

The Highlands Voice

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WVHC Files Major Citizen Complaints

by Cindy Rank, Mining Chair

Complaints Focus on Water Is-

Acting on behalf of the West Virginia Highlands Conservancy (WVHC) and the National Wildlife Federation, attorneys Tom Galloway and Walt Morris filed several extensive citizen complaints with the Federal Office of Surface Mining (OSM) on January

The complaints continue to advance WVHC's efforts to correct deficiencies in the West Virginia Surface Mine Regulatory program thereby effecting changes that will improve the quality of life and the environment in West Virginia.

The main focus of these recent complaints is water and the enforcement face Mine Control and Reclamation Act (SMCRA) and the Clean Water Act (CWA) that deal with water issues.

Four of the complaints address major programmatic issues and contain lists of several individual permits that substantiate the claims made in the complaint. They address 1) WV's failure to adjust bonds or to increase the bond pool (Special Reclamation Fund) to cover long-term treatment costs for acid mine drainage (AMD) at forfeited mine sites and at sites currently under permit where the permitees are now treating AMD; 2) WV's failure to treat AMD at bond forfeited sites (a requirement recognized by the Supreme Court of WV in granting a writ of mandamus in July 1994 in response to the Scott/McGinley petition for WVHC and others); 3) WV's failure to permit-block companies with outstanding water violations, and 4) WVs failure to meet other hydrologic provisions of SMCRA and CWA, e.g. requiring companies to have an NPDES per-

Inside Biodiversity - pg 8 Canaan - pg 4 Forests - pg 5 Heartwood - pg 4

Spring Cotillion - pg 3 Spring Review - pg 3 Students - pg 3 Vision - pgs 6 & 7

The fifth complaint takes issue with a WV Surface Mine Appeal Board decision to grant bond release to a company at a site with ongoing water quality violations. In this instance the state regulatory agency (DEP) denied the release. The company, C.W. Bentley, then appealed to the Board. Relying on the infamous Columbo Amendment', the Board granted the release. (Readers of the VOICE will remember 1.) that two previous WVHC complaints led to Administrative Law Judge rulings in similar cases, i.e. LaRosa Fuels at Kittle Flats and Cheyenne Coal Co., and 2.) that the 'Columbo Amendment' was never approved by OSM and therefore was never an enforceable part of the WV

The final complaint is similar to concerning the failure of the state to permit block an operator who has legal ties to another operation where the permit has been revoked and the bond

The law requires that OSM evaluate the complaints and, if the state enforcing agency or law or regulation is found to be lacking, OSM must require the state to make the necessary changes to bring it into compliance. If the state refuses to comply, OSM must take over the enforcement of the provisions at

To it's credit, OSM appears to have recognized the seriousness of the issues and the severity of) the problems that have resulted from the deficiencies defined in the complaints. OSM Director Robert Uram has directed his state, regional and national staff (see page 7)

mit, requiring reports of violations and correction of those violations, etc.



Extirpated Species of the Month

I've had this last drawing of Vince's for a while now but haven't used it because I didn't think the marten ever lived in West Virginia. But according to the Fieldbook of Natural History by Palmer and Fowler - The marten is a "Tireless hunter of the treetops, night or day. Found throughout wooded Canada and Alaska, formerly south in Alleghenies to West Virginia. Now generally rare. Prefers fir, spruce

and hemlock in the west, cedar swamps in the east.

"Length to 25 in. rail 8 in. Weight to 2 3/4 lb., female to 1 7/8 lb.. Rich dark brown with irregular patch on throat, though color varies and throat patch may be white or orange. Possibly pairs, mating in July to August. One to five young born in April in grass-lined hollow tree or burrow, reared by mother only... Life span 18 years.

"Food - squirrels, rabbits, birds, mice, eggs, or any animals that can be overcome. About the only protection a squirrel has is to get into a hole too small for a marten to enter, as it can be outrun

in treetops.
"Valuable as destroyer of mice and other rodents, mice never become pests in marten country. Highly valuable fur bearer, generally becoming scarce.

The Electronic VOICE

WNPB, Morgantown Public TV, with the help of US Rep. Allan Mollohan and the feds, has created an electronic bulletin board, mail and information service for West Virginian groups and citizens. Besides the VOICE there's lots of other interesting goodies there. In the Government section (called conference) there is a listing of all Senators, Representatives, State Senators and Delegates and their addresses, phones, and committee assignments. All the counties in Mollohan's district have their own place to post messages about news and area events. Connection to the

Internet is promised soon!!

The mail service is excellent. Beth Little and Richard diPretoro sent their articles for this month's VOICE to me via electronic mail.

You can post your own musings for all to read in one of the many conferences on Forestry, Mining, Public Lands, Biodiversity, Toxics... Former WVHC president Bob Burrell is hosting a conference on gardening, which seems to be drawing the most activity. There are other conferences on computers, music, area events, birding, aviation, social issues... Everyday there's something new being added.

Today I saw info about all the colleges and tech centers in WV. The WV Geologic Survey has information on its services and publications.

If you have a computer with a modem you can join in on the fun (and send me articles). Its easy to do, just

have your computer call 1-800-375-4064. If you live in the Morgantown area use 293-8663. Parts of Ohio and Pennsylvania and Maryland can also use the 800 number. After you are connected hit return twice and read the directions. There are (see page 5)

Kumbrabow at Court (again)

The WV State Supreme Court will hear agruments on the Kumbrabow Timber Sale on March 7, 1995. The court starts at 10 am, but there are 27 other cases to be presented first. Best guess as to when our case will be heard is 2 P.M. Be there or be square.

--- from the heart of the plateau--by John McFerrin

Commonsense

When it comes to disputes over whether some new project will be built, there is one overriding rule: The day the bulldozers show up the fight is over. So long as the project is just a gleam in the eye of some developer, the opponents have a chance. Once there is actual construction, the fight is effectively over. No matter how bad an idea it was to begin with, once something actually exists on the ground it becomes nearly impossible to stop. State and federal agencies and even the courts will find a way to make sure that it continues to exist.

There are, of course, rare exceptions to this rule. The Friends of the Little Kanawha managed to stop mining in their watershed after the actual on the ground construction had begun. The citizens who are fighting the Waste Technologies Industries hazardous waste incinerator still hope to stop that even though construction is complete.

Still, the rule operates. So long as an idea is just that--an idea--then it can be changed. Once it becomes a physical reality, for all practical purposes it cannot.

It is because of this rule that the United States Environmental Protection Agency's action concerning dioxin levels in the Ohio River is so disappointing.

EPA had originally taken the position that state regulators had to determine the current dioxin levels in the Ohio River before they could issue a permit to the pulp mill proposed for Mason County. This was an entirely sensible position. Determining the existing condition of a stream is a routine part of deciding whether to issue a permit that would allow a discharge into that stream.

In early February, 1995, the EPA reversed itself, announcing that it would not insist that West Virginia regulators refrain from permitting the mill until after they determined the current levels of dioxin in the Ohio River. It said, in effect, that West Virginia could go ahead and issue a permit while ignoring the current dioxin levels.

In what it called a "landmark commonsense approach", the EPA simultaneously announced that there would be a two year study of dioxin levels in the Ohio River watershed.

What it really announced, however, was that on the greatest environmental question in West Virginia of the 1990's, the United States Environmental Protection Agency intends to do nothing. Two years is plenty of time for the State of West Virginia to blunder ahead in its ignorance, issue the permit, and allow construction to begin. If that happens, it doesn't matter what the study says. The mill will no longer be an abstraction. It will be a real facility with real people working at real jobs. If this happens then there is no government official on the planet (or not in West Virginia or Washington, anyway) who would shut it down. They will find a way to let it continue.

This would not, of course, necessarily be a bad idea. The Governor may be right; maybe the pulp mill is what it takes to bring West Virginia to the promised land. I personally don't think he is but one never knows. Maybe a thorough and honest study would reveal that, all current indications to the contrary, there really is no dioxin already in the river. Maybe the dioxin from the pulp mill won't hurt anybody.

What is clearly a bad idea, however, is EPA's position in this matter. Instead of helping West Virginia make a wise decision, it has announced that it will do nothing. It has taken refuge in a plan to study the problem for two years. By that time, the decisions on the pulp mill will have been made.

West Virginia finds itself in a crisis. It is a crisis in the old, traditional sense of the word: a turning point, a moment of decision. As we reach that moment of decision, the United States Environmental Protection Agency has decided to do nothing. It has decided upon its "landmark commonsense approach" of studying the issue until it is too late for effective action. This approach may be "commonsense" if the goal is avoiding controversy. As far as helping West Virginia with its current crisis, it is useless.

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SEN Up to Sun Down

by SEN member Lydia Milnes

On January 20-22, the Student Environmental Network (SEN) held their 1st Annual Gathering in Elkins. Over forty high school and college students from around the state came together for the weekend. Hinton, Morgantown, Ritchie County, Charleston, Elkins and Huntington were all represented.

The theme of the weekend was 'SEN Up to Sun Down'. Activities that took place included: a morning walk and tour of the SEN office in downtown Elkins, a 'We All Live on a Dot' session, a lobbying workshop - presented by Gary Zuckett and Robert Bricker, a drama workshop - facilitated by Ruth Blackwell Rogers and Jana Cutlip, and an evening business meeting.

The Elkins YMCA kindly served as the host facility for the event. The Old Brick Playhouse also provided space and a stage for the script-writing and practice of a skit. This skit was presented to the West Virginia environmental community during the

E-Day events that recently took place at the Capitol in Charleston.

Everyone attending the weekend pitched in to fix the meals, clean-up, and have fun! We also had the opportunity to swim, use the Nautilis, and play volleyball, basketball and racquetball. Live music was provided later Saturday evening by local young jazz/blues musicians - Joey Johnson, Brian Talbott and Allan Talbott.

Student Environmental Network is a statewide organization for teenagers interested in the environment. SEN provides leadership, education and service opportunities to enable West Virginia's youth to develop and implement their environmental vision. Started three years ago by Dan St. Louis, SEN is now under the direction of Pam Merritt. SEN is a non-profit organization, and recently received it's 501(c)(3) status.

SEN members have participated in several events including: a weekend service project at the Three Rivers Raptor Center in Hinton, trips to Charleston to lobby the state legislature, tree planting for the Isaac Walton League in Elkins, E-Days, Environmental Council gatherings and meetings (SEN is now represented on the E-Council Board), presentations to the WV Scholars Program and the WV State Science Camp, and hiking and biking trips.

We would like to thank YMCA Director, John Pennington, for generously donating the YMCA for our weekend use. Also thanks to Jana, Ruth, Gary and Robert for their presentations and help, and to Abbey, Larry, Larry and Pam for chaperoning. Special thanks to Mrs. McQuain for showing up at the exact right moments and rescuing us. Numerous Elkins businesses donated food and supplies for the weekend, thanks to: Walmart, K-Mart, A & P, Krogers, IGA, Shop & Save, Wendy's, Dairy Queen, Hardees, Sunbeam Bakery Store, Eagle Snacks, the Pepsi Plant, and the Coke

For more information about SEN, write: P.O. Box 2837, Elkins, WV 26241, or call Pam Merritt (304) 478-4922

Earth Day at the Capitol

The guvment sponsored Earth Day will be held Thursday, April 13 from 10 to 3 at the fountain circle outside the Capitol Building. Some of the activities include Paper making (Dioxin free??), Soda Bottle Aquariums, Salamanders and Snakes, Safe Pesticide Disposal, Safe Drinking Water, Capitol Hike at Noon, natural Gas Vehicles, Recycled Products, Backyard Composting, Controlling

Erosion, Hazardous Waste, Blue Whale.

Pam Van Horn (558-3370) is the coordinator of this event. She said she is holding the event on this day to get as many school classes involved, because the following week the kids will be on Spring vacation. If you want to have a display or otherwise get involved give Pam a call.

WUHC Spring Review

Kumbrabow State Forest
May 12-14, 1995 - full moon!!
A few cabins and camping spots still available
call Richard diPretoro for details 296-8963

How about your Earth Day?? Let us know and we will announce it here. Need any VOICES to distribute?

Volunteerls) Needed In Mo'town Office Of WVHC

With cars, 25 years old defines a classic, and 40 years, an antique. The Conservancy now falls between those two. And slowly but surely, the accumulated record of nearly three decades of the WVHC is finding its way to the Morgantown office of WVHC. Several cubic feet of it await the loving touch of an historian. Or failing that, it awaits someone who would enjoy sorting through everything from file cards, old Voices, and minutes of meetings to Conservancy coffee mugs

and banners.

This does offer an opportunity to someone with time and interest to become the most knowledgeable single individual on the history of the Conservancy. And who knows what valuable and fascinating finds may await the adventurer. No doubt several good articles for the Voice lie buried in the pile. Please, someone, consider this a way to contribute to the Conservancy. Call 296-8963.

VOICES FROM THE PAST FROM PAST VOICES

FIVE YEARS AGO: March 1990 **MENACING SHAPES IN THE FOREST by Skip Deegans

The proposal for 16,248 acre coal mining, including strip and deep mining along the Cranberry and Cherry rivers and in the Cranberry Back Country...depends on whether or not the operator has valid existing rights...is like a similar scheme by state Senator Walter Helmick....who wants to strip mine over 1,000 acres in MNF at Briery Knob.

**WILDERNESS AND FREEDOM by Robert Stough

...we have come again to a critical juncture in the natural history of the Allegheny Mountains, when the forests are at last beginning to recover from their first destruction, and are now scheduled for another, slower perhaps, but nearly as thorough....we must decide whether to give a substantial part of the wilderness forests the freedom to continue to grow in peace or to destroy them again piecemeal in the

name of forest "management" and corporate welfare. ...All this does not mean that we cannot farm some land, cut some trees or extract some mineral resources, and it certainly does not mean that humans do not have a proper and useful place on the land, it simply means that, for our own well being we must establish large wilderness preservations in appropriate areas, mainly on public land in the mountains, that are defined by natural ecosystems, and LEAVE THEN ALONE.

FIFTEEN YEARS AGO: March 1980

Main Headline: SURFACE MINE REGULATIONS AND WATER QUALITY Other articles and headlines:

-Surface Mine Regulations & Water Quality at a Crossroads

-Braxton Environmental Action Program files suit- against coal company for noncompliance with Clean Water Act

-EPA creates Shortcuts for coal NPDES permits - criticized by WVHC, Sierra Club, WV Rivers Coalition, Audubon, and BEAP

PORK SNOUTS \$200,000,000 -PORK BRAINS \$0 by Nicholas Z.

have sneaked legislation through the US Senate to authorize \$200,000,000 for structural floodworks on the Big Sandy and Upper Cumberland Rivers...with no mention of any associated nonstructural approach favored by conservationists as a long term strategy toward saving lives, property and taxpayers' money. Conservancy members may take pride in the remarkable "clout" of our Senators to carry through this kind of maneuver. But they may regret that while our state has such power in Congress, it is used for the same old porky snouts in the trough, without a hint of porky brains.



Some Changes in Guide Marketing

We've made some changes recently regarding the marketing of the Monongahela National Forest Hiking Guide.

We raised the price that we expect retailers to charge for the Guide to \$12.95. We believe this price remains very reasonable given the size and quality of the book. For orders that come directly to the Conservancy, we will continue to charge the previous price, \$9.95. Since most of those go out by first class mail, which recently went up from \$2.90 to \$3.00, the effective price from us has been well above \$9.95 for a long time.

The increased price may actually result in increased sales. For all you microeconomic students who wonder how that can be, here's why. Raising the price of the Guide allows us to maintain our income while giving a larger discount to our wholesalers (50% versus 40%) who in turn can give a larger discount to retailers (40% versus 33%). Some retailers simply would not stock the book at the old discount And the new discount structure, which is normal in the industry, makes marketing the Guide more attractive for our distributors. Experts in the industry advise us that a price of \$12.95 places our Guide in the midrange of prices for such books. Because of that and also because it has no competition, we will not meet "price resistance," we are advised.

We added a second distributor, Trans Allegheny Books, of Charleston, WV. American Youth Hostels of Pittsburgh, PA, has been our sole distributor for many years and they have done a fine job. This is shown by the growth of Guide sales over the years to the point where those sales rank second only to membership dues as income for the WVHC, with everything else trailing distantly. We added Trans Allegheny because we felt we might reach certain retailers of Appalachian titles and other new retailers, especially more southerly outfits, with their help. We believe there is plenty of room for increased marketing and sales of the Guide.

So, if you begin to see the Guide in places you never saw it before, and if you notice the higher price, you'll know why. Raising money is only part of the reason why we publish the Monongahela National Forest Hiking Guide. We also do it as a way to help familiarize people with that wonderful patch of highlands and with the Highlands Conservancy.

If anyone has marketing ideas for the Guide or any other comments, please get in touch with Richard in our Morgantown office at 304/296-8963 or with publications chair, Judy Rodd.

Spring Cotillion

The trees danced in the breeze
In their green gauze dresses
Wearing bows of birds in their branches
With a flirting of dogwood and service lace
Around their feet.

The small red bud watching the dance at the edge Blushed as she peeked with interest At the tuxedoed pines which here and there And in small groups whispering With a soft breeze in their voice.

Down in the valley pastures the old ones, The broom sedges of the year past stood guard

Rustling among themselves discussing The new life that was abounding. The trees danced on.

> Glee Gaspar Earth Day 1992

Canaan

Mon Power to log holdings in Canaan Valley

By Rick Steelhammer February 9, 1995 Charleston Gazette

Monongahela Power Co., the largest landowner within the proposed boundaries of the new Canaan Valley National Wildlife Refuge, plans to authorize logging on its Canaan Valley holdings starting this spring.

The power company, which owns more than half of the 24,000 acres authorized for inclusion in the refuge, is currently negotiating a contract for the Canaan Valley timber sale, according to Mon Power spokeswoman
May Lynn Sacco.

Sacco said the sale involves the valuable hardwood species of cherry, maple, yellow poplar and ash. But the amount of acreage and board feet involved in the cut, and the type of harvesting method to be used, are considered proprietary information, she said, and are not being announced.

Last summer, the US Fish and Wildlife Service bought the first parcel of land for the refuge - an 86 acre tract along the southern edge of the preserve. So far, Congress has authorized \$3.2 million for further land acquisition for the nation's 500th federal wildlife refuge, and Fish and Wildlife real estate officers are negotiating for new additions.

The Mon Power property, located at the northern end of the valley, is rated at the top of three categories in a Fish and Wildlife Service priority scale for prospective land purchases for the new refuge. The federal agency's policy is to buy from willing sellers at market value.

"So far, we have no agreements with anyone" to buy any of the power company's Canaan Valley land, Sacco said.

In the 1970's, the power company planned to build a pumped storage power plant on its property - a project that would have involved damming the Blackwater River and creating a large reservoir over part of the state's largest wetland. But the US Army Corps of Engineers refused to issue a wetlands disturbance permit for the project, and that refusal was upheld in 1988 by a federal appeals court.

The power company has since offered to surrender a permit it was

granted earlier by the Federal Energy Regulatory Commission to build the dam, if license fees, paid to date, are returned.

Fish and Wildlife Service personnel in Elkins said that what private landowners do with their property within the proposed boundaries of the refuge is their own business. How logging would affect a tract of land's desirability would depend on the type and intensity of harvesting, they said.

Dear Editor:

First came the good news Canaan Valley National wildlife Refuge, the country's 500th wildlife refuge was a reality. Conservation groups celebrated. A dedication ceremony was held with bands, dignitaries, and glowing oratory and filmed for national TV. The first tract of land was purchased and a competent refuge manager was hired. After years of struggle with opposing forces and threats to flood the Valley, it sounded too good to be true. With such momentum surely the Monongahela Power tract, 15,400 acres of prime wildlife habitat, would be added soon. Who could imagine a ildlife refuge without the addition of this land?

Of course, anyone following this long drama had to be listening for the thud of a wet blanket dropping and it appeared in a Charleston Gazette article on February 9. The article, written by Rick Steelhammer (reprinted elsewhere in this issue - ed.), told of Mon Power's intention to begin logging its extensive land holding in Canaan

Valley this Spring. Mon Power considers specifics of the cut to be "proprietary information". U.S. Fish and Wildlife Service personnel in Elkins said the impact on the land "would depend on the type and intensity of harvesting". Unconfirmed word is that of three tracts to be cut on the Power Company land, the first cut alone will be for 14 million board feet of all but the smallest diameter cherry, maple, ash, and poplar trees.

Although specifics of the cut are not yet known, some things are worth considering. - If anyone would like a vision of the land after logging, visit the recently timbered land owned by Western Pocahontas Land Company along the A frame, or north rim access road in the northern end of the Valley. Prime wildlife habitat has been reduced to saplings and slash in tangled impenetrable heaps. If the Mon Power land is similarly timbered, it will be reduced in value for wildlife like forest interior songbirds, squirrels, turkey, and others for a long time to

come. Is Mon Power so greedy that they would stick it to the American people by ruining the sacred land trust for a National Natural Landmark and dashing the hopes of many West Virginia citizens and visitors for the future of the first wildlife refuge entirely within West Virginia?

Canaan valley receives over 1.5 million visitors each year, even before establishment of the Refuge. It lies within a 350 mile radius of 80 million people. People come to Canaan Valley because of its beauty and recreational opportunities. People do not miles of eroding skid roads. Mon Pow er touts economic development while potentially damaging West Virginia's fastest growing industry - tourism. Logging of this scale will be difficult to monitor and prevent silt runoff into streams. What effect will silt have on the recent efforts to bring trout back to the acid laden Blackwater River?

Another consideration is safety and liability, Canaan Valley works like a giant sponge to absorb rainfall and snowmelt, thus remediating flooding along the Blackwater and Cheat River. Extensive logging could threaten Davis, Hambleton, Hendricks, and Parsons with greater flood heights.

Some argue that Mon Power's land is private and they can do what they want, Many have given up hope of opposition. This ignores a large public utilities' social responsibility and sense of public trust. It also sounds like poor business practice. A beautiful, well preserved Canaan Valley will continue to attract growing tourism nd residential and b ment. Tucker County in all its natural beauty provides both a reason to visit and a reason to stay. This type of growth and development will provide additional users of electricity arid translate into long term profits for Mon Power. Cutting the timber will in

the short run lower timber taxes and make a few million in timber sales. It will ultimately damage economic development and give the Power Company a tarnished image and well deserved negative publicity. When news of their threatened harm to Washington DC's playground reaches the capital it could generate bi-partisan animosity.

There's lots to do and little time till Spring. Support from state and national conservation groups is essential. outdoor recreationists, the ski industry, Tucker County residents and business people, and anyone living downstream could express their opposition for the planned timber cut. Boycott their product! (Just kidding. other ideas?)

Mike Smith Bowden, WV

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Putting the Public

(from page 5) Strongly Disagree 26% 10% 11% 17% 14% 8% 14% Strongly Agree. Adding up the numbers, 47% disagree with the statement and 36% agree.

Another statement - "Threatened and Endangered Species in American Public Forests and Grasslands Should be Protected Even if it Has a Negative Economic Impact on U.S. Citizens." Response - SD 13% 4% 7% 15% 13% 14% 34% SA, or 61% agreeing and 24% disagreeing.

The last poll was the Fall 1994 Kentucky Survey on Forest Management and Biodiversity. Questions on this survey were "submitted and paid for by the UK Department of Forestry and the Kentucky Department of Fish and Wildlife Resources." Phone numbers were chosen randomly from all parts of the state. Here's question 56—"In general, do you support of oppose logging on public lands in Kentucky?" The overall response was only 11.3% support logging, while 74.2% opposed

logging. Although opposition was highest in Louisville and the North, 67% of those polled in the Eastern part of Kentucky, wherein lies the Daniel Boone National Forest, opposed logging in the National Forest.

The Kentucky Poll found that most citizens even favored government regulation of timbering on private lands to protect streams and wetlands, endangered and threatened species and "to preserve the beauty of the forest".

One question asked "Are you familiar with the terms 'biological diversity' or 'biodiversity'"? Only 26% said they were, while 70 percent said that they were not. I believe this shows how badly we need to get the word out. The respondees were told that "Biodiversity has to do with all the different kinds of living things from the largest animals to the smallest plants and insects and how these living things affect each other whether the environment is a backyard or a large forest".

They were then asked that if you have to choose between economic development and biodiversity, which was more important? Fifty five percent went for biodiversity, 27% for economic development and 15% said they were both equal. But 84% felt that is was possible to maintain biodiversity and have economic development. Yes its possible, but we have to be very careful how we go about our development.

Canaan Update

by Bill Ragette

I just called Mon Power yesterday to get a last minute update on the timbering they plan to do in Canaan. Mary Lynn Sacco, spokeswoman in the Fairmont office, revealed that the timber cut will occur on 2,000 acres and be a thinning harvest. No details were available as to how severe the thinning would be. She reminded me how concerned Mon Power is about its stewardship of its land, how they banned Off Road Vehicles from their land. What disturbs me the most is that Mon Power may not sell to the Government. The 500th Wildlife refuge may never amount to more than a few acres. Ms Sacco said they were discussing selling their property to developers and the Government. Guess who has more money to spend on this.

Heartwood Forest Council

Plans are currently underway for the Heartwood Forest Council Meeting. Heartwood is a coalition of grassroots forest activist groups from the central haradwoods region of Arkansas to West Virginia, Tennessee to Ohio. This year, the Forest Council will meet right here in our own backyard! On Memorial Day weekend (May 26-29), forest activists from all across the region will meet atBluestone Conference

Center near Hinton, WV, to network with one another and learn new information and techniques, Folks from all across the US, will come here and see West Virginia's incredible forests and meet local activists.

Appalachian Ecology and Biodiversity and its evolution, Dealing with the Forest Service, Corridor H, the Mason County pulp mill and other voracious WV treeeating facilities, off-road vehicles and the wise-use movement will be among the myriad of topics covered at the meeting. Unnecessary highway projects and mammoth forest devastation projects are not unique to our area. This will be a chance to share what we've learned with others, and learn from them as

Call Kim Baker at 346-5891 for more information.

Forestry

Putting the Public into Public Lands

by Bill Ragette'

Surveys show the public does not want cutting in National Forests

The Governor has directed the WV Division of Forestry to revise its Management Plans for State Forests. He wants to make sure they are managed for the benefit of all West Virginians. The question has become how can we get the public involved in the management of our state forests. The federal government has a process that does get lots of public involvement. Thousands of comments were received and reviewed when the Monongahela National Forest Plan was created back in '86. But many folks are still unhappy with the amount of timber and road building occurring there. Did the process truly incorporate the public will or did the powers that be manipulate the process to justify the continued flow of timber from the Monongahela?

We have had some interesting discussions about public input on the Governor's committee. Hal Burke, representing the timber industry, said that we didn't need public input, that the professional managers knew what was best for the forest. Bill Maxey, WVDOF chief, has been opposed to opening the public input process. He says that the WVDOF doesn't operate in a vacuum, that they work with citizens all the time and they know what citizens want. He also feels that the directives of the legislature are representative of the public's desires for public lands. When I mention adopting the Federal Input Process, the managers start shaking. Too much red tape, too many ways to slow down the all important work of 'managing' our forests. My whole function on the committee is to make sure that all concerned users of our state forests get a fair hearing of their concerns and that the final state plan reflects them. Hopefully during the next meeting of the advisory committee we can make some progress as to the actual form of public input.

But do we have any idea how folks want the public lands to be used? Of course there will be a wide range of ideas. A few will want lots of timber from the land. Some will want lots of deer and other game. Some will want it to be left alone. I have been able to locate three surveys that have asked

this question. One survey was done by the US Forest Service, one by the UK Department of Forestry and the Kentucky Division of Fish and Game, and one by Indiana Representative Mc-Closkey. All reveal that the majority of citizens do not want any commercial logging on public lands.

The first survey I heard about was done by Cooper and Secrest for Representative McCloskey during his reelection campaign in 1992. The only question about National Forests on the opinion survey was "Do you favor or oppose the harvesting of timber for sale on the Hoosier National Forest?" The poll reports that only 19% were in favor of harvesting, while 69% were opposed (the rest were unsure). It didn't matter as to age, sex, residence location, or political party;

the results were nearly identical. McCloskey's district contains a good part of the southern half of the Hoosier National Forest.

The second survey was done by the US Forest Service, entitled "Forest Service Values Poll Questions Results and Analysis." It is Appendix D of "Architecture for Change: Interim Report of the Forest Service Reinvention Team." June 15, 1994. The survey was in the form of a statement with the respondee given a chance to say on a scale of 1 to 7 whether they strongly disagreed to strongly agreed with the statement. Neutral responses were assigned number 4. The first statement - "Natural Resources in Public Forests and Grasslands Should be Made Available to Produce Consumer Goods." Response - (see page 4)

Monongahela Forest News

Marlinton Ranger District PO Box 210 Marlinton, WV 24954 304 799-4334 Fax 799 6820

Buckley Mountain OA (46.116)

Buckley Mountain lies just north of Watoga State Park and south of the infamous Stilwell OA. (See VOICE April 1993) To the west is the Greenbrier River. To the east runs Route 21.

This 6.1 prescription has the primary management emphasis on providing remote habitat for wildlife species sensitive to human disturbance, specifically black bear and turkey. The plan further states that this prescription focus on optimizing hard mast production and balancing age classes over time.

What this means is clearcuts. In order to regenerate Oak (mast) clearcutting is usually necessary. Also notice the "balance of age classes". This does not mean an all aged forest. It means continual c. recutting to create even aged stands throughout the forest. Where 10% of the stands are in the 0-15 year old class, 10% in the 16-30 age class, etc.

This prescription has more land under its 'care' than any other in the Monongahela. Its seems ironic that even though the Monongahela clearcutting issue was the leading factor in the establishment of the National Forest Management Act, clearcutting is still the main source of timber in the Mon.

And here's the proposed projects.
One stage clearcut - 257 acres
Two stage clearcut - 109 acres
Cut residual non commercial trees on
above tracts
Spray herbicide on 191 acres
Plant 217 acres to oak seedlings
Thin 42 more acres
Create 16 wildlife openings
Create 2 'savannas' - 12 acres

Construct 5 miles of road

Elk Mountain Timber Sale

Cynthia Schiffer, the ranger for the Marlinton District has announced that the Environmental Assessment for the Elk Mountain Timber Sale project will soon be available for public review. Just call them up and ask for a copy (they are usually 200 pages long). She is accepting comments on the 'project' until March 27, 1995.

The FS calls this area the Cloverlick Mountain Project Area. It is located north of Marlinton, bordered by US highway 219 and the Highland Scenic Highway and contains part of Elk and Cloverlick Mountain. The federal lands are a bit scattered, but National Forest lands total 4,883 acres in this OA

Cynthia has chosen the second most disruptive of the 4 alternatives considered. Its called the 'riparian' action. The proposed action (not the one she chose) is the most intrusive.

This OA is classified 6.1, which means conducting activities that so not disturb wary wildlife and to emphasize non motorized, semi-primitive recreation. The ranger proposes to clearcut 75 acres, two age cut 92 acres and thin 86 acres, build 2.13 miles of road and will cost \$259,180. No figures were listed for \$ returned to treasury.

Potomac Ranger District HC59 Box 240 Petersburg, WV 26847 304 257 4488 Fax 304 257 2482 Osceola OA

The Potomac Ranger District is in the beginning stages of conducting an environmental analysis of several proposed projects near Spruce Knob Lake. All the creeks that drain this area flow into Gandy Creek. The main creeks are Big Run, Grants Branch and Narrow Ridge Run.

The projects are located within

3070 acres of National Forest land. These acres are part of the Osceola OA (53.009 - which means district 5 (Potomac), prescription 3.0 - how the FS plans to medicate the area, 09 - the area number).

The 3.0 prescription is detailed in the Forest Plan. The desired future condition for this area (according to the plan) is production of large, high quality hardwood trees; a variety of forest views, habitat for wildlife tolerant of disturbance; and a primarily motorized recreation environment.

Nancy Feakes, the ranger for this district, has proposed the following actions. Clearcut (of various types - 92 acres; individual tree selection 120 acres; 'thinnings' 354 acres. Although its called a thinning, most of the thinned trees will be marketed. 4 miles of road will be constructed to facilitate the removal of timber in the short and long term. Other temporary roads may be built. Mountain bike and hiking trails will be beilt, the Spruce Lake lower parking lot will double in size.

Much of the land in this area has great potential for Flying Squirrel Habitat, but the long road and cutting at 4000' elevation will have negative impacts on this habitat.

Greenbrier Ranger District PO Box 67 Bartow, WV 24920 456-3335 Fax 456-3441

Jim Thomas, ranger for this district is calling for comments on the Frank Mountain OA. Of course all the project decision have been made, but maybe they'll move the timber sale boundaries a few feet if you really raise a stink. Here's the proposed action—

Clearcutting - 39 acres cable harvest Two step clearcutting 124 acres Commercial thinning - 142 acres Road construction 7.4 miles!!!! Herbicide - hundreds of acres, etc

Frank Mountain OA lies on the Virginia border, east of Bartow and North of Thornwood. It contains 6080 acres of federal land.

Jim also proposes to designate 343 acres as mature habitat. This is the new term for the 'old growth' since FS ecologist Tom Demeo pointed out that these 10-15 acre stands will not be an old growth forest, being dominated by their edges. Here's a great quote from the scoping notice..."These (mature habitat designations) stands in which no management activities will be undertaken until or unless they begin to deteriorate and lose their desired mature habitat qualities."

Mon Forest Plan Amendment

new amendment to the Forest Plan. The original deadline for comments ended February 27, although an extension have been requested. Steve Chandler, forest planner in the Elkins office thought that this amendment was a step in the right direction, that it increased protection for riparian areas. It is true that their has been no codification of how much canopy, nor how many trees should be left in riparian areas. -The amendment divides riparian areas into 5 types of management. Perennial Streams have a 100' buffer on each side of the creek, where a minimum of 75% canopy closure must be maintained, "where it is already present". Intermittent streams

The Forest Service has created a amendment to the Forest Plan. original deadline for comments of February 27, although an expon have been requested. Steve dler, forest planner in the Elkins of the forest Plan. In the forest Pl

I feel that this amendment really allows more cutting and disturbance in riparian areas than is currently occurring in the Mon. Why do they have to cut along streams when there is so much more land available? This is one case where the "protection" may cause more harm than good.

Write to: Jim Page, Supervisor Mon National Forest 200 Sycamore St. Elkins, WV 26241

The Electropic VOICE

(from page 1) several help conferences available. If you have a Mac or IBM clone running windows 3.1, you can use a special client software that makes it 40 (approx.) times easier to use the bulletin board. The software is available for free downloading, just follow directions on your screen. Tami Stalnaker and Mike Breiding are the Operators of this system. You can send questions to them if you really can't figure it out yourself. I've felt foolish a couple of times bothering them only to be told, check so and so under the help conference. Mike and Tami are work-

ing overtime to get the board ready and are doing a great job.

Sayre Rodman said he couldn't find the Conservancy area in the Bulletin Board at first. Its in the area called conferences, in the sub-area called the great outdoors, in the sub-area called the environment, in the sub-area called Highlands Conservancy. After you get the hang of it you can create an alias that will show the Conservancy on the top level when you first log on. Any questions??? Then get on-line. If you are really stuck give me a call 824 3571 - Bill

Perception, Vision and Motivation

What Does The Environmental Movement Envision For the Future of West Virginia?

by Richard diPretoro February 22, 1995

INTRODUCTION

I gladly consider myself an environmentalist. I also believe deeply in democracy and I care about the future of our state, nation, and world. Because of that, I want to discuss the future of the environmental movement in West Virginia, which is to say the future of West Virginia, because they are inextricably bound up.

Please look at the illustration from the Coal Bell which accompanies this column. And then let me start with quotes from people with a rather different agenda from ours, people I will refer to in this column as exploiters:

—"The 'no-build' opponents of Corridor H are mostly out of state 'preserve the world only for me' groups who would deny a job and way of life to West Virginia's less fortunate people." - Sam Bonasso (engineer and promoter of Coopers Rock Tramway)

Morgantown Dominion Post letter to the editor 1/22/95

--"...many of us in the business community are working extremely hard to improve the state's economy by creating jobs for our citizens, and it is extremely discouraging and disheartening to constantly be bombarded by activists and extremists whose sole purpose is to close down our manufacturing facilities." - Tom Rotenberry, APCO VP in a 9/14/94 letter to Gov. Caperton quoted in Gazette 2/7/95

-"Massey Coal: working to create more good jobs in West Virginia."

Frequent paid commercial on West Virginia

Public Radio.

-- "...enviro extremists are out to eliminate jobs in West Virginia." - K. O. Damron, WV Coal Bell, 11/94

These quotes illustrate the approach taken by the exploiters to control debate in West Virginia by defining us and themselves. None of the quotes expresses the truth, but that doesn't matter. K. O. Damron and his ilk: working to create certain perceptions in West Virginia. I don't think any environmentalist has ever had as a goal the elimination of a single job. We have had the goal of aiding in the inevitable transition from the exploiter economy, which can't go on forever, to the sustainable economy, which can. We recognize that the economy changes all the time. Jobs boom and jobs bust. And Massey Coal is not "working to create more good jobs." In fact, Massey, like any sensible corporation, tries to accomplish its profit goals with the smallest possible workforce. If Massey Coal could get all the profit it expects in West Virginia without employing a single person, it most certainly would.

The political pendulum is in one of its swings, this time, according to the exploiters, away from environmental protection. I don't believe that the fabled 'American people' will permit very much weakening of environmental protection. The pendulum, if it swings much at all on that subject, will swing back to environmental protection as soon as the next Hurricane Andrew, drought, ozone study or carbon study hits. But the current perceived general swing toward the exploiters' perspective at both the state and national levels emboldens them to crank up the level of rhetoric against us. They always wish to define us. We can't let that happen. So I think right now is a good time to

reflect on where the environmental movement finds itself in West Virginia and where it should head in the future. That will help us get more prepared when we ride the next pendulum swing in our direction.

OUR SUPPOSED NEGATIVITY

One of the criticisms leveled at us in the environmental community is that we are always against everything. No matter what gets proposed, we're against it. Whether it be legislation, public works, or private enterprise, we're agin it. We're against things just for the sake of being against. We wouldn't know how to be for something.

In reality, our critics call us negative for not supporting what they initiate. I'll be very surprised if the coal, chemical, or garbage industries ever introduce significant legislation or make plans for new facilities which the environmental community can unreservedly support. Why? Because the vision that those industries have for the future of West Virginia is a vision most of us can't feel comfortable with.

VISION FOR THE FUTURE

It comes down to perception. We must first decide if a given proposal represents a positive or a negative for us. Obviously, a major new mountaintop removal job destroying thousands of acres of hardwoods, or a massive new waterpolluting underground mine seem positive to K.O. Damron. They don't to me.

It comes down to vision. Remember when Arch Moore plagued us most recently as governor? His vision had West Virginia covered with new state-financed power plants, its horizon festooned with new powerlines (using the right-of-way of I-79, for instance), suffering unrestricted coal mining, inviting private for-profit prisons, reinstating the death penalty, and promoting gambling. This adds up to a nightmare vision for me.

SO WHAT IS OUR VISION?

We're not comfortable with their vision. So what is ours? I don't profess to know the answer to this question. But I think we have to address

it. And I think as part of expressing our vision, we have to take some initiative to define the exploiters.

For example, exploiters object to government because it's accessible to the average citizen. Corporations, the exploiters' actual constituency, do their decision-making in secret. The exploiters actually oppose democracy. They want to circumscribe government so as to leave more resources, power, and initiative on the table for corporations to grab. They like shifting decisions and power back to state and local governments because those levels are more easily manipulated by corporations. They can't muster the resources to compete with multinational corporations.

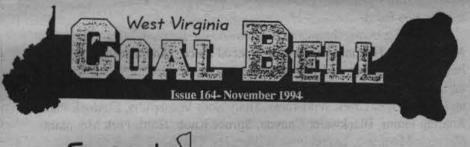
One of the worst exploiters, Phil Gramm, says he wouldn't want the federal government that we have even if it were free. It's too intrusive. He says decisions are better left to individuals, families, and local and state government, in that order. He doesn't even mention corporate objectives or influence.

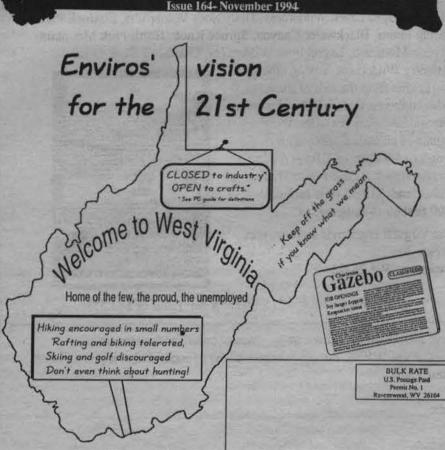
MOTIVATION

It comes down to motivation. Itruly believe that a desire to serve, help, and improve their communities motivates the vast majority of environmentalists. Greed motivates most exploiters and their advocates. Sure, environmentalists are subject to all the frailties that afflict human flesh. Some few may get seduced by power and publicity. But what ax do we grind compared to corporations hustling to grab ever larger chunks of wealth?

CONCLUSION

We have to emphasize our positive attributes and articulate a vision. At the same time, we have to define the exploiters. The fabled "People of West Virginia" can tell the difference and, when we tell our story effectively, will make many of the right choices. For these chores, we need every type of environmentalist from philosophers and historians to economists and, yes, public relations experts. We must manage perception, motivation, and vision.





Missing The Big Picture

(from page 7) artificial "balance" is maintained for the benefit of those who profit from externalizing the environmental costs of production onto society.

Business and industry love the American marketplace. But they artificially "balance" costs and benefits on the back of society at large rather than let the marketplace include these in the economic equation.

Society at large subsidizes the costs of making a profit for the producing corporation by paying the external costs with higher taxes, higher health care costs, and a lowering of that quality of life that Mr. Meyers found appealing in West Virginia.

Mr. Meyers, by his own admission, has developed a remarkable conversion in his attitude about West Virginia in just two years. I suggest he continue his education about our state.

He might want to travel the state some. Perhaps he will see not only Jackson, but other scenic counties. Perhaps he will travel Boone, Logan, Mingo, Wyoming, Webster and McDowell counties and see what industry has done to and for folks there. Maybe he can tell us why those "developed" counties' citizens are among the poorest in the state.

And perhaps he'll enjoy catching and eating some of the various varieties of fish between

Millwood and Huntington in the Ohio Riverafter he consults the U.S. Fish and Wildlife Service's "Do Not Eat" fish advisory, of course.

Perhaps he will read and otherwise learn more about the state's industrial and labor history. And this state's politice' history is fascinating when viewed in the context of industrial development.

Then, in another couple years or so, perhaps Meyers' conversion to a West Virginian will be more complete. He can then tell us more about our need to be educated about the "soundness of the business environment".

Business and industry have had their way in West Virginia for over a century. How much more of their "education" can we stand?

Meyers' efforts to "balance costs and benefits" on the continuing basis of externalizing costs of manufacture is but one more sentence in the many chapters of job and economic blackmail by corporate profiteers and their apologists.

With due respect to Mr. Meyers, the masters from outside who would educate West Virginians on the "soundness of the business environment" could stand some education themselves on how we got where we are today. Or perhaps they already know.

Frank Young is an automotive business owner and is an environmental, economic and political activist.

RAC President Missing the Big Picture

by Frank Young

Recently Gerry Meyers, President and CEO of Ravenswood Aluminum Corporation (RAC), contributed a column about West Virginia's image to the West Virginia Roundtable Discussions' "Winter of '95" edition.

For the past two years of so I have been encouraged by Gerry Meyers' image of openness and fairness as the CEO of Jackson County's largest industry.

As a member of the business community, I have been happy that Meyers endeavored to help improve RAC's own image in the business community.

This is no small feat when one remembers how hard some of his predecessors worked to make the image of Jackson County and the business and labor community one of shame and embarrassment.

Soon after his arrival in Jackson County two years ago, Meyers admitted that RAC had several responsibilities to the community. I believe that he has worked diligently on some of those.

However, Meyers' column shows a narrow mindset. He seems to try to reduce virtually all aspects of life to dollars and cents. For example, he says that West Virginia has a reputation for positions on environmental matters that "reject a balance of costs and benefits".

This implies that environmental costs and

benefits can somehow be measured and assigned values and weighed the same as other aspects of business life. I do not believe this is possible.

How does one measure quality of life, or the lack thereof? Meyers also seems to equate quality of life with a standard of living. But these two concepts represent entirely different values.

In measuring environmental values, how does one assign a dollar amount or any other measurement to clean water, to clean air, or to a work place free of disease or injury causing conditions? How can we measure the loss of a human life due to cancer or other disease caused by mankind's activities? How can we assign a measurable "value" to water or air fouled by our industrial activities. We can't.

We might come up with a cost for preventing pollution, or for cleaning up a fouled environment after the fact. But that would assume that we could arrive at accurate costs of doing so before actually doing so.

But the costs of living with the environment in a fouled condition just cannot be measured in absolute terms that permit Mr. Meyers and others to "balance" costs and benefits.

So what do we do? We can continue to say that pollution is bad and that economic development is good. Various forces representing each "side" sometimes advocate for unlimited development or absolute environmental purity. Those

who say that we must strike a "balance" between the two positions are misguided, though perhaps

A better process would include placing the full costs of producing various products into their market price, taking into full account all the environmental costs of producing the product. The market price, then, should reflect the total costs of the product, including environmental consequences of production and/or the costs of preventing these consequences.

But this is not how the market works. Now, for the most part, the environmental costs of producing a product are paid by systems outside the marketing of the product. Taxpayers pay for environmental regulation and for cleanup of toxic industrial sites. Our health insurance system pays for some of the costs of cancers, nerve disorders and the many other diseases and disorders caused by environmental abuse. Health disorders caused by an unsafe work place environment are paid by all of society in the form of inefficient labor, lost wages for workers' families and government subsidies to disabled workers and their families.

We pay with tears for the death of loved ones due to health effects of unwise environmental practices. Can the tears be reduced to something measurable so that Mr. Meyers and others can "balance" costs and benefits?

And the quality of life Mr. Meyers says he found in West Virginia is lowered for all of society when the environment is sacrificed. How do we measure and "balance" this?

The total "environmental welfare" costs to society for pollution and destruction of the human environment is never incorporated, to any significant degree, into the market price of the products industry produces.

In America, this is because profit motivated interests lobby politicians for non-enforcement of existing environmental regulations. They lobby Congress and state legislatures for lower or no environmental standards. And they slop tens of millions of dollars into politicians' campaigns for office to "buy" the lower standards and lax enforcement.

All this is done in the name of being "competitive" and maintaining a "balance of costs and benefits", as Meyers says. But this (see page 6)

WVHC Files Major Citizen Complaints

(from page 1) to address the complaints in a thorough and thoughtful manner.

As the agency legally responsible for enforcing the Clean Water Act, the Environmental Protection Agency (EPA) is also involved in the process and has participated in several preliminary meetings with OSM.

The response of the state DEP, however, has been predictably disappointing but consistent with its purported belief that OSM doesn't know how to regulate coal mining in WV and that the feds should go away and play elsewhere. (See sidebar on DEP response.)

As the complaints indicate, resolution of these issues is relatively clear as a matter of law. However, the political and practical resolutions after years of abuse will be far more difficult to come to, especially since decisions on these complaints have ramifications for OSM oversight in neighboring coal states as well.

Readers of the VOICE have some idea of what is to come. The scenario is one that has been repeated over and over again in the pages of the VOICE.

Beginning with some of the first issues in the mid 60's, the VOICE has been filled with articles and discussions of mining and WVHC efforts as formed citizen input envisioned by SMCRA to be an essential element in the effective regulation of coal mining. From the move to abolish strip mining, to the development and passage of SMCRA, to the proposed min Shavers Fork, to the debacles of DLN and F&M, to the Island Creek Tenmile fiasco on the Buckhannon, to the near fiasco on the Little Kanawha, to the 1988 and 1994 court actions, to the LaRosa-Kittle Flats and Middle Fork saga, to the dozens of recent citizen complaints, - all are stories of the roller coaster ride that seems to accompany any challenge to the mining program in WV.

This recent effort promises to be no less exciting. At stake with these complaints are some fundamental policy decisions that will directly effect the waters of WV that WVHC members depend on whether they live in state or visit the mountains to paddle, hike, bike, fish, hunt, study, breath or just relax.

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.

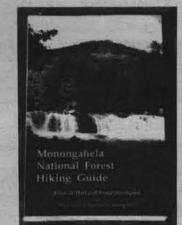
The growing throngs of visitors and the public at large regard the Monongahela National Forest as a 'Special Place'. And indeed it is. The hiking, backpacking, and ski-touring opportunities it provides are among the best in the eastern U.S. The more outstanding areas are becoming known far and wide - 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,

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 \$12.95 (this includes \$3.00 first class shipping) to

Cranberry Wilderness, among others.

West Virginia Highlands Conservancy PO Box 306 Charleston, WV 25321



West Virginia residents must add \$.60 sales tax. (total of \$13.55)

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DEP RESPONDS TO WVHC COMPLAINTS

WV DEP's initial response to WVHC's extensive citizen complaints about water issues came in a letter dated February 21, 1995 to attorney L. Thomas Galloway.

Representing DEP, general counsel Bill Adams writes: "In order for DEP to adequately evaluate your voluminous Intent to Sue' and 'Citizens Complaints', please document your specific authority to represent these special interest groups as citizens" who intend to sue DEP and OSM for an alleged lack of enforcement activity in West Virginia.

(Underlining added for emphasis.)

Ignoring the substance of the complaints; ignoring the many individual and organizational members of the Conservancy that have directly petitioned, commented, sued and otherwise pursued DEP (formerly DNR and DOE) in attempts to improve regulation of surface mining in WV; ignoring WVHC's working relationship with attorneys Tom Galloway and Walt Morris over the past nine years; and ignoring conversations with DEP administration and staff during this last year of preparation of these complaints, the state has chosen to challenge the legitimacy of the complaints and the complainants.

It's a move that might be expected from industry, but it is particularly disappointing coming from the agency charged not only with the responsible regulating of coal mining, but also with the protection of the state's resources and citizens. Even this hardened cynic expected more from DEP than the snide and petry tone of this letter.

Bio Diversity

by Beth Little

It's easy to define "biodiversity": biodiversity is the sum of all life. But to describe what it means; to explain why it's important, why it's a matter of concern to conservationists and scientists, is another matter. Edward O. Wilson's "The Diversity of Life" is probably the best reference, and it's a fascinating read for those who want an in-depth explanation. I'm going to attempt a short explanation by hitting the highlights and giving a few examples. Much of what follows closely paraphrases Wilson.

First of all, to talk about biodiversity, you have to talk about ecosys-"Ecosystem" is a word that describes a particular environment and all the life within it, along with the processes and interactions that sustain it. An ecosystem can be as small as a mud puddle; or, of course, the entire planet. By life is meant all the plants, animals, insects and microorganisms. It's when we get to the processes and interactions that it gets complicated; but this is at the heart of understanding biodiversity, because life is dependent on the processes and interactions among life forms and with the environment. In fact, many scientists include this complexity of interdependence as part of the definition of biodiversity.

The most obvious interaction is the food chain. Animals eat plants or other animals to survive. But the tinuous cycle. Plants depend on carbon dioxide in the air, which animals breathe out, and on nutrients in the soil from decaying organisms. And microorganisms, such as bacteria and fungi play a vital role in transforming nutrients from one form to another that can be used by the next player in the cycle. For instance, mushrooms are necessary for converting nutrients in the soil to a form that tree roots can absorb, to the extent that tree farmers often innoculate their soil with mushrooms from a natural forest in order to grow better trees

But the food chain is just one

interaction. Life forms also depend on each other for things such as fertilization. The honeybee's role in pollination is the most common example. The pocketbook mussel makes use of another type of interaction. It makes an outgrowth on its mantle that mimicks a tiny fish, complete with eyespots and finny tail. This tissue pulses rhythmically so that the "fish" looks as if it is actually swimming. When a real fish rushes in to gulp the lure, the mussel releases a burst of microscopic larvae that clamp onto the fish's gills. After hitchhiking awhile, they drop off and begin life on the bottom. In this way, an animal that never moves can keep replenishing its population upstream against the current. (See the March 1995 issue of "National Geographic".)

If these interactions between species are affected, it has consequences on the entire ecosystem. If, for instance, all the pollinating insects are killed in an effort to stop a "bad" insect (such as the gypsy moth), some trees and flowers will not be able to produce seed. This would affect the animals that depend on those fruits and nuts (seeds) for food. An anecdote that illustrates the importance of pollination: some WV beekeepers make more money hauling their bees to Florida to pollinate the orange groves, than they do from the honey.

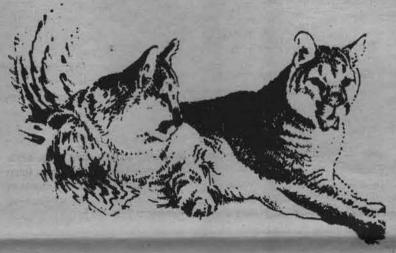
In addition to the interactions between life forms, biodiversity is enendent on environmental con tions such as temperature, amount of moisture and ph balance. The reason that most of the forest wildflowers, such as spring beauty, hepatica and dutchman's breeches, bloom in the early spring is because that is when the most sunlight warms the forest floor. The days have gotten longer, but the leaves haven't come out yet. But these wildflowers require the cool moist soil of the forest during the heat of the summer. A drastic change in environmental factors can alter the biodiversity of an ecosystem, causing massive die-offs or even complete destruction. The lack of fish in many

WV streams because of high acidity is an example. Temperature can be affected by major changes, such as global warming, or by small local changes, such as cutting trees and letting the sunlight in to the soil, which also affects soil moisture. On a small scale, this can increase biodiversity, but too much can benefit one or a few species at the expense of others and create an imbalance. Where large areas have been completely deforested, such as some parts of Africa, the amount of moisture in the soil and rainfall patterns have been so altered that deserts have been created where forests used to be.

Just plain size affects biodiversity. The larger the ecosystem the greater the biodiversity. The ratio that is consistent around the world, is that an congenital defect. The presence of large predators is a measure of the health of an ecosystem, because when biodiversity declines, they are the first to go.

Around the world species are disappearing at an accelerated rate through human action, primarily habitat destruction but also pollution and the introduction of exotic species. At current rates a fifth or more of the species of plants and animals will vanish or be doomed to early extinction by the year 2020 unless better efforts are made to save them. In the world as a whole, extinction rates are already hundreds or thousands of times higher than before the coming of man, except for what occurred during the major catastrophes.

There were five of them; the most



area ten times as large another will have twice as many species. So a one thousand acre area will have twice as many species as ten one hundred acre areas of the same type of ecosystem. Conversely, if a thousand acre area is reduced to a hundred acres, half the species can be expected to disappear. One reason for this is that small ecosystems cannot support the larger predators, which need lots of space for a source of adequate food, but also for a sufficient gene pool of breeding pairs. Without a sufficient gene pool, there is no natural selection against genetic defects. Florida

panthers may be
doomed because
they are so inbred
that all the young
males now carry a

recent was 65 million years ago at the end of the Cretaceous period, when the dinosaurs disappeared. The loss of species was about 50 percent in each spasm, except for the Permian, 245 million years ago, which saw a staggering loss of 96 percent. The reasons for the mass extinctions are subject to fascinating scientific speculation, but more pertinent to our concern is the fact that it took tens of millions of years for life to recover to the original level of diversity. It took five million years just for a strong start. These figures should give pause to anyone who believes that what Homo sapiens destroys, Nature will redeem. Maybe so, but not within any length of time that has meaning for contemporary humanity. Meanwhile, humanity has initiated the sixth great extinction

spasm, rushing to eternity a large fraction of our fellow species in a single generation.

But what does this mean to us—why we should care about biodiversity? Aside from sentimentality about noble creatures such as eagles and wolves, what difference does it make if some species are extinguished, if even half of all the species on earth disappear?

First, there's vast potential bio-logical wealth that will be lost. Still undeveloped medicines, crops, pharmaceuticals, timber, fibers, pulp, soilrestoring vegetation, petroleum substitutes, and other products and amenities will never come to light. It is fashionable in some quarters to wave aside the small and obscure, the bugs and weeds, forgetting that an obscure moth from Latin America saved Australia's pastureland from overgrowth by cactus, that the rosy periwinkle provided the cure for Hodgkin's disease and childhood lymphocytic leukemia, that the bark of the Pacific yew, considered a trash shrub, offers hope for victims of ovarian and breast cancer, that a chemical from the saliva of leeches dissolves blood clots during surgery, and so on.

But more vital, there are the services that ecosystems provide humanity. They enrich the soil and create the very air we breathe. Without these amenities, the remaining tenure of the human race would be nasty and brief. What sustains life on earth is a matrix built of green plants with legions of microorganisms and mostly small, obscure animals - in other words, weeds and bugs. They run the world precisely as we would wish it to be run, because humanity evolved within living communities and our bodily functions are finely adjusted to the environment already created; an environment that will destabilize and turn lethal if the organisms are disturbed too much. To disregard the diversity of life is to risk catapulting ourselves into an alien environment. Because scientists have yet to put names on most kinds of organisms, and because they have only a vague idea of how ecosystems work, it is reckless to suppose that biodiversity can be diminished indefinitely without threatening humanity itself. *

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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.