



The Highlands Voice

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Forest Service Decision Threatens Trout Fisheries

by Don Garvin
Secretary
Mountaineer Chapter Trout Unlimited

The Grassy Mountain Management Area Decision Notice issued recently by the U.S. Forest Service could result in serious siltation problems on two important West Virginia native brook trout streams. The decision raises real questions about the agency's commitment to fisheries and riparian protection.

The project area includes 8,400 acres of National Forest lands and calls for the commercial harvest of more than 8.6 million board feet of timber from stands on 1,032 acres of the total area (about 12% of the whole). About 6% of the area has been designated as old growth, but most of the oldest-age-class trees are included in the stands targeted for harvesting.

Located in the southwest corner of the Potomac Ranger District (near the towns of Cherry Grove, Circleville, and Judy Gap in Pendleton County), the Grassy Mountain project area includes Big Run of the North Fork of the Potomac and Elk Run (a tributary of Big Run) -- which are among the most productive of the remaining wild trout streams in the Monongahela National Forest.

Among the timber cuts proposed are two clearcuts totalling 43 acres on steep terrain along Elk Run, a 25-acre clearcut on steep slopes on the lower end of Big Run below the mouth of Elk Run, and a 25-acre clearcut along Teeter Camp Run, another native brook trout fishery. The slopes of these cuts are so steep that the District Ranger is proposing they be cable-

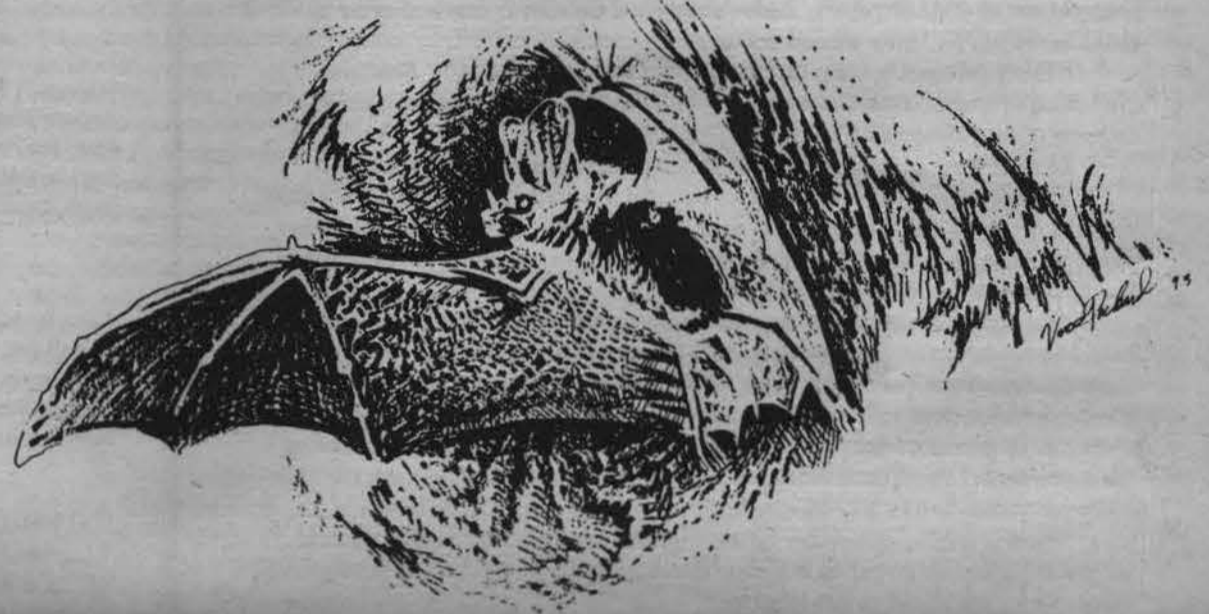
logged. In addition, the plan calls for establishing a 'Minimal Management' buffer zone along the entire length of both Big Run and Elk Run (I believe it's 150 feet on each side).

While acknowledging that land disturbance from timbering activities can increase silt and sedimentation in nearby streams, the plan's environmental assessment under-estimates the current silt loads in both Big Run and Elk Run. The District Ranger later in the report admits the silt figures are inaccurate, and that current surveys have shown that both streams are now at maximum silt thresholds for insuring viable brook trout reproduction levels. However, in reply to comments on the environmental assessment submitted by one Trout Unlimited member, the District Ranger states, "We believe that we can, by using mitigation measures, complete the proposed timber harvests and road construction without degradation to Big or Elk Runs."

Members of the Mountaineer Chapter of Trout Unlimited are of a different opinion, and do not believe that, even using mitigation measures, the Forest Service can prevent the increased siltation of these native trout streams while clearcutting timber on such steep slopes.

The environmental assessment for the Grassy Mountain management area is a document of more than 250 pages. It is a disturbing document to read for those of us hoping to find some sign or indication that the USFS intends to embrace 'New Forestry' concepts such as biodiversity and ecosystem management. I have now read several similar assessments prepared by the Forest Service -- they are becoming quite adept at preparing them -- the language is all boilerplate. Unfortunately, those enlightened concepts, things such as watershed protection, are not likely to be found in EA's until the Mon Forest Plan is revisited.

Ultimately, there is only one reason to cut the trees along the steep slopes of Elk Run -- and it's not the trout. There simply are some trees in our National Forest that should not be cut. Those along Elk Run and Big Run should be left alone. ♦



WVDA - The Extincto?

by Bill Ragette'

What does extincto mean? Actually I just made up the word. It means 'one who makes extinct'. Although it has not yet been proven, the facts lead us to believe that the WV Department of Agriculture is responsible for the eternal extinction (that's redundant, but don't you forget it) of more than one species. And I'm not talking about some agricultural pest, but honest-to-goodness innocent bystanders, i.e. moths (new phrase - 'non-target species' - see glossary - on page 7).

The Facts

The Gypsy Moth was introduced from Europe in 1869 into the northeastern US. Having escaped its natural predators, it 'went forth and multiplied'. Occasionally their populations experienced localized explosions in 8-20+ year cycles. Over the last 125 years they have expanded their range south and west, recently coming to WV. They feed on the foliage of Oaks and a few other hardwoods, at times stressing trees enough to kill them. Many species are not used by the moth for food, and will do better after the moth has passed through.

Because of this loss of timber, the Feds and the states have tried at times to 1.) eradicate them, 2.) reduce their damage or 3.) slow the spread. Few people talk about eradication anymore, though. It appears that the moth is with us forever, we

will not wipe it off the face of WV or any where else. The WVDA is trying the latter two methods of dealing with the moth.

The department has several programs to this effect. The largest program is a cooperative program aimed at reducing damage from the moth to protect Oak timber (as in \$\$). Under this program 119,504 acres were sprayed in 1994. The landowner pays for 57% of the application costs, and the Feds pick up most of the rest. The state pays for all other costs, -surveys, monitoring, contacting and working with landowners. Costs for applications run from \$7 to \$15 per acre depending on the spray used and market demand.

In the southeastern counties, the WVDA is trying to completely suppress the spread of the moth entirely, spraying over 16,000 acres in Summers, Raleigh, Fayette, Monroe

and Mercer Counties. In these areas, at the 'front of the invasion', the populations are still quite low. These areas would never be sprayed in a timber protection action. Actually, male moths have been found in all WV Counties and it may be impossible to stop the pests spread without drenching the whole state every year with poisons.

The Sprays

My, aren't we learning lots already? Well this is little harder, but its critical to the extinction thesis, so pay attention. The sprays - Dimilin, Bacillus Thuringiensis, Pheromones, Mimic. That's all. Let's go through them one by one, backwards.

Mimic is the new boy on the block, it kills the moths by messing with their growth regulators. There's not been a whole lot of study done on it. It seems to persist for at least one year and have non-target (see page 6)

Kumbrabow - Court Date Set

The Supreme Court has scheduled argument on the Kumbrabow State Forest for March 7, 1995. Although court convenes at 10:00 and the argument could take place at any time after that, it is more likely that the argument will take place in the early afternoon.

At issue is the proposed sale of approximately one million board feet of timber from the Clay Run area of Kumbrabow State Forest. The petitioners, who are recreational users of the Forest, contend that cutting in this area would eliminate one of the rare stands of old growth forests in West Virginia and would interfere with their recreational use of the Forest.

A decision is expected in the summer of 1995.

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---from the heart of the mountains---

by John McFerrin

Taxes and the Environment

Who are we and what are we about? Are we an "environmental" organization only in the narrowest sense of the word? Or do we define "environmental" more broadly?

The issue arises in the context of the current dispute over the taxation of natural resources property.

For decades, critics have contended that the system for valuing and taxing natural resources such as coal has grossly underestimated the values of these resources. As a result of this gross undervaluation, the taxes on these lands have been lower than they otherwise would have been. The result is that the tax burden is shifted to homeowners or other taxpayers. It also means that the state is deprived of the money it could use to pay for better schools and other services.

It is my personal opinion that these critics are absolutely right. From our discussion at a recent Board meeting, it appears that this is the personal opinion of the majority of the Conservancy's Board of Directors.

The question is whether it should be the Conservancy's official position.

It is not a question of whether that position is correct or not. There is not much doubt in my mind that the position is correct on its merits. The question is whether this is an issue upon which the Conservancy should take a position. In other words, is this who we are and what we are about?

This issue even comes up because we, along with other West Virginians, now have an opportunity to do something about this problem. The Natural Resource Property Valuations Task Force of the Board of Public Works has just issued a report criticizing the current system. The Task Force recommended several changes in the system so as to correct that problem. The Legislature will no doubt be considering these proposals. The Conservancy could take a public position supporting the Task Force recommendations and other reforms to make the system work better.

There is another possibility for turning such a position into action. Several groups are currently preparing litigation challenging the current system in court. The Conservancy could join in that litigation.

Had the Board voted solely on the merit of the goals of the Task Force recommendations and the litigation, we would have voted to support both efforts. We decided to take no active part in either of these efforts solely because we assumed that our members were primarily interested in conservation and natural resource policy in its narrowest sense. We assumed that people did not join the Conservancy because they wanted to help influence tax policy.

So were we right? Should we stick to the kind of environmental issues we have always pursued? Or should we broaden our focus to include other issues related to natural resources?

Those who believe that the Conservancy should be involved in this issue make a powerful argument. A state which is starved for the revenue which a fair tax system would bring would find it more difficult to afford effective enforcement of environmental laws.

We have always wanted coal companies to follow the environmental protection laws as written. Should we sit still while these same companies avoid paying their fair share of property taxes? Our efforts to achieve almost any goal are affected by the political power of the coal industry. Should we sit still while the same industry uses its political power to avoid paying its fair share of taxes?

Finally, doesn't our organization also seek to protect the human environment? After the resources extraction industries take the resources, they leave this human environment either unlivable or, at the very least, less able to sustain life. Although some members of the coal industry may quibble, no objective observer could seriously argue that mining leaves the land as suitable to sustain life as it was before the mining began. No matter how carefully the reclamation, the soil is worse: the water is often either polluted or gone. The life sustaining capacity of the land is diminished.

If that is true, is it the duty of an environmental organization such as ours to show our concern for the human environment by making sure that companies who do this damage at least leave behind some tax money (or the schools, libraries, and other things that money could buy) which will make West Virginia more liveable after the resources are gone? Is this a way to make clear that our vision for the environment extends beyond concern for wildlife to concern for the people who live here now and will be living here after the resources are gone?

On the other hand, tax policy is not one of our traditional issues. We have worked to protect Canaan Valley, we have fought against the construction of Corridor H; we have worked for enforcement of mining laws. We have never directly worked on the tax policies which affect our natural resources.

So who are we and what are we about? At its last meeting the Board assumed that the membership would only wish the Conservancy to define "environmental" issues in its narrowest sense, a sense that does not include tax policy. Is this true? Is this what the membership thinks? We would like to hear. ♦

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Letters - Windmills, Apple Grove, the Hiking Guide; and Mon Forest

Dear Sir,

Your article on the Apple Grove issue on page two of the January issue was very enlightening. However, the article was continued to page seven. I could not find it on page seven or any other page. (editor's note - actually I have misdirected readers wrong in the president's column the last two issues. The January column was continued on page 11)

I thought you might need some other opinions before finishing the article. So here goes. I know absolutely nothing about dioxins or any other chemicals dumped into our streams. I am old enough to remember the early thirties, when W. Va. had very little timber left. It has taken sixty years to get where we are today. At present rate of harvest and the destruction of the forest by clear cutting, my Grandchildren will only be able to read about large trees.

Any one in the Point Pleasant area that would like a preview of what their own area will look like in the very near future, should drive the back roads of northeastern Fayette County, Western Greenbrier County and eastern Nicholas County. Our children and Grandchildren will not receive any thing from these thousand of acres of barren land.

If this plant becomes a reality

and I am sure it will, at least half of the six hundred workers will be out of state people. Our people get the five dollar an hour jobs of cutting timber for this plant.

Now is the time to stop clear cutting in W. Va. No one should be allowed to harvest more than sixty per cent, with at least twenty year growing cycle in between cutting. I am sure there would be some exceptions, where clear cutting could be done, such as severe ice damage, gypsy moth and construction sights. This should be done by permit only.

Last week, Gus Douglas (WV Commissioner of Agriculture - ed.), in a press release, praised the forest industry on the wonderful job they were doing. He must be blind or hasn't been out of his office. The timbering methods used in the twenties were bad, but they didn't have the machinery to destroy land they have today.

The paper industry and the forest fires were the ones responsible for Dolly Sods and sixty years growing time to get our forest where they are today. We should not allow it to happen again.

How can we condemn Brazil for destroying the rain forest, when we are doing the same thing in W. Va.

Yours Truly
James Bowyer

Editor, The Highlands Voice

Dear Editor:

As readers of the Voice know, Kenetech Windpower has announced plans to build a wind generation facility in central West Virginia. (See November and December, 1994, issues for articles and opinion.)

I want to comment in support of this proposal because I feel very strongly about it. I worked three years as an underground coal miner and for the last 12 years, I have consulted on the environmental effects of coal mining. Largely because of my experiences with the devastation caused by coal mining (including observations over most of the United States, and in Germany and England), I support renewable alternatives such as windpower. I support this specific proposal.

Every megawatt we can produce with wind offsets one we now or in the future will have to produce with other sources, such as coal or nuclear. Wind has fewer adverse effects than hydropower, geothermal, biomass, natural gas, and most other alternative or renewable sources.

To date, I have heard the following objections from environmentalists who oppose the wind plant:

1) about half would occupy land inside the National Forest proclamation boundary therefore precluding its acquisition

by the Federal government and setting a precedent to do this elsewhere in the forest,

2) it will require clearing some ridges, and building some roads and powerlines,

3) such plants have killed birds elsewhere, and,

4) fences could disrupt migratory patterns of bears.

I'd like to address these point by point.

1) and 2) On these first two points, much of the land involved, which is private, has already suffered mining and logging. As a result, some of the needed road and powerline system already exists. And while the operators of the wind plant definitely will keep trees from growing up around the turbines, if windpower generation ever ceases at the site, Appalachian hardwood forest species will regenerate much more easily than on a reclaimed surface coal mine.

Windpower generation will not drain and pollute aquifers as underground coal mining does. Wind plants don't require the filling of forested valleys with mine spoil, cleaning plant refuse, ash, or sludge the way coal mines and coal-fired power plants do. This plant will not preclude acquisition by the federal government at some point, any more than the mining and logging have done. And building this plant inside the proclamation boundary will not necessarily open the door to building anywhere and everywhere inside the boundary. As many of you know, Kenetech originally wanted to build the plant around the edges of Canaan Valley but soon dropped those plans when informed of the unique values associated with the Valley.

3) On the third point, while no one wants to see any birds killed, every

electric power generation source produces some unwanted effects such as, at a minimum, electromagnetic fields and the need for transmission lines. The company recognizes the problem of bird mortality and has initiated high quality studies to understand and ultimately minimize any mortality. Early indications hold promise that this site will have many fewer problems than at the Altamont Pass wind plant in California which has experienced significant raptor mortality.

4) On point number four, Kenetech informs me that they will use fences only around certain structures that present danger of high voltage, not around the site as a whole.

We all want the advantages of using electricity, such as for computers and telephones. We have an obligation to ourselves and to the future to produce electricity in the least damaging way that we can devise. Environmentalists hurt their credibility by appearing to oppose any and every new project. For efficiency sake, we need to generate electricity relatively near to the place of use because of losses in the transmission lines. We can't always say: do it somewhere else. Clearly conservation and efficiency have a role to play. But even if we increased conservation and efficiency to the maximum extent possible, we would still have to generate some electricity and I, for one, would still rather see it generated by wind than by coal. Opposing improved methods for generating electricity, such as this windpower plant, will doom us to continued, even accelerating, destruction of our land and water resources by coal mining. I urge everyone to support this proposal.

Sincerely,
Richard S. diPretoro

Monongahela Forest News

Gauley Ranger District

PO Box 110
Richwood, WV 26261
304-846-2695

Cranberry Opportunity Area

Don Kinerson, the District Ranger for the Gauley District, has announced that the Environmental assessment for the Cranberry OA is now available. Comments on it will be received until February 15. He hopes to have the decision notice signed by early March.

The project area is located North of Richwood and contains 8,025 acres of National Forests Land. It is bordered on the South by the Cranberry River and to the west by the Gauley River. Here's what Don would like to do to the area...
Clear-cut 'Harvest' - 180 acres
Individual Tree harvest - 20 acres

Thinning 717 acres
Vine control - 1,985 acres
Designate Mature Habitat - 173 acres
21 acres of 'wildlife openings'
Build 5.9 miles of Roads
No bike trail
No riparian protection

Cheat Ranger District

PO Box 368
Parsons, WV 26287
304-478-3251

Mozark Mountain OA

Bill Woodland, District Ranger has released his set of proposed management actions for the Mozark Mountain OA.
-Road/trail restoration - grade, drain, seed and fertilize
-Parking lot - create 5 car lot
-Ford protection - move gate, add

boulders and gravel to ford
-Trail Drainage
-Timber stand improvement - thin stands of ten year clearcuts to enrich percentage of mast bearing trees.

Potomac Ranger District Grassy Mountain OA

This Project is in the appeal stage -(see related article on page 1)
Clear-cut and related 'harvests' - 164 acres
Selection Cuts - 79 acres
Thinning harvest - 266 acres
Savannah creation (read clear-cut) - 22 acres
Maintain 440 acres of grazing land
Construct 30 "nature mimicking" fish structures

The middle section of this OA has been deferred till 2002 (sounds like the balanced budget) which had projects to clear-cut another 180+ acres.

Annual Appalachian Studies Conference

Scholars and students of Appalachia meet annually in various locations in Appalachia for a conference on social, cultural and environmental issues. This year the conference is being held in Morgantown on the weekend of March 17-19. Call Ron Lewis 293-2421 for more information.

WV Environmental Council Holds E-Day at the Legislature - February 21. The theme for this 6th annual E-day is "a reason to stay". It your chance to join in with all the shades of green to try to get through to all of our legislators supposedly representing US. Call Danise or Kim at 304-346-5891 for more info.

Corridor H Draft EIS comment date extended one month to February. So if you have procrastinated till you thought it was too late, you get one FINAL chance to just say NO to The Corridor. Write Mr Randolph Epperly, WV DOT - Division of Highways, Capitol Complex, Bldg 5, Rm A416, Charleston, WV 25305

PAW Central Appalachian Forest Activist Conference dates have been changed to March 17-19. Its still being held in Clifton, Virginia and you can still contact Karen Tuck at 917 Church St., Indiana, PA 15701 412-349-5936 for all the information.

Dear Hiking Guide Editors

While Hiking the Tea Creek Trail (TR454) on May 13, 1994, my husband, daughter and I noted that there is now an Adirondack type 3-sided shelter with roof (looked like it sleeps eight) where Tea Creek Trail, Right Fork of Tea Creek Trail (TR453) and the North Face Trail (TR450) meet. This is not mentioned in the 6th edition of the hiking guide, so I thought you might want to make note of it. (This is where the Right Fork of Tea Creek goes into Tea Creek.) The shelter is in good condition.

The Hiking Guide is a great book - really wonderfully useful in helping decided what a 7-year old could reasonably expected to backpack, hike, etc. She especially loves the swimming holes in Anthony Creek just downstream of where Anthony Creek Trail fords Anthony Creek, and picking huckleberries on Dolly Sods! Keep up the good work.

Sincerely,
Barbara Toler

Hiking Guide - WVPR

Once again WV Public Radio will be offering our Monongahela National Forest hiking guides as incentives for membership. Although the membership drive during February is for the most part a 'quiet' drive, they will be holding their traditional active drives on the 3rd through 6th and then again on the 27th and 28th. This is when the Guides will be offered. Last time they went like hotcakes. Although this time they will be packaged at a higher \$ membership level, they are still expected to go fast. Tune in...

Hiking Guide - Planning ahead.

Now is a great time to start planning your hiking trips for this summer. So get out your guides, while the snow and winds are howling and let your imagination go. What you don't have a Guide? Well order one today and you'll still have plenty of time to dream. See page 7 for details.

Friends In Low Places

By Doug Wood

Pendaskitquehelleu. This word is one of those descriptive words in a native American tongue which requires an entire phrase in English to equal it. This once living word was reduced to script sometime in the 1700s, most likely by a Moravian (German United Brethren) missionary working among the Lenape (Delaware) Indians dwelling in eastern Pennsylvania at the time. Over thousands of years the core Lenape people, the Lenni Lenape (Original or True People) had migrated from central Asia to the Atlantic Ocean shore in the vicinity of the Delaware River Valley. Before making first contact with Europeans, Swedes in the late 1500s, the Lenape nation numbered perhaps 30,000 people not including the numerous spin-off tribes such as the Shawnee, Abnaki, Algonkin, Powhatan, Potawatomi, Ojibwa, Ottawa, Cheyenne, Arapaho, Creek, Choctaw, Mohican, Montagnais and many others. The story of this nation's history up until the initial sighting of a large sailing vessel off the coast, was recorded pictographically in a set of tablets called the Wallam Olum (the Red Record).

The Lenape had come eastward toward the daily birth place of the sun. When they finally reached the Atlantic Coast of North America they reached "Sunland" the long sought after resting place of the national consciousness. This land in the relatively wet eastern United States is a land of streams. It is a land frequented by heavy seasonal precipitation and subsequent flooding. Consequently a great deal of the Lenape language recorded by the Moravians is dedicated to descriptions of stream con-

ditions and things associated with streams. The initial word in this narrative is one such term. It is the name given to a rising river which swells the mouths of creeks.

The area which now comprises the Middle Atlantic States, in which the Lenape dwelt for hundreds of years is relatively wet. Much of the precipitation falls on the western side of the spine of the Appalachian Mountains. This is due to prevailing westerly winds pushing moisture-laden air up over the ridges; thus, cooling it and causing its vapor to condense and drop from the sky. On the eastern side of the spine southerly winds prevalent during the fall and early winter bring Atlantic air inland where it too releases its water. Massive storm systems frequently sweep the states, pouring rain on their mountain slopes and hill sides and giving rise to numerous pendaskitquehelleua.

When floods cause damage to human property or loss of human life, they are termed "natural disasters." This unfortunate combination of words masks the true cause of disaster during floods. The floods are indeed natural. They are cyclical. Left to the natural order, floods are sowers of life as well as reapers. They sweep clean the gravel bars necessary for fish spawning. They cleanse rivers of wastes. They replenish bottomland soils even as they carve away at exposed banks, pulling deep, nutrient-rich mineral soils from below the vegetative zone and scattering them like fertilizer on the low-lying bottoms further downstream. The cause of disaster is not in the flooding of low-lying areas. Rather it is in the modern human's propensity to disregard the natural order of things and to construct her abode, barns

and places of business "smack dab" in the middle of the low spots. In times past most Indian villages were intelligently located near water courses where fish and mussels could be readily attained, but they were usually set upon a spot of high ground. So why, when viewing a floodplain, do modern Americans not see a floodplain, instead of a cheap piece of developable real estate?

To what do we owe this nonsense? Partly it is due to our shortsightedness. We often exchange long term stability for short term goals. Convenience borne of short term planning or no planning at all is convenience living on borrowed time. Greed confounds one's ability to think beyond one's own nose. Land prone to flooding is relatively cheap and so the "savvy business woman" buys it, fills it with all kinds of stuff, builds a convenience store plaza and a trailer park, makes a whopping profit and sells it to another short-sighted entrepreneur. Eventually the big flood comes and the lucky "pigeon" who happens to own it then, demands disaster relief from some governmental entity which has just about the same level of myopia as the entrepreneur; and thus, she gets the money needed to rebuild (guess where) right back in the same spot which the river insists belongs to it.

Such foolish behavior is also due in part to the very religious trust modern humans place in modern technology and its mother, modern science. "We'll fix that river for flooding our hard-won enterprises. We'll dam it, damn it!" Science which focuses ever more narrowly on small pieces of a large object often reaches conclusions which do not jive with the reality of the whole. The following is an example of how we trust in technology to deliver us from the bitter harvest of short term thinking. A human, let's call her Hillary, owns a house located in the floodplain of a river. The river rises and enters the floodplain, damaging Hillary's house and drowning her Rottweiler. An engineer, we'll call him Al, comes up with a solution. Al proposes construction of a dam and a floodwall, and he recommends filling the floodplain with rocks and soil so Hillary can rebuild her house in the same location and so many more humans can move onto the floodplain also. Of course, all of this will be paid for with money collected from taxpayers.

What should be obvious to a reasonable person, but apparently is not obvious to many engineers, politicians and most floodplain dwellers, is that the problem really has not been solved; it simply has acquired a higher threshold of activation. Now it will take a bigger flood to reach Hillary's new "protected" house. The geological record shows us that bigger floods will come. But we don't have to read rocks to know this. We simply need to reread the newspapers from the summer of 1993. Remember the big floods in the midwest along Mississippi River and several of its major tributaries? Neither dike nor dam nor dredged river channel could keep the river towns dry.

The "dredge it, dike it and dam it"

mentality results only in more broken promises of protection from flooding. This scenario gives false hope to survivors of relatively minor floods. When the big one comes, their dreams or the dreams of their successors will be swept away. These triple "Us" also compound the flooding problems felt by downstream floodplainers. The volume of flood water which once was temporarily stored in the low areas which have now been filled, hurries on down the channel to contribute to a higher and swifter peak flow. After the river has been dredged and straightened, the channeled flood, which was once slowed by friction and turbulence in the old meandering route, now moves downstream faster with greater erosive power and more potential for damaging property. This nation's increase in flood disaster relief efforts has not been accompanied by an appropriate shift in its flood disaster prevention policies. Currently the focus is on flood prevention and flood control, not on flood DISASTER prevention.

What we need to do is look at the big picture. How does a riparian ecosystem function? By polar shifting between flood and drought. Cycles of flow extremes are absolutely essential to proper functioning of a riparian ecosystem. The disaster in this so called natural disaster is not natural at all, it is human. The lot of humans, myself among them, insisting on living in flood-prone areas (and I do) are "the problem". The human disasters associated with flooding are human-induced. It would seem that the only true solution to the problems of flooding is to move "the problem out of the floodplain".

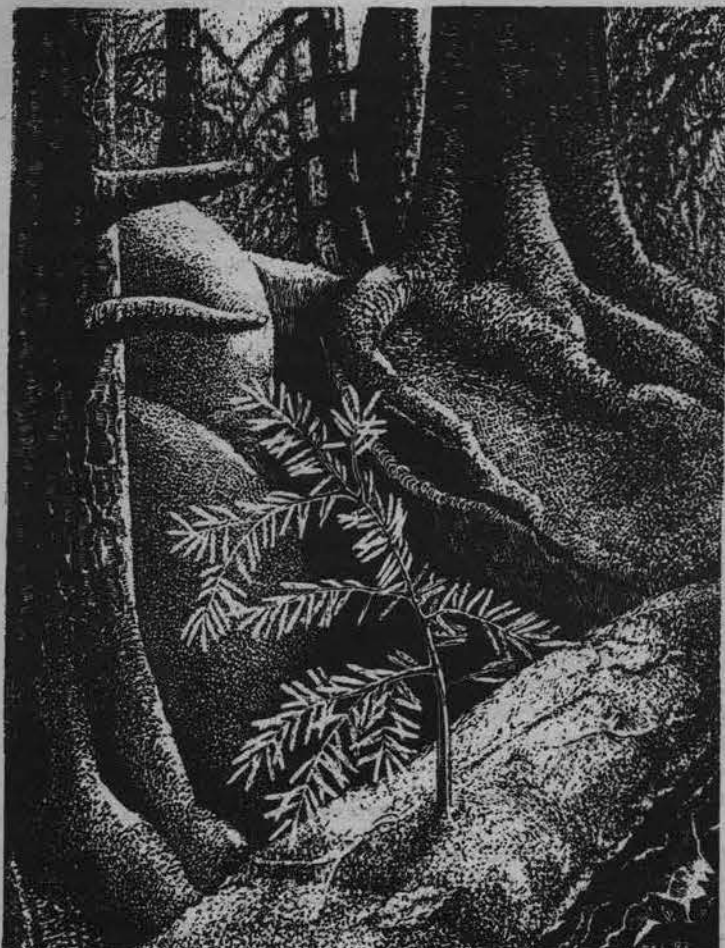
Current governmental policies regarding flood control and disaster relief reflect the mindset of the quite unnatural, techno-American. Humans living apart from and oblivious to natural rhythms cannot comprehend the simplest solution to the flooding problem. Because so many decisions are arrived at based upon measurements and calculations, techno-junkies no longer trust common sense. A prime example of this subordination of wholistic thinking (common horse sense) to reductionist thinking (trusting calculations dealing with subsets of reality) can be seen in the United States Army Corps of Engineers permitting process for dredge and fill permitting process. It goes something like this. Someone applies for a permit to fill in a small portion of bottom land in order to build a restaurant overlooking a river. The Corps sends the application to several other agencies for comment. The U.S. Fish and Wildlife Service and the West Virginia Division of Natural Resources know of no "significant" wetlands which will be impacted and since the size of the proposed fill area is so small, they both comment that they see no reason to deny the permit. The Corps, finding no significant negative impact due to the proposed project, then decides to grant the permit. What is wrong with this process? Its focus is too narrow. What really should be said is that the agencies can find no MEASURABLE impact due to this project ALONE.

This should be accompanied with an admission that the tools used to measure such impacts are not sophisticated enough to measure the individual impacts from this single project. And of course the problem of cumulative impacts from many individual projects is not within the scope of this review process. Individual fill projects of a few hundred cubic feet here and there soon add up to millions of cubic feet of lost flood storage capacity through this shortsighted process.

The Army Corps of Engineers is often cussed for its fervor in pursuing the three "Us." But to be fair, I must point out that this agency is simply applying a can-do attitude to its congressional mandate. Until recent years, Congress never expected the Corps to pay close attention to environmental problems arising from its flood control projects. Now, however, there are signs of change visible. Congress is responding to our concerns about our lack of stewardship of our water resources and the Corps is in turn responding to Congress. In Florida the Corps is restoring some of the Kissimmee River meanders it once channelized, and in Maryland and Washington, D.C. the Army Engineers are applying their technical know-how to the restoration of tidal wetlands and riparian habitat along the highly developed and severely degraded Anacostia River. This type of engineering, which attempts to restore biological productivity, is like a breath of fresh air blowing through the Corps. Perhaps one day, this fresh air will course through West Virginia's river valleys and benefit us as well. Some day, restoring degraded habitat may be included in the primary goals of the Corps just as performing the three "Us" is now.

To the Lenape and other Indians several centuries ago, and to everybody's ancestors living before the development of large population centers, water courses were the providers of many of the necessities and simple pleasures of life. To slake thirst, a cupped handful of creek water would do just fine. A fish speared in the weedy shallows and cooked over a riverside fire would satisfy hunger. Summer travel for trading, hunting and warring was made quick (in one direction anyway) by canoes on flowing water. Baths to cleanse the body and soul were offered by myriad streams throughout much of the year. Basically, folks with simple technologies took from rivers only what those living, aqueous arteries offered easily.

Peoples with more complex technologies expect much more from watercourses than they can healthily give. Today we dam them in order to supply water and power to our metropolis. To mold them to our trade needs we dam them, lock them, channelize them and dredge them. Then, to take advantage of relatively inexpensive water transportation costs, we fill in flood storage wetlands found alongside the water courses. Next, upon these filled wetlands we construct our industrial plants and our residential areas which supply labor for the plants. After all of



From Wild Earth- Winter 93-94



by Robert Leverett from Wild Earth - Spring 94

this, we still expect the streams to assimilate our wastes, to carry off precipitation runoff, to water our livestock and crops, to provide us with recreation, drinking water and fire protection, AND to stay out of our back yards. When the rivers do what comes naturally after heavy precipitation and infringe upon "our" territorial claims, we curse them and cry to our politicians and engineers to dam them, to dredge them, to channel them, to dike them and to rip-rap them some more. and to fill in the last few remnants of flood storage wetlands so we can "reclaim" them for "higher use".

In West Virginia, due to this odd logic opposed to natural processes, perhaps the most devastating onslaught upon watercourses currently underway, is that in our agricultural lands with stream bank "stabilization". Lands that have been cleared of precipitation-absorbing vegetation now support agricultural production based mostly upon methods which substitute soil-building practices with soil-destroying practices designed to boost production in the short term through the use of mineral fertilizers, herbicides and insecticides. Fields are worked right up to the lips of the eroding stream banks. Livestock have free roam of the riparian habitat so that their sharp hooves literally carve away the soil from the stream banks. An obvious solution is to fence off stream corridors to keep the cowboys and plowboys from destroying the very soils upon which they depend for a living. Unfortunately in some parts of the state, agricultural agencies argue

that this takes land out of production and should not be as rigorously pursued as "stabilizing" stream banks with rock rip-rap. Free access to stream banks by farm machinery and cattle also takes land out of production by increasing erosion of the soil base. It is the inability to see this or the refusal to acknowledge it that prevents some staff of these agencies from making intelligent decisions which will provide long-term benefits to farmers under their tutelage.

There is an up side in all of this. Farmers are, on the whole, quite intelligent. When presented with facts not cloaked in rhetoric they will, by and large, make appropriate decisions for their lands. In Jefferson and Berkeley Counties where the Soil Conservation Service has been promoting the use of stream side fencing, farmers are waiting in line to take advantage of federal funding which helps them protect their soils, enhance wildlife habitat, reduce the incidence of herd diseases and minimize flood damage. The major difference between the fencing method and the rock rip-rap method is that the former actually solves problems, while the latter often compounds them. Both methods are federally funded. The fencing program, in conjunction with programs which encourage agriculturists to withdraw wetlands and flood-prone areas from intensive crop or livestock production, allows the natural fluctuations of stream level to continue with little damage to property. The rip-rap program applied alone,

pursues the same ill-fated logic that has consistently pitted humankind against nature in a lose-lose war with no end in sight. It encourages cropping and grazing right to the edge of stream banks. When applied in tandem, fencing and placing of rip-rap are formidable weapons against soil loss.

In West Virginia, as well as in other parts of the Appalachian Region, the creek mouths, the riverine wetlands, the low lying bottoms and the island back channels buffer higher ground against the power of flood waters. These low places, when left alone are important regulators of high water. They allow excess water to bleed off from raging torrents, thus diminish peak velocities and channel volumes. In watersheds where the low places are left undeveloped, floods have a greater duration, but peak flows are lower than in watersheds which have had their low spots filled, diked and otherwise developed. The trees and other vegetation that grow in undeveloped flood-prone areas also help to slow flood velocities. Trees catch debris which can damage bridges and other man-made structures. When left undeveloped, these areas help hold soil. They provide essential habitat for numerous species of aquatic, semi-aquatic and terrestrial organisms. Many birds are commonly associated with such places. Kingfishers, green-backed herons, great blue herons, wood ducks, rose-breasted grosbeaks, waterthrushes, ospreys, prothonotary warblers and yellow-throated warblers are species found commonly in the undisturbed bottom lands of our streams. Mammals which require semi-aquatic habitats or bottom forests include beavers, muskrats, minks, otters, raccoons and moles. Numerous amphibian species, including some which have experienced noticeable declines in recent years, need such habitats for survival. During major floods, the inundated low places provide refuge to fish. Although mussels do not escape raging currents by moving into such refuges, they certainly benefit from the speed control which these spots exert upon flood stage currents.

Low places also play an important role during the dry parts of drought-flood cycles. Streams which have their low spots essentially intact, suffer less during droughts than streams which have much development along their shores. Wetlands, forested bottomlands and such hold water better and release it more slowly to streams than do developed streamside parcels. All of the beneficial functions of low places make them worthy of our admiration and our protection.

But how do we go about that task? Perhaps it is too late. To be sure, major policy changes will be required. And before policies can be altered, minds have to be changed. Until we view natural flow fluctuations as perfectly normal responses to varying levels of precipitation and as essential components of ecosystem health and human health, we will be unable to truly commit ourselves to preserving the low places. Disaster relief must include assurances that those flooded, do not return to the

flood plain to live. The "takings" issue must be resolved in a manner which does not leave these flood refugees without reimbursement for their moves. They must be left literally high and dry, and not figuratively so. Towns and cities which are sited on flood plains should not expand into more low places. There must be incentives given to municipalities for protection of the low spots in their natural conditions and there must be disincentives applied to those municipalities which insist on destroying flood storage zones.

If you currently live in a flood plain as I do, what can be done? Move. However, we may not want to move, or we may be too financially straight-jacketed to move. So what can we do where we live right now? If you live in a low lying area prone to flooding, plant shrubs and trees between you and any water courses that flow by your house. Don't fill in the low spots of your yard. This will only result in less storage space for the flood waters that will eventually reach your downstream neighbors. My yard is relatively flat and is underlain by deep sandy soil. I have been giving a good deal of thought to the idea of lowering the elevation of some portions of my yard. This would give me an edge against the next big flood like the one in

1985 which just missed wetting my house floor by six inches. Let the low spots revert to wetland vegetation. Not only is it the prudent thing to do, but it will also provide you with bird watching and nature study opportunities.

If you own bottom land, but your house is not located in the flood zone, be aware that you can take steps to help assure that flood waters are less damaging to downstream neighbors. Leave vegetative borders between your developed low places and the streams along which they lie. Do not fill in existing flood-prone spots. Allow your lowest, most frequently flooded farm fields to revert back to native vegetation. If you farm such areas, consider joining the thousands of other farmers who have taken such lands out of intensive agricultural production and enrolled them in the national Wetlands Reserve Program. Your land may even be suitable for inclusion in a wetlands restoration project in cooperation with The United States Fish & Wildlife Service. Just as our wetlands and stream banks have disappeared cubic foot by cubic foot, so shall they be restored. Then "the rising river which swells the mouths of creeks" will once again reflect the health of a properly functioning ecosystem here in the outskirts of "Sunland". ♦

Science Abstracts -

Importance of Cloud Water Interception to Deposition rates in High Elevation Ecosystems in New England. - T. Scherbatskoy, University of Vermont

It is well known that cloud or fog interception by foliage may produce large water inputs in high elevation of coastal forests. Recent interest in acid deposition has stimulated a new look at the chemistry and deposition rates of cloud and rain water in these ecosystems. Reports of conifer decline in the Appalachian Mountains of the US and in central Europe has made understanding the role of cloud water interception in these regions especially important. This paper discusses the potential impact of cloud water deposition in high elevation conifer forests, some of the past and recent findings regarding interception chemistry, dynamics, and methods of collection, and the results of research conducted in the northern Green Mountains of Vermont.

Several field studies have shown substantial enrichment of ions in cloud water relative to rain. Small droplet size, evaporation-condensation cycles, and aerosol entrainment are discussed as possible modes for this enrichment. Few studies quantitatively document the contribution of cloud interception in extrapolating from collection equipment to forests interception rates. However, estimates of ion loadings from cloud interception have been undertaken, and methods and results of these studies are briefly discussed.

In our research, rain and cloud water collected at elevations between 500 and 1200 m on three mountains in northern Vermont, where analyzed for volume relationships, conductivity, pH, NO₃, SO₄, Cd, Cu, Pb, Zn. Cloud water interception increased with elevation, accounting for 40-80% of the total precipitation (rain plus cloud interception) available above 1000 m. During the June-October periods of 1981-1982, collected cloud water contained significantly higher concentrations of NO₃ and SO₄ and had a mean pH of 3.8, compared to the mean rain pH of 4.2. Heavy metal concentrations were also higher in cloud water, and were variable over the collecting period. Total annual deposition of H⁺, NO₃, SO₄, ions in the northern coniferous forest was estimated to be 2, 99, and 162 kg/ha (kilograms per hectare) respectively, due to interception of cloud water, while deposition due to rain was 70%, 67%, and 59%, respectively, of these values. The large input of cloud water at high elevations and its elevated concentrations of acids and metals indicate that these ecosystems are subject to larger loadings of these pollutants than are lower elevation regions. Potential impacts of this indicated pollutant loading are briefly discussed, including the accumulation of trace metals in mountain soils, increased elemental mobilization, accelerated foliar leaching, physiological alterations in plants and microorganisms, and ultimately, decreased vigor of forest tree growth. - thanks to Don Gaspar for sending this along. ♦

WVDA - The Extincto?

(from page 1) impacts.

Pheromones smell like the female moth at mating time and when populations are low it will keep most of the males from mating.

Bacillus Thuringiensis (BT) - a bacteria that when eaten by most any moth or butterfly larva, bursts its stomach and kills the larva. This pesticide last only a few days to a week depending on weather conditions. The US Forest Service uses this almost exclusively.

Dimilin - This is the bad boy. It lasts all summer on the foliage it was sprayed on, and stays with the leaves on the ground, in the litter, swept down streams, lasting for years in the ecosystem. Dr. Mary Wimmer (WVU) found 40% of it left after three years. Not only does it kill all Lepidoptera, but affects many other orders of insects and aquatic life too. Camel Crickets, spiders, mites, springtails all also killed, in the canopy and/or in the leaf litter by Dimilin. Dr. Linda Butler's (WVU) 3 year study of Dimilin at Fernow Experimental forest, revealed, that even after 3 years, many

species have not rebounded at all.

WVDA sprays Dimilin almost exclusively. Even the US Forest Service no longer uses Dimilin, nor has it done so in over two years.

The Other Moths - Maybe you haven't noticed the beauty of moths. Well, then you have a treat in store for you. There are at least 800 species of macro-moths (Macro Leps) in WV. Dr. Butler found over 360 species at the Fernow and over 400 at Cooper's Rock State Forest. These moths were captured for identification in a light trap. She admits that if the studies could have been more extensive additional species would have been found. The micro moths (Micro Leps) are very poorly understood, often identified only to Families. Certainly there are species of micro leps unknown to Science in WV.

Some of the moths are very localized. Dr. Butler has found a species (Brachynicta borealis in the Noctuidae family) on Elkhorn Ridge near Petersburg, that has not been found in years and is not known from any other location south of Canada. Who knows

what other treats we have missed. Less than .01% of WV has been surveyed for moths (my estimate). So, I conclude, that the WVDA by spraying over 100,000 acres per year has driven a few Lepidoptera to extinction. (TA DA!!)

So why is the WVDA spraying Dimilin, when the US Forest Service (see related article) does not use it? Good Question!! It's easier to use (it's more forgiving). It costs a little less (about a dollar an acre less). It generally kills a larger percentage of the moths. But some scientists believe, that due to the population dynamics of the Gypsy Moth, this catastrophic destruction of their numbers may only cause another population explosion down the road. I am guessing that they are using it because they can get away with it, that enough pressure by the anti-extinction crew (and that means you, I hope) has not yet been applied.

An interesting non-related (I'm sure) fact. Uniroyal, the producer of Dimilin features the WVDA in their brochure on Dimilin, explaining how WVDA runs such a model program. ♦

Noctuidae

from W.J. Holland's - *The Moth Book*

"The Noctuidae are a huge complex of genera and species, the general being reckoned by hundreds, and the species by thousands. Within the faunal limits intended to be covered by this book (North America) there are already (1911) known to occur in the neighborhood of three hundred and seventy-five genera, and many more than two thousand species which are referable to this family... The moths are nocturnal in their habits... The larva are generally naked, or at the most pubescent. In some of the subfamilies the larva are semiloopers, some of the prolegs being absent. Pupation generally takes place underground without a cocoon, the earth being fashioned in some cases into a cemented cell about the pupa." ♦

Write the Governor

Ask him why he is allowing his Department of Agriculture to drive species of moths to extinction by spraying Dimilin. Tell him that the US Forest Service is acting responsible and using another spray that has nowhere near the potential to wipe out species. Tell him you will remember his term as one in which species eradication continued. Ask him if he doesn't care if some harmless, beautiful, species only known in WV, will very likely be wiped out if the WVDA continues the Dimilin spray program. You get the idea now get out the word processor or pen and paper and have at it. Its easy to write him, his address is Governor Gaston Caperton, State Capitol Complex, Charleston, WV 25305. ♦

Shoot First, Ask Questions Later

Mon Forest Sprays and Studies Gypsy Moth

by Bill Ragette'
The Spraying

The US Forest Service (FS) office in Elkins has just released its Environmental Assessment and Decision Notice for the spraying of 17,000 acres of the Monongahela National Forest, mostly around the Parsons, WV area. The FS chose these areas after conducting aerial photographic surveys. They say they have targeted only those areas that are likely to suffer a large outbreak if not treated.

According to the Scoping

Document - "Currently the gypsy moth is present in all of Grant, Pendleton, Tucker, Pocahontas and Randolph Counties. The presence of damaging populations of the moth is not as easy to discover since so many variables influence population outbreaks. If unmanaged, population outbreaks can result in severe defoliation of host trees over a large area resulting in growth loss and tree mortality which has the potential for significantly affecting forest resources. Trees respond to severe defoliation by re-foliating (later in the summer), which in turn increases their vulnerability to root diseases

and attack by secondary insects." The Forest Service has used at least 5 different pesticides on 45,000 acres over the last six years. Dimilin, which causes the most damage to non target species (everything else but the Gypsy moth) has not been used by the Forest Service since 1991. Bacillus Thuringiensis (BT), a bacteria sprayed on leaves the moths feed upon, is currently the pesticide of choice. Although not as damaging to other species as Dimilin, BT kills many species of Lepidoptera. This includes all our butterflies and moths.

The FS also plans to use

Gypchek, a virus that attacks only the gypsy moth and a few closely related species. Unfortunately the Gypchek supply is very limited and will only be used in certain areas. One area it will be used in is the feeding grounds of an Endangered Species - the Virginia Big eared Bat.

During the scoping process, local residents expressed concern about the inerts in the spray causing allergic reactions. Since inerts are trade secrets of the chemical manufacturers, we don't know what's in them or if they will cause problems in humans. Because of this concern the boundaries of the

areas to be sprayed were revised to avoid inhabited areas.

Unfortunately there has been no survey of the Lepidoptera in the BT spray areas. A survey was conducted further to the east and the results will be shortly released. The truth is that there are many species of this insect order (perhaps hundreds) in our area and we just have no idea of what we may be exterminating besides the gypsy moth. Gary Bustamente of the USFS office in Elkins admits that this is a whole new frontier that we are just beginning to explore. He did feel that we will not be losing any species due to this (see page 8)

Another 'Voice' For the Forest

by Tom Michael

Readers of "The Highlands Voice" may be interested to know that there is now another "Voice" speaking out on forest issues. The "Inner Voice" is the newspaper of the Association of Forest Service Employees for Environmental Ethics (AFSEEE). For those who haven't heard of this group yet, AFSEEE is an association of current, retired and former Forest Service employees "dedicated to promoting ecologically sensitive ethic in public resource management agencies."

I have found that there are many environmentalists in the regulatory and management agencies who often get little support from the top. AFSEEE is an example of how such folks can organize from within to carry on the good fight.

The November/December issue of the "Inner Voice" focused on the

southern forest. I read this issue from cover to cover and found it loaded with information and, not incidentally, with inspiration. Herewith is a sampling.

Wendell Berry, poet, essayist and farmer: "We can safely predict that for a long time there are going to be people in places of power who will want to solve our local problems by inviting in some great multinational corporation. They will want to put millions of dollars of public money into an incentive package to make it worthwhile for the corporation to pay low wages for our labor and low prices for our timber. It is well understood that nothing so excites the glands of a free market capitalist as the offer of a government subsidy."

Berry offers the Menominee Indians of Wisconsin as an example of an alternative forestry. The majority of their forest is cut selectively every 15 years. "Their rule is to cut the worst and leave

the best. That is, the loggers remove only those trees that are stunted or otherwise defective, and those that need to be removed in order to improve the stand. Old trees that are healthy and still growing are left uncut. As a result, this is an old forest, containing, for example, 350 year old hemlocks, and cedars that are probably older. The average age of harvested maples is 140 to 180 years."

CHERI BROOKS, Editor of "Inner Voice": "Among Southeastern fauna, amphibians are the strongest indicators of ecosystem health. The Southern Appalachians have over 50 species of salamanders, 23 of which are endemic to the region. Studies by Dr. Jim Petranka at the University of North Carolina and others have found that clearcutting reduces the abundance of salamanders because it alters microhabitats on the forest floor. A controversial study out of the Institute of Ecology in Athens, Geor-

gia found that herbaceous plants of the forest understory, such as ginseng, lady slipper, and blue cohosh, can take centuries to reestablish after clearcutting."

ORIE LOUCKS, botanist and zoologist: "Many people assume that trees, as they get old, are much more likely to die, just as humans are. But students have shown trees actually have the same probability of death at every age - within each age class, the same percentage of trees is as likely to die as in any other age class. This is one reason for the development of old-growth forests where a few individuals in a population may live up to 500 years. The phrase 'trees die of old age' has become another way to rationalize logging just because a stand can be said to be 'mature'."

The issue also contains articles discussing the need to preserve old growth forest as refuges for breeding

populations of neotropical migrant birds, and a list of criteria to judge whether Ecosystem Management is a misnomer. An article on recreation demand in the National Forests proposes the intriguing idea of charging a fee for a recreation pass. A portion of the revenue generated by the fee would be returned to the local communities, just as a portion of timber sales is presently. The author, Peter Morton, argues that this program would actually return more money to communities in the Southern Appalachian than is currently paid through the timber sale program. If this is true, it would help diffuse much of the local opposition to additional wilderness areas in the Monongahela National Forest.

The 'Inner Voice', and especially this issue, is a valuable source of information for forest activists. The address of AFSEEE is P.O. Box 11615, Eugene, OR 97440. ♦



Mining Matters

Reports from the mining committee -
by Cindy Rank

SECRETARY OF THE INTERIOR RESPONDS

The "Appalachian Clean Streams Initiative" (ACSI) is one of a series of proposals by the US. Office of Surface Mining (OSM) meant to address the ever present and ever growing problem of Acid Mine Drainage (AMD). In September the National Citizens Coal Council (CCC) commented on OSM's May 26, 1994 draft of the ACSI proposal.

Writing for CCC and WVHC (a member group of CCC), Richard di Pretoro commented on the proposal. The letter was sent to Secretary of the Interior Bruce Babbitt and outlined CCC's support and reservations about the specifics of OSM's ACSI proposal. The November issue of the VOICE included excerpts of the letter in an article entitled "A Letter on Acid Mine Drainage."

What follows is the response of the US Department of the Interior (DOI) written by Bob Armstrong, Assistant Secretary for Land and Minerals Management...

Dear Richard diPretoro,

Thank you for your September 15 letter to the Secretary of the Interior in which you commented on the Office of Surface Mining Reclamation and Enforcement's Appalachian Clean Streams Initiative. Secretary Babbitt has forwarded your letter to me for reply.

We appreciate your support for our plans to address AMD. Since ACSI was first described, some changes in the way it is packaged have been made so it will be compatible with the objectives of organizations that may provide funds from the private sector. Thus, OSM has developed a three-pronged approach for addressing AMD: prevention, early detection, and clean-up.

PREVENTION The pre-mining objective is prevention. During the technical review of the permit application, plans to mine in acid/toxic-producing strata may be altered if necessary or disapproved by the regulatory authority if the review indicates that a perpetual acid/toxic post-mining discharge may result. The AMD prevention plans are being developed by OSM through the Eastern Mine Drainage Federal Consortium

(initiated by the Environmental Protection Agency and supported by several other Federal agencies involved in the oversight of mining activities.)

DETECTION While active mining is in progress, the goal is early detection of conditions that may lead to perpetual acid/toxic discharges. Such permits may be revised to overcome the problem if early detection is practiced. OSM, working with the States, is developing an AMD-specific type of inspection that will lead to early detection of acid production on the site and thereby sound an alarm for potential long-term problems.

CLEANUP Finally, for post mining discharges, our intent is cleanup. Cleanup is needed where mining has ended and reclamation has failed to prevent acid/toxic discharges. The ACSI now relates only to cleanup of acid/toxic sources from abandoned sites and contains no regulatory provisions.

OSM RESOLVE As to our ability to carry out these plans, AMD is a tough problem that has never been effectively addressed. But it should be clear from the actions already underway that the AMD emphasis is not business as usual. The prevention plan is gearing up, with the initial contacts having been made with the States by the Eastern Nine Drainage Federal Consortium in the past few weeks. That program will be progressing within the next few months. We have largely defined a new inspection methodology, the "AMD Inspection," and are now initiating a 6-month test period to make refinements. We have made considerable progress in getting State buy-in on this type of inspection. Incidentally, this is not a research project; it is an inspection procedure aimed at a known, major environmental problem.

The data we are developing to address environmental problems is not dependent on old permit files. We do understand the limitations of those data and have no wish to use the staff time necessary to go over old files that are known to be of limited value. Also, we fully intend to address bonding issues. We have a team working on this now.

The various AMD-related initiatives not only are intended to address an immediate problem, they are defining a different approach to solving environmental problems and working with State agencies, industry, and citizens. Once

the methods are 'up-and-running' we will certainly expand the geographic coverage to include all areas where AMD is a problem.

AMD, as we are developing the program, also addresses other pollutants commonly associated with acid, such as iron, aluminum, and manganese.

Other points you brought up include holding liable parties responsible, re-mining, deep mine discharges, and incentives. We intend to work with the States to seek out and hold liable parties responsible. Re-mining offers a good opportunity to solve some surface leachate problems, and daylighting holds promise for some deep mine discharges. We are very much interested in working with industry to develop this potential. Concerning the deep mine discharges, it is not our intention to focus on them exclusively. We are developing a comprehensive program to address all types of problems. As you have pointed out, the deep mine discharges are the most difficult, least understood of the problems and will take more time and will require different solutions than other types of acid sources. Your point about disincentives is well taken. We are evaluating the incentives/disincentives of

potential actions as part of our planning method.

Our first line approach to cleanup is reclamation of the site through self-sustaining measures; that is much preferred over active treatment. As we work with stream cleanup, however, we do not expect to take issue with State treatment projects. In some areas, treatment is currently providing environmental benefits to extensive reaches of streams. It is possible that we may find some sites where treatment is advisable in comparison to the benefits as we try to achieve a whole watershed improvement.

An effective Federal AMD Strategy includes making AMD a clear priority and focusing ongoing efforts to develop a coordinated interagency plan to address the problem. As noted above, that is being done. OSM is prepared to make a continuing significant commitment of resources to plan and coordinate these activities. It is taking the lead in coordinating Federal interagency implementation and seeking other Federal agencies to join.

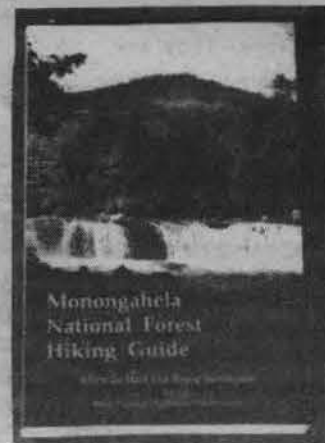
As we develop and continue our outreach and interagency coordination, we are building a base of support. I hope you will be a part of that base.

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.

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Green Radio from WVEC's Legislative Update

We all have noticed the talk show phenomenon lately and also noted that it seems that the hosts are not the greenest of people. A new talk show has debuted in Charleston this month that is unique in the state. "Talking Back" is hosted by Senator David Grubb. Grubb is the founder of the 20-year-old West Virginia Citizen Action Group and considered by many to be the most articulate spokesperson on progressive issues in the state. Sponsored by such groups as the West Virginia Education Association, the ACT Foun-

ation, the State Workers Union, the UMWA, the Highlands Conservancy and WV-CAG, the 1 hour call-in show can be heard at 10:00 AM Saturday mornings in the Kanawha Valley. Radio Station WQBE AM 950 is the place to tune.

What a refreshing change it is to hear the ads of the Highlands Conservancy advocating for a greater appreciation of our State's beauty! Last week's show was devoted entirely to the various issues involving the Mason County Pulp Mill. ♦

Glossary for - WVDA the Extincter

Forgiving - (the spray would be) more likely to still kill the gypsy moths despite bad weather, human error, or other problems.

Lepidoptera - (go on, say it, its fun) the Order of insects consisting of the Moths and Butterflies. Called 'Leps' for short. The moths are further divided into two general sub groups, called Macro- and

Micro-Lepidoptera.

Non-target species - the innocent bystanders that are also effected by the spray

Persistence - how long the spray remain in the ecosystem.

Rebound - an increase in numbers after die backs due to spray occurring at different times (or not at all).

WVHC Board Doesn't Join Tax Suit



by Frank Young

In a split vote, the W.Va. Highlands Conservancy Board of Directors declined to join in a Petition For Writ Of Mandamus in a tax case at its January 15 meeting.

Seven organizations including labor, environmental, educational and public interest groups and six individuals filed an action January 23 in Kanawha County Circuit Court asking the Court to require accurate valuations of natural resource properties, particularly coal, for real estate tax purposes.

It was suggested by some board members that we might have a common interest with some of the Petitioners (plaintiffs) in the action. A long discussion ensued. Most board members indicated sympathy with the stated intent of the suit, but most seemed to feel that the Conservancy's individual members may or may not pay their dues and maintain membership for the purpose of seeing the organization become involved in tax issues.

Some, however felt that the management of natural resources, be it through environmental regulations or by tax policy, is of concern to the Conservancy.

One board member said that the issues of tax fairness toward natural resources and of environmental responsibility in managing those resources amounted to an effort by tax and environmental activists to tame "a common dragon"- the Coal Industry. He argued that the same lobbyists, who lobby for favorable tax law, lobby for favorable environmental rules for the coal industry, and that the same lawyers who lobby the state tax department for lax enforcement lobby the Department of Environmental Protection for lax enforcement there.

Although the WVHC did not officially join the court action, two of its board members, Carroll Jett and Frank Young, both associated with the W.Va. Fair Tax Coalition, did join as individual petitioners in that action. The W.Va. Fair Tax Coalition is a loose knit group-

ing, formed over a year ago, of 24 statewide organizations who have supported the natural resource fair valuation effort.

For years Braxton County attorney Michael Farber has lead a challenge to the decades old system of virtual self-assessment of natural resources by coal operators and landing holding companies. Farber says the assigned valuations represent only pennies on the dollar of actual value of the resources. He contrasts this with the situation of home, vehicle and small business owners who are taxed at full market value for their properties. Farber argues that the latter group of taxpayers are thus taxed disproportionately higher than natural resource owners. Farber heads the Fair Tax Coalition.

It was WVHC board member Carroll Jett who helped make the connection with Farber and environmentalists. In the summer of 1992 Jett invited Farber to address the W.Va. Citizens' Congress at Glenville State College. The Citizens' Congress is a diverse group of progressive minded reformers who

came together after the 1992 primary election campaign of gubernatorial candidate Charlotte Pritt. Many at that meeting were impressed with Farber's study of the natural resource tax situation. Some of us joined his cause.

Besides the six individuals, organizations officially signed on as petitioners to the tax action are W.Va. State Employees Union; WV. Education Association; W.Va. Citizens' Action Group; W.Va. Labor Federation AFL-CIO; United Mine Workers of America; Common Cause of W.Va. and the W.Va. Environmental Council.

The suit contends that the state tax commissioner has not performed the non-discretionary duties of that office. Specifically, among other things, the suit alleges that the commissioner does not maintain a proper and accurate record of coal sale transactions to use as a guide in determining the actual market value of coal reserves, as required by law. This results in the underassessment of the reserves and results in low taxes being assessed and collected.

Some argue that the underassessment of these reserves is consistent with and is part of an overall state administrative policy, in place for decades, which gives resource holders unfair economic advantage over folks with less political influence. They argue that the financial benefits the resource holders gain by these political policies enable the holders to exercise even more political influence, by giving large sums of money to some politicians campaigns, for example. And that the circle of money and political influence goes 'round and 'round.

The suit asks the court to order the tax commissioner to value coal properties fairly and equitably at market value, and asks the court to appoint a Special Master to oversee and direct the work of the tax commissioner to ensure compliance with the law.

Shoot First

(from page 6) spray, but admitted that we just don't know for sure.

The Study

According to the scoping notice "-Concerns have been expressed by citizens, scientists, and the Forests Service regarding the long-term, regional impacts of both gypsy moth defoliation and gypsy moth insecticide treatments on non-target organisms occurring in the forest ecosystems.

The USFS is proposing to establish research plot on the Monongahela and George Washington National Forests. The purpose is to:

-Collect baseline data on Lepidoptera (butterflies and moths) and other selected herbivorous, predaceous, and parasitic arthropods (animals with a jointed exoskeleton), song-

birds and salamanders.

-Evaluate the impact of three applications of Bacillus thuringiensis var. kurstaki (BTK), and the nucleopolyhedrosis virus (NPV, trade name Gypchek). No chemical treatments are proposed.

-Identify the best indicator communities or species for evaluation of impacts of BTK and defoliation.

The study will last for ten years. The first two years will consist of gathering baseline data on arthropod, songbird, and salamander diversity in all nine study areas. Then in 1997, 1999, and 2001 spraying would occur in six areas. Monitoring would continue through the ten year period to judge the long term effects of defoliation and spraying. The study will be supervised by Dr. Linda Butler, Pro-

fessor of Entomology at WVU." **Spraying Before Studying???**

I asked Gary if it made sense to spray before we knew what species were already in the area and before we knew the effects of the sprays on these species. I received the same response I got from Bill Maxey about studying before cutting in state forests. They say that we could study the area forever but we needed to spray (cut) right away. I am just amazed that the gypsy moth has been in the US for over 100 years, and it seems we still don't know how the moth effects the forest ecosystem. Perhaps the sprays do more damage than the moth. So the USFS wants to keep spraying before and while these studies go on. They don't want to wait to conduct a survey of the species most likely to be harmed by the

then the Forest Service may have sprayed 200,000 acres in the Monongahela. (In this time the WVDA may spray over one million acres with a much more deadly poison (Dimilin)- see article elsewhere in the VOICE)

Both scoping notices (for the spraying and the study) came out at the same time (in the same envelope). They even used two different colored paper to highlight that they were different projects. The spraying EA has gone on as planned, but the study project has stalled. Now the WVDA, the WV Division of Forestry, and the WV Forest Management Review Commission are asking that the study also include Dimilin. Actually over 40 studies have already been done in WV alone, testifying as to the widespread damage that Dimilin does. I'm not sure if they are asking for Dimilin's inclusion to delay the study (it would cost 50% more to add another chemical to the study) or if

spray. Supposedly the study will be done in ten years. By



they just want to be able to say- "Well, all the science isn't in on Dimilin. We are still studying its effects." And meanwhile spraying like hell during the ten year study.

You can write to the Monongahela National Forest Supervisor at 1800 Sycamore St., Elkins, WV 26241. Tell him (Jim Page) that you are glad he's not using Dimilin and ask him to proceed with the study on the long term effects of BT. We need to know before we send any more species over the brink. ♦

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Membership Benefits

- * 1 year subscription to the Highlands Voice
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- The WVHC, at age 28, is the oldest environmental group in West Virginia. The Conservancy has been influential in protecting and preserving WV's natural heritage. Your support will help WVHC to continue its efforts.