



The

Highlands

Voice

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PERMIT NO. 2831
CHAS., WV 25301

Published by the West Virginia Highlands Conservancy

Vol. 28, No. 7 - August 1995

EIS in Wonderland

by Hugh Rogers

Three environmental impact statements came before the Conservancy's summer board meeting: Wild and Scenic Rivers, Hughes River dam, and Corridor H. They are wildly (and cynically) different. The Forest Service's Wild and Scenic EIS is a serious attempt to explore several alternatives. The Soil Conservation Service's Hughes River EIS is a throwback to the 70's, when dam-builders and roadcutters paused in their "real" work to throw a few pages together. (Corridor H's western segment got this treatment in 1975.) The Department of Transportation's Corridor H EIS, now circulating in draft form, wraps the old attitude in a fat new package.

Where are we now? This EIS was "tiered" into a corridor selection phase, with a Supplemental Draft EIS, and an alignment selection phase, with an equally thick SDEIS and technical reports. Now, the department has proposed a Final EIS. You and I have no say on this piece of work, except in court. WV-DOT was supposed to respond to our comments in the FEIS. Various agencies get one last crack, refereed by

the Federal Highway Administration. Very soon, FHWA must decide whether to sign off on the 80% federal funding. One clue to the project's extravagance is the cost of the EIS process: so far, WVDOT's consultant, Michael Baker, Jr., Inc., has been given contracts for \$14 million.

Where are we now? This is a "tiered" answer. After the abstract, legalistic description, I have an answer from inside the process, where affected citizens actually read these thousands of pages and try to understand why the project took this form and what it would do to our lives. Bonni McKeown, president of the Corridor H Alternatives, says, "It's Alice in Wonderland!"

In Wonderland, traffic is whatever the Corridor requires. There is (or will be) so much traffic in West Virginia that only four lanes will do, but there is (and still will be) so little traffic in Virginia that two lanes will be sufficient. Remember, Virginia's Transportation Board rejected Corridor H, and thus eliminated the four-lane connector to I-81 & I-66. Since that connection was the basis for the project, the Conservancy argued that it must be disap-

proved—or, if West Virginia insisted on an in-state Corridor (not the Corridor defined by legislation), it would have to rewrite the EIS. Nonsense, says the WVDOT, the Corridor is whatever we say it is.

In Wonderland, economic development both is and is not the purpose of the project. Opponents struck hard at this rationale. New highway construction does not stimulate business in rural areas. Now WVDOT has conceded that its chosen studies found "confounding conclusions relative to positive and negative impacts on business." But it wants to build the confounded thing anyway.

In Wonderland, the last refuge of scoundrels is not patriotism, it is safety. When all else fails—when development is confounded, when traffic is thin, when linkage is lost, when the need for improvement of our whole road network is seen as jeopardized by the splurge on this project, and the public turns against it—then the emotional issue of safety is raised as the last rationale. Of course, spiffy guardrails on Corridor H's arbitrary route won't save drivers going most places (see page 6)



artist: Glenn Scherff

Goshawks and Greed - Hard Times for Little Fork

by Bill Ragette

My first visit to Little Fork was on the hottest weekend of the summer. Folks were dropping like flies in Chicago, but by the banks of Little Fork and Lick Branch it was quite pleasant. The easiest way into this part of the Cranberry Backcountry is from the Williams River at the camping area/trailhead at Middle Fork (of the Williams) that leads into the Wilderness proper. Little Fork runs into Middle Fork not very far from

Middle Fork's entrance into the Williams. The Little Fork trail follows this lovely stream up to the ridge and connects to the North-South Trail that traverses the Wilderness and the Backcountry.

I arrived late in the afternoon after the Conservancy's summer board meeting. I knew from looking at the Forest Service's maps of the 'proposed actions' that most of the 1,000 acres of cutting was to occur in the Lick Branch hollow which drains into the Williams River about a mile to the west of Little Fork. There is no trail into Lick Branch, but using the handy topo maps included in the Hiking Guide I was able to bushwhack along the flood plain, past some interesting wetlands, to Lick Branch. Here I threw off my pack and enjoyed its refreshingly pure waters. I was amazed at all the Old Growth remnants I saw, Hemlock and Yellow Birch sometimes 4 feet in diameter. Evidently they were not worth fooling with during the logging boom in the early parts of this century.

I was also astonished by the dense network of deer trails and the many deer I saw along Lick Branch. The combination of a dense canopy plus all the deer had devastated the Flora in the understory. I'm concerned that the 'harvesting' will only exacerbate the deer problem.

Following the creek and sometimes the old logging roads I found a great camp site in an old growth remnant about a mile up the hollow. I pitched the tent under a giant Hemlock tree in case it rained, but went to sleep outside of it. Thunder and lightning rolled almost continuously throughout most of the night, but it never rained. A buck snorted repeatedly nearby, perhaps I was in his favorite bed. The sounds of Lick Branch, the thunder and night insects lulled me to sleep.

A tour of the Little Fork Opportunity Area (OA) was scheduled by Beth Little for the following day. A dozen tree huggers and three Forest Service personnel turned out for the tour. Meeting at the parking area at Middle Fork, we discussed the

Little Fork OA and the Management Prescription for the area. I gave my little speech; ranting about the use of the words 'Opportunity' and 'Prescription'. It almost goes unsaid that if this is an 'Opportunity Area' then all wise folks will seize the opportunity to manage it. I am also a little alarmed by the use of the word 'prescription'. Prescriptions are for medicines for sick people. If the forests are sick its because they were clearcut and burned earlier this century, and will not be cured by further cutting and abuse by humans. Gwen B. wanted to know how the wildlife management clearcuts could be called 'improvements'. Jo Wargo, wildlife biologist on the Gauley District, admitted that it was also a bad choice of words, that the habitat was changed by the management projects, but was an improvement for some selected species.

All that aside, the Forest Plan chops up the Forest into these OAs of 5 to 10 thousand acres and assigned various prescriptions to them. These prescriptions tell the Forest-

ers what the 'Desired Future Condition' of the OA is and what kind of management activities are allowed. According to the 'Scoping Notice' for the Little Fork OA "The Plan suggests that there are existing conditions that we can 'fix' by taking management action." I wonder why these actions always include timber harvest.

The Prescription for Little Fork is called '2.0'. This prescription calls for 1) A continuous forested scene, 2) Wildlife species primarily associated with shade tolerant vegetation, and 3) Primarily shade tolerant hardwood trees for fiber and sawtimber, managed through uneven aged silvicultural practices. Why the Little Fork area, in the Cranberry Backcountry and adjacent to the Wilderness, got this prescription, which heavily leans to timber extraction is an interesting story. What it all boils down to was that when the Forest was being divvied up into various prescriptions, there just wasn't enough public support for this area. It was traded (see page 6)

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---from the heart of the plateau---

by John McFerrin

Congressional Knives

For as long as I can remember, politicians have promised to cut out waste, fraud, and inefficiency in government. Every President at least as far back as Jimmy Carter has announced an intention to make government more efficient.

Now West Virginia, its people, and such of its fish who manage to survive are about the feel the effect of the drive for "efficiency." The Congressional knives are sharpened to cut out the enforcement of coal mining regulations by the federal Office of Surface Mining.

In West Virginia, as in most other coal mining states, we currently have both a state and a federal agency which is responsible for enforcing the environmental laws at surface and underground mines. The West Virginia Division of Environmental Protection has primary responsibility. It is supposed to inspect coal mines and see that they don't pollute air and water and endanger the lives and property of those living around the mine. The federal Office of Surface Mining has secondary responsibility. If the West Virginia Division of Environmental Protection does not do its job of inspecting mines and enforcing the law, then the Office of Surface Mining can step in and do so.

"Ah-ha!" shout the Congressional budget cutters. "We have found some duplication in government services. We have both a federal and a state agency doing the same thing. Let's just cut out the ability of the federal Office of Surface Mining to enforce mining laws." This makes it possible to announce that they have saved the taxpayers money while not really diminishing services.

Such an approach ignores history.

If the history of the regulation of mining illustrates one thing it is that we cannot trust the coal industry to behave itself without vigorous regulation and that we cannot trust the state governments of coal producing states to provide that regulation.

At the time Congress passed the federal Surface Mining Control and Reclamation Act in 1977, most states, including West Virginia, which had coal had some sort of system for regulating mining. The result was a mishmash of inconsistent state laws and haphazard enforcement. Citing competition from mines in other states, the coal industry could continually press for lax regulation in its own state. The only way to prevent states from competing to see who could be the most lax in its enforcement was to establish a minimum level of regulation below which states could not fall. The only way to ensure that states would actually enforce those regulations was to allow the federal Office of Surface Mining to step in and enforce the law when states did not.

Although there are coal industry apologists who would argue otherwise, the overwhelming evidence is that the regulation of mining improved after the passage of the federal Surface Mining Control and Reclamation Act in 1977. Even the state officials seem to agree. Whenever citizens complain about the expected effects of a proposed mine and cite as evidence their experience with a previous mine, state mine inspectors assure them that the previous mine operated under the "old law" and that a mine operating under the current law would not be a problem. The inspectors must believe that the current law provides citizens with more protection. The current law is there because the federal government chose not to leave West Virginia to regulate mining with no federal supervision.

For a more recent example of what West Virginia would do if left to its own devices we have only to look to the late 1980's. Governor Moore came into office waving his bill to create a Department of Energy to both promote and regulate coal mining. He appointed strip miner Kenneth Faerber to head the new agency. With Mr. Moore's approval, Mr. Faerber and his successor Dwight Dials proceeded to make a shambles of the program. Anyone could get a permit to mine any coal in any location. Enforcement was casual, to say the least.

It reached the point that the federal Office of Surface Mining threatened to take over enforcement of the mining laws. Facing this threat, the state had no choice but to improve its enforcement. The Office of Surface Mining had saved West Virginia's enforcement program from sliding into complete chaos.

For the most recent example of the need for a federal presence in the (see page 8)

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Bill Ragette' - 144 Trace Fork Rd., Culloden, WV 25510, 824-3571
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Rt. 1, Box 22, Sherman, WV 26173, 273-5247

ADMINISTRATIVE OFFICES

Richard diPretoro: Administrative Ass't 264 High St. Morgantown, WV 26505 296-8963, Fax 296-8623	Bill Ragette': Voice Editor 144 Trace Fork Rd Culloden, WV 25510 824-3571
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The Highlands Voice is published by the West Virginia Highlands Conservancy, P.O. Box 306, Charleston, WV 25321. Articles, letters to the editor and other information for publication should be sent to the editor via fax, modem, disk or even hard copy via the US mail.

The Highlands Voice is always printed on Recycled Paper. Our printer uses 100% post consumer recycled paper when available.

Conservancy Creates Intern Program

The WVHC is considered by many as the matriarch of West Virginia's environmental movement. In the past twenty-five years the Conservancy has waged many battles in order to preserve and protect West Virginia's environment, people and culture from destructive governmental policies and callous private corporations. Through these battles the WVHC has learned that the best insurance against future environmental and human catastrophe rests with issue oriented activism and also with the recruitment and education of the future cadre of activists.

The WVHC has been very diligent in fulfilling the first element of this equation. However, in recent years the average age of our organization has been creeping upward. This phenomenon is both positive and negative. On the beneficial side, this statistic reflects a collective wisdom that the WVHC has acquired throughout a quarter of a century of activism. Just the same, it reflects the failure of the WVHC to recruit and encourage young activist to tap this collective wisdom in order to continue the struggle for environmental justice. The West Virginia Highlands Conservancy has created an internship program as an attempt to remedy this shortcoming. The following is an outline of the program. All persons interested in applying for this position should

contact:
 Jason Huber
 416 Dille St. #12
 Morgantown, WV 26505
 (304) 296-9819 or
 Richard DiPreto
 264 High St.
 Morgantown, WV 26505
 (304) 296-8963 - Fax 296-8623

JOB DESCRIPTION

Position Available: Recruitment Coordinator/Organizing Intern

Qualifications: Person who has an sincere interest in environmental activism. Experience is not necessarily required. This program is designed as both an education and employment opportunity.

Morgantown area residency and a reliable source of transportation are required.

Wages, Hours, Expenses: The internship will cover ten weeks in the fall and spring semesters, averaging ten work hours per week. The pay shall be five dollars per hour for a total payment of \$1,000. The WVHC will cover traveling, copying and other job related expenses, not too exceed five hundred dollars over the first ten weeks.

Purpose: The purpose of this internship is, as reflected in its title, two-fold. First, the intern will act as the WVHC recruitment coordinator. Second, this internship is designed to provide the intern with an "orga-

nizing" education.

Recruitment Coordinator Duties:

Obviously this aspect of the internship is designed to recruit new members, especially youth, to the WVHC. The intern would be responsible for designing a program, using a variety of media (slide shows, art, video, etc.) which would highlight the accomplishments, history and contributions of the WVHC to protecting West Virginia's environment, people and culture. While this recruitment program should not focus entirely on attracting people under thirty it should present the WVHC in a manner appealing to young people. The intern would take this program on the road to schools, community centers, union halls, etc. in order to sign up new WVHC members. Other recruitment duties would or could include: updating mailing lists, analyzing trends in membership, encouraging existing members to become more active, etc. The administrative secretary shall act as the interns supervisor for this portion of the internship.

Educational Benefits to the Intern:

The WVHC, in exchange for the interns recruiting efforts, agrees to spend approximately 1/4 to 1/2 of the 20 weeks educating the intern regarding organizing and activism. This aspect of the internship should remain flexible and will vary ac-

ording to the issues with which the WVHC is involved. Ideally, each committee, or someone from each committee, will teach the intern about their areas of expertise. In addition the President, administrative secretary, and Voice editor will spend time with the intern.

For example, the Voice editor could walk the intern through the entire process of publishing one issue. This could include everything from those nagging phone calls to teaching desk top publishing. The mining committee could lead the intern through the intricacies of SM-CRA, public process, and mining litigation. The administrative secretary could train the intern in the

nuts and bolts operations of a self-sustaining environmental organization.

If the intern lacks organizing and activist experience certain portions of this aspect of the internship could precede her recruitment efforts. This would familiarize the intern with the WVHC and provide the intern with skills necessary for recruiting new members.

Internship Evaluation:

After twenty weeks the intern shall write a brief report highlighting the strengths, weaknesses, educational value, and any suggestions which aid the internship in fulfilling its two-fold purpose. ♦

WVHC sues EPA

by Ken Ward
 from the Charleston Gazette

Two environmental groups and three state residents on Wednesday sued the US Environmental Agency, alleging lax enforcement of water pollution regulations in West Virginia.

Their lawsuit, filed in US District Court in Charleston, grew out of criticism of the proposed Mason County pulp mill.

The suit has the potential to scuttle, or at least stall, plans for the controversial \$1.1 billion facility.

It alleges EPA has failed to force the state Division of Environmental Protection to create plans to bring state rivers and streams into compliance with national water quality standards.

The suit states that EPA's failure has, "exposed the residents of West Virginia and others to increased cancer risks and other health threats caused by toxic chemicals such as dioxin, polychlorinated biphenyls (PCBs) and chlordane, as well as by high levels of metals and domestic sewage in waters."

"State and federal agencies have found amounts of these toxic and conventional pollutants in fish and water samples in West Virginia lakes and streams that violate West Virginia's own water quality standards and endanger the health of West Virginia residents," the lawsuit states.

The lawsuit was filed on behalf of Rogenia Fout and Thomas E. Keating of Huntington and Bill Ragette of Culloden by lawyers James Kringlen and Ryan Alexander of the Appalachian Research and Defense Fund.

It was also filed on behalf of the Ohio valley Environmental Coalition and the West Virginia Highlands Conservancy by Perry McDaniel, a lawyer with the Charles-

ton firm of Crandall, Pyles, and Haviland.

Named as defendants are EPA Administrator Carol Browner, agency Region III Administrator W. Michael McCabe, and the EPA itself.

A formal notice of intent to sue, which is required by the federal Clean Water Act and allows EPA time to fix problems cited in such notices, was filed with EPA in late March.

The suit specifically charges that EPA has not required DEP to produce accurate lists of rivers and streams that exceed protective standards.

Also, the suit alleges, federal officials have not required DEP to put into effect plans for pollution limits, called total maximum daily loads, for those pollutants for which water quality standards are exceeded.

In a study released a week ago, EPA Region III scientists confirmed earlier estimates that the water quality standard for dioxin is being violated near the site of Parsons & Whittemore Inc.'s proposed pulp and paper mill.

EPA officials said this finding would not prompt them to revoke the mill's permit to discharge more dioxin from its chlorine dioxide bleaching process.

In a statement, Friday, they said, "EPA interprets the Clean Water Act and regulations to allow discharges to water bodies where a particular water quality standard, in this case dioxin, is not being met, as long as a comprehensive plan to reduce and/or eliminate the pollutant in question is in effect."

At the same time, however, Vicky Binetti of EPA Regions III's water permits section conceded that neither EPA or DEP has such a plan in place for dioxin. ♦

Annual Meeting And Fall Review 1995 Corridor H At Canaan Valley

Please, members and friends, set aside the weekend of September 15-17 to spend some time in Canaan Valley and to participate in discussions on Corridor H. A legislative interim session begins Sunday, the 17th, at Canaan Valley State Park and we hope to attract some early political birds to attend our meetings.

Most of those meetings will take place at White Grass Cross Country Touring Center located on Freeland Road off Route 32 in Canaan Valley.

Saturday outings will include a caving trip, a hike up Seneca Creek and a canoe trip led by Sayre and Jean Rodman. In addition you can plan your own biking, tennis, golf, miniature golf, horseback riding, or touring real estate. Outings will leave from White Grass Saturday morning. Saturday evening, our program will feature a panel discussion on Corridor H.

On Sunday, we'll have our annual meeting including elections of Board members. All members and guests welcome.

LODGING AND MEALS

1) We will reserve several nearby condominiums that will house 4-8 people. All have fully-equipped kitchens. Most have two 2-person bedrooms, and a foldout double bed couch; some have sleeping lofts. If we fill them, they will cost about \$20 per night per person.

2) Less luxurious, but perfectly adequate and much more affordable, we have reserved the Mountain Retreat at Harman which is owned by longtime Conservancy members, Lester and Mary Beth Lind. It is a large house with 5 bedrooms. All five have bunks and three have double beds as well. We can house a maximum of 16 persons there. It has a fully equipped kitchen. You'll have to bring linens, but the cost is only \$7.50 per person per night.

3) Laneville Cabin of DNR is available several miles away at the edge of Dolly Sods; sleeps 15; \$10 per night.

4) Camping can be arranged by calling Canaan State Park 1-800-CALLWVA.

5) The Village Inn Motel (across from the Fire Hall) has rooms for

\$47 for 2 adults per night plus \$6 additional for each person over 6 years old; tel: 866-4166.

6) There are several Bed & Breakfast places in Davis: Bright Morning 259- 5119; J. Bykofsky's 259-5883; Myer's House 259-5451.

Meals for our weekend provided by Laurie & Friends of White Grass Cafe and Catering. Saturday night dinner will cost about \$10.

REGISTRATION

There will be no mailing in connection with this Review. Please call 304/296- 8963 with any questions (fax 296-8623), or to register. We will publish more information in the September Voice, but please make your plans now. Carroll Jett and Frank Young are in charge of planning, assisted by Richard diPreto. We will be calling all board members, all those who attended last year in Canaan, and anyone else we think might be interested. Please call us to express interest and we'll see you there!

Carroll Jett just called to say that at least three gubernatorial candidates have indicated that they were planning on attending !!

WVHC Public Lands Committee to meet August 27 in Elkins. Contact co chairs for more information. Agenda items include the mapping project, coordination with other forest groups and WVHC's position on timbering in National Forests.

Briefing Summary on the MNF Wild & Scenic Rivers Study

by Pam Merritt

The Forest Service released their Wild and Scenic River Study Report and draft Environmental Impact Statement on 12 Rivers in the Monongahela National Forest during the last week of June.

Being considered for inclusion in the national system are segments of these rivers:

Cheat River tributaries

- Dry Fork
- Blackwater
- Glady Fork
- Laurel Fork
- Shavers Fork
- Otter Creek
- Red Creek

Potomac River tributaries

- South Branch Potomac
- North Fork, South Branch
- Seneca Creek

Gauley River tributaries

- Williams River
- North Fork, Cherry River

This suitability report begins the final phase of consideration for rivers that may be included in the National Wild & Scenic Rivers System. (The eligibility report was completed in June of 1991).

The Forest Service developed eight alternatives targeting issues, concerns and opportunities raised by private citizens, and government and private groups during the initial information gathering phase of the study.

Alternatives developed in this study include:

- A. Designate all 12 streams - 269.6 total miles.
- B. Designate none of the streams.
- C. Designate 5 streams with little existing need for fisheries structures or aquatic ecosystem restoration. (Dry & Laurel Forks, South Branch & North Fork S.Branch Potomac, a segment of Shavers Fork - 99.5 miles).
- D. Designate 11 streams providing notable opportunities for a mix of outdoor recreation opportunities. (All except North Fork Cherry & some segments of Laurel & Glady Forks - 232.2 miles).
- E. Designate 4 streams to minimize restrictions on commodity production and commercial develop-

ment. (Otter Creek & segments of Laurel Fork & Red and Seneca Creeks - 47.4 miles).

F. Designate 11 streams that would permit future evaluation of flood control impoundment sites within the Cheat River Basin. (Segments of all except Dry Fork - 193.4 miles).

G. Designate 9 streams to have no direct effects on non-industrial private landowners. (Segments of all except South Branch & North Fork S. Branch Potomac & Dry Fork - 133.1 miles).

H. Designate 5 streams that possess the most outstanding values. (This is the Forest Service's preferred alternative. It includes Blackwater, segments of the Shavers & Laurel Forks, South Branch Potomac and Seneca Creek - a total of

75.4 miles that would be recommended for designation).

The 90 day public comment period will end on October 8. The Forest Service is soliciting public review and encouraging people to provide specific information about why a river should or should not be designated.

After the public comment period, the Forest Service will analyze the content of the comments - which will be used to prepare a final environmental impact statement (FEIS). The FEIS will be forwarded to the Secretary of Agriculture. From that point - designation of any river depends upon Congressional action.

Note: The document's length includes 111 pages of text, 67 pages of index, glossary & appendices, plus

maps, and is pretty easy to read & understand.

Copies of the draft document are available from, and comments are to be sent to:

Jim Page, Forest Supervisor, Monongahela National Forest, 200 Sycamore Street, Elkins, WV 26241. (304) 636-1800 - phone (304) 636-1875 - fax

***** Don't Just Read This - Write A Letter! *****

The West Virginia Rivers Coalition urges everyone to provide their comments on these rivers that form the heart and soul of our state's Highlands. This is the most important thing you can do to help protect these MNF rivers!

If you are dissatisfied with the

preferred alternative, please do give suggestions and reasons for another alternative, or for an alternative of your own creation. If you believe all 12 rivers deserve national recognition, please let the Forest Service know! (And be sure to give the reasons why).

This is our last opportunity to influence any changes that may be made in the final study document!

If you would like to know more about this important issue, please let me know, or write/call the West Virginia Rivers Coalition, P.O. Box 606, Buckhannon, WV 26201. (304) 472-0025.

Staff there will answer you questions, send more information, or make arrangements to come and speak to your group. ♦

Support West Virginia's Wild and Scenic Rivers



SAVE THE HIGHLANDS HEADWATERS!

Don't Just Read This - Write A Letter!

The comment period for the twelve rivers that are included in the Monongahela National Forest Wild and Scenic Rivers Study is on! Take a few minutes and get your letter of support written today!!

The rivers under consideration for inclusion into the National Wild and Scenic Rivers System include segments of the Dry Fork, Blackwater, Glady Fork, Laurel Fork, Shavers Fork, Otter Creek and Red Creek (tributaries of the Cheat River), South Branch Potomac, North Fork South

Branch Potomac and Seneca Creek (tributaries of the Potomac River), and the Williams and North Fork Cherry (tributaries of the Gauley River).

All you need to do is pick out any or all of the rivers you believe is deserving of being on the list of nationally recognized rivers, and write down the reasons why. Many of us have had personal experience(s) in, on and along these rivers. Speaking from that experience/knowledge, and from the heart, will go a long way in helping protect these rivers! And given that the Forest folks

are encouraging people to provide specific comments and concerns rather than general opinions, you will be accomplishing that as well.

You need not be fancy. Pull out that piece of leftover stationary, notebook paper or the blank-back-side of your junk mail that has been cluttering up your desk or table, and put it to good use. Write to: Jim Page, Forest Supervisor, Monongahela National Forest, 200 Sycamore Street, Elkins, WV 26241

You can write this same address to obtain a copy of the study, if

you do not already have one.

If you desire more information about Wild and Scenic Rivers, refer back to your January 1995 Voice for the article 'WV Rivers -Why Wild and Scenic?'. Or write/call the West Virginia Rivers Coalition, P.O. Box 606, Buckhannon, WV 26201, (304) 472-0025, and the staff there will answer questions, send more information, or come and speak to your group.

Thanks for writing your letter today and helping protect West Virginia's Highlands Headwaters!

Comments on the Little Fork 1,000 acre Timber Cut

(from page 7) roaded and logged, this opportunity will be lost.

The Plan provides for planning potential research and "taking the actions needed to avoid unacceptable effects many decades into the future". Basing a decision to select a "no action" alternative for Little Fork on the management goals of the Forest Plan is as justifiable as a decision to maintain black cherry as the dominant species.

From an economic standpoint, it makes the most sense to select an

inaccessible area like Little Fork to be left undisturbed. The many miles of road needed just to reach Little Fork, added to the roads within the project area, diminish the return to be realized from timber sales. The maps accompanying the June 9 letter requesting input do not even show the miles of construction and reconstruction of roads extending from Forest Road 429 that are needed to reach the northwest corner of Little Fork in lieu of a bridge across the Williams River. This road construc-

tion should be included in the project expense.

The Forest Service does not include the full cost of roads as expenses when figuring the return on timber sales, but capitalizes a large portion of the cost, justifying it on the basis that the road will be used in the future. During the field trip on July 16, we learned that the discovery of threatened and endangered species would change the location of the proposed road near the top of the ridge and southern boundary of Lit-

tle Fork, and cause logging in the area to be cancelled. Studies on the location of northern flying squirrels continue in the area. With this uncertainty about where logging can occur in Little Fork, and the fact that Little Fork is at "the end of the road", because it is next to the Cranberry Wilderness, the return on the capital investment in many miles of road may never be realized.

While on the subject of roads, there is an issue I would like more information about. The (old) Cran-

berry Back Country was classified as a RARE II area. Part of Little Fork was within the (old) Cranberry Back Country. The Forest Service Handbook requires the preparation of an EIS when a proposed project may substantially alter the undeveloped character of an inventoried roadless area. What is the current status of this issue?...

The other recreation opportunity that involves Little Fork is the outstanding system of trails radiating from the North South Trail, both

Ask Again... Why Wild & Scenic Rivers for West Virginia?

by Chuck Merritt

One would truly have to be an unusually unappreciative user and/or participant in the outdoor natural bounty of Wild Wonderful West Virginia, not to see the importance of her free flowing streams and rivers.

From the family groups and friends at a reunion or 4th of July riverside barbecue and picnic, to the most ardent practitioner of the fly fishers' art, much of the character and quality of the outdoor experience and of this state's culture and history flows from, and is defined by, the rivers and riparian corridors that were here long before the present culture came to dominate the scene.

And I submit that nowhere else in this state and possibly in the entire Mid-Atlantic region of the U.S. do the rivers sustain and answer better the question, why wild and scenic rivers, as do the twelve study rivers of the Monongahela National Forest.

First, another question. When is a river no longer a river? A river can be polluted and over-crowded. It can have railroads and highways next to it. Houses, farms and even towns and cities can and often do sprout, grow and thrive along rivers! But if a river or stream is dammed and impounded, the "riverness" - the energy of a vibrant flowing ecosystem - is caged and buried in a still-as-death watery grave.

Enough rivers have met this fate across this country! The twelve streams in the Monongahela National Forest have threats to them in the form of proposed dams, so to prevent their possible death by impoundment is one big reason to say yes to Wild and Scenic protection.

People are another reason to protect these rivers. Both owners of property along the rivers and the general public users/owners of the

rivers themselves benefit from protection, as their individual concerns are addressed in the management plan that will be developed and drawn up for each river that is designated under the Wild and Scenic Rivers Act.

Property owners will be protected from outright condemnation under terms of the Act and under terms of the individual management plans. Property owners and river-users will have the use and benefit of these significant free flowing streams with added protection and attention paid to the quality of the river environment.

Everyone will know the rules, reducing conflicts. And as concerns are met and pride goes up - so will cooperation on the "big" issues of proper flood control measures and impacts on water quality and quantity.

People getting along with people, all participating in and protecting their environment, is another reason to say yes to Wild and Scenic rivers in West Virginia.

Life. All forms of it. Flora and fauna - all connected and flowing along the larger evolutionary river - is a big reason to preserve rivers in their natural state.

Protected wild and scenic rivers, even the more developed, less pristine 'recreational' designated segments preserve the riparian corridor to a degree that animal and plant varieties can "migrate" through and maintain their species diversity and evolutionary viability among distant populations of the same species.

The dominant culture of cities and concrete highways must preserve for the people of that culture, the vital biological diversity of the rest of the life forms on this planet. Rivers and riparian corridors are one of

the very best ways to provide the needed paths for biological migration. "We" need the free flowing rivers, and the rest of the biological inhabitants of this Earth need and deserve their use of the rivers too. For the living, and to say no to extinctions, say yes to Wild and Scenic Rivers.

Do you like fun and prosperity, both on a reasonable and democratic level? Not subsidized by higher taxes to pass on more debt to our descendants? I would like that too! Free flowing rivers are full of fun at all levels. When the water is up the whitewater boaters are out in force. The gear, food and gas that they and other river users buy through the year helps a diverse and dispersed egalitarian economy.

Trout and bass fishing; sunbathers and picnickers; people camping, hunting, birdwatching, and swimming. All these users have a lot of fun. And all of this and more is

permitted and encouraged on Wild and Scenic Rivers.

Taxes are not raised by wild and scenic designation, and the management requirements are generally low so the increased costs to government agencies are usually slight.

Not so with impoundments or other large scale river-based recreation/economic development projects. Such projects eat up taxes and destroy either directly, or through higher fees and taxes, the more democratic/people-based uses of a natural free flowing river environment. Say yes to fun and Wild and Scenic Rivers for the Mountain State.

Montani Semper Liberi is the motto on our state's Great Seal, depicting a miner and a farmer with their proper tools, products, and dress displayed. Much of the culture and history of what is now West Virginia has 'happened along' because of the pathways and riparian corridor benefits that are derived from our state's

streams and rivers.

Free flowing rivers have contributed much to this state and it's people. Now the people should begin to repay that debt with protection of the twelve study streams proposed for inclusion in the National Wild and Scenic Rivers System. These streams are here and willing to give more to this state and her citizens and visitors from afar.

If "mountaineers are always free" has any validity as a motto, it is time for the streams and rivers to be acknowledged as valued partners, and therefore deserving of our care and protection.

So, you say, why Wild and Scenic Rivers? The answer is -Yes By God, In and For West Virginia!

Note: Chuck Merritt resides within the MNF on the banks of the Shavers Fork - a location that is along a proposed scenic section in the Forest's Wild & Scenic Rivers Study.

Little Fork

in the Cranberry Wilderness and the (old) Cranberry B... Country. The roads in the proposed action for Little Fork - crossing the North South Trail more than once and running parallel to it for more than a mile - and the extensive logging proposed in proximity to the trail would have a very negative impact. The experiences of trail users on the Kennison Mountain, Pocahontas and Frosty Gap Trails during the logging in those areas verify this. The way timber sales affected these trails despite the provisions in the plan for mitigating such impacts leads me to suggest that it is not possible for the Forest Service to adequately protect trails during logging operations; and, therefore, protecting the North South Trail means prohibiting logging activity in its vicinity...

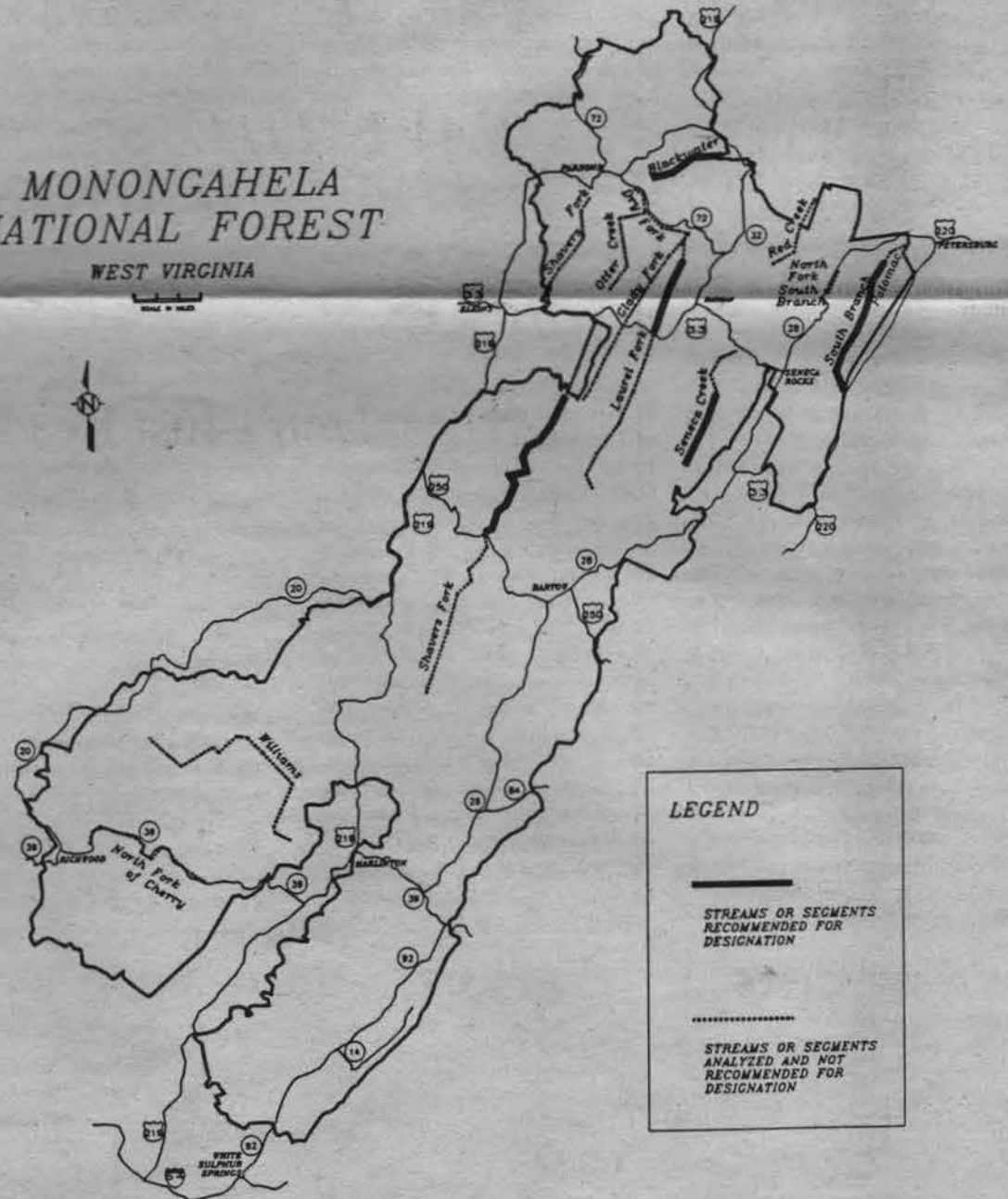
Even if it is possible to provide better protection for trails from the direct impacts of logging, there is an indirect impact that is difficult to

measure, but profound. The experience of walking through a section of large old trees like the massive columns of a cathedral reaching up to a canopy way overhead so dense that there is virtually no undergrowth is a treasure. It is a recreational experience of high value that should not be confined to wilderness areas. There are some areas like this in Little Fork, and the contrast with areas that have been logged is marked. The value of these areas as a combination of the recreational experience and the contribution to forest health abides over the years in contrast to the timber value which is a one-shot deal every 70 to 80 years, or once a human life-time...

In summary, Little Fork should be left undisturbed during this planning cycle for scientific, economic and recreational reasons, and for mitigation of disturbance to the Cranberry Wilderness.

MONONGAHELA NATIONAL FOREST

WEST VIRGINIA



WILD AND SCENIC STUDY RIVERS ALTERNATIVE H

Fig. 4.8

Alternative H - the 'preferred' alternative from the Wild and Scenic Rivers EIS

Hard Times for Little Fork



(from page 1) off for other areas that were being left alone. Little Fork and Rough Run to the south of it (and also adjacent to the Wilderness) were sacrificed so other areas could be protected; a lot more politics than science.

The Silviculturist on the Gauley District is Jane Bard. She has been working in the District for 11 years, starting there just after the Forest Plan was adopted. Besides her and Jo Wargo, we were also accompanied on the tour by Bill Schiffer, team leader for this OA. During the first half of the tour we followed the Little Fork Trail to the ridge. We stopped at a site where one of the 50 clearcuts in the Little Fork drainage might occur. All the tree lovers thought this was a lovely spot and couldn't see any reason to cut all the trees down for an acre clearing. I can't remember the reason we were given for the cut. Perhaps it was to alter (fix) the species composition for shade intolerant species or to create certain wildlife habitat. I think it is mainly to provide the 'fiber and timber' that the prescription calls for.

After lunch we headed west

EIS in Wonderland

(from page 1) in the Highlands. They'll continue to use old roads. Even the new road would not be all that safe. The perils of its at-grade intersections were shown as soon as the Buckhannon-to Elkins segment as opened, when two people were killed in a collision with a heavy truck.

The draft FEIS includes a "mitigation Document" and some new sections on issues raised by EPA, Interior, and public interest groups. The longest addition deals with forest fragmentation. Again, as it does on the issue of economic development, WV DOT throws up its hands: "How the additional impacts caused by construction, operation and maintenance of the highway will interact with this mix of stressors [on the forest]... is simply not predictable."

The next step is up to the FHWA. Ins that agency in Wonderland too? In 1993, at the inter-agency meeting on corridor selection, FHWA's representative insisted that the highway must have an economic purpose. Since that purpose has been crippled, the agency has been retreating. FHWA must decide whether every substantive comment received an appropriate response. For instance, what will the FHWA do with the following: Interior and others pointed out that the Shavers Fork would lose its eligibility for scenic designation if the proposed bridges were built. WV DOT's response? "Comment noted."

Shavers Fork is a choke point for Corridor H. The Corricks Ford battlefield along the river can't be dismissed with a "comment noted," instead, WV DOT's consultant wants

along the North-South Trail. We soon entered one of the first areas proposed for a partial or improvement cuts. Both of these are essentially the same at first, with the removal of 1/3 of the basal area. What this means is that if you added up the squares of the diameters of all trees (stems, according to the silviculturist), these types of cuts would take 1/3 of the total woody area, almost all from the larger size trees (stems). In the improvement cut areas the Forest Service plans to come back in 3 to 5 years and clearcut another 50 acres in order to insure that Cherry (a shade intolerant tree) would regenerate. Jane informed us that Cherry is a short lived tree of 120 years average age at death. She said she was greedy for Cherry, and wanted to manage the forest to maximize Cherry in this area.

We stopped along the trail where one of the proposed roads was to cross the trail, in a beautiful Cherry grove. Although in other areas the forest floor was carpeted in Cherry seedlings there were few here. Cherry had succeeded here because the forest was once clearcut, giving cherry and other sun loving trees the start

they needed. Natural succession would reduce the amount of Cherry trees in the area, but it is likely that some cherry will always remain in this area, although not as much as the timber industry and the Forest Service would like. This is one of the 'sicknesses' in the forest that they would like to fix with a timber cut.

None of the environmentalists could see how timbering here, so close to the wilderness and in the backcountry would fix any problem. Jane Bard, the FS silviculturist, acknowledged our view but said that it was but one of many views about how the forest should be managed, that other folks wanted timber cut from the forest. It is true there are some loggers and foresters and politicians were greedy for the \$s, but all the public opinion surveys I have come across show that the 'public' overwhelmingly doesn't want any timber harvest in National Forests. I accused her of hiding behind propaganda in order to justify her job.

Fortunately Jo Wargo found Northern Flying Squirrels and Green Salamanders (both federally listed species) in this region, which will severely limit the cutting that will occur in this particular area. Bill Schiffer indicated that the road may have to be abandoned or moved out of the area.

Bill Schiffer was also the one who discovered the Goshawk nest

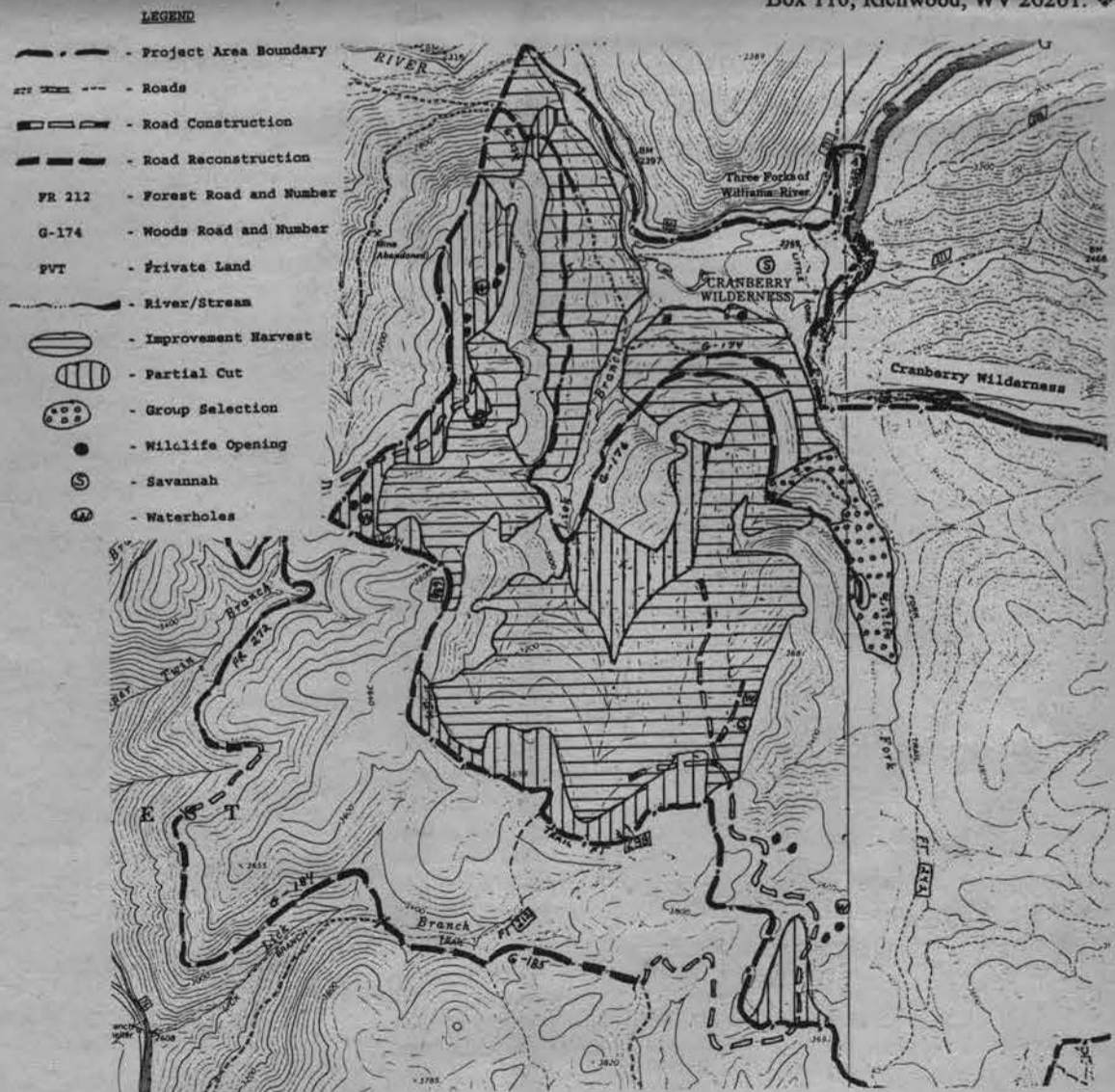
near the Little Fork OA. The Goshawk is classified as a candidate species for listing as a federally endangered or threatened status. Largest and rarest of all the accipiters, or true hawks, the goshawk has been slowly extending its range southward. They are very aggressive defenders of their territories, and will repeatedly dive-bomb humans until they leave the nesting territory. Another nest was found in the Cranberry Wilderness this summer also. Three other nests have been located in WV this year.

The Goshawk, as a forest bird, needs hundreds to thousands of acres of older forests with an open understory for nesting, fledging and foraging territories. The goshawk, as an opportunistic feeder, utilizes any birds or small mammals that it can catch. In the virgin forest, passenger pigeons were likely one of its favorite meals. In other areas, grouse (an inhabitant of early successional habitat) is a favored food. Some folks want to use this as an excuse to cut more in order to encourage the goshawks, but this could encourage red tailed hawks and great horned owls - two predators of goshawks. Currently there is no early successional habitat or grouse anywhere near these two new nesting areas. The nest in the Backcountry was abandoned before the chicks could have flown away, suggesting that some predator

ate the chicks.

Dave Bringer (Maryland DNR), the Goshawk expert in the east, told me he would recommend an undisturbed area a mile radius (or 600 acres, according to Dave) around the nesting site. While this should protect this nest site, it does not allow for the expansion of the Goshawks into new sites. Other biologists have called for undisturbed areas for the whole 6000 acre foraging area. One wonders whether it makes sense to protect as little as possible in order to maximize timber cutting or to be a little on the cautious side and protect the whole foraging territory.

At this point on the hike, Jo and Jane headed home via the trail we came in on, the rest of us bushwhacked a few miles through the Lick Branch drainage discovering an old camp site with lots of junk around. Beth found a beautiful old plate and some other items. We all gathered some trash and helped haul it out. We finally came across one of old logging/coal mine roads, on which we exited the area after 7 hours of hiking. At the parking lot Bill Schiffer thanked us for our interest. He said he looked forward to receiving our comments on the proposed action. You can send him your thoughts (be sure to read Beth Little's comments elsewhere in this issue) at Gauley Ranger District, PO Box 110, Richwood, WV 26261. ♦



Proposed 'treatments' for ailing Little Fork 'Opportunity Area'

Comments on the Little Fork 1,000 acre Timber Cut

Extracted from Beth Little's written response to the Little Fork Scoping Notice

I urge the Forest Service to consider seriously the "no action" alternative for the Little Fork Project Area, as well as alternatives that involve no high disturbance activities such as roads or timbering. The issues and concerns this would address are as follows...

The Cranberry Wilderness, though the largest in the Monongahela Forest, is not really very big. I can walk across it in a few hours, which means it provides a minimal range for the larger wildlife that is intolerant of disturbance. Whatever the appropriate size may be, adding undisturbed area can only help; and Little Fork and Rough Run are the only (recently) undisturbed areas left adjacent to the Cranberry Wilderness. I am not necessarily advocating expansion of the wilderness, because that would preclude some research and recreation activities, as mentioned further below. I think Little Fork, and Rough Run, should have been designated 6.2 areas. They are practically surrounded by the Cranberry Wilderness and Cranberry Back Country 6.2 area and would thus complete a natural undisturbed block.

The issue of disturbance adjacent to the Cranberry Wilderness is magnified by the fact

that public roads run along more than half its boundary. Even the Cranberry Back Country 6.2, which should be undisturbed, has a high degree of regular disturbance because of the limestone facilities. There is daily traffic year round on Forest Roads 102 and 76, and continual human activity at the North Fork drums with generators going to provide electricity; not to mention the convoys of big trucks bringing in the limestone during late summer. This level of disturbance is far beyond the expectations of the wilderness advocates who acceded to the boundary change for the North Fork facility and provided input to mitigate the impacts. We were led to believe that weekly maintenance trips would be sufficient, and feel betrayed by the outcome of this project. One way to mitigate this inappropriate disturbance in the Cranberry Back Country 6.2 is to avoid disturbance in Little Fork and Rough Run....

During my comments I raise several issues that are wider than the project area, and I can anticipate a response of "this is outside the scope of this analysis". But the Forest Service has also raised these wider concerns in the June 9 letter requesting input by referring to learning from new science and using the ecosystem approach so that "we can ensure long term ecosystem health and sustainabili-

ty". Recent science indicates that the fundamental value of old growth is being established; that it is not "decadent" as conventional forestry science has assumed, that huge downed logs in old-growth forest and lichens in the canopy play a host of previously unsuspected leading roles in providing nutrients and completing biological cycles. These contributions become significant after a forest reaches old growth status — over 200 years old. The relatively unproductive period of a forest is between 100 years, when the previously rapid growth slows, and 200 years, when old growth characteristics begin to thrive. Further, there are indications that while the Appalachian forests are recovering, they will not be able to sustain this recovery if they are repeatedly logged before achieving the full nutrient cycle of an old growth forest. It may be that long term forest health depends on managing it to reach an old growth state and then harvesting timber in ways that imitate nature — windthrow or fire, for instance — while maintaining old growth characteristics. We will never know unless we manage some of the forest this way

and conduct research.

At a field trip in June, I heard Steve Chandler from Forest Planning talk about how there is much that is not known about how the forest works and how we impact it, so that we are making decisions at least partly in the dark. The Gauley district provides a special opportunity for more study and research because of the large amount of contiguous publicly owned forest, especially the (old) Cranberry Back Country, which had fewer impacts in recent decades than other areas of the Forest. Little Fork and Rough Run constitute the only remaining part of the (old) Back Country that has not been roaded and logged. I think it highly likely that the upcoming Seventh American Forest Congress, February 21 - 24, 1996, will call for more research and provide the credibility for funding it. This is the only path for resolving the serious conflicts that have arisen over forest health and how it contributes to the health of the biosphere. The value of such research will depend on having some relatively undisturbed areas for comparison and control. If all areas but the wilderness are

(see page 4)

Handy Tips on How to Behave at the Death of the World

By Anne Herbert

Sometimes it comes in a dream, and sometimes in one more newspaper headline. And then you know. With your cells and past and future you know. It's over. We are killing it all and soon it all will be dead. We are here at the death of the world - killers, witnesses, and those who will die. How then shall we live?

Probably good to tell the truth as much as possible. Truth generally appreciated by terminal patients and we all are.

Good to avoid shoddy activities. You are doing some of the last things done by beings on this planet. Generosity and beauty and basicness might be good ways to go. Avoid that which is self-serving in a small way. Keep in mind standing in for ancestors including people who lived ten thousand years ago and also fishes. Might be best to do activities that would make some ancestors feel honored to be part of bringing you here. Silent statement to predecessors: Well, yeah, we blew the big thing by killing ourselves. I tried to honor you as much as I could in that context by doing the following -

Transform your own power-over behavior to whatever extent possible. Life systems of world being efficiently killed by human habit of going for power over. Tasteful to try to profoundly correct that to extent that you can, even though it's too late. E.g., Men profoundly understand and change around relations with women. White people profoundly change in relations to people of color. Humans profoundly change in relationship to other beings on planet. This constitutes thank you note and note of apology to the whole history of the planet. I mean it has been rather great, sunsets, oceans, some art, some moments between beings, smells of fresh mornings. As we kill it all by dominance habits too huge to stop, we can thank it for the good times and say sorry by changing our own participation in the dominance stuff in some profound way. Doing this kind of change will involve increased aliveness for you personally, a fine thing to bring to a dying planet.

Be in radical alignment with particular forms of aliveness being smashed. Particular species, human cultures, styles of living are being obliterated brutally now. In as much as we all are going to die fairly soon, the stylish thing to do is align with one of the lifeforms and help it be itself as long and strong as possible.

Eschew blandness. Eschew causing other's pain. We are all the target so wear bright colors and dance with those you love. Falling in love has always been a bit too much to apply to one person. Falling in love is appropriate for now, to love all these things which are about to leave. The rocks are watching, and the squirrels and the stars and the tired people in the street. If you love them, let them know, with grace and non-invasive extravagance. Care about the beings you care about in gorgeous and surprising ways. Color outside the lines. Practice random acts of kindness and senseless acts of beauty. This is your last chance.

Anne Herbert is a writer and social-change activist who lives in Berkeley, California. From the Whole Earth Review Spring 1995, 27 Gate Five Road, Sausalito, CA 94965

Monongahela National Forest Hiking Guide Now Out

Edition 6 of Monongahela National Forest Hiking Guide is now available. This edition is bigger and better than ever, with 368 pages, 96 pages of maps, 49 photographs, 177 trails totalling 812 miles, and a new full color cover. West Virginia Highlands Conservancy is the publisher. Authors are Allen de Hart and Bruce Sundquist (same as edition 5). Allen has hiked all the trails of the Monongahela N.F. over the past few years. Bruce was the editor for the first four editions. The hiking community and the U.S. Forest Service provided trail reports and photographs. Edition 6, like edition 5, also provides information for ski-touring and backpacking.

The growing throngs of visitors and the public at large regard the Monongahela National Forest as a 'Special Place'. And indeed it is. The hiking, backpacking, and ski-touring opportunities it provides are among the best in the eastern U.S. The more outstanding areas are becoming known far and wide - Otter Creek Wilderness, Dolly Sods Wilderness, Flatrock Plains, Roaring Plains, Blackwater Canyon, Spruce Knob, North Fork Mountain, Shaver's Mountain, Laurel Fork Wilderness, Cranberry Back Country, Cranberry Wilderness, among others.

Profits from the sale of these guides support a wide variety of worthy environmental projects in the West Virginia Highlands Conservancy.

To order your copy of Edition 6 of Monongahela National Forest Hiking Guide, send \$12.85 (this includes \$2.90 first class shipping) to

West Virginia Highlands Conservancy
PO Box 306
Charleston, WV 25321

West Virginia residents must add \$.60 sales tax. (total of \$13.45)

I have included a check or money order for the amount of \$ _____ to WVHC for _____ copies of the Monongahela National Forest Hiking Guide.

Name: _____

Address: _____

City, State, Zip: _____

Summer Vacation



by Norm Steenstra

I spent seven days at Kumbrabow State Forest last month. I needed to get away from phones and yet was nosy as hell about what was going on at the Clay Run timber sale site. We activists so often seem to combine the need to gather solace from the woods while seeking out some ecological horror story to fret about. It's probably unhealthy that we do it but it also keeps us aware to what's going on.

What's going on at Kumbrabow is that they are cutting the big trees; trees larger in diameter than the length of my out-stretched arms. Trees of the size that one only seems to see on city golf courses anymore. They call it a selective cut. That means they are only cutting the big trees and any smaller trees that are in the way of getting to the big trees.

The WV Division of Forestry are the "experts" that the public must rely on to make sure the timbering is done right. These "experts" are allowing parallel logging roads to be cut that sometimes are only separated by half a hundred yards. They leave no beauty strip. The tiny islands of green between the roads are not immune to timbering as they selectively cut that

area too.

These are the same "experts" that totally obliterated a significant section of the Mill Creek hiking trail a few years ago. The trail adjoins the current cut and disappears suddenly at a tangled clearcut. The hiker has no clue as to where the trail once went. The "experts" who permitted the clearcutting of a hiking trail have left hikers with two choices - turn around and go back the way they came or spend an hour climbing over treetops, brush, and debris bushwhacking their way across the old clearcut.

As all Voice readers know by now the WV Supreme Court told the citizens of West Virginia that they had no right to comment on public land timber sales engineered by our "experts". That law must be changed. While observing the timber operation on Clay Run it struck me that what we must do is hold our "experts" and the tree cutters to a much higher standard on public lands than we allow on private lands. Perhaps if we demanded more of our "experts" on public land, timbering on State Forests would be less attractive and more expensive to the treecutters.

The key to making it more expensive and less attractive is endless

pressure. I urge Voice readers to visit public land timbering sites as often as they can. Take pictures. Question our "experts". As more of us question their authority and record the fruits of their "expertise" commercial activities on public land will become less attractive.

I visited the timber site on 3 different days. Not even a junk yard dog greeted us on two of those days. Before entering the timber site I informed the Forest Superintendent of my destination. Near the site signs inform the hiker that only authorized persons wearing safety equipment could enter the area.

Those signs really put things in perspective for me. The Supreme Court ruled that we the public could not comment on the timber sale. They implied that we must rely on the "experts", and the first thing our "Experts" do is put up signs making it very difficult, if not illegal to observe what is going on.

Until now I've been kind of proud of the fact that I've never been to jail. I intend to keep going back to Kumbrabow to watch and learn from my "experts". I will keep a low profile and not get in the way of the actual timber cutters but I will not sneak on to public land. If I get arrested so be it. The law

must be changed. The whole crazy system that gives our "experts" so much power must be changed. The whole corrupt concept of corporate welfare on State Forests must be changed.

Often environmentalists find themselves winning a battle only to lose the war. The loss of the big trees - our big trees - was a battle lost. The Kumbrabow issue is unique because we can win the war even if we lose the battles. Please join me in laying out the plans to ultimately stop commercial timbering on all of our State Forests. One lasting legacy that we can leave future generations is a system of tree zoos scattered around the state. ♦

from the heart of the plateau

(from page 2) regulation of coal mining, we need look no farther than the June, 1995, hearing in Charleston in which the Office of Surface Mining invited people to suggest ways to address the problem of streams polluted by acid mine drainage.

Representatives of the coal industry showed up. They launched into their standard two part defense: (1) there is no problem; (2) if there is a problem somebody else should have to pay to fix it.

Ordinary citizens—including Cindy Rank, Don Garvin, and me—showed up. They said that there was, indeed, a problem and that we ought to find a solution. The Office of Surface Mining took the position that if they didn't think there was a problem then they wouldn't be here trying to find a solution. A study had shown that West Virginia had a \$22 million deficit in its fund which it maintains to pay for reclamation of lands damaged by mining. This only includes the costs for land reclamation: sealing old mines, restoring strip mined land to its original contour, and planting grass and trees. It does not even include correcting the problem of acid water flowing from coal mines. This sounds like a problem to me, one which the Office of Surface Mining seems interested in addressing.

A hound dog's nature is to chase rabbits; a cow's nature is to swat flies with her tail. The coal industry's nature is to pretend there is no problem and, if there is, insist that it has no role in solving it. Fish got to swim; birds got to fly. Coal company representatives got to deny responsibility till they die. One can no more blame them for denying responsibility than one can blame a dog for running rabbits or a cow for swatting flies.

The truly disheartening position was that taken by the West Virginia Division of Environmental Protection. Its Director began by saying that he thought that there really must not be much of a problem and that, if there is, West Virginia could take care of it without any meddling from the Office of Surface Mining. Presumably he means that the state will take care of this problem by pursuing the same policies that gave us hundreds of miles of streams currently being damaged by acid mine drainage. Presumably he means that the state will take care of this problem by pursuing the same policies that put us \$22 million plus in the hole in the first place.

The position of the state is disheartening both because it resembles that of the coal industry and because it ignores reality.

The reality is that we have hundreds of miles of streams being damaged by acid mine drainage. We have fishermen who cannot fish these

streams. We have whitewater rafting companies who complain that their customers don't like paddling in orange water that burns their eyes. It is a reality which is hard to ignore.

This is why we still need the Office of Surface Mining. The historical record is overwhelming. The tendency of West Virginia's program for regulating mining is to slip backward toward a time when mining companies could ride roughshod over the land, ripping and tearing as they went with no thought to the environmental damage they were doing. The Office of Surface Mining is one of the forces which checks this tendency. Even with the Office of Surface Mining available to enforce the law when the state fails to do so West Virginia still has a system of mining regulation whose Director is capable of perceiving that acid mine drainage and the deficit in our reclamation fund must not be serious problems. I shudder to think what positions the state would be taking if the Office of Surface Mining were not there.

The enforcement efforts of the Office of Surface Mining are not just a duplication of state efforts. Those actions are not just a luxury which Congressional budget cutters can snip away as part of their quest for efficiency in government. That enforcement power is what keeps West Virginia's mine regulatory program from taking a long step on the road to ruin. ♦

Coal fades

by Richard diPretoro

The headline in today's Dominion Post said it: ARKWRIGHT CLOSING. For those of you who don't know, Arkwright is a large underground coal mine in the western part of Monongalia county. The Osage, Blacksville No. 1, and Pursglove mines have already shut down. There are only three large mines left in the county: two of Consol and one of Peabody. Ironically, both of the Consol mines actually operate in PA, but have their portals in WV. As recently as 5 years ago, Monongalia County was second only to Boone County in production of coal in WV and was one of the top counties in the entire United States. Now the Dominion Post refers to this county as "once coal rich."

The closing of those mines will leave behind massive groundwater contamination and huge acid-producing refuse piles.

Coal is clearly the way of the past. It's late, but not too late, to recognize that and plan for the ongoing transition to our post-coal economy. As soon-to-be-former planning commission staffer Jay Hutchinson said: If you don't have planning, you have wishing. We really can't participate in the secret decision-making process of the private corporations which control our economy. But we certainly can tag them with significant taxes as they go out the door, taxes we can use to help ease the transition. And we can ensure that the environmental messes they leave are cared for as well as possible. ♦

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One can't blame the coal industry representatives for taking such

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