



The Highlands

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Voice

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The Grand Canyon of West Virginia Blackwater - What Has Happened? What do We Do Now?

By Vivian Stockman

Background

It's been just over a year since the 3,000-acre tract of the Blackwater Canyon was sold by a public utility, Allegheny Power Systems (APS), to a developer, who, apparently, bit off more than he could chew. He was unable to raise the \$4.85 million he had offered for the property until he ran into John Crites, in which case he sold (for a *tidy* profit, I might add) the Canyon within twenty-four hours to Allegheny Wood Products (AWP), a logging company owned by Crites. APS had been in negotiations with the US Forest Service and the Conservation Fund for over two years. The Conservation Fund had

offered \$3.5 million for the Canyon. They had no chance to make a counter offer.

The legality of this sale has been questioned by the West Virginia Highlands Conservancy (WVHC), the West Virginia Sierra Club, and the West Virginia Wildlife Federation because West Virginia law prohibits a sale of land by a public utility without prior approval by the Public Service Commission (PSC). A public utility operates as a monopoly, and its actions must therefore be moderated by the PSC. APS did not seek PSC approval for the sale of Blackwater Canyon.

See CANYON on page 7



Skid roads on the steep slopes of Blackwater Canyon

Photo credit: Steve Adams & Charleston Gazette
Credit to Richard diPreto for his aviation skills

WVHC SPRING REVIEW - MAY 15-17, 1998

SUPPORT THE EFFORTS TO PROTECT THE BLACKWATER CANYON

Come visit the Canyon, see the famous views and endangered species.

Immerse yourself in the sensations that only the Blackwater can generate.

Spend your money in Tucker County to show that **SAVING** the Canyon benefits the local economy.

Speakers:

Mike Dombeck, Chief, USDA Forest Service (invited)
Dr. Tom Pauley, Marshall University Herpetologist,
leading expert on the endangered Cheat Mt. Salamander
Mike Caplinger, WVU Historian, Logging and mining
history of the Blackwater area
Judy Rodd, Matriarch of the Conservancy, leader
of the Blackwater Campaign
Vivian Stockman, Blackwater Campaign Coordinator

Adventures:

- CANOE THE BLACKWATER
- HIKE THE CANYON
- FLY FISHING EXPEDITION
- SALAMANDER WALK WITH DR. PAULEY
- AUTO TOUR
- MOUNTAIN BIKE THE CANYON
- BIRD OUTING
- NATURALIST-LED HIKES

FIRST-TIME VIEWING OF FILM ON KAYAKING THE BLACKWATER, INCLUDING FOOTAGE OF TIMBERING OPERATIONS.

DEDICATED TO THE MEMORY OF TIM GAVIN, KAYAKER KILLED ON THE BLACKWATER THIS SPRING.

STAY IN THE HEART OF BLACKWATER COUNTRY AT THE BLACKWATER LODGE, BLACKWATER CAMPGROUND OR CANAAN MOUNTAIN.

COME JOIN US!!

Even as you read this, chainsaws are busily leveling the trees gracing the Canyon walls. After nearly 100 years, the Canyon has regained its majestic natural appearance. Now, the forces of greed once again turn their attention to denuding it of its forest. What's next? Plans are already underway for development along the Canyon rim. Are condos the sight that will attract millions of tourists and recreationists to the area in the future? Is this the fate of West Virginia's most wild and scenic river?

The West Virginia Highlands Conservancy is following a tradition of protecting West Virginia's natural treasures. Our success in the past has been founded on the active participation of our members.

COME, let us continue the tradition of nearly 35 years of standing up for the Wild and Wonderful aspects of the Mountain State. ❖

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

By John McFerrin

A Site to Behold

I recently had a chance to tour the Hobet 21 Mine, operated by Arch Coal. It is a site to behold.

The tour was part of Arch Coal's plan to show off for Kathy Karpan, the head of the federal Office of Surface Mining. It wanted to show that, contrary to everything that she might have heard, mountain top removal mining was not the demon she might have heard it was. They wanted to show off their award winning operation. So that it would not appear that Ms. Karpan was only getting one side of the story, the Office of Surface Mining invited representatives from the West Virginia Highlands Conservancy, the League of Women Voters, the West Virginia Organizing Project, the West Virginia Environmental Council, and the Ohio Valley Environmental Coalition.

The mine is an awesome thing. They have been at it on that site since the early 1980's. By now, the mine covers about 10,000 acres. They have a map which shows the whole mine.

During the tour, we moved from the part that had been mined and "reclaimed" in the early 1980's to the part that Arch is ripping up at this very moment. We know it is being ripped up at this very moment because the big machines run twenty four hours a day, seven days a week. There is no moment when the land is not being ripped up. It is safe to assume that it did not shut down to celebrate Earth Day.

In the oldest part, the part where the mining and "reclamation" was finished fourteen years ago, they have established a "forest." By now the trees tower up to seven feet, their two inch trunks standing firm against any wind that roars across the plains that have been newly created nearby.

As the tour bus rumbled across the landscape, we saw nothing but grass and occasional "wildlife plantings." These are clumps of bushes where the wildlife are supposed to seek food and shelter. We occasionally passed ponds where, we were told, the water quality is "excellent."

Finally we reached the active mining. There was a crew drilling holes to prepare for the next blasting. There

See McFERRIN on page 14



Photo credit: Penny Loeb and the US News & World Report

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Bats and Battlefields Get in the Corridor's Way

by Hugh Rogers

Corricks Ford on the Shavers Fork, a key Civil War battlefield in the 1861 Western Virginia campaign, continues to be fought over as a site of the proposed Corridor H.

On April 6, 1998, the Advisory Council on Historic Preservation, after two visits to the area, ruled that construction of the four-lane highway on Fork Mountain above the battlefield would cause an "adverse effect" on the site. Don Klima, the ACHP's Director of Planning and Review, wrote, "The proposed facility presents an intrusive and incompatible new element which will diminish the setting, feeling, and association of the overwhelmingly rural Corricks Ford Battlefield."

From Pleasants Run to Parsons, the valley of the Shavers Fork has changed very little since 7,000 Confederate soldiers, fleeing the Battle of Rich Mountain, were caught by 20,000 Union troops under the command of George McClellan. The battle boosted McClellan's career and ended the life of Confederate General Robert Garnett--the first general killed in the war. Ultimately, Corricks Ford was crucial in saving Western Virginia for the Union.

The Keeper of the National Register of Historic Places declared the battlefield eligible for protection in late 1995. Since then, the West Virginia Division of Highways and the Federal Highway Administration have devised a new alignment that barely skirted its boundaries, and endeavored to sell it to the ACHP. The Council isn't buying.

Its letter to the FHWA pointed out that a series of cuts into the mountain several hundred feet high, plus additional spans on built-up structures, and increased noise levels, all would be "highly visible and intrusive."

FHWA has requested another meeting with the ACHP on April 29. The highway builders will offer new steps to reduce or mitigate the highway's impact. One suggestion was an "interpretive pull-off" along US 219. From that parking area, one could view both the battlefield and the new highway that destroyed its character. What FHWA has not suggested so far is the most obvious change of all: upgrade US 219 and stay out of this remote and historic valley.

At risk besides history are the Otter Creek Wilderness, Fernow Experimental Forest, and a scenic stretch of the Shavers Fork. Fork Mountain, where the highway alignment was moved up slope, is notoriously unstable. To stop the Corridor here, though, we must win on the battlefield, where the new weapons are words such as "adverse effect," "substantial impairment" and "constructive use." Legal terms get defined in courts. That may be where this battle is bound.

In our current Corridor H lawsuit, briefs have been filed for the Conservancy, its allies and amici. That case will be argued in the U.S. Court of Appeals in Washington in September. One issue is the unprecedented procedure invented by FHWA to identify historic sites bit by bit while beginning construction elsewhere. Ironically, this

attempt to put Corridor H on a fast track has resulted in further delays. Besides the holdup at Corricks Ford, the Corridor's march has been blocked at Old Fields north of Moorefield. FHWA and the state DOH are still groping around for a "prudent and feasible alternative" and pretending it's hard to find.

Earlier this Spring, Corridor opponents gained some tiny allies. The Indiana bat, a federally listed endangered species, has been found in the area. Lawsuits by Kentucky Heartwood compelled the Fish and Wildlife Service to do more for its protection throughout its range. FWS is negotiating a broad agreement with the Mon National Forest, and both agencies will be gathering data this summer.

But highways can't wait for data. In early March, the FWS agreed to let the project go forward if all potential nest trees within the Corridor's Section 16 (around Elkins from Aggregates to Kerens) were cut down before April 1, the beginning of nesting season. Does this remind you of Vietnam? "We had to destroy the village in order to save it." They had to destroy the habitat to save the bat.

We first learned of this plan when landowners began to call: "Do you believe this?" Although the DOH did not own their land, it wanted permission to enter and cut down so-called "bat trees." 7,000 trees were cut at a cost of \$65,000. However, several owners refused, April 1 came and went, and so, by the terms of the agreement, construction may not begin this summer. ♣

Protection for the Blackwater Canyon

A West Virginia Treasure in Need of Safekeeping

[From press release on April 24, 1998 by the West Virginia Rivers Coalition.

Contact person: David Bott, Executive Director; phone numbers (304) 637- 7201 (w); (304) 296-0672 (h).]

The Blackwater Canyon is one of the most gorgeous areas in the state and the Blackwater River is one of the crown jewel rivers in the Monongahela National Forest. These important resources should be preserved for future West Virginians and as a destination for visitors from out of state.

"The West Virginia Rivers Coalition (WVRC) has promoted permanent protection for the Blackwater River and Canyon since our beginning in 1990," said David Bott, Executive Director of WVRC. "The Blackwater River deserves permanent

protection as an outstanding waterway -- we should have the vision to protect our state's resources from short-sighted plans that disregard the future uses of land and water."

The Blackwater Canyon is a major draw for West Virginians and tourists alike. People have used Lindy Point, an overlook with a wonderful view of the canyon, for years without realizing that neither the canyon nor the overlook was publicly owned or protected from development. Allegheny Wood Products owns the overlook and a large part of the canyon. The company plans to log parts of the canyon -- destroying the view from Lindy Point and almost certainly impacting the Blackwater River as runoff from land cleared for roads and logging adds sediment to the water.

"Tourism is the second largest industry in West Virginia," said Pam Moe-Merritt, Conservation Director for WVRC. "We need to look to the future and protect the special parts of our state. Places like the Blackwater

Canyon are what draw tourists, and their dollars, to West Virginia."

"We support the current negotiations by Senator Rockefeller to move parts of the canyon into public hands, subject to two conditions: 1) negotiations for an exchange are only a first step -- we cannot rest until the entire Canyon is secure from development depredations; and 2) our full endorsement will have to await the identification of the precise exchanged lands," said Bott. "If the lands to be exchanged are as sensitive and important as the Blackwater Canyon, then nothing has been accomplished."

The West Virginia Rivers Coalition was founded in 1990 to seek the conservation and restoration of West Virginia's exceptional rivers and streams. Today, WVRC is backed by over 1,000 members and is the largest statewide river conservation organization east of the Rockies. ♣

editorial

The Arrogance of Power

On the surface of it, for those who know me, this may come as a surprise. There is one thing I have in common with those Right Wing militia folk, those who are given to predicting that black helicopters from the UN (with the complicity of the US government) will one day soon swoop down, take over and enslave us all. What we hold in common is a frequent sense of outrage concerning some of the actions of our government whether it be through some of its politicians, state or federal, or some of its bureaucrats, state or federal. Where I differ with the militia on the Right most completely is on the particular manifestation that precipitates the outrage on the part of these politicians or bureaucrats

I do not intend to talk about the Right Wing today, but rather to focus on those actions by people in various levels of power or authority that both anger and puzzle me. In the September 1997 *Voice* John McFerrin in his "from the heart of the plateau" column speaks of something "in the air" at the West Virginia Division of Environmental Protection that make those whose job is to protect the people from the exploiters, instead only too often cozy up to the polluters.

One justification for term limits for our Congresspersons and Senators is that the longer they live around Washington, DC, the more they tend to get that "inside the Beltway mentality," a sure-fire way to be out of touch with their constituents. A good example of this is Robert C Byrd who appears to be completely insulated from the people's wishes on Corridor H. The Beltway mentality I speak of is of the same fabric as that thing "in the air" that McFerrin writes about. This atmosphere has at least two components, one of which stems from the power of authority

and privilege. The other comes from an entrenched political or bureaucratic way of doing things, not the least damaging is having too much familiarity with insiders and special interest people.

Our bureaucrats can be especially susceptible. One reason the IRS is in trouble now is because they have established a tradition of playing hardball with the citizenry because they could get away with it.

Scenario: Robert C Byrd and/or the Governor pass the word down to the road people to get Corridor H back on track, and the road people are only too glad to oblige in any way they can. It makes no difference as to the merits of this "highway to hell," or that the taxpayers will have to ante up over a billion dollars for yet another pork barrel project. So in a twisted kind of way, it makes sense that the road people would actually go out and destroy endangered species habitat to get by the legal constraints of the Endangered Species Act (see Hugh Roger's article in this issue).

The "shotgun ornithology" that Ron Perrone speaks of (see his article in this issue) is especially hard to understand. Fish and Wildlife bureaucrats, trained in science and mandated to protect the wild things of their calling, can and sometimes do deliberately destroy rare and endangered birds in the name of protecting their species.

All this defies logic unless one considers the syndrome, the "Beltway mentality" (to give it an all-inclusive title), of which I speak. It is a very dangerous social phenomenon in a democracy, and it can and does lead to abuses of a high order in all areas of our social and natural world. ❖

ARC Pinpoints Rare, Threatened and Endangered Species in Central Appalachia

First Region-wide Map of Endangered Species Released

(From Press Release - Contact Person: Sara Huss 740/592-3968)

Athens, OH -- The first comprehensive map depicting locations of rare, threatened, and endangered species throughout Central Appalachia was released today by the Appalachian Restoration Campaign (ARC). The map shows locations of plants and animals that are considered threatened or near extinction in portions of Ohio, Pennsylvania, West Virginia, Virginia, Maryland, and Kentucky. As part of the Central Appalachian Assessment, a region-wide wilderness restoration proposal, this information will assist the public, state and federal resource agencies, and environmental advocates in setting conservation priorities for Central Appalachia.

"Although natural resources agencies typically restrict consideration of Appalachia to arbitrary political boundaries, ecological health must be considered on a bioregional level," said Than Hitt, Coordinator of the Campaign. "With this novel presentation of rare species data, we can begin to see Central Appalachia as a single bioregion and plan restoration accordingly."

The information for this map was combined from several sources: the Ohio Division of Natural Areas and Preserves, West Virginia Natural Heritage Program, Virginia Department of Game and Inland Fisheries, Maryland Department of Natural Resources, Kentucky State Nature Preserve Commission, The Nature Conservancy of Pennsylvania, and the Western Pennsylvania Conservancy. The data from each state were compiled using Geographic Information Systems (GIS) technology.

"Our Geographic Information System (GIS) allows us to analyze trends and patterns across the landscape," said David Hines, GIS Technician for the Campaign, "This large-scale perspective is essential to the task of landscape restoration."

The Appalachian Restoration



Campaign is a project of Heartwood, a forest protection network throughout the Eastern and Midwestern United States. With conservation research, education, and advocacy, ARC works to establish ecological reserves in which human use is compatible with ecological restoration and health. As an on-going project, the Central Appalachian Assessment documents these large-scale wilderness restoration goals within the context of current political opportunities and obstacles.

Than Hitt, ARC Coordinator, can be reached at: POB 5541 Athens, OH 45701, 704/592-3968. E-mail arc@frognet.net.

Web page: <http://www.heartwood/ARC>

(For information on the Central Appalachian Ecological Integrity Conference, Web page:

http://wvnm.wvnet.edu/~rlanden/arc_conf.htm) ❖

The following is a brief of the talk by the new Forest Service Chief, Michael P. Dombeck submitted by Don Gasper (I am very grateful to Don for this - my version was too long, almost 3000 words!). We can only hope that what Dombeck has to say that is new can be implemented. Of course, there is some old stuff, too, like his commitment to continuing logging on National Forests. However, it could be that the USFS may be in a some significant change in policy in the direction that is more Earth-friendly, and therefor more people-in-general friendly. Ed.

A Gradual Unfolding of National Purpose

A Natural Resource Agenda for the 21st Century

By Don Gasper

The new Chief of the U.S. Forest Service wants to bring people together and help find ways to live within the limits of the land. They should lead by example using the best available science based on ecosystem management. In restating their motto "Caring for the land and serving the people", he notes the tradition of responding to new information and adopting to change. Change is a gradual unfolding of national purpose. With an obligation to lead, they would share with others the further refinement of an agenda sensitive to people's needs and implemented within the limits of the land. The hope is to leave our children an even richer natural resource legacy.

The agenda will focus on: watershed health and restoration, sustainable forest ecosystem management, forest roads, and recreation.

The Organic Act 100 years ago had as its purpose to improve and protect the forest to secure favorable conditions of water flows, and to furnish a continuous supply of timber for use and needs of citizens. There was a strong focus on watershed restoration to protect and enhance the water supply and to reduce flooding. In intervening years Congress has repeatedly reinforced that message. This agenda places renewed emphasis on this restoration of the fabric of the whole landscape.

The collective challenge is to afford even greater protection of and benefits from our natural resources. This cannot be done in isolation, and "we must work with private lands as well as public to restore the fabric of whole landscapes." Although most of these actions and proposals are specific to national forests, their benefits transcend boundary lines, and voluntary non-regulatory partnerships with other private, federal and state land managers will be sought. Watershed analysis to better understand the effects of management activities on the landscape will be conducted in partnerships across all ownerships.

"Our first priority is to maintain and restore the health of our ecosystems and watersheds." Wilderness areas are important sources of clean water and biological diversity and a long

tradition of protection must be continued. Healthy, resilient watersheds, performing their most basic functions produce many vital, nearly free, services. Hence "maintenance and restoration of watershed health will be made an overriding priority in future Forest Plans". Measures to monitor progress must be established.

Stream and riparian area restoration should be increased by 40%. There should be a 30% increase in habitat restoration and conservation of endangered species. They would "improve efforts to prevent non-native species from entering or spreading in the U.S." The thinning of unnaturally dense forest stands should be doubled over the next 5 years.

Sustainable community and economic prosperity depend on a full array of products and values from healthy, diverse, resilient and productive watersheds. To better understand their status and condition across all ownerships, forest inventory and monitoring must be fully funded. Criteria for measuring sustainability of forest ecosystems will be developed, with a goal of reporting to the nation by 2003 the health of all forested landscapes.

"As more and more people place greater demands on our forests, it is naive to think that we can restore ecosystem and watershed health without active management based on sound science". Today healthy forests grow trees - and "grow water," wildlife habitat and recreation. "As we learn more, we are continually adapting our management. For example clearcutting on national forests declined by 84% in the past 10 years. The use of timber sales whose primary objective is to restore forest ecosystem health has increased by 70% in the past 5 years."

"Both science and common sense support active management." A stable timber production is essential to many rural communities, and traditionally has been a product of national forests. They will work with communities providing know how to forest product industries so they can use smaller diameter wood, increase markets and make more finished wood products. It would benefit communities if the in-place workforce

were put to work in new ways "to accomplish much needed forest management and restoration". As the 25% of timber sale income given to communities declines as less timber is cut, the USFS will work with Congress and local communities to provide stable and predictable payments for public schools and roads.

Forest roads are used as essential parts of the rural transportation system, they provide access for recreation and harvesting and for management. However, "there are few more irreparable marks we can leave on the land". Roads can "contribute to erosion, wildlife and fish habitat fragmentation, degradation of water and faster dispersal of exotic species." There will be more careful consideration of decisions to build new roads, and there will be an 18 month moratorium on new roads in roadless areas. Old unneeded roads should be eliminated. Roads that are important to public access will be improved and maintained. Maintenance funds may be increased by 26%. Funds for bridges and culverts may increase by 66% in 1999.

"Because of our increased scientific knowledge about the social and ecological values of roadless areas", new guidelines will be developed on when and if new roads will be constructed. Unneeded roads will be converted to trails.

Recreation is the fastest growing multiple use. "It provides the link - a window through which an increasingly urban society can enjoy and appreciate the natural world". This use must not compromise the long-term health of the land. A goal will be to provide quality, premier settings and experiences, so that every visitor leaves with a deeper appreciation for, and understanding of, how important their natural resource legacy is to them. More information on the incredible outdoor opportunities will be given to the public. Quality standards for facilities and services will be reviewed, and user evaluations obtained. As public use increases more funding is requested so they will enjoy a safe, high quality experience. Funding support for fishing, hunting, viewing, will be sought, as will conservation education. Partnerships will

See DOMBECK on page 6

Questions & Answers

Why the "Grand Canyon" of West Virginia, Blackwater, Should be Saved

By Vivian Stockman

"Why is the West Virginia Highlands Conservancy against logging in the Blackwater Canyon?" This is the first of eleven questions The State Journal faxed to Norm Steenstra, Vice President of Statewide Affairs for the West Virginia Highlands Conservancy. The paper, the voice of business and industry, used Norm's responses in an April article.

All one needs to do is stand on Lindy Point (of course, these days, you might be arrested for trespassing) and gaze out over West Virginia's Grand Canyon to know why we don't want it logged.

If you can't make it to the Canyon, take a look at the numerous state tourism videos and brochures that show the world the breathtaking view from the point. At last check, even state photographers were denied access to this area. But, as the logging continues, why would the photographers want to go there anyway? The image of the logging scars wouldn't make for much of a tourist draw. Indeed, such images might do more damage to our state's international image than the Road Kill Bill.

The West Virginia Highlands Conservancy (WVHC) is not only against logging in the Canyon. We are for preservation of one of West Virginia's most outstanding natural areas. We are for protecting the Canyon against the threat of condominium development along its rim--the magnificent views should not be inaccessible to the public because they are owned by a handful of wealthy individuals. The Canyon, like some of our nation's precious shorelines, should be available to all, not just to a few rich folks. The WVHC favors protecting the entire Canyon by placing it into public ownership. The Canyon is just too precious to be cut down, torn up and "developed."

In an April 6, 1998 editorial headlined with the tired old spin "Blackwater Canyon pits business vs. Environment," *The State Journal* says: "We agree that yes, the environment must be protected, but at a certain point that protection can grow to unreasonable levels, and economic reality must be considered."

Who is defining "economic reality", and for whom? With tourism, we have the chance to "sell" those trees over and over again. With logging, we can "sell" those trees only once every 80 years, if that often. And, according to a 1997 National Forest Service study, West Virginia's tourism and recreation industries

employ 57 times as many people as the state's logging companies and generate 67 times as much income.

Trees, not to mention viewsheds, and ecosystems, add value to our lives in so many ways beyond measurable economics. If we, as a society, insist on valuing life forms in terms of money, then we should consider this:

According to a Michigan State University publication, over a 50-year [period] a tree will produce \$31,250 worth of oxygen, provide \$62,000 worth of air pollution control, recycle \$37,500 worth of water, and control \$31,250 worth of soil erosion (source of this information -- W.V. Department of Agriculture Market Bulletin, April 1, 1989).

That's \$162,000 per living tree. If there are, say, 10,000 trees in the Canyon, that's \$162,000,000. Pretty impressive economics, don't you think?

What about the potential increase for flooding that is almost inevitably associated with steep slope logging? What economic realities will this bring for Parsons?

In another question from that same fax, The State Journal says: "Reckart (Allegheny Wood Product's soundbite lady) said this same piece of land was harvested in the 1980s without any harm being done to the land. Can't this land be harvested once again with little impact to the area?" This question, and Reckart's comments in that April article, would imply that the whole Canyon was recently cut.

The entire canyon was cut over 80 years ago. Only a few small plots were cut in the 1980s. It has taken this many years for the trees to get to the stage they are now. We have no inventory of plant and animal species the Canyon harbored before the cut, no measure of topsoil before the cut. We haven't a clue what is lost, and we haven't a clue as to how many times the steep Canyon can take the devastation logging brings. And we don't think the Canyon's endangered species, or its fragile ecosystem can withstand the impacts of condominium development.

Yet another question asks: "In the same article [a recent article in the 'Highlands Voice'] ... it says the sale of the land is being challenged as illegal. How can a sale of land from one private corporation to another be illegal?"

The land was owned by a public utility, which must seek Public Service Commission (PSC) permission for the sale of any of its land. Public utilities are regulated by the PSC because of the monopoly they enjoy. It's the PSC's job to make certain the utilities act in the public's best interest. The public utility, Allegheny Power Service and its affiliates, long time holder of the Canyon property, never asked PSC permission. Therefore it seems to us that the sale was illegal.

Some 70% of West Virginia is forested. There are many places where timber can be harvested with far less impact. The Blackwater Canyon should not be one of them. It is the grand canyon of West Virginia. As our world becomes ever more "developed" treasures like the Canyon will become ever more valuable as the last refuges of the wild. If the logging continues, if condominiums sprout up on the Canyon's rim, we will have lost this tourism goldmine, and so much more. This is why the Highlands Conservancy is for saving the Canyon. ✦



DOMBECK concl. from page 5

be made with recreation users, concessionaires, permittees and local communities, to deliver more effectively quality recreation experiences, and encourage volunteer time, labor, and experience in improvement of interpretive services, trail maintenance, facilities, and conservation education.

Today all "care about our public lands." It is "a national priority." "We can only redeem our role as conservation leaders by working with, and learning from, others." In charting this course, communities, and the children who inherit the results of our stewardship should benefit from this entrusted resource. The goal "is to help people to live in productive harmony with the watersheds that sustains us all." "We can leave no greater gift for our children, show no greater respect for our forefathers, than to leave the watersheds entrusted to our care healthier, more diverse, and more productive." ✦

CANYON from page 1

WVHC and others took a petition questioning the legality of the sale to the PSC. APS argued that one of its wholly owned

subsidiaries, which APS says is not a public utility, made the sale, and thus no PSC action was required. The PSC agreed with APS, and refused to hear our petition.

The alliance of preservationists (WVHC et al.) has appealed the PSC ruling to the West Virginia supreme Court. There they will argue that the PSC viewed the company selling the Canyon narrowly and unrealistically. The corporate structure of APS and all its subsidiaries reveals that the company is indeed one large company, with the same officers, and the same business address. By the time you read this, the Supreme Court will have either rejected our appeal, or will have scheduled the case for further hearings.

In the meantime, the logging--with the logging roads scarring the Canyon's walls--has started. A major fear of the preservationists is that condominium development along the Canyon's rim will take place.

Anyone who has visited the Canyon knows this area, home to several threatened and endangered species, is one of the most spectacular regions in West Virginia. The Canyon is surrounded by the Monongahela National Forest and the Blackwater Falls State Park. The Canyon's world famous view from Lindy point is now off limits.

During the January to March legislative session, we had presented a resolution which asked the DNR to bring interested parties to the negotiation table to formulate a plan to acquire the entire Canyon as public property. A handful of legislators refused to listen to the voice of the people. Instead they insisted on bottling up our modest resolution in committees, and would not



Blackwater Canyon showing logging road on steep bank back up from river

Photo credit: Steve Adams & Charleston Gazette. Credit to Richard diPretoro for his aviation skills

release it onto Chamber floors for a vote so that the entire legislature could act on it. Therefore, we must redirect our attentions to saving the Canyon.

So what now?

To this end, WVHC invites you to participate in Blackwater Summer. Won't you please join us? In order to save the Canyon, one of the East's most spectacular natural areas, we will work statewide to raise awareness about the threats of logging and development.

On numerous weekends throughout the summer, we will need groups of volunteers to hand out flyers, brochures, and bumper stickers; to collect petitions, and to educate the public on the fate of the Canyon, at events, conferences, recreation hot spots, and even

grocery stores statewide. If you can donate a few hours of time, please send in the form below. Please help us save the Canyon. Vivian Stockman is on the staff of the West Virginia Highlands Conservancy, and is a founder of the grassroots organization, "Concerned Citizens of Roane, Calhoun and Gilmer Counties."



Yes, I'd like to be a part of Blackwater Summer!

Name: _____
Address: _____
Street: _____ City/Town: _____
County _____ Zip: _____
Phone: _____
Fax: _____
E-mail: _____

Special skills I can volunteer: _____

I would be willing to:
 collect petitions
 distribute flyers
 travel to different parts of the state
 bring friends to help, too
 donate time on a weekday
 donate time on a weekend
other: _____

Please send your completed forms to:
WVHC
Blackwater Summer
P.O. Box 306
Charleston, WV 25321

or e-mail a response to: viv@wvwise.org. Please put "Blackwater Summer" in the subject line.

Deal Made Behind the Backs of Preservationists

Agreement between the US Forest Service, Allegheny Wood Products and American Whitewater

West Virginia Highlands Conservancy Shut out of Negotiations

(News release by American Whitewater of April 22, 1998)

(Silver Spring, MD) -- The US Forest Service (USFS) and Allegheny Wood Products (AWP) signed an agreement today allowing limited foot traffic to the river in the Blackwater Gorge for one year. This agreement allows access to the path along the old railroad bed to the confluence of the North Fork and Upper Blackwater as well as a twenty foot easement on both banks. Jason Robertson, American Whitewater's Access Director, said that the agreement, "would permit access to the canyon for recreational boaters and fishermen over the next year, and allow the Forest Service time to negotiate for the future conservation of the canyon." Access to both forks of the Blackwater is particularly important to the paddling community since this whitewater river is regarded as the ultimate challenge in a region that's nationally known for its whitewater, the Cheat River Watershed.

Problems arose this winter when AWP blocked access to the Blackwater Gorge. Unfortunately the closure of this area came at the start of the steep creek kayaking season in West Virginia which extends through the Spring. However, this agreement will save much of the paddling season by permitting boating for the remainder of the year.

While West Virginia's navigability laws allow

boaters the right to float down the State's rivers, boaters often have problems reaching the water. An article in the American Whitewater Journal (March/April, 1995) described the Blackwater Gorge as being "extremely steep and rugged, punctuated with sheer cliffs, avalanche fields, waterfalls and a nearly impenetrable jungle of rhododendron and greenbriar," and only having limited trails. Therefore access to the existing trails, many of which are on AWP's property, is virtually mandatory in order for boaters to reach the river.

American Whitewater has made every effort to communicate its respect for the private property rights of the landowners along the Blackwater River. Besides working with the USFS and AWP, American Whitewater purchased land in Hendricks and established a legal take-out for recreational boaters at the confluence of the Blackwater River and Dry Fork of the Cheat River. The Hendricks take-out provides boaters with parking and a changing facility.

For the past six months, John Gangemi, American Whitewater's Conservation Director, has been participating with the USFS and AWP in a land swap to protect the upper portions of the Blackwater Gorge. Signing

this agreement is the first step towards preserving this incredible natural resource. American Whitewater will continue working with the USFS and AWP to negotiate a permanent land swap that will protect the entire North side of the canyon (including access routes and the entire mountain bike route along the river) as well as the entire upper canyon above Lindy Run and Lindy Point. American Whitewater will want to approve the land being exchanged, but we fully endorse the premise of a land swap protecting the Blackwater.

American Whitewater is appreciative of the cooperative actions between Allegheny Wood Products and the US Forest Service in resolving the recreational access issues in the Blackwater Gorge. Rich Bowers, American Whitewater's Executive Director, says that, "this cooperative action between business, agency, and recreational groups represents a significant achievement and offers valuable lessons for future negotiations to conserve and protect our nation's whitewater resources."

Jason Robertson said that this agreement, which arose out of a meeting between American Whitewater, the USFS, and AWP on March 26, "gave American Whitewater an opportunity to show Allegheny Wood Products the trails that boaters use when entering and leaving the canyon and also allowed us to discuss liability issues, a portage easement, and emergency access to and from the river."

The preservation of the Blackwater Gorge as a premier whitewater river continues to be of utmost importance to American Whitewater. Therefore, American Whitewater will continue working to preserve access to the Blackwater Gorge and conserving this incredibly beautiful resource in its natural state.

For more information on the proposed land swap or kayaking in the Blackwater Gorge in West Virginia, contact:

Jason Robertson at American Whitewater
301-589-9453
Kate Goodrich at the USFS
304-636-1800

Say It Ain't So, American Whitewater!

Puzzling Action from Inside the Beltway

By Sandy Fisher

It's spring, and the tribe of tupperware Eskimos known as West Virginia kayakers are sporting and squirting their boats in the rushing waters of our fair state's streams and rivers.

But while West Virginians are paddling, some foolish business has been going on in Washington, DC.

In a move that I believe would earn them the scorn of the average West Virginian, the American Whitewater Association (AWA) has endorsed the private ownership and logging of the Blackwater Canyon -- subject to the "land swap" scam that might at best keep one-fifth of the Canyon in a preserved status.

What were these Beltway whitewater folks smokin'? Say it ain't so!

At least the AWA officials who approved this deal got something in return for

their support of private ownership and exploitation of the Canyon.

AWA got a one year, revocable at any time, water access agreement, to the Blackwater River.

What a deal! It reminds me of a Bible story, something about a fellow who sold his birthright for a mess of pottage.

In making this deal, AWA ignored the position of the Sierra Club, the Highlands Conservancy, the United Mine Workers, the E-Council, OVEC, the Charleston Gazette, and every other citizen group that has addressed the issue. They all say that the proposed swap does not accomplish the conservation purpose that is necessary to keep the Blackwater Canyon as one of West Virginia's scenic crown jewels!

Remember -- the only reason that the Forest Service is not buying the entire Canyon,

See SAY IT AIN'T SO on page 9

Temporary Easement Allows Limited Public Access to River in Blackwater Canyon

From press release by the Monongahela National Forest of April 17, 1998. Contact person: Kate Goodrich (304) 636-1800

A temporary easement signed recently will allow limited public recreation access to the Blackwater River under an agreement reached between Allegheny Wood Products, the owners of the land, and the United States Forest Service. An area has been identified and signed which allows boaters and anglers foot access from the old railroad down to the river, and along a twenty foot width on either side of the river as it flows through AWP land holdings.

The Blackwater river is prized by Whitewater boaters and by anglers alike. Negotiations are ongoing between the Forest Service and AWP for a possible land exchange which would put the land between the river and the railroad grade into public ownership as part of the Monongahela National Forest. While these efforts are continuing on track, they are time consuming and did not allow access to the river in the interim. Officials with both American Whitewater and Trout Unlimited met with Allegheny Wood Products owners to discuss possible avenues for use of the river itself while the land negotiations continue. American Whitewater access director Jason Robertson notes that access to the Blackwater River as a premier whitewater river continues to be of great interest to his organization. American Whitewater staff worked closely with the Forest Service and AWP to identify

trails that boaters use when entering and leaving the Canyon, thus allowing for the easement to be written to specifically meet those needs. As anglers can follow the same routes they too now have a useable access route to reach the river. Representatives of the West Virginia State Council of Trout Unlimited have praised the goodwill of Allegheny owner John Crites for working with both TU and American Whitewater in considering public access across his private property.

The temporary easement is marked on the grounds with signs, beginning with a strip of land on the railgrade 1-3/4 miles southwest of the City of Thomas. The easement area follows the railgrade for a distance to a point above the confluence of the North Fork and the main Blackwater River. At this point the easement area widens and extends completely from the grade to the river. The easement area then continues in a block extending from the grade to the river to a point below the confluence where the easement ends. The temporary easement allows for full public use of the railgrade in the easement area only. The rest of the grade remains in half public and half private ownership so users need to be aware of where they re going along the grade. A simple vicinity map is posted for reference at both ends of the easement area. In addition

to the large easement block a strip on either side of the Blackwater River and the North Fork of the Blackwater river extending 20 feet above the high water mark through the Allegheny Wood Products land is included in the temporary easement. This was designated at allow boaters to stop and scout or portage around rapids, and to allow anglers to walk along the banks of the river.

Both forest service and AWP officials caution that the easement granted to the FS is a temporary one which can be terminated by AWP at any time. It is the hope of both the Forest service and Allegheny Wood Products that the land exchange will ultimately take place and negate the need for such an easement.

Monongahela National Forest officials greeted the signing with pleasure. "We have a lot of work to do yet before we'll know if we can consumate [sic] the land exchange that we're currently working on, but we're very pleased to be able to work with Allegheny Wood Products, American Whitewater and others who have expressed interest in river access" said Forest Supervisor Chuck Myers. "We appreciate the opportunity the company gave us to provide public foot access to an area clearly treasured by many." ❖

SAY IT AIN'T SO from page 8

and has agreed to a swap, is that AWP has been unwilling to sell the entire Canyon.

Even the Forest Service thinks that the swap is not what is really needed!

One More Time: What's wrong with the land swap deal?

The proposed swap does next to nothing to protect the Canyon. The land AWP proposes to swap away is undevelopable and untimberable. In AWA's own words it is "extremely steep and rugged, punctuated with sheer cliffs, avalanche fields, waterfalls and a nearly impenetrable jungle of rhododendron and greenbriar [sic]."

The vast majority of land in the Canyon, that is developable and timberable, is currently "not up for negotiation." If that position does not change, it translates into the "two Cs" -- chainsaws and condominiums!

And what lands will AWP "swap" for? Developable and timberable ones, no doubt, making this a losing situation for everyone but AWP. Not only does the Canyon get degraded, but some other piece of the Monongahela National Forest gets traded away to the same fate.

Let's get back to the American Whitewater issue, and try out an imaginary scenario.

A private developer gets title to the Grand Canyon, and plans to mine and put condos in. The citizens of the Southwest rise up in outrage. They organize and speak out: "This is one of our premier natural places. It should all be public land! The money is there to buy it -- let's do it!"

Enter the American Whitewater DC crew.

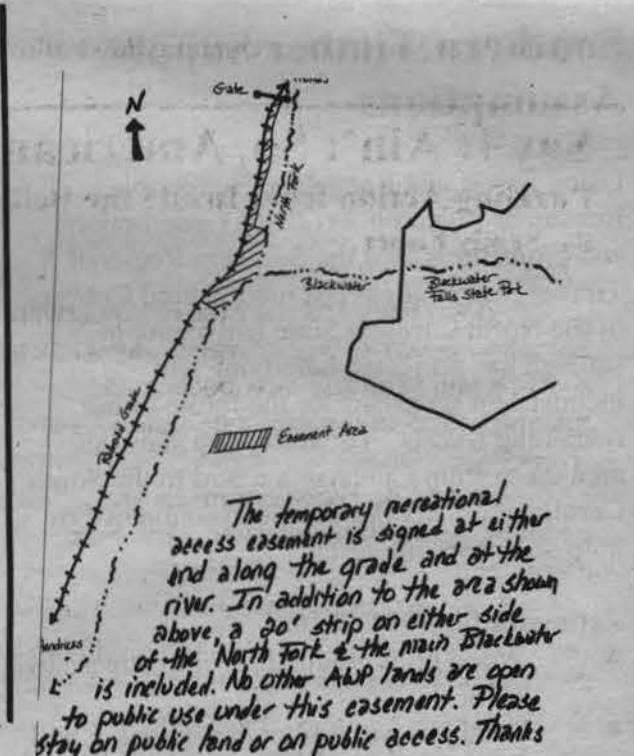
The developer offers them access rights for rafting trips. Hailing a "win-win" situation, AWA signs off on a deal that gives the public three overlooks, and allows private exploitation of the rest of the Grand Canyon. To heck with what the region's environmental organizations say!

Is there any difference in the Grand Canyon scenario and the Blackwater Canyon case?

Not much.

The Blackwater truly is West Virginia's Grand Canyon.

See SAY IT AIN'T SO concl. on page 12



Copy of rough sketch posted in easement area

Shotgun Ornithology

Out in the Killing Fields with Federal Ornithologists

By Ron Perrone

One of the critical jobs of WV Partners In Flight is to locate critical bird habitats within West Virginia and formulate plans to protect those habitats. At an organizational meeting last year I became aware of a subtle but counterproductive separation between the professional biologists and the "birding community" at large. Some called it a fashionable mistrust of science, an ever present undercurrent in modern American culture. Seeing the need for bringing the two groups closer, I decided to see how recruiting birders into the Partners In Flight project might help, but it seemed that everywhere I went to talk with people, hesitancy often turned to outright hostility toward anything in which the government or institutional science was involved.

One subject which was raised all too often was "shotgun" ornithology. This surprised me. The image of studying birds down the barrel of a gun surely was an outmoded paranoia if there ever was one, right? After all, John James Audubon has been dead since the 1860's, and his collection practices were outlawed by the Migratory Bird Treaty Act of 1918, right? Three incidents of which I recently have become aware changed my mind.

Last year there was considerable flap in the press when researchers from the USA working in South America found an individual of an extremely rare bird species and "collected" (killed) it even though it was only the individual of that species seen for more than a half century. As the good science vs. bad science debate raged

in the press, I spotted a commercially available tee-shirt sporting the slogan: "Be a scientist, visit exotic lands, discover rare and beautiful life forms, and kill them."

Closer to home I learned of how a few years ago in the spirit of cooperation, West Virginia birders had revealed the location of a population of rare Swainson's warblers to an ornithologist only to come back and find the site exterminated to the last bird by that same person. He was authorized by the US Fish & Wildlife Service, collecting in the name of science [Italics added by Editor]. It took 5 years for the species to reappear in the area. Years of personal commitment and observations were wasted. Faith was broken. The ornithologist proudly published his research project in a nationally distributed magazine.

The latest issue of Ecology presents an article in which over 1000 black-throated blue warblers were shot recently (48 in WV) merely to present data on latitudinal distribution. Banding and blood tests would not only have provided the same data but conceivably could have yielded future data concerning migration.

These three examples underscore the problem. Shotgun ornithology is like bloodletting for fever, like purging for infection. It is a vestige of discredited old-fashioned science. People are generally repulsed, and birders in particular are outraged by the practice.

It is a noble and civilizing process to bring so many people together to build a comprehensive

bird habitat protection plan. It speaks well to the strides made in both science and attitudes. But scientific insensitivity to cultural sensibilities risks eroding public support for a plan to save the migratory birds who use West Virginia as their nesting grounds. A higher goal is at stake here.

In the public education arena, how do you explain to the citizenry that all migratory birds are protected under state, national and international laws, that they cannot be shot or their nests harmed, when "scientists" are allowed to go out and do just that on a large, nationwide scale? What is law for the goose is not for the gander, evidently, and the public sees the hypocrisy.

As for now, there are a number of people who hold data, maybe critical data, who have stated to me that their notes will not be shared until they feel safe in the knowledge that the birds who bring them joy will not be killed for the sake of a statistical sample or a museum display. They believe that birds are best appreciated while watching them live out their roles in the real world. The scientific study of birds will be better accomplished as well, no doubt, by observing them in the same way. *Ron Perrone is the Education Director at Three Rivers Avian Center*

{Editor's comments: Sounds like a Vietnam War era federal policy as in "We had to destroy [such and such a city] in order to save it." Hey, George Orwell, 1984 is here!} ❖

Southern Timber Supply Assumptions

Using Forest and Rangeland Renewable Resources Planning Act (RPA) assumptions and projections, and the Southern Regional Timber Supply (SERTS) model, Fred Cabbage of the North Carolina State University in Raleigh has projected horrifying and inconsistent scenarios for the future of our remaining forests. The following statistics are taken from Cabbage's report to the South Carolina Forestry Association (dominated by pulp and paper interests).

Estimates for 1991-2010

- Wood pulp production will increase by 16%.
- Total US wood fiber consumption will increase from 85.6 million tons to 114.2 million tons
- US paper, board and structural panel production is projected to increase 33%
- Southern lumber and panelboard production is expected to increase

proportionately more than national trends.

- RPA projects *very large increases of 59% in southern hardwood removals and softwood removals to increase by 19%.*
- Softwoods have been overcut in the South by 12% annually since 1991.
- Total Southern forest consumption is projected to increase 61% compared to the national increase of 8%.
- Nationally, *almost all (90%) of the increased softwood timber cutting is projected to occur in the South as is 70% of the hardwood cutting.* [bold and italics above added by editor]

Cabbage notes that there will be large decreases in forest removals on national and other public lands with non-industrial private forestlands expected to almost entirely bear the brunt of industry demands. He admits freely that the forest industry has already severely overcut its own lands.

— From *Heartwood*, Spring 1998

RECREATION VERSUS LOGGING

For West Virginia

NATIONAL FORESTS 1994

(Jim Sconyers sent this in)

Recreation	Logging
Jobs 10,983	Jobs 193
Income \$439,324,000	Income \$6,520,000

Times more jobs: 57

Times more income: 67

Source

Logging-National Summary Timber Sale Program Annual Report FY 1994

Recreation-Explanatory Notes for the 1997 Forest Service Budget

Forest Service

Recreation Resources Information System ❖



Become Better Acquainted with the Three Rivers Avian Center

Compiled from information submitted by the staff of the Three Rivers Avian Center: Executive Director - Wendy Perrone; Education Director - Ron Perrone; Research Director - Ron Canterbury, Ph.D.; Chief Naturalist - Dollie Stover

The Three Rivers Avian Center (TRAC) is a tax-exempt, 501(c) non-profit, non-government, privately supported organization whose mission is to provide veterinary and rehabilitative care to orphaned and injured raptors and other birds in West Virginia, and to educate and involve the public in natural resource conservation. It is located near the town of Brooks in Summers County, WV. Our 102 acres lie in the New River Gorge, adjacent to National Parkland owned by the New River Gorge National River. We are easily accessible via Route 20.

Professional staff coordinate a veterinary hospice network throughout Southern West Virginia who, in turn, are assisted by a volunteer network. Care at the Center is provided 24 hours a day by staff living on-site. Patient birds may be admitted at the Center or by one of our twenty hospice veterinarians. Care ranges from x-rays to all types of surgeries to physical and nutritional therapies. Our resident educational program raptors act as surrogate parents for orphans of various species as needed during the Spring.

Over the past six years the TRAC has maintained about a 40% release rate, which compares very favorably with national averages. Rehabilitated birds are released back into the habitat area where they were found unless there is an overwhelming reason to relocate a particular bird. Some of the birds who cannot be released to the wild because of

crippling injuries become part of our environmental education programs.

We have received awards from the West Virginia Department of Natural Resources Nongame Wildlife Division, an "innovation" award for our environmental education programs from the World Wildlife Fund, as well as other awards. We provide environmental education programs featuring live birds of prey tailored to the needs and size of each audience. Our school programs come complete with their own study guide for graded 5-8 designed in compliance with the goals of the West Virginia Board of Education. We also have educational displays, college level internships, a quarterly newsletter "the Raptor Chapter," on-site education programs at the Center, and scheduled tours of the Center's facilities. TRAC is a member of the Raptor Research Foundation, National Wildlife Rehabilitation Foundation, International Wildlife Rehabilitation Council and the Northeast Working Group of Partners in Flight (PIF). PIF is a state, national and international cooperating organization working on preserving neotropical bird populations in the Western Hemisphere before they need endangered species protection.

TRAC get its financial support through memberships and our educational programs. Grants provide funding for some specific

projects. We also sponsor fund raising events. Membership fees help pay for the essential care of our avian patients, medical supplies and surgeries, food and housing, transportation, public outreach materials and general operating costs.

WV State Parks & Forests To Host TRAC Raptor Programs

We are very happy to announce that for the third year in a row, our "WV Birds of Prey" program will be touring the State's Parks, Forests, and some Wildlife Management Areas this Summer. We have already received requests from (among others): Audra State Park, Babcock State Park, Beech Fork Lake State Park, Bluestone Wildlife Management Area, Cacapon State Park, Camp Creek State Park, Chief Logan State Park, Lost River State Park, North Bend State Park, Panther State Park, Pipestem State Park, Tomlinson Run State Park, Twin Falls State Park, Watoga State Park, and the list continues.

Look in the May issue of The Raptor Chapter for places, dates and times, or if you'd like to know sooner, check out the upcoming events section of the Center's World Wide Web page. You can find it at: <http://www.trrc.org> ❀

You can become a member to Three Rivers Avian Center. Membership in TRAC is easy and rewarding! Your support counts! Members receive TRAC's quarterly newsletter "The Raptor Chapter". To join, print this message out, write a check for the desired membership level (make the check out to "TRAC" or "Three Rivers Avian Center") and send them both to : TRAC / HC 74 Box 279 / Brooks, WV 25951.

(See the bottom of this message for a special offer...)

Membership Level:

Eagle	Monthly Pledge: \$84	Yearly Donation: \$1,000	Patron / Club	Yearly Donation: \$100
Falcon	Monthly Pledge: \$42	Yearly Donation: \$500	Supporting	Yearly Donation: \$50
Owls	Monthly Pledge: \$21	Yearly Donation: \$250	Family	Yearly Donation: \$25
Organization/ Business	Monthly Pledge: \$12	Yearly Donation: \$150	Individual	Yearly Donation: \$10

As a special incentive to our members, annual donors of \$100 or more are encouraged to choose (as a special "thank you" gift) either a screech owl nest box or a bluebird nest box. Each of the boxes are specially hand-made for us here in Summers Co.

Dialing for Dollars at the West Virginia Legislature

by Gary R Zuckett

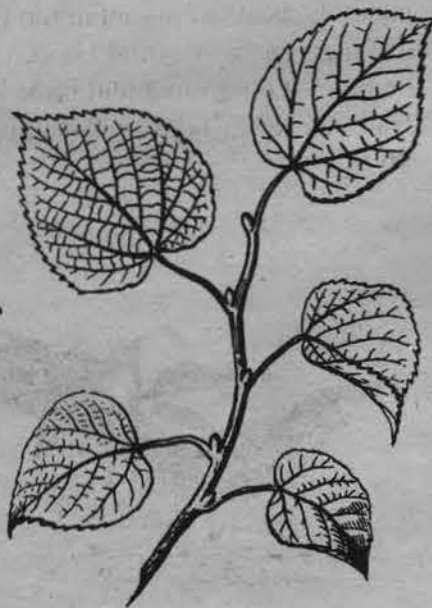
As an advocate for environmental and consumer protection I always approach the annual WV legislative session with trepidation. Like a snow ball rolling down a mountain, it picks up speed and eventually bowls over everything in its path. In general, those interests which can afford to invest big money into political campaigns make out like bandits and the rest of us get the crumbs. What follows is my attempt to grade the 1998 legislative session in three critical areas, health care, environment, and good government.

Health Care "B"

Kiddie Care Passes: SCHIP (Supplemental Children's Health Insurance Program) was finally funded the last day of the session. Using \$23 million in matching federal funds it will expand health insurance coverage to some kids who are now falling through the cracks in our patchwork health care system. A new state bureaucracy will be designed to do this, ignoring the fact that Medicaid is already invented and more cost effective.

Patient's Bill of Rights Passes: HMOs tend to be money hungry medical factories which cut service to increase profits. This law will inform patients of their rights under current state & federal rules and legislation. It's a much needed law which gives the little guy some tools to fight back.

Women's Access Passes: Insurance companies now must allow women direct access to OBGYNs and provide for reconstructive surgery after mastectomies and



"The United States consumes one-fourth of the world's energy each year. Yet, for a given amount of energy, the United States produces less than half as much economic output as Japan and West Germany."

— Time magazine, Jan. 2, 1989, p. 65

even plastic surgery in cases of domestic violence. The late-term abortion language amended into the bill is expected to be thrown out as unconstitutional.

Environment "C"

Garbage Fixed: Early in the session our excellent Solid Waste Act was rescued from constitutional purgatory by the change of a few paragraphs. Well done!

Water Quality Rules Saved: A sneak attack on state-wide water quality was routed. Senator Don Macnaughtan described the attack as "The greatest threat to public health and safety of my eight years in the Senate."

Welfare for Chickens Died: This bill would have given even more tax breaks to those huge chicken factories which are polluting the head waters of the Potomac with (you guessed it.)

Welfare for Sawmills Passed: In their innate wisdom (and without a clue as to the total cost to local governments) our legislators again lowered the property taxes on "managed timberland." You've heard of "unfunded mandates?" Well, this is another "unrefunded tax break," i.e. state government giving away county tax revenue (which is needed for schools, libraries, fire and emergency services) without providing replacement funding.

Blackwater Canyon Unresolved: A resolution encouraging state officials to save the beautiful Blackwater River Canyon from death by logging was just too extreme. Observers have labeled Senate Judiciary Committee's treatment of the resolution's sponsors a "new low" for dirty tricks. Rumors of a "Blackwater Summer" are now surfacing. *[It is more than rumor — see page 5]*

Blasting Bill Bombed, Resolution Passed: King Coal blew out the fuse on a bill to make them pay for homes damaged and water wells drained by the earth-shaking blasts set when blowing the top off mountains to get to the coal. However, they couldn't douse a study resolution to look into the situation. Well done WV Organizing Project!

Moonscape Bill Passes: SB 145 makes it cheaper and easier to dismember mountains and fill in the valleys to get to the coal. One thousand miles of streams have already been buried. Much of southern WV now looks like the moon. This is progress? Our "We in the Industry" governor has signed this bill and 'thrown down the gauntlet' defying the US EPA to step over the line he drew in the sand. It's time to encourage the EPA to take a good hard look at WV's lack of will-power and enforcement in protecting the state's water quality.

Good Government "D"

Tort "Reform" Died: The one bright spot in this section was the defeat of the so-called Tort "Reform" bill. This reform was an attempt to follow in the footsteps of Workers Comp "Reform" and Welfare "Reform." Victims of corporate negligence, faulty products, chemical plant explosions, and even victims of drunk drivers were to be punished with limited access to attorneys and compensation had it passed. MADD and AARP allied with labor, enviros, and trial lawyers put the hurt on this bad bill.

All The Good Bills Died Too: One regulating campaign loans expired the last night of the session. Others which would have stopped co-mingling of campaign funds and restored ethics to the state development office were totally stonewalled. Inaugural Committee funds could have been regulated and open governmental meetings better defined by bills buried in committee.

All in all it was a "business as usual" session in which Special Interests (with \$pecial influence) received "special" considerations. Watch for the PERC-WV (People's Election Reform Coalition) report to be released soon that reveals which (and how much) \$pecial Interests invested in YOUR Governor, Senate President and House Speaker and other elected officials. With this report you can compare campaign funds received by politicians to the bills they introduced and voted for. It often takes the mystery out of how a bill becomes a law. ♣

SAY IT AIN'T SO *concl. from page 9*

The fantastic Lindy Point was featured on all of our state's travel brochures -- until AWP bought it and put up no trespassing signs!

It was ours -- and now, it's "theirs." Hopefully, this will be changed.

Despite what some folks in DC signed off on, here in West Virginia -- grandmas and two-year-olds, boaters and farmers -- yes, even loggers -- who know that the Blackwater Canyon shouldn't be privately owned and exploited -- will get on with the work.

The "access" that AWA negotiated will taste rather bitter to the boaters I know. AWA will certainly come to see their action as a black mark on their reputation and a bad mistake.

But people can get past mistakes and do the right thing. Those who know and appreciate the Blackwater Canyon in all its majesty will -- I hope in the near future -- welcome AWA's reconsideration of their recent action and subsequent participation in conserving all of the Blackwater Canyon as a resource for all. ♣

The West Virginia Highlands Conservancy Sues To Challenge Mountain Top Removal Mining

Adapted from an article by Ken Ward, Jr. in the April 19 issue of the Charleston Gazette-Mail

State strip mine regulators are allowing coal operators to illegally shave off the tops of mountains and fill in streams, a group of environmentalists and coalfield residents allege.

The West Virginia Highlands Conservancy and 10 citizens have filed a formal notice of intent to sue the state Division of Environmental Protection (DEP) over the agency's enforcement of mining laws. Their suit will try to rein in the strip mining practice, known as mountaintop removal, in which whole tops of mountains are taken off to uncover coal reserves.

Lawyers for the Conservancy and the citizens sent a notice of intent to sue letter to DEP Director John E. Caffrey late last week. Under federal environmental law, citizens cannot sue regulatory agencies before filing such a notice. A notice of intent to sue gives regulators 60 days to start to fix any problems and avoid a lawsuit.

"By routinely approving surface mining operations which decapitate the state's mountains and which dump the resulting 'waste' into the streams, the director has abdicated his responsibilities," the letter stated. "Of particular concern...is the loss and degradation of West Virginia's waters associated with surface mining activities, including mountaintop removal, steep slope surface mining and other multiple seam surface mining activities," it stated.

The letter also states, "The environmental and social impacts resulting from multiple seam surface mining extend well beyond the streams that are actually filled in. The quantity and quality of streams in the vicinity of these operations are often adversely affected and significant portions of the state's forests, mountains and streams are destroyed," it said.

"The communities located below these massive mining operations can be devastated. The people are often effectively forced from their homes by blasting, dust, noise, flyrock, the threat of flooding, fear that the valley fills above their homes are unstable, and the degradation of stream, spring and well water."

Among the specific allegations in the letter:

- ★ Strip mine waste piles called valley fills are illegal, because the U.S. Army Corps of Engineers is not allowed to issue "dredge and fill" permits under the Clean Water Act for dumping waste materials in streams.
- ★ Under federal law, the Corps can only issue those permits for fill material, which is defined as "material used for the primary purpose of replacing an aquatic area with dry land or of changing the bottom elevation of a waterbody."
- ★ Valley fills violate federal rules that prohibit strip mining within 100 feet of a stream. This "buffer zone" requirement may only be waived after regulators make a series of specific findings that allowing the mining will not violate state or federal water pollution limits. "The director, however, routinely grants permits that propose to fill intermittent and perennial streams with mining waste without making the required findings in regard to the waters to be filled," the letter states. "One egregious harm stemming from the director's failure to make the findings is the filling and destruction of hundreds of miles of the state's streams with mining waste."
- ★ The DEP has established a pattern and practice of issuing strip mine permits without requiring companies to thoroughly study the impacts of their

mines on water quality, and without requiring complete plans for how companies will minimize those impacts.

In addition to the Highlands Conservancy, the citizens filing the notice of intent to sue were James W. and Sibby R. Weekly, Carlos and Linda Gore, and Tommy and Victoria Moore, all of Blair; Patricia Bragg of Delbarton; Harry M. Hatfield of Madison; and Cheryl Price and Jerry Methena of Unecda.

The Conservancy and the residents are represented by Joseph M. Lovett, a Charleston lawyer with the nonprofit firm Mountain State Justice Inc.; Patrick C. McGinley, a West Virginia University law professor; Suzanne M. Weise, a Morgantown lawyer; and James Hecker of the Washington group Trial Lawyers for Public Justice.

John Ailes, chief of the DEP Office of Mining and Reclamation, said Friday that he had not seen the notice of intent to sue yet and could not comment on it. In previous interviews, Ailes has defended his office and its handling of permits for mountaintop removal strip mines. "This is still the best program in the country," Ailes said last month. "It always has been and it always will be."

Roger Calhoun, director of the Charleston field office of the U.S. Office of Surface Mining, said last week there are some things the state could do better. But, Calhoun downplayed the issue of mountaintop removal mines and their environmental impacts. "This is not the biggest environmental issue in the state," Calhoun said. "I have other things to do." ✦

Correction!

On page 9 of the April issue of *The Highlands Voice* the following statement appeared concerning contributions from King Coal to politicians -- "All House members who won their respective elections [received] \$109,250." The way this is worded it tars every House member who was elected in the last election with the same brush of the corrupting effect of coal money.

I've always had trouble with the logic of those Boolean operators in computer operations that deal with inclusivity or exclusivity. The statement should have read "All House members who were elected, and received coal money, [received] a total of \$109,250."

Some elected House members did *not* receive coal money, most notably, Virginia Mahan from Summers County who especially eschews the taint of coal. My apologies to Delegate Mahan and to any others who got falsely caught in this rogue's gallery of inclusion. Ed. ✦



"What West Virginia needs now is 'special interest removal' instead of 'mountain top removal'." — Janet Fout, Ohio Valley Environmental Coalition ✦

McFERRIN from page 2

were gargantuan trucks moving coal around.

And there was the dragline. Calling it a shovel is like calling King Kong a monkey. It scoops up loads of earth the size of houses, swings around, and deposits them a hundred yards away. It moves dirt on a scale that, unless you have seen it, is hard to imagine.

The Arch Coal officials who led the tour seemed proud of it. If one accepts their assumptions as valid, they should be. The mine does what Arch Coal wants. It gets a lot of coal out of the ground quickly and, from their perspective, efficiently. It makes money.

The difficulty is that their assumptions are not valid.

The maps that show the different parts of the operation are blown up versions of maps originally published by the United States Geological Survey. If one looks closely, one can still see the little squares. Those are where the houses used to be. If one had a full color version of the map, one could see the blue lines. Those are where the streams used to be. Arch Coal can only be proud of its operation because it assumes that it is acceptable to destroy streams and communities. So long as the coal comes out quickly and efficiently, they can be proud. The streams and the communities are what the generals call an "acceptable level of casualties" in a war.

This is a mine to be proud of if one accepts the premise that so long as the coal comes out "efficiently" it is acceptable to destroy streams and communities and leave land that we be useless for the foreseeable future. Under that assumption, this is a mine to be proud of.

That the land will be useless for the foreseeable future is a bone of contention. Arch Coal is proud of its "wildlife plantings" and its "created wetlands" where the water quality is "excellent." During the introduction they informed us that the land had the potential for homes, shopping centers, or any of a variety of uses.

So far as wildlife is concerned, I didn't see any. On the day long tour I saw two buzzards and a duck. I am told that there are deer. So far as a real wildlife community is concerned, backyards in Charleston have more diverse and prospering wildlife communities. So far as homes or shopping centers are concerned, I assume that they plan those to be occupied by people who have no need for water. Although the water in the ponds is consistently "excellent", all the water sources in Arch Coal's on site office were labeled "Water Not Potable. Drink at Your Own Risk." I assume that when the workers get thirsty they trot down to one of the ponds and lap some of that "excellent" water.

Although the land has all this potential for homes and shopping centers, Arch Coal is reclaiming it as "wildlife habitat." The difficulty with this is that, in addition to the fact that it does not appear to be working, it is a violation of federal law.

When Congress was considering the federal Surface Mining Act, it wanted to require that all mined land be restored to roughly the same original shape, called "approximate original contour." It agreed to an exception for mountain top removal because it believed the industry argument that the flat land created by the mining would be a valuable commodity.

It limited this type of mining to land that, after the mining was over, would be restored to an "industrial, commercial, agricultural, residential, or public facility (including recreational facilities)." It also required that any company who wanted to use mountaintop removal mining would have to leave it in a condition that would support one of these uses. In addition, the law required that the company assure that the financial and other resources be in place to assure that the listed post mining land use would actually occur. It was not sufficient to say that the land might be used for industrial use some day. The company had to show that the resources were in place to actually make an industrial use come about.

For all Arch Coal's beloved "wildlife habitat" and "created wetlands", those are not on the list. The entire 10,000 acres is in violation of federal law. Arch Coal may be proud of its "award winning" mine but the law is the law and they're not even close to compliance with the requirements on post mining land use.

Once they get past that little difficulty, there are these pesky federal and state Clean Water Acts. They prohibit, among other things, the "degradation" of streams. Once Arch Coal gets its post mining land use problems taken care of it can turn its attention to explaining how it managed to fill several miles of streams without any degradation of those streams.

This mine might be Arch Coal's showcase. It might be the one it shows off to out of town company. It's also the site of filled streams and destroyed communities. It's the site of violations of clean water laws and wholesale violations of post mining land use requirements. If that's the shining star of the industry, the one that gets the awards, then the coal guys don't have a whole lot to brag about. ✚



Photo credit: Penny Loeb and the US News & World Report



Comprehensive Inventory of Species in Great Smokies National Park Planned

There is a park-wide, comprehensive, species inventory about to take place in the Great Smokies National Park. Termed an "All Taxa Biodiversity Inventory" (ATBI) by its scientific proponents, this project aims to sample, sort and identify species in all groups. As planned it will also provide rudimentary distributions, and natural history information (such as relative abundance, phenology and associated taxa) of all the species encountered.

Needless to say, this will be a massive effort of 12 to 15 years duration, requiring hundreds of science workers and volunteers, and a lot of funding. The park held a very successful workshop last December that was attended by well over 100 scientists from 25 universities, as well as curators of national museums from several countries, educators, and various federal agency personnel. Briefings have been provided by a joint Park - scientist partner team to the White House's Office of Science & Technology Policy, the Department of the Interior's Science Board, and various regional and local groups. The response from concerned parties has been very positive. An initial nominee slate for a board of directors for a new non-profit organization were selected last Friday. The new

organization, which will be called "Discover Life in America" should be chartered by early summer, and will be the vehicle by which the inventory proceeds. The Park will be full partners with the new organization, (which, consisting mostly of scientists at this point, plans to write many proposals to National Science Foundation and apply other ideas for funding).

When completed, this will be the first comprehensive species inventory of an area in the world. Dr. Dan Janzen of the University of Pennsylvania, who developed this concept, started an ATBI in Guanacoste Conservation Area in Costa Rica.. His plans were abandoned in late 1996, however, when the Costa Rican government re-directed several millions of dollars that had been donated to the project. Janzen is now advising the Great Smokies effort.

The Great Smokies area is known as an area of regional, continental and even global importance in temperate forest biodiversity. However, the Park is losing several of its most significant natural communities due to introduced pest species. It also receives some of the highest nitrate and sulfate depositions in eastern North America, and boundary populations of some species are jeopardized by rapid urbanization...to name only a few of the threat to species biodiversity. With a very rough estimate of 100,000 multicellular

species, it would take about 150-200 years to complete this inventory at our current rate (using "soft" monies as available). We believe an ATBI is our best hope to increase our knowledge to the point where we know most of what's here, roughly where it is, and other critical information in time to head off catastrophic extinctions and ecosystem loss.

The Project has a website at: <http://dial.pick.uga.edu/SITES/GSMNP-ATBI> This site is a little out of date, and will be revised over the next two weeks, but still provides a good background for those seeking more information on the science, education, outreach components, etc.

Almost everyone believes that if successful, we should push the ATBI concept to other parks, and countries. Nothing involved requires a break through in science. It will be an awesome challenge in organizing and managing human resources, however.

Director Stanton plans to help us "kick-off" the ATBI on the 24th of this month. Send a cc-mail to: Dana_Soehn@nps.gov if you have a serious interest in the "All Taxa Biodiversity Inventory." We'll place you on an e-mail list to notify you of changes in the web page. Wish us luck! ❖

"There is something fundamentally wrong in treating the Earth as if it were a business in liquidation." — Herman Daly,
Economist, World Bank

"Degradation of the world's environment, income inequality, and the potential for conflict exist today because of over-consumption and over-population. If this unprecedented population growth continues, future generations of children will not have adequate food, housing medical care, education, earth resources and employment opportunities." — Statement of Population Stabilization by World Leaders.

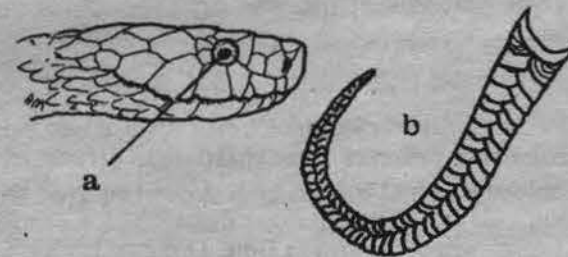


Figure 1 - Harmless snakes have a round pupil (a) and divided scales on the underside of the tail (b).

West Virginians for Clean Water

Citizens Call for Stronger Water Protections on Earth Day

(From a press release of April 22, 1998
Contacts: Gary Zuckett, WV Citizen Action, 304-346-5891

Margaret Janes, Potomac Headwaters Resource Alliance, 304-897-6048
Pam Moe-Merritt, WV Rivers Coalition, 304-637-7201)

Representatives from nine West Virginia environmental groups met today to announce a campaign titled West Virginians for Clean Water. The goal of the campaign is a coordinated effort to ensure compliance with and enforcement of the Clean Water Act in West Virginia.

"West Virginia has a history of lax water quality enforcement and has ignored many provisions of the federal Clean Water Act since 1972," said Margaret Janes of Potomac Headwaters Resource Alliance. "The Clean Water Act was designed to make our waters safe for fishing, swimming, and drinking. However, with little or no implementation and

enforcement of the Act's provisions, West Virginians have reason to worry about the water they use."

In 1998, both the water quality and the physical integrity of our rivers are under assault. From acid mine drainage in the Cheat River to poultry and cattle manure in the Potomac, water quality problems continue to plague us. The very integrity of rivers are threatened by ill-conceived quick "fix" plans which send bulldozers roaring into our beautiful rivers. The list of threats goes on -- dioxin in the Ohio, valley fills in southern West Virginia, poor enforcement of water quality regulations all over the state -- and on.

"The recent stream mitigation bill passed by the legislature and signed into law by the Governor, S.B. 145, is a clear example of West Virginia's back-peddling on water quality issues," said Gary Zuckett of WV Citizen Action. "A thousand miles of West Virginia's streams have already been destroyed by large valley fills and this bill makes the process easier and cheaper for big coal companies to ruin our streams."

The West Virginians for Clean Water will work to educate West Virginia citizens about the Clean Water Act and what its implementation, or lack thereof, means at home. Citizens need to be involved in the debate about the future of our waters. The future of West Virginia depends on clean water. ❖

Silent Spring

Has anyone noticed that there are very few songbirds around this spring? Has that time dreaded by Rachel Carson come upon us? Everything seems to be messed up this spring. Wildflowers bloom out of sequence with some coming early and others late (this is the latest I've seen coltsfoot bloom in the eight spring I've been here).

I got a new bird feeder for Christmas, one of those that are made for thistle seed. It

sits out suspended from a tree still undiscovered. In previous winters I had a lot of birds come to feed, but most seem to be missing this year.

In past years I've had lots of Carolina chickadees, Carolina wrens, cardinals, tufted titmice, and lots more. I've heard hardly any of these and seen none. I have a pair of phoebes nesting on a beam that holds up part of my woodshed, but that is one of the few.

By this time of year the spring peepers would normally be raising intermittently a

huge din in my swamp, but I've heard not one this year yet. The wood frogs must have begun very early - I heard them when I returned from Florida in late February and they only were in voice for a few days in reduced numbers.

I would appreciate any comments on this to see if others have had the same bad experience. *Editor* ❖

Spring Review - Schedule of Events

FRIDAY, MAY 15TH

- 5PM **REGISTRATION** at the Blackwater State Park Lodge
- 7PM **RECEPTION** at the Adventure School in Thomas, Snacks by WhiteGrass Cafe
- 9PM **HERP HIKE**, bring your headlamps and flashlights and join Dr. Pauley, see how many kinds of salamanders live in the woods at Blackwater

SATURDAY, MAY 16TH

- 7-9AM **BREAKFAST** at the Blackwater Lodge
- 8AM **BIRDWATCH OUTING** led by Park Naturalists
- 9AM **FIELD TRIPS** meet in the lobby at the Lodge bag lunches provided by White Grass Café

- 10AM & 2PM **NATURE WALKS** led by Park Naturalists
- 4:30PM **EVENING PROGRAM** begins at the Fire Hall in Davis
- 6PM **DINNER** served by Sirianni's Restaurant of Davis and Canaan Valley

SUNDAY, MAY 17TH

- 7-9AM **BREAKFAST** at the Blackwater Lodge
- 9:30 AM **WVHC BOARD MEETING** in the Davis room at the Lodge, all welcome
- 12:30PM **LUNCH** in the Lodge Dining Room, on your own, off the Menu
- 3PM Board Meeting winds up ❖

REGISTRATION

Registration for all meals, rooms, and field trips must be made in advance and received by May 8th!!!

SATURDAY FIELD TRIPS

of people _____ Field trips all meet their trip leaders at the Blackwater Lodge Lobby at 9am unless indicated otherwise

_____ **Canoe Trip** on the Blackwater River through the Canaan Valley National Wildlife Refuge. An alternate trip, in the event of low water, will be on the Cheat River below Parsons. These are Class I & II trips with mostly still, and some moving water. Experienced guides, beginners welcome.

_____ **Canoe Rental** available at \$10 per person, include with registration.

_____ **Hiking Trip** through the canyon along the rail-trail, approximately 8 miles from Thomas to Hendricks. This is a fairly easy walk, all down hill. Shuttles provided.

_____ **Fly Fishing Expedition** through the canyon led by expert Darell Hensley. Join in on the fishing, or just go along for the experience. This is an extremely rugged and strenuous hike into the Canyon. Steep terrain and boulder scrambling required, prepare to get wet. Limited amount of Fly Fishing gear available for rent from Tory Mountain Outfitters, call 259-5853.

_____ **Mountain Bike Trip** through the Canyon along the rail-trail, approximately 8 miles from Thomas to Hendricks. Shuttles provided. Bike rentals available at Blackwater Bikes, \$20-35. 1-800-737-1935

_____ **Bird watching** 8 AM

_____ **Nature walk** 10 AM

_____ **Nature walk** 2 PM

In addition, a self-guided **Auto Tour** will be mapped out with several points of interest in the area. These spots can be visited anytime during the weekend one has some free time to go exploring. Registration is not necessary for Friday evening trip with Dr. Pauley.

Meals/Lodging

- # of people _____ X \$5.00 _____ **Breakfast** at the Lodge Saturday Morning
- _____ X \$5.00 _____ **Bag Lunch** for field trips, prepared by WhiteGrass Cafe
- _____ X \$10.00 _____ **Dinner** during Saturday evenings program, prepared by Sirianni's Restaurant
- _____ X \$5.00 _____ **Breakfast** Sunday Morning at Blackwater Lodge
- _____ X \$15.00 _____ **Group, bunkhouse style lodging** available on a limited basis at Pendletonheim Townhouses, including a heated indoor pool!

\$ _____ **Total** Please have your reservations in no later than May 8th

Rooms have been reserved at the Blackwater Falls State Park Lodge. Rates are \$58 double, \$52 single. Call before May 8th for reservations 1-800-CALL-WVA
Camping is available in the Park Campgrounds at \$11/night, \$15/night with electricity.
Primitive camping is available on National Forest lands just outside the Park on the Canaan Loop Rd.

Send your registration, along with a check, made payable to: West Virginia Highlands Conservancy
P.O. Box 306
Charleston, West Virginia 25321
Questions?? Call Dave Saville at 304-594-2276

TROUT AND HIKERS BOTH WIN

Adapted by Don Gasper from the West Virginia Trout Unlimited Council's Newsletter

Last summer's watershed restoration work on Seneca Creek headwaters on the Monongahela National Forest will benefit both wild trout and back country hikers.

Seneca Creek is located near Spruce Knob in one of the most popular back-packing and fishing areas in the National Forest. It is one of the few streams in the state with naturally reproducing wild rainbow trout and native brook trout. One access to the headwaters of Seneca Creek is by a trail located down from an old road adjacent to the stream. The old road had plugged culverts and poor drainage which resulted in erosion and sedimentation to Seneca Creek.

This old locked road leads from the road between Big Run and the Seneca Creek on the way from the lake to Spruce Knob. A trail-head sign and parking for a half-dozen or so cars is present here. It leads 3.4 miles down to Judy Spring, the largest spring flow on the Monongahela - and of course the highest by far.

The water recharge field for this Greenbrier limestone spring is Spruce Knob itself. The only land above it is 6 miles long and 3 miles wide. The spring's temperature is 48 degrees year round. It is a wonderful water source for the backpackers' campground. This is about 2 acres of open sod among the forest. There are several (6) little water falls in the sod and just below, and 1,000' below begins the 4.5

mile long Seneca Creek Gorge with its many (20) big waterfalls. This campground can also be reached from Spruce knob trails or the trail below from Seneca Creek Gorge. (Most regrettably, about 10 years ago a landowner at the lower end of the gorge posted the land, and the U.S.Forest Service found it necessary to post a sign at the campground to warn hikers of this difficulty 4.5 miles below. This land includes Seneca Falls itself and should be acquired by the USFS - for us all).

The cool steady volume of rich spring water revitalizes Seneca Creek flow. Above, besides being a low flow at times, it is warmed by beaver activity. One of the features of this old locked road is the large beaver ponds (at times there are two) at the road side. Seneca Creek flows through some open sunny areas of old now dry beaver ponds, and it has a flat headwater itself and headwater tributaries with much beaver activity and more creek chubs than trout. However here along most of the road it is generally 100% shaded with a canopy that closed over the stream about 1980.

The many young and apparently very healthy red spruce growing commonly, even in the road, must also be considered a feature. Important too, is that the very small stream crossing the old road is a native brook trout stream. Look for them - Around June 1 the "minnows" are about 1- 1/2" long, and are almost 4" long by November. The spawners in October's low flows are generally only about 7" long.

In its 3.4 mile length the old road has had several eroding places that have been getting worse more rapidly. The additional sediment being introduced to the stream may

adversely affect the populations of wild trout by smothering trout eggs that must spend the entire winter under the gravel. It can also fill in pools. The erosion was also making portions of the trail unstable.

In order to improve habitat conditions for wild trout and stabilize the foot trail, a watershed restoration project was started. Mostly hand labor was used to remove plugged culverts from the old road, install additional drainage structures to reduce erosion, relocate portions of the trail, and seed and mulch disturbed areas. Work was completed at 73 sites over a 3 mile portion of trail between Forest Road 112 and the Judy Springs camping area. Once disturbed areas revegetate, the project should provide an improved hiking trail that will reduce sediment to Seneca Creek and its wild trout. Trout Unlimited, Wildlife Forever, and the Forest Service provided a total of \$6.516 to fund the project.

In addition, Trout Unlimited and Sierra Club members and others will be volunteering labor to relocate portions of the existing trail. Also, anyone who will be doing some hiking on the National Forest trails, or can volunteer some considerable time to do so, is asked to participate in a trail assessment project this summer. Please contact (304) 637 - 4082 for forms and instructions.

This is a good project! Many will appreciate those who thought of it and worked on it. ♣

Be a Wise Old Owl - Join WISE

By Chad Matlick

So what is WISE anyway?

WISE, West Virginia's Information Service, is a non-profit community network that is available free of charge to all West Virginians. Users can access our dial-up network via our local phone lines located throughout the state, by our 1-800 number, or through a third party Internet provider. WISE runs on FirstClass software which we distribute, free of charge, to all our members. WISE allows users to communicate with each other, as well as members of numerous educational, artistic, environmental, and recreational organizations. WISE is not an Internet provider; it does not offer access to a web browser or the World Wide Web.

What do I need to gain access to WISE?
In order to log into WISE, individuals must

have a WISE membership, which can be obtained free of charge, and must have access to a Macintosh or IBM compatible computer with a modem. These are the only system requirements, although the FirstClass software which allows graphical access can only be used on Window 3.1 or better.

What is WISE Membership?

Any resident or individual living in West Virginia may become a WISE member, free of charge. Members receive up to 60 minutes a day of on-line time on the WISE network, or unlimited access if you log in through our website at www.wvwise.org. (more on this later, as the web site is not 100% functional yet). Each member also receives a free Internet e-mail account with the ability to send and receive messages through the Internet.

How do I become a member of WISE?

Becoming a WISE member is simple. Applicants must provide the following items in order to gain membership;

- **Name Verification**
Please send us name verification such as a photocopy of your driver's license or other photo ID. Parents can enroll children by sending in the parent's ID along with a note verifying the child's identity. Also, let us know how you would like your name to appear on WISE documents and e-mail. For example: William T. Jones or Bill Jones.
- **Current Address**
Please send us your current address if this is different from the one printed on your Photo ID. This is especially important if you are requesting the software.
- **Daytime Telephone Number**
We need a daytime telephone number where you can be reached in case we need to contact you.
- **Mac or Windows?**
If you intend to dial directly into WISE, you will need to install our software on your computer. Let us know whether you need Windows or Mac format diskettes, and we will send them to the address you provide. If you

See WISE on page 20

Question: Can Only Poets and Spiritually-Oriented Folks Find Intrinsic Value in a Tree?

(Viv Stockman sent the editor the following that she found in The Book of Knowledge, a Children's Encyclopedia, copyrighted in 1911)

pages 3177 to 3178. Look for a long time at a tree, and see what it will teach you. It is more than a tree. It is more than a trunk and branch and leaf. It is a great poet, a great teacher, a great servant. Think for one moment of the silence of a great forest. You know what a tremendous noise comes from our factories and workshops and engine-sheds; compare that stir and clamour with the abiding quiet of a forest. And yet the work of the forest is, perhaps, the most important work that is done on the earth, and is something which man cannot imitate even in the very smallest degree.

In silence, in perfect stillness, the beautiful leaves of a tree drink from the air, and sweeten the twig, the branch, the great trunk, and the spreading roots deep under the earth, with the invisible nourishment of the air.

This work is part of Nature's marvelous chemistry. The leaf takes from the air its richest food, and from the sun its most valuable property, and in silence changes them into things without which our life could not exist. The death of a leaf means bread for the table, fodder for the cattle, and perfume for the rose. The death of a tree means speed for the railway engine, heat for our houses, and light for our cities. The two supreme things in existence on the earth, fire and food, come from the leaf of a tree.

...The true family tree is every bush that grows, every little sapling that strikes roots into the earth and lifts its tender leaves to heaven. From eternity, that little green has

come; it is a traveler that has been journeying millions of years longer than man, for it existed in the first seed, and through trees uncountable, thousands and tens of thousands, it has been making its way down to us who are living in the twentieth century.

page 3649-3650. Most people know that trees are beautiful things. A great many know that they are useful things. But few realize that trees are absolutely essential to existence. History, indeed, is an arm-in-arm march of Man and Forest. Not only would man never have been able to advance from savagery without trees, but without trees he could not have been a savage. He could not have been at all.

Have we ever realized that in some senses the tree is the father of humanity?
There is not a traffic of the human race, not an art, not a science, not a comfort, and not a beauty which does not issue from the heart of a tree.

....For not only do forests intercept the scorching rays of the sun, driving them back from the earth, they also preserve the springs at their roots from the thirsty greed of those rays.

All the countries along the lovely Mediterranean Sea--Turkey, Italy, Spain, and France, though still beautiful in their coloring, and so pleasant in winter that people flock to them from all parts of the world, are, nevertheless, the ruin of what they once were. Once upon a time these lands were

fertile to an unusual degree, with plenty of springs to give them water for man and beast, and to give life to their crops. But the axe was laid to the root of the tree; the mighty forests covering those splendid mountains, and looking so useless and idle, were cut down.

How the cutting down of the trees had dried up the earth.

The result soon showed itself. The land grew sulky. The springs dried. Only in certain places was it possible for man to scrape together a living. We may now walk for a whole day along the Riviera without seeing a single bird. Far worse than the case of the countries bordering the Mediterranean is the case presented by the condition of modern India. When we read of a terrible famine ravaging that mighty continent like a wolf, sweeping away the inhabitants as if they were so many flies, we should remind ourselves that man's folly is the cause of this appalling havoc.

Once the mountain slopes of India were covered by magnificent forests; they were cut down and sold for money. The people did not realize that God makes a thing useful as well as beautiful. The beautiful trees, hewn down as a revolution hews down the gilded idlers of society, were in reality the most useful servants of India. It was those idle-looking trees which, in the blessed season of rain, drank up at a million million mouths the precious drops of moisture, and stored them up for that dread of India--the sunny day.



See TREES on page 19

Join the West Virginia Highlands Conservancy

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

Membership Benefits

- ★ 1 Year subscription to the Highlands Voice
- ★ Special meetings with workshops and speakers
- ★ Representation through WVHC efforts to monitor legislative and agency activity

Name: _____
 Address: _____
 City/State/Zip: _____

The WVHC, at age 31, 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.

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

Calendar (concluded from page 20)

July 18 and 19 - Blackwater Canyon Backpack. We'll take our time on this leisure trip down the Blackwater Canyon Rail Trail, and it's downhill all the way! With an overnight along the way we have time to explore and enjoy the Blackwater Canyon. And it should be hot enough to appreciate a dip in one or more of the gorgeous falls and pools of the side streams. Listen to the river below all night as we camp deep in the Canyon. This is an excellent "starter" outing for those new to backpacking. Call Jim Sconyers 789-6277.

September 6 - Bike the Blackwater Canyon. We'll go the whole 9 yards (actually a bit more). Start in Thomas, a charming little West Virginia mountain town.

From there we ride the entire Blackwater Canyon Rail Trail, passing through Thomas, Coketon, Douglas, Big Run, Lime Rock, and Hendricks, where we finish. Fourteen miles of level or downhill on a good trail surface - with lots to see along the way. Waterfalls, coke ovens, wildflowers, the wild Blackwater Canyon - come see what all the fuss has been about! Shuttle back to Thomas from Hendricks. Bring your bike, or rent one in Thomas or Davis. (Note: the rail trail guide rates the trail II on a difficulty scale of I - IV, because of some bumpiness due to the ballast stones left in the trail when the tracks were removed.) Call Jim Sconyers 789-6277.

September 7 - Bike the Blackwater Canyon. This is a repeat of the September 6 trip. See it for description.

October 9 thru 11 - WVHC Fall Review *



TREES concl. from page 18

Now when the rain falls, there are few forests to catch it; the drops strike the earth, sink in, or slide to the rivers, and away they go to the sea--water running away from a parched and arid land. The great forest was India's water-tap.

The enormous value of trees to the Earth and to Man

Trees, then, we see, not only do service to the soil, and not only preserve for our use the springs of water, but they also affect climate. The climates of countries are very

largely influenced by the absence or presence of trees. Humboldt, the man of science, has summed up the service rendered by forests under three heads: (1) They screen the soil from the heat of the sun's rays; (2) their leaves offer an immense surface to the cooling process of radiation; (3) their leaves give off an incalculable evaporation of moisture.

From trees we get coal and materials for buildings: we get also valuable drugs, dyes, and articles of food. But, above all these things, it is important to remember that trees

influence the air and the soil of the country; that they oppose their quiet strength to the great enemies of our race--extreme heat and cold; and that they have an all-important bearing on the hidden springs of earth.

We should cultivate in ourselves a love for trees, and look upon them with something more than mere admiration. ❀

[Viv - do you think human beings have learned much of real value since this was written? Ed.]

Monongahela National Forest Hiking Guide

The Monongahela National Forest Hiking Guide, 6th edition, is bigger and better than ever, with 368 pages, 96 pages of maps, 49 photographs, 177 trails totalling 812 miles, and a 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. The Guide also provides information for ski-touring and back-packing.

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

West Virginia Highlands Conservancy
PO Box 306
Charleston, WV 25321

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

Name: _____

Address: _____

City, State, Zip: _____

Calendar

May 8 thru 10 - Spring Bird Weekend (Sponsored by Forest Watch Coalition). Come for a full weekend of birds, birds, and more birds. Help observe International Migratory Bird Day Saturday. The Spring Bird Weekend is a workshop for people who are interested in birds, or just think they might be.... Everybody is welcome, from those who aren't sure they'd know a bird if they saw one to bird lovers of all feathers. No prior knowledge is necessary!

The Spring Bird Weekend begins Friday evening, May 8, with registration at 6:00 PM and a reception with workshop leaders at 8:00 PM. All Weekend activities are held at Watoga State Park. Workshop sessions will give you the opportunity to learn more about birds, to see birds up close and personal, and to hear from bird experts who love birds. Leaders will be: Wendy and Ron Perrone, Dolly Stover and Ron Canterbury, all from the Three Rivers Raptor Center; Tom DeMeo and Jo Wargo, US Forest Service Ecologists; Drew Jones from Partners in Flight; and Al Manville, Chief, Migratory Bird Section, U S Fish and Wildlife Service.

The workshop will feature a mix of formats, from hands-on sessions to outdoor bird walks, from bird banding demonstrations to slide shows, from panel discussions to LIVE birds of prey! The pace will be varied, with time to relax and socialize. Saturday workshops include: Bird banding, Birds of West Virginia, Bird habitat requirements, "Ornithology 101" (What makes birds tick? Hands-on), a bird walk, Birds of Prey (with live birds!), and in the evening, an "Owl prowl." On Sunday there will be a morning bird walk, Threats to bird populations (workshop), and a general discussion.

Activities will be scheduled in either the Park Rec Hall and/or the Park grounds. The fee is \$80 for the lodging in the park cabins (which are reserved for this purpose), Friday reception, and Saturday dinner. Other meals will be available in the Park dining room, or on-your-own. All cabins have cooking facilities. If you wish to come for the program only, the fee is \$30.

For more information, call (304)789-6277. To register in advance, send name, address, and phone number with a check made out to Forest Watch Coalition, P.O. Box 2750, Elkins, WV 26241.

May 15 thru 17 - WVHC Spring Review. See page 1 for details.

- also same dates as above, Citizen's Coal Council meets in Zanesville, OH. Contact person: Jason Tockman at (740)594-6400.

May 16 - Blackwater Canyon Spring Wildflowers. Take an easy stroll into the famous Blackwater Canyon. We'll see spring wildflowers galore, plus lots more -- the wild canyon, waterfalls, historic remains. Bring a camera on this easy-paced dayhike. Call Jim Sconyers 789-6277.

May 22 thru 26 - Heartwood's 8th Annual Forest Council. This year's hosts are the Southern Appalachian Biodiversity Project and the Dogwood Alliance. Held at Camp Ahistide in Cherokee National Forest (northeast TN). General topics to be covered will be public lands protection, challenges to industrial forestry and the creation of healthy communities. For more information, contact the Biodiversity Project, PO Box 3141, Asheville, NC 28802; (704) 258-2667; sabp@main.nc.us or the Heartwood

office at PO Box 1424, Bloomington, IN 47402.

June 5 - Workshop on Preserving Family Lands presented by the West Virginia Land Trust. The workshop will be held in Charleston with simulcasts by video to sites in Morgantown and Shepherdstown. This will be a three-hour technical workshop on protecting the conservation values of family lands. The main speaker will be Massachusetts attorney, Stephen Small, a leading national expert on the use of conservation easements as an estate planning tool. The workshop is co-sponsored by Huntington Bank and the West Virginia Society of CPAs.

In Charleston, the program will be held from 9:00 AM -12:00 noon at the WVU Byrd Health Sciences Building, Room 2024, 3110 MacCorkle Ave., Kanawha City (next to CAMC Memorial). In Morgantown, the simulcast will be (at the same time, that's why it's called a simulcast!) at the Coal and Energy Research Center, WVU Evansdale Campus (next to Evansdale Library), Room 127 -- and in Shepherdstown at Shepherd College, White Hall, Room 303. The audience at the remote sites can ask questions of the speaker. **Who should attend?** Estate Planners, Lawyers, Accountants, Realtors, Appraisers, Conservationists, and Landowners. The cost is \$50.00 for the general public, and \$90.00 for professionals, who will earn 3 hours of continuing education credit. Refreshments and materials are included in the cost. Walk-ins are welcome. To register, call the Land Trust at 292-1274.

June 14 thru 20 - Service Outing, Blackwater Area. Join in for a day or more! We'll be relocating the beginning part of Mountainside Trail near the south rim of Blackwater Canyon, and working to clear and restore the historic coke ovens along the Blackwater Canyon Rail Trail beside the North Fork of the Blackwater River near Thomas. No previous experience required. Call Jim Sconyers 789-6277.

June 22 thru July 19 - Mon Trail Assessment Project, a cooperative project sponsored by the Mon Nat Forest and the Forest Watch Coalition. Call the FWC for info at 637-4082

June 26 thru 28 - The 2nd Ecological Integrity Conference will be held at Davis and Elkins College in Elkins. The theme, *Defining Problems and Solutions for Appalachian Restoration*. Keynote speakers will be Orin Loucks of Miami U. and John Cairns of VPI. Workshops will include Central Appalachian Forest Mortality, Soil Nutrient Losses and Forest Health, National Forest Management Issues, Urban Sprawl in Appalachia, Central Appalachian Reserve Design, Applying Geographic Information System Mapping to Conservation Problems, Conservation Easement Programs in Appalachia and Ecoforestry and Timber Certification Issues. Field Trips will be scheduled for Otter Creek Wilderness, Shaver's Fork and the Blackwater Canyon (within the Mon Forest). Contact Than Hitt at POB 5541, Athens OH 45701, (740) 592-3968, arc@frognet.net. This program is sponsored by Heartwood.

July 11 - WVHC Summer Board Meeting

For rest of Calendar go to page 19

WISe from page 17

have internet access, you can connect to WISe or download our special software from our web page, located at <http://www.wvwise.org>

That's it. Please attach this information to piece of 8-1/2 x 11 paper. Then send it to the address below, or fax it to (304) 293-2642, and the WISe staff will create your account right away. You will be notified via mail or a phone call when your account is ready.

WISe
191 Scott Avenue
Morgantown, WV 26505-8802

If you would like to find out how your organization can use WISe, please contact Chad Matlick at (304) 293-6511. ♣
Chad Matlick is the Coordinator of the WISe Network

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