turbidity, the amount of mud suspended in water, reduces the amount of trout fishing and can impact local economies dependent on outdoor recreation activities.

Fires

The DOF contends that the primary source of sedimentation in our waterways is from wildfires. While fires do contribute significantly to soil erosion problems, they are also a naturally occurring ecological phenomena and can improve seedling generation, increase plant biodiversity, and contribute to ecosystem stability. In a study on the effects of fire in the Blue Ridge Mountains in South Carolina, changes in water quality after a fire were not of biological significance to aquatic ecosystems, nor did they reduce the value of the streams as a potential source of drinking water. We do acknowledge, however, that areas with repeated high-intensity burns over several years, such as those in the ten counties in southern West Virginia, probably do contribute significantly to sedimentation, although scientific analyses is lacking.

Water Quality Complaints

Water quality complaints regarding sedimentation have been filed with the DNR from across the state, not just areas with repeated burns. From January 1988 through December 1989, the DNR received 668 complaints regarding non-point source pollution. Of these, 258 (39 percent) were attributed to silviculture problems. Construction was second with 161 complaints. Of the 668 complaints, only 41 inspections resulted in pollution citations, including 25 (60 percent) from silviculture.

Most complaints arise in the mountains and central highlands and southern West Virginia, yet only southern West Virginia has had notorious fire problems. Less than 1 percent of complaint investigations for muddy water came from registered operations. During a recent quarter, of 21 complaints filed with the DNR regarding water quality and timber operations, only three were on registered jobs and two of these did not result in violations.

Avoiding Sedimentation Problems

Much soil erosion and sedimentation at logging sites can be minimized by careful planning and execution of timber operations, i.e. implementation of Best Management Practices. BMP usage is especially critical around sensitive areas such as cold water trout streams and public water supplies.

Most erosion from logging operations occurs from road building, landings and stream crossings. It has been generally acknowledged that road building exposes approximately 8-10 percent of the soil surface at an operation to erosion. In 1989, approximately 132,000 acres were logged in West Virginia. This calculates to about 12,000 acres exposed to erosion from timbering operations. Strict compliance with BMP's can reduce the above figure by one-half. Research has shown that properly built, gravelled and closely spaced roads built within 50 feet of streams can result in no significant observable movement of soil into the stream.

Research in the 1950's at Fernow Experimental Station in Parsons showed that poorly planned harvesting operations can play havoc with water quality but proper planning can reduce turbidity problems. Poor and unregulated timber operations are still evident in numerous parts of West Virginia today.

A Forestry Program for the 21st Century

Based on information regarding registration of logging companies, use of BMP's and environmental impacts associated with the industry, West Virginia can ill afford to ignore this growing problem within a growing industry. Damages to natural resources are mounting, especially from unregistered operations which leave a path of decimation in their wake, while avoiding paying their fair share of taxes. The future of West Virginia's forestry programs must be based on sustainability and true, integrated multiple use. Environmentalists recommend the following forest management policies:

1. Regulations must be developed regarding timber harvesting in West Virginia. Right now, we could go out and rent a bulldozer, punch in a haul road with no environmental protection provisions, harvest all the timber on a piece of land, walk away with lots of money the state will never see, and have no clean-up obligations. Nor would we have to report how much timber was removed. This is happening today with many fly-by-night logging operations.

Regulations should be in the form of a comprehensive soil erosion and sedimentation control bill which would include all industries impacting surface waters with siltation, including construction, resource extraction and agriculture. Registration of operations and use of BMP's must be mandated. Registration will improve the accountability of operators among their peers, state regulators and the general public.

2. A comprehensive modern Multiple-Use Forest Practices Act should be implemented with input provided from all forest-use sectors. Such a law would provide balanced, integrated, long-term planning of the multiple uses of West Virginia's publicly-owned forest resources, as well as establish a "forward-thinking" Forest Resources Planning Commission. Representation would include the commercial wood products sector, environmental and outdoor recreation interests, and a state-employed proponent of outdoor remote recreation. Such a plan could be modelled after the forest management plan for the Monongahela National Forest (MNF), which has strong multiple-use aspects.

3. Sustained yield is a critical component of any modern Forest Practices Act. This means a balance in the amount of timber harvested with the amount being replenished by natural timber growth so that "Tumult on the Mountains" experienced in the early 1900's never again occurs. The cost-benefit analysis of timber harvesting techniques such as clearcutting must be scientifically analyzed in terms of their effect on the healthy, long-

See Avoiding Tumult, page 9

Comments sought on Rivers study

The Forest Service is requesting help from the public as the first step of a study to determine

the suitability of twelve rivers on the Monongahela National Forest for possible inclusion in the National Wild and Scenic Rivers System, according to Forest Supervisor Jim Page.

The purpose of the study is to determine whether any or all of these streams should be recommended for addition to the National System. This determination will be based on identification and analysis of potential benefits or adverse effects on management of both National Forest and private lands and resources, other agency programs, and local and regional interests.

"At this time, we are asking the public to help identify the issues, concerns, and opportunities which should be addressed in considering these rivers for possible designation as Wild and Scenic Rivers," Page said. "This is the time for folks to tell us why they think any or all of these rivers, or portions of them, should or should not be managed under the provisions of the Wild and Scenic Rivers Act, or how they feel river designation might affect them or the associated resource values."

Identified issues, concerns and opportunities will be used to develop alternatives for consideration and provide a basis for evaluating potential effects of each alternative. The present plan is to complete the study with the preparation of an Environmental Impact Statement (EIS) some time in 1993, Page said.

Interested groups and individuals will have opportunities to review and comment on alternatives being considered as the study progresses to be certain that all identified issues are recognized and analyzed.

To learn more about this study or about Wild and Scenic Rivers is invited to write or call Harry Mahoney, Monongahela National Forest, 200 Sycamore Street, Elkins, WV 26241; (304) 636-1800.

The Wild and Scenic Rivers Act of 1968 established the National Wild and Scenic Rivers System to maintain selected rivers that have "outstandingly remarkable" values in a free-flowing condition, and to provide special protection for water quality and identified river-related values.

Each designated river is classified as "Wild", "Scenic", or "Recreational" depending on existing development and management objectives within a specified river area.

The act prohibits federal assistance or permits for construction of dams or other major water resource projects on or directly affecting a designated river or adversely affecting identified river values. It also directs special management of federal lands within the designated river area.

A river management plan is required for each designated river to provide protection or enhancement of the identified values consistent with the specific river's classification. This management plan is generally prepared after designation with the participation of interested groups and individuals, other agencies, local governments, and affected landowners.

Designated river areas frequently include private lands. "The participation and cooperation of private landowners is essential to fully carry out the purposes of the Wild and Scenic Rivers Act," Page said.

The Forest Service would seek the cooperation of landowners in preparing and carrying out the river management plans. The objective would generally be to allow private owners to continue present uses of their property, but to encourage them to protect or enhance the identified values.

Landowners are often concerned that the Federal Government will take their lands through condemnation or tell them how to use their property.

"Uses of private lands within the river areas could only be regulated by purchase of lands or partial interests, or by appropriate local government regulations," Page said. "Although the Act does permit condemnation of land or partial interests such as scenic easements, this authority is seldom used by the Forest Service on Wild and Scenic Rivers and then only as a last resort in areas considered critical for protection or management of river values."

The following river segments are to be included in the Monongahela study:
Shavers Fork — Snowshoe dam to US 33, 56.0 miles, WV 33/8 to Jobs Run at Porterwood 21.9 miles.

Dry Fork — Laurel Fork to Blackwater, 13.7 miles.

Blackwater — State Park bridge to Hickory Lick, 8.7 miles.

Glady Fork — Forks near Glady to Dry Fork, 31.6 miles.

Laurel Fork — Headwaters to Dry Fork, 38.2 miles.

Otter Creek — Wilderness boundary to Dry Fork, 11.0 miles.

Red Creek — Headwaters to wilderness exits, 8.7 miles.

S.Branch Potomac — Jake Hill bridge to Forest boundary, 22.5 miles.

N.Fork S.Branch — High Ridge Run to Hopeville, 3.2 miles.

Seneca Creek — Trussel Run to NRA boundary, 13.0 miles.

Williams — National Forest land to Spice Run, 25.5 miles.

North Fork Cherry — Head to private land near Richwood, 15.6 miles.



More sport and environmental groups join Rivers Coalition

by Roger Harrison, Executive Director
West Virginia Rivers Coalition

Momentum continues to build for the federal protection of 13 streams within the Monongahela National Forest, as five additional West Virginia conservation organizations recently joined the West Virginia Rivers Coalition.

The additional members include the West Virginia Citizen Action Group, the West Virginia Council of the National Audubon Society, Save Our Mountains, Mountain Stream Monitors, and the Pine Cabin Run Ecological Laboratory.

Now comprised of 28 state, regional, and national conservation and recreation organizations, the West Virginia Rivers Coalition is a private, non-profit organization dedicated to the long-term protection and enhancement of West Virginia's streams. The Coalition also advocates restoration of degraded trout streams to full ecological health. At present, the Coalition's focus is to build support for the National Wild & Scenic Rivers designation for 13 streams within the Monongahela National Forest.

In late July, the U.S. Forest Service found twelve mountain rivers within the Monongahela National Forest eligible for inclusion in the National Wild & Scenic Rivers System. Passed in 1968, the Wild & Scenic Rivers Act provides protection to the most outstanding free-flowing rivers in the United States.

Norm Steenstra, Environmental Coordinator for the West Virginia Citizen Action Group, believes that "the beautiful part of the West Virginia Rivers Coalition is that grass-roots groups fighting their own battles involving incinerators and out-of-state garbage, have come to appreciate the intrinsic value of protecting one of West Virginia's greatest assets — our rivers."

With ten years of water quality experience, Mountain Streams Monitors has long been active in water quality analysis on West Virginia rivers. Tom Rodd, legal advisor for the Morgantown-based group, reiterates the need for long-term planning and management direction to protect West Virginia streams.

"We believe rivers are West Virginia's # 1 long-term resource and therefore we should not miss this very important opportunity for private organizations to pull together and work with government agencies to protect these streams for the benefit of future generations," Rodd said.

The West Virginia Council of the National Audubon

Society also expressed a strong commitment to river conservation.

"With more than 50 percent of the American bird population nesting near waterways, the permanent protection of these outstanding rivers is essential in maintaining high quality habitat for not only our resident bird population, but also for migratory species," said Suzanne Offutt, President of the West Virginia Audubon Council.

In related news, the West Virginia Environmental Council recently decided to fully support Federal legislation to protect the 13 rivers under study by the U.S. Forest Service.

As the study enters into the suitability phase, the second step in studying a river for Wild & Scenic designation, the overwhelming majority of West Virginia environmental and conservation organizations support the federal protection for the 13 Monongahela National Forest streams.

Rivers comments due Nov. 30

Comments in support of Wild & Scenic designation for the 12 rivers are due by November 30, 1991 and should be sent to:

Mr. James Page, Forest Supervisor
Monongahela National Forest
200 Sycamore Street
Elkins, W.V. 26241

If you want to make specific comments on your favorite river segment, please do. If you need clarification or additional information over what has already appeared here and/or in previous issues of the *VOICE*, please call Roger Harrison at the W.V. Rivers Coalition office in Buckhannon, W.V. (472-0025).

(T-shirts may be purchased for \$12 each by calling Roger at the above number or by sending your request to him at the following address: W.V. Rivers Coalition, P.O. Box 606, Buckhannon WV 26201....Shirts have the Coalition logo on the front and a map of the target rivers on the back....on grey or white background.)

The Special Session in a nutshell -- through the eyes of Norm Steenstra

reprinted from the Legislative Update of West Virginia Environmental Council

The special session is over. Three weeks of the most intense and productive lobby efforts that I've ever been associated with are now part of West Virginia history. The comments of one veteran statehouse reporter pretty much sum up the results: I've never seen the good guys win like this before, and I've never seen a good bill go into conference committee and come out stronger — but that is indeed what happened.

Let's take a moment and recount the events leading up to the special session. It all began during the waning days of the regular session in March when it appeared that a few Neanderthal senators would kill the solid waste bill. A few of the green lobbyists began to talk of a special session if the bill died.

Soon after the session ended, Martha Huffman came up with the idea to begin a statewide petition campaign to request a special session on solid waste legislation. With only minimal commitment and sporadic effort, more than 7,000 signatures were collected. Amazingly, more than 2,000 of those came from a place called McDowell County. A place all of us were told, and some of us actually believed, wanted a mega-dump.

After the petitions were collected, the question was how and when to present them to the governor. It was decided that we should tell the governor of their existence and hope he would call a solid waste special session. The governor announced the special session soon after, and two weeks later the petitions were presented to him.

From that point in time the Caperton administration became a partner in solid waste issues and not an adversary. The power and commitment of the governor to solve the out-of-state garbage issue was the single most important factor in the final results. Make no mistake, without Governor Gaston Caperton's solid support we would not have achieved a victory at McDowell County, stopped LCS/Charmbers Landfill in Berkeley County, or the Berkeley County landfill in its tracks.

The relationship between the two organizations was excellent at times. Each side was wary of slipping up or revealing its hand. Each side was willing to negotiate in secret because it was "in the dark".

The members of the governor's staff, John Farris, deserves very special honors. It's been rumored that at critical times John was the only member of the staff that advocated a strong anti-Capels (McDowell) stand. John's belief was that the landfill was three times the size of West Virginia's needs is wrong.

His opposition to it never wavered. Throughout the 20 days of the session, John was consistent in his presence and basically neutral to the senators and delegates who normally opposed it. If there is a hero in all this, it's John Farris.

The never before witnessed a more concentrated lobby effort on a piece of legislation. The usual lines surfaced quickly — the Manufacturers Association, King Coal, the Chamber of Commerce, etc., etc.; however, the landfill companies brought in some very impressive artillery in guise of Phil Reale (former Caperton Chief of Staff), Steve Haid (former Super Secretary of Education for Caperton), Larry George, and former delegate Larry Swann. Fugett from Capels had his own army including the Arnold Agency, Steve Canterbury, and some out-of-state friends.

Arrayed against this group stood Missy, Wendy, Tom Degen (uncompensated), Brian Hagenbuch (uncompensated), Martha Huffman (uncompensated), and a few folks who came down when they could, like Charlie Feldhake, Jim Kotcon, Laura Spadaro, and a very steady stream of folks from McDowell, Brooke and Berkeley counties.

Three days into the session "The Rally" was held at the Capitol. It helped to set the tone for the session. It was a resounding success. It was the only time "pro landfill" McDowell countians came up in force and allegedly Fugett had to pick up the tab.

The governor's solid waste bill was assigned to the House Judiciary committee as well as the Senate Finance and Judiciary committees. Since both Houses were taking up the same bill at the same time it required constant monitoring by the lobby team.

Senate Judiciary: The Senate Judiciary Committee, ably chaired by Senator Jim Humphreys (D-Kanawha), acted first. Except for an attempted amendment to exempt LCS from the referendum process, the committee passed the bill with the major points intact, and made available some funding for sewage treatment plants.

House Judiciary: The next step was the House Judiciary Committee, chaired by Jim Rowe. This committee is traditionally our most friendly group, but it became the acid test for McDowell County. Delegate Ernie Moore (D-McDowell) offered several amendments which would have permitted the Capels mega-fill. The House leadership felt that although any exemption for McDowell was repulsive, a "token" exemption would allow many delegates to vote against Moore's amendments. Delegate David Grubb (D-Kanawha) offered an amendment to Moore's amendment which would permit McDowell to exceed the 30,000-ton cap and go to 50,000 tons per month.

The play succeeded and in a dramatic end all was Grant's version passed 14-7. Real heroes included Chairman Rowe, Rick Staton (D-Wyoming) and David Grubb who obtained the substitution on the bill.

Senate Finance: This committee is largely composed of senators who have opposed us on virtually every issue. The power and persuasion of the governor was most apparent here. The committee passed out the bill, again with no damage to the major points. Certain senators began an assault on the State Solid Waste Management Board.

There was an attempt early in the session to abolish the Board; however, the lobby team argued successfully for its continuance as a liaison to local solid waste authorities and as an independent planning board. Bonding authority, fiscal independence, and the certificate of need program were stripped from the Solid Waste Management Board, but the entity will remain with more focused responsibilities.

Senate Finance Committee meetings were confusing and the scene of much political posturing. One meeting was highlighted by Senator Bill Sharpe (D-Lewis) calling DNR director Ed Hamrick "Nothing but a damned liar!".

In the end, the solid waste bill passed both houses within an hour of each other and the conference committee ironed out the major differences in the two versions. They settled on a 30,000-ton cap with no exemptions for LCS-Chambers and a host of other good things. The

feared "masses" of pro-Capels landfill folks never materialized and the mega-proposal was killed.

Highlights of the 200-page bill are:

- * A limit on the size of commercial solid waste facilities (30,000 tons/month for all new facilities).

- * A moratorium on municipal solid waste incinerators.

- * A new "certificate of need" process to ensure that existing and new facilities meet the solid waste processing and disposal needs of West Virginia as their highest priority.

- * A requirement that communities with populations over 10,000 implement comprehensive, curb-side recycling programs.

- * A landfill closure assistance fund designed to help obsolete, environmentally-unsafe facilities close properly.

- * Mandatory referendum for all new Class A facilities, optional referendum for expanding a Class B to an A, optional referendum on new Class B facilities. Movement from Class A to a larger Class A (more than 10 percent over two-year period) also requires an optional (15-percent petition) referendum.

- * A requirement that the state purchase recycled products and establish recycling programs for all governmental agencies.

- * A ban on the disposal of lead-acid batteries, yard waste, and used tires in solid waste facilities (effective in 1994) and the development of a management and disposal plan for household hazardous waste.

Heroes

Many people share in the victory credits — some of whom I will probably forget. From the Administration, the governor and John Farris cannot be thanked enough for their leadership and support. It could not have happened without their tireless drive to pass the bill.

On the Senate side, MacNaughton and Withers were magnificent in committee and were obvious reminders to the other senators that garbage crazies vote. Jim Humphreys, Bill Wooton, Charlotte Pritt, Charles Felton, Eugene Claypoole, Sondra Lucht, Larry Wiedebusch, John Chernenko, and Earl Ray Tomblin provided major support in getting the bill passed.

Senator Keith Wagner (D-McDowell) deserves special recognition because in the end he did not offer an amendment to allow the Capels mega-proposal.

Many Delegates played key roles in the bill's success. Speaker Chambers was a steady source of support and leadership. Jim Rowe and Rick Staton, as well as David Grubb, Dale Manuel, Vicki Douglas, Perry Mann, Brian Gallagher, and David Pethel guided the bill through committee. Other delegates who helped in the floor fight were Richard Browning, Lefty Rollins, Larry Faircloth, Robert Kiss, and Mary Pearl Compton.

As with Senator Keith Wagner, Rick Murensky must be singled out for what he did not do. Rick, from McDowell, could have thrown a major monkey wrench in the bill at critical times, but as with Wagner, he did not offer the

"killing" amendment—Thanks Rick!

LEGISLATORS who are in need of a Major Education/Reclamation project:

Senators	Delegates
Joe Manchin	Ernie Moore
Sammy Dalton	Charlotte Lane
Walt Helmick	Barbara Sims
Joe Minard	Ruth Goldsmith
Jac Spears	Deborah Phillips
Donna Boley	

The Green Guys

(In no particular order)

1. Tom Degen drove down every day from Calhoun County to be our nuts and bolts guy. He was truly a steady source of wisdom and information.

2. Brian Hagenbuch was there most days working on the DOE bill and providing much needed insight into policy decisions.

3. Cindy Rank stayed in Charleston through it all, giving up her October to work on the DOE bill against all odds. Her assignment was the most thankless and lonely of all.

4. Martha Huffman drove down often to testify, lobby and just "be Martha."

5. Andrew Maier skipped precious class time to lobby and help organize the rally; and who is primarily responsible for finding the TEARS group in McDowell.

6. Mary Woolverton and Wendy Rodcliff attended all the meetings morning, noon, and night — as well as got the troops out for the rally.

7. The TEARS bunch trekked up to Charleston every day to maintain a presence and to lobby the legislators. Their work was a major part of the victory.

8. Marta Steenstra, who on her own, organized 71 students to attend the rally.

There were so many others to name but they included: The Eastern Panhandle citizens fighting LCS, the Brooke County group, Barbour County people, Conni Lewis, Charley Feldhake, Jim Kotcon, Perry McDaniel.....

DOE Bill

Almost lost in the shuffle of solid waste is the DOE Reorganization Bill.

Cindy Rank and Brian Hagenbuch were stuck working on this lemon. We lacked the political capital to do much with this "done deal". Coal got almost all of what they wanted. For a mere two cents per ton they staved off a federal take over of the regulatory program. The DOE was effectively abolished and coal regulatory programs spun off into the newly created Department of Environmental Protection (DEP).

The agency will most likely be headed by someone of Coal's own choosing. The new DEP allows for other departments to be brought into the fold before 1993, such as Hazardous Waste, DNR water, Oil and Gas, and APCC.

Some good things are included in the reorganization including a rudimentary policy to allow for site specific bonding of coal mines and a good policy on environmental protection driving the state's regulatory programs. A 14-person advisory board to oversee the reorganization was created and four of these seats belong to the environmental community.

This reorganization will require constant scrutiny from all of us.

22 groups join fight against landfill

Petition filed in support of state agency

(reprinted from *The Charleston Gazette*, Sept. 5, 1991)

A petition filed with the state Supreme Court on Wednesday by 22 environmental and sporting groups supports a state agency's position in the struggle over operation of an Eastern Panhandle landfill.

The Division of Natural Resources contends local decision makers should determine the size and site of LCS Services Inc.'s landfill in Berkeley County. The agency also said the company needs to obtain additional permits before operating the Hedgesville facility.

The company, however, has been successful in court in resisting attempts by state agencies and local bodies to gain greater control over it.

The state Supreme Court will hear arguments in the case Sept. 11, Clerk Ansel Ramey said.

Briefs such as the one filed by the 22 groups are to help enlighten the court in reaching a decision.

Morgantown attorney Tom Rodd and Charleston attorney Larry Harless filed the brief. Rodd said the groups, excluding the West Virginia Citizen Action Group, account for about 5,000 people.

Among the other groups were the Eastern Panhandle Citizens Against Out-of-State Waste and the West Virginia Highlands Conservancy.

"From the earliest days of this debacle, these citizens were told and they relied on, numerous governmental promises that local community sentiment and protection of community values would, by law, be key factors in siting and tonnage decisions," the petition said.

Wetlands Still Under Siege

by Kathy Gregg
reprinted from the *Mountain State Sierran*

This summer I had an opportunity to be one of two West Virginia Sierrans to testify at Congressional hearings on the status of wetlands.

Congressmen Bob Wise (D-WV) and John Cox (D-IL) held a series of hearings: I testified in Weston, and Mary Wimmer in Charleston. The Sierra Club urges Congress to ensure protection and preservation of the nations wetlands, a very important but steadily declining resource.

A controversy has arisen in recent months as it has become clear that the Bush administration is not living up to the Bush campaign pledge to attain "no net loss of wetlands."

Of the seven wetland areas lying along the WV DOH preferred routing for Corridor H between Buckhannon and Elkins, four will be filled and mitigated with replacement wetlands. The three largest, however, cannot be filled according to a recent permit denial by Army Corps of Engineers.

These wetlands consist of emergent, scrub-shrub, forested, and open water wetlands. The Little Laurel Fork Shrub Swamp and the wetlands on Laurel Fork of Sand Run are headwater wetlands, three important values of which are: 1) slowing the flow of water during storms to moderate flooding; 2) maintaining water quality downstream by collecting excess nutrients, sediment, and toxic chemicals (i.e. pesticides); and 3) habitat for a diverse array of plants and animals not found in West Virginia's more typical ecosystems. Both of these wetlands buffer upland activities — for instance a dump and logging operation — and the water downstream.

According to the WV DOH, the Laurel Run Beaver Dam Complex probably reduces in-stream sediment and may contribute to the viability of the brook trout population. West Virginia has less than one percent of its area in wetlands, and should the first two of these three wetlands be filled for Corridor H, as much as 17 percent of Upshur County's wetland resources would be destroyed.

There is a move to change the definition of wetlands

in the "Federal Manual for Identifying and Delineating Jurisdictional Wetlands" (written by professionals from four agencies and used successfully by field personnel).

This is an attempt to reduce the number of wetlands under jurisdiction. Making changes such as increasing the inundation requirement or requiring a "splash test" will probably remove from protection many, many acres of seasonally flooded headwater and bottomland forest wetlands, especially important for maintaining clean water.

Wetland science is in its infancy, and we have limited information about how wetlands function. We have less information about how to restore damaged wetlands and even less about creating new wetlands.

Eastern coastal wetlands are best understood and seem amenable to restoration and creation; inland wetlands are virtually unstudied, and efforts to create them have usually failed.

Current mitigation policy for jurisdictional wetlands is first to avoid wetlands damage, second to restore, and only as a last resort to destroy and attempt creation of replacement wetlands.

There is presently much pressure to change this around, to favor creation over avoiding or mitigating damage. This seems a bit like sending folks off to Saturn before developing the technology to bring them back.

What can you do? The US EPA is taking public comments til Dec. 15. Call the EPA hotline (1-800-832-7828) and ask for the proposed revisions, the side-by-side comparison and the background piece.

Send letters to Mr. Gregory Peck, Chief, Wetlands and Aquatic Resources Regulatory Branch, Mail Code A-104F, US EPA, 401 M Street SW, Washington, DC, 20460.

Send a copy to President Bush and urge him to keep his campaign promise. Protest the attempt to carry out a political agenda by changing the scientific definition of wetlands. For more information, call Kathy Gregg (472-3812).

Avoiding Tumult — from page 7

term biological diversity of naturally-regenerating forests.

As previously mentioned, demand for remote, forest-based recreational activities is increasing as the resources available in the East decreases. West Virginia's 900,000-acre Monongahela National Forest was established by Congress in an effort to restore and protect the headwaters of the state's major rivers and secure in public ownership some of the most wild and scenic country east of the Mississippi River. The MNF covers approximately 6 percent of the state, in a state that is 80 percent forested. Of this 6 percent, only 9 percent is federally-designated wilderness (about half the national average for National Forest land). This represents 0.5 percent of West Virginia's land base.

By including semiprimitive areas of the MNF (14 percent of the 900,000 acres) that are protected from development in the current forest management plan, total designated wildlands in West Virginia represents only 1.3 percent of the state's land base.

Therefore, when the timber industry accuses environmentalists of "locking all the forests up," we look at the numbers and show this is simply not the case. Rather, the state should be seeking additional permanent wildland protection while the resources are still available so that we can meet future demand.

Conclusions

Recall earlier that we mentioned the important decisions facing us as we approach the next century. These decisions must be based on a sustainable future for a forest-based industry, including providing multiple use benefits to non-timber related interests. Planning must take on a long-term perspective rather than a short-term profit-at-all-cost attitude. Leaving some areas 'unmanaged' to provide semi-primitive recreational opportunities adds healthy diversity to West Virginia's outdoor recreation economy. Wise resource management is critical to the economic and environmental health of the state. The time for those decisions is now!

Reminder

Comments are due within the month on rivers study in the Mon Forest and the new Wetland Delineation Manual.

Send Rivers comments to: Mr. James Page, Forest Supervisor
Monongahela National Forest
200 Sycamore St.
Elkins, WV 26241

Send Wetlands comments to: Gregory Peck, Chief
Wetlands and Aquatic Resources
Regulatory Branch
Mail Code (A-104F)
U.S. EPA
401 M Street, SW
Washington, D.C. 20460

Wetlands debate reflects misunderstanding

Reprinted from the Oct. 21 *Charleston Gazette*

Editor the *Gazette*:

The current wetlands debate reflects widespread public concern and misunderstanding about the federal wetlands protection program.

Under the Clean Water Act, property owners must apply for a permit to fill wetlands.

The permits are designed to protect wetlands' ecological functions and values. Many people who question the need for such permits are unaware that wetlands filter pollutants out of the water before they reach lakes and rivers; absorb floodwater; recharge groundwater; and support a diversity of wildlife and plant life, including many endangered and threatened species.

Moreover, contrary to critics' claims, thousands of minor activities are exempt from regulation. For instance, in most states, projects requiring less than an acre of fill in "isolated" or "headwater" wetlands are automatically approved for a nationwide general permit. The same is true for minor road crossings, installation of utility lines and a variety of other activities.

In particular, there is a lot of misinformation on the impact of wetlands permits on agriculture. Most farming activities are exempt from wetlands regulation, including plowing, cultivating and harvesting. Agricultural drainage is largely unregulated.

The federal government recently loosened the regulations on wet farm fields by allowing non-farm-related activities. Among the few activities requiring a wetlands permit are clearing forested wetlands for agriculture and developing farm fields that pond with water annually.

A further misconception about wetlands is that "wetter is better." Some wetlands experience periodic or permanent flooding or inundation. Others are characterized by prolonged periods of soil saturation; in summer they often appear dry. Whether flooded, inundated or saturated, all wetlands provide valuable ecological functions.

Another part of the current debate focuses on the proposed revised Federal Wetlands Manual, used to determine what is and what is not a wetland. Federal wetlands scientists throughout the country are conducting field tests and providing comments on the new manual.

We welcome opportunities to discuss the wetland program and answer questions about how best to protect these valuable resources.

John R. Pomponio
Environmental Services Division
U.S. Environmental Protection Agency
Region III, Philadelphia.

Visitors from New Jersey

Poetry by Craig Sims

The First Visitor

I am not a native
But I love this place.
I am an aging hippie
Who came to West Virginia from New Jersey
In the "Back to the Land" movement
Of the early seventies,
To build shelter,
Grow corn,
Hoard nails,
Wait for Armageddon.

Armageddon never came,
Only Reagan and Bush and Desert Storm.
More than fifteen years have passed,
And now I sit at a computer terminal most days.
But I also come here
To this rock
And I will tell you my feelings
At such a time
How it is to be here.

Carefully stepping,
Testing the wobble of each rock,
I make my way to the giant one
They call the overlook
At Dolly Sods.

The view before me is ancient.
Timeless.
Soft molded mountains
With surface textured
By a forest of hardwood.
These are not the sharp, angular jutting
Of the Rockies or Sierra.
These are Mountains
To a human scale.

I watch and think
The wisdom of many winters
Resides here.

People plow the fields
In narrow mountain hollows
And cleared ridge tops,
Picking up the earth in their hands
And smelling its fragrance
Before continuing.
They pick apples,
Can peas and peaches,
And know that they have time.

Life is gentle here.
People will stop and talk to you,
Tell you how to mend a barbed wire fence,

Help you do it.
Teach you a fiddle tune
They learned from their father.
Their ancestors,
Buried here in family plots,
Built split rail fences,
And chestnut hewn log cabins,
Made star patterned quilts
And buried their dead
With coins in their eyes.
They fiddled for square dances
And clogged their way
Past heartbreak.

From this view
I can see no humans.
Only the rolling knobs
With their gentle folds and hollows
Hiding and sheltering
The folks who live in harmony here, unseen.
The waves of Appalachian hills
Disappear gradually
Into the distant haze
For which these mountains are known.

I know the detail of what is here.
Rhododendron thicket and mountain laurel.
Tar paper shacks with tin roofs.
Acid orange creeks stocked with refrigerators
And old tires.
I know this.
Beauty and blemish living
Side by side.

Lost in the distant haze
Where folks dance their way
Through lost dreams
And aching heart.
Past all pain.
Rhythm on a wooden floor,
Smiling as they move
To the fiddle and the banjo.

Easing into the comfortable welcome
Of this land and people,
Standing on this rock
Above the sweetness and melancholy,
I sense the harmony
And feel the peace that is here
In this ancient mountain place.
I share this with a hawk before me
Seeming to hang motionless
On soft mountain breezes.

The Second Visitor

I am standing on a rock
Looking over the hills of West Virginia.
I nearly tripped on a rock
Getting to this vista.
They really should have a walk way.
These people don't know much.
They showed me that yesterday.

I am a businessman.
Recently I arranged with a coal operator
To haul coal from West Virginia
And New Jersey garbage back.
The logic of it is simple.
Trucks full in both directions.
Efficient, beautiful really.

As I look from this rock
It might as well be Bangladesh
Or some other third world country

Based on poverty and despair.
There is nothing here
That the natives see.
I see hardwood forests turning to lumber,
Mountain tops leveled for their coal,
The low spots filled with garbage,
Topped by shopping malls and air fields,
Which need flatness.
I could bring prosperity.

I have seen the poor here
In tar paper shacks with tin roofs
And no plumbing.
They have nothing.
I would bring them jobs.
They must be fools
For yesterday
An angry mob of them told me
They didn't want New Jersey's garbage.

(Note: On October 17, 1991, the West Virginia State Legislature voted in legislation which would give us one of the most stringent landfill laws in the country.)

West Virginia Inns visited

For folks who want to travel around West Virginia, Mary Rodd Furbee has written an invaluable little book, *The Complete Guide to West Virginia Inns*.

The 80+ page guide provides a personal glimpse of bed and breakfasts, country inns, wilderness lodges and historic hotels in every region of the state.

In the preface, Furbee describes the impetus for the book.

"A few years ago, I spent a weekend at the Country Inn in Berkeley Springs, in an antique-filled, \$35 room. Although I had traveled throughout West Virginia, this was my first stay in a country inn. Needless to say, I was hooked.

"Of course, I had read about B&Bs and country inns in travel magazines. But those articles left the impression that most inns were elaborately upscale and prohibitively expensive. Visiting the Country Inn, and other inns described in this book, changed that impression.

"I now know that most of West Virginia's B&Bs, inns, lodges and historic hotels are unpretentious places with affordable prices to match. They appeal to travelers interested in West Virginia's rugged mountains and rural lifestyles. They preserve and build on the state's native strengths and maintain a valuable tradition of gracious hospitality."

In addition to information on the each inn, Furbee provides an overall summary of the region in which it is set, an idea of some of the local attractions and information on who to contact for more specifics.

There is lodging for every taste and budget - from the posh, \$200+ Greenbrier Hotel, to dormitory-style lodging for \$20 per couple in the Alpine Penthouse above the Hutte Restaurant at Helvetia; from an old boarding house in Davis to a Victorian home in Berkeley Springs.

If you want to get away, but don't want to go far; if you dream of a vacation, but think you can't afford it; this handy (6" x 4 1/2"), little book will introduce you to wonderful hide-aways

around the state -- some at very affordable prices.

Furbee describes it best. "From simple riverfront cottages and stone manor houses to rustic wilderness lodges and grand hotels -- it's all here and the choice is yours. In gracious lodging, owned by real people rather than unknown corporations and faceless strangers, you'll discover the best of West Virginia."

To order individual copies, send \$6.95, plus \$1.50 shipping to *The Complete Guide to West Virginia Inns*, South Wind Publishing, P.O. Box 901, Morgantown, WV 26505.

New members, at any level, before Dec. 31, 1991 will receive a copy of *The Complete Guide to West Virginia Inns* as a gift.

Wanted

Person, or persons, with environmental outlook, but who are more interested in planning parties than perusing piles of permits.

Duties would involve planning two weekend events each year (Spring and Fall Reviews) and dragging others away from reading regulations, so they can recreate and rejuvenate their souls.

Indomitable spirit and sense of fun, a necessity. Organizational skills in party planning, helpful.

Compensation is seeing furrowed brows uncrease, and the twinkle return to tired eyes.

Interested?
Contact Cindy Rank, Rt. 1, Box 227, Rock Cave, WV 26234, or call (304) 924-5802.

"We are not for sale" now is!

If music suggests what's in people's souls, "We Are Not for Sale," will lay to rest any notion that West Virginia environmentalists are a homogenous monolith.

The collection shares a love of land and people, but the modes of expression are varied -- country, bluesy, rock and rap (yep, a rare brand of West Virginia rap). The selections are melancholy, melodious, fierce, funny, protesting and plaintive by turns.

This is an outstanding, outrageous, dynamite tape designed to blow polluters off this corner of the planet.

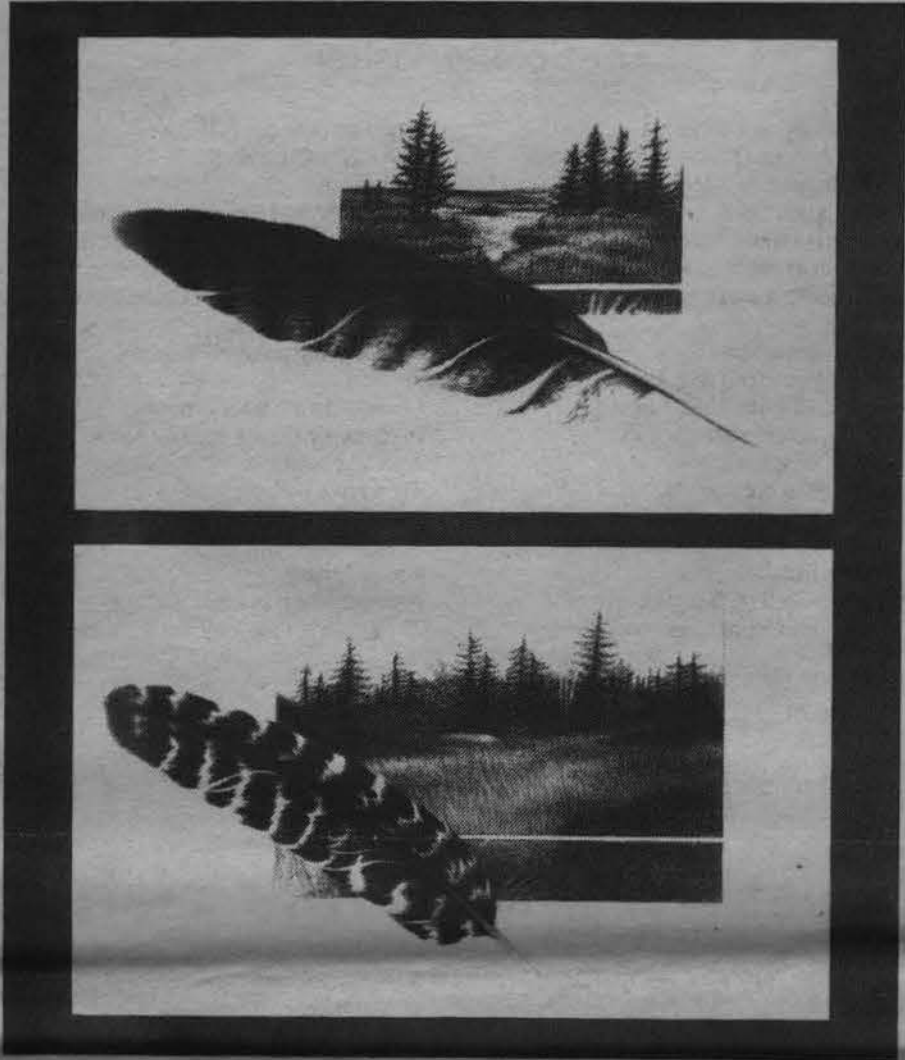
Some of West Virginia's finest musicians have written and recorded this album of envi-

ronmental songs which is being produced by West Virginia Environmental Council. Musicians include Stewed Mulligan, David Morris, Larry Groce, Kate Long, Ron Sewell, Mike Morningstar, Steve Himes, Mountain Thyme, and, if my ears are to be trusted, Morgantown attorney Tom Rodd.

Tapes are selling for \$10 each, plus 1.25 postage and handling. Proceeds support your favorite environmental organizations.

To order one or more tapes (they make great gifts for Christmas, Hanukkah or any other festivity) send check or money order to Mary Pat Peck, 36 Meade St., Buckhannon, WV 26201.

Plan now for Happy (and environmentally correct) Holidays



Only a few "Scenes from Dolly Sods" left.

"Feather and Sodscape" (top) and "September Scenery" were produced several years ago by artist Anne B. Burnley in a special limited edition for the Highlands Conservancy. Overall dimensions are 12 3/4" by 18." Image size: 12" by 7." A few are still available and can be purchased for \$25, plus \$2.50 shipping and handling. To order, send check or money order and the name of the print you want to:

Donna Borders, 402 Fifth Ave., Huntington, WV 25701.

Special Holiday Offer

New memberships, at any level, received before Dec. 31, 1991 will receive as a bonus, a copy of Mary Rodd Furbee's new "Complete Guide to West Virginia Country Inns." This handy little guide is a perfect introduction to unique lodgings along West Virginia's byways. (See review, page 11)

Join the West Virginia Highlands Conservancy

Category	Individual	Family	Organization
Senior/Student	\$ 12	--	--
Regular	15	\$ 25	\$ 50
Associate	30	50	100
Sustaining	50	100	200
Patron	100	200	400
Mountaineer	200	300	600

Name: _____

Address: _____

City/State/Zip: _____

Make checks payable to: West Virginia Highlands Conservancy
Mail to: P.O. Box 306, Charleston, WV 25321

"We Are Not for Sale"

An album of environmental songs by some of the West Virginia's finest musicians is available just in time for the holidays. An eclectic combination of original music features Mike Morningstar, Larry Groce, Ron Sowell, Kate Long, Stewed Mulligan, Mountain Thyme, David Morris, Jim Martin, Colleen Anderson, Barney and the Bedrockers (Steve Himes), and Tom Rodd. (See review on page 11.)

Tapes are available for \$10, plus \$1.25 shipping and handling (total, 11.25 per tape). To order, send check or money order to Mary Pat Peck, 36 Meade St., Buckhannon, WV 26201.

Proceeds support the environmental work of the WVHC.

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.



A perfect holiday gift!

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 order for the amount of \$_____ to the WVHC for _____ copies of the Monongahela National Forest Hiking Guide.

Name: _____

Address: _____

City: _____

State: _____

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

Membership Benefits

- * 1-year subscription to *The Highlands Voice*.
- * 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.

Date: _____

Amount: _____

Check number: _____