



# The Highlands

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## Voice

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## Fraudulent Legislation!

**Underwood's Signing of Senate Bill 681 No Help to Coalfield Residents**

By John McFerrin

During the recently ended legislature, the most widely discussed bill addressing problems arising from coal mining was Senate Bill 681. Among other things, it changed the blasting law. At a signing ceremony in Logan, Governor Underwood touted it as an indication of the efforts his administration is working to solve problems that arise from blasting at strip mines. A review of the law reveals that it gives little relief to coalfield residents plagued by blasting.

When it comes to controlling the effects of blasting, the heart of the law has always been the requirement that mining companies "prevent" damage to homes, property, water supplies, etc. due to blasting. Unlike in many environmental laws, which modify their substantive requirements with such weasel words as "to the extent economically feasible" or "to the extent practicable", the law on blasting required companies to "prevent" damage. There were no weasel words.

**At the public hearings of the Governor's Task Force on Mountaintop Removal, person after person talked about how their property had been damaged and how miserable the blasting had made their lives**

Elsewhere there is a regulation which requires that any Division of Environmental Protection inspector to take enforcement action whenever he observed a violation of the law. Requiring enforcement action is rare in environmental statutes. Most give agencies the authority to take action; at the same time, agencies may exercise some discretion in taking enforcement action. Very few have the mandatory duty to take enforcement action that is found in both the state and federal surface mining statutes and regulations.

The combination of the requirement to "prevent" damage (without any weasel words) and the mandatory enforcement requirement made the law on blasting about as strong as it could possibly be. If the system was broken, it was not because of anything that was wrong with this basic legal requirement.

The old saying is that "if it ain't broke, don't fix it." The unstated assumption of this saying is that if it is broken, fix it. The system of protecting people from blasting damage was broken. At the public hearings of the Governor's Task Force on Mountaintop Removal, person after person talked about how their property had been damaged and how miserable the blasting had made their lives. There have been stories in the newspaper of property damaged by blasting. The Task Force got a bunch of letters asking it to do something to protect people from blasting damage.

See McFERRIN on page 8

## Mega-rally For The Mountains Mountain Top Removal? We Can Do Better!

SATURDAY APRIL 24TH 1 TO 2:30 PM  
State Capitol Grounds, Charleston, WV

Join us as for a mega-rally of passionate mountaineers standing their ground for the mountains!

If YOU can do only ONE thing to  
SAVE our mountains, THIS IS IT.

Music, Displays and Information  
Keynote Speaker: Native daughter and award winning author Denise Giardina

Co-sponsored by the Ohio Valley Environmental Coalition and WV Citizens Action Group. Call 304 522 0246 for more information.

If not now, then when? If not you, then who?  
Tell your friends, fill your car! (Allow time for parking.)

Overnight camping available at Kayford Mountain.  
See mountaintop removal up close. Call Larry Gibson at 304 586 3287.

Free Flyovers of Mountaintop Removal Sites before and after the rally, and on Sunday morning. Sponsored by Southwings and Appalachian Voices. To schedule a flight (first reserved, first served), Call Randy Sprouse of Coal River Mountain Watch, at 304-854-2182 by Friday, April 23.

Other sponsors include: WV Highlands Conservancy, WV Environmental Council, WV Rivers Coalition, Harrison County ECO, Concerned Citizens' Coalition, Allegheny Defense League, Heartwood, Citizens Coal Council.

**From the Western Slope of the Mountains**  
By Frank Young

**Naturalized Area**

About 10 miles south of my home near Ripley, along Interstate Route 77, is a small brown and white sign on a post in the guardrails. It says "Naturalized Area." The sign is about a foot square, brown letters on a white background, similar to signs designating trails and sites in state and national parks. It appears to have been installed by the Department of Highways.

One evening late last summer I stopped to see what kind of "naturalized area" existed right along this interstate highway. What I found, or didn't find, was confusing. In this officially designated "naturalized area" was a long narrow strip of land, maybe an acre. This was not clearly marked by either artificial or natural boundaries except for a guardrail and a right of way fence spaced about forty feet apart.

It contained two brush trees, with trunks about the size of my legs, a small birdhouse on one of them, and dry, uncut broomsage grass about knee high -- sort of like my back yard in August. That's all. No wetland, no tree that would be more than a few years old, no flowers, and no wildlife that I saw. There might have been a box turtle hiding in the grass, trying to develop the courage to attempt a four lane road crossing. Considering that it is an area directly adjacent to interstate highway pavement, I doubt that enough humus topsoil is present there to support a respectable colony of microbes. The area is actually a rather sterile road bank. Yet, the Department of Highways has designated this as a "Naturalized Area."

Now, I do not know how "natural" an area has to become before it is a "naturalized area." But when I think of natural areas in this region I think of trees at or near maturity, the presence of water or evidence that water was recently there, the presence of at least some wildlife, soil with a humus content that supports grubs and other critters, the presence of bugs and insects in summer and dozens of other characteristics which, taken together, feel "natural" to a soul while recreating there. In my mind, the presence of a seventy-mile-an-hour four lane highway only a few feet away totally obliterates any "natural" qualities to an area.

But then, what do I know? Maybe a "naturalized area" is all a state of mind. Maybe by putting up a sign and a birdhouse, and letting the grass grow for a season, the Department of Highways conditions thousands of travelers, going along at seventy miles an hour, burning tons of fuel and belching more tons of exhaust gases, leaving tons of tire rubber dust and assorted other waste in their wake, to think that they are near a "Naturalized Area." The travelers

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# Acid Pollution Threatens Waterways

## *Serious Pollution from Coal-fired Power Plants in the Ohio River Valley Implicated.*

*Rick Webb sent in this article from the New York Times of April 5, 1999. The report to which the article refers was co-authored by Rick Webb and applies to the acidification of West Virginia's trout streams among others. It is reprinted here with permission from the New York Times.*

By James Dao

For years, scientists have viewed the Adirondack Mountains in New York, where hundreds of lakes and streams can no longer sustain life because of chronically high acidity, as the region that suffers the most from acid precipitation.

To combat the problem, Senator Daniel Patrick Moynihan, the New York Democrat, has proposed legislation that would reduce the airborne pollutants -- sulfur and nitrogen -- that cause acid precipitation. But he has found minimal support in Congress, where some members think the problem remains isolated to New York and its neighbors, and others believe that the government has done enough to address the issue.

Now a new Federal report may provide important ammunition for New York's fight. The report, a comprehensive survey of recent research, concludes that despite important strides in reducing air pollution, acid precipitation remains a serious problem in the Adirondacks and is a growing threat to forests and watersheds in the southern Appalachians, Colorado's Front Range and elsewhere.

New York officials and environmentalists say the report will help broaden political support for Moynihan's legislation, breaking down the regionalism that has stymied such measures in the past.

So far, no member of Congress from south of New York has offered to co-sponsor the bill. But the environmentalists contend that will change.

"It's not New York against everyone else anymore," said Representative John Sweeney, a Republican who represents part of the Adirondacks and is a sponsor, with Representative Sherwood Boehlert, a Republican from Utica, of the House version of Moynihan's bill.

Opponents of such legislation, including utility companies, contend that existing laws are having an effect and just need more time to work. Coal-burning power plants concentrated in the Ohio River Valley are a major source of nitrogen and sulfur pollution.

In 1990, Congress adopted amendments to the Clean Air Act that were intended to see that by the next decade, coal-fired power plants and other industries had cut their sulfur dioxide and nitrogen oxide emissions by half. Last year, the Federal Government also ordered 22 states in the East and Midwest to reduce emissions of nitrogen oxide, mainly during the summer [yes, and Underwood and AEP are kicking and screaming about even this! Editorial kibbitz].

"These policies are going to get you where Moynihan's bill will get you," said John Kinsman, manager for atmosphere science with the Edison Electric Institute, a trade association of shareholder-owned electricity utilities. The group

has not taken a public position on Moynihan's bill.

Acid precipitation occurs when sulfur or nitrogen, which drift eastward on the prevailing winds, mix with moisture in the atmosphere to form sulfuric or nitric acid and fall as acid rain, snow or fog. Dry nitrogen and sulfur pollution also turn to acid when deposited in waterways or mixed with moisture in the soil.

The new Federal report was produced by the National Acidic Precipitation Assessment Program, a consortium of agencies that includes the Federal Environmental Protection Agency and the National Oceanic and Atmospheric Administration. Although the report has been available on the Internet, it has not been printed or widely distributed yet. Officials expect to release bound copies next month.

The new Federal report provides much good news about the 1990 amendments, saying that they have effectively and relatively inexpensively reduced sulfur emissions and acid precipitation in much of the country. For that reason, the report may also be used by opponents of Moynihan's bill.

But the report also issues numerous warnings about the observed and theoretical effects of continued acid rain. And though it does not break new scientific ground, it provides evidence from recent research that acid precipitation is both more complex and intractable than had been thought 10 years ago.

Among its findings:

b.. High elevation forests in the Colorado Front Range, the Allegheny Mountains in West Virginia, the Great Smoky Mountains in Tennessee and the San Gabriel Mountains near Los Angeles are saturated or close to saturated with nitrogen. (Excess nitrogen can seep from saturated soils into nearby streams and lakes, causing them to become more acidic.)

c.. The Chesapeake Bay is suffering from excess nitrogen, some of it from air pollution, which is causing algae blooms that suffocate other life forms.

d.. High-elevation lakes and streams in the Sierra Nevada, the Cascade Range and the Rocky Mountains may be on the verge of suffering chronically high acidity.

e.. Many waterways in the Adirondacks are becoming more acidic even as sulfur deposits decline. The environmental agency has projected that by 2040, about half the region's 2,800 lakes and ponds will be too acidic to sustain much life.

Although it offers no concrete solutions, the report concludes that further reductions in sulfur and nitrogen pollution may be necessary to protect those sensitive regions. "If the rates of deposition of both sulfur and nitrogen are not reduced further, they will continue to degrade forests, lakes and streams," a news release accompanying the report

says.

Many scientists who study acid rain say the report offers strong arguments for Moynihan's bill.

"It's been the near consensus of scientists that the Clean Air Act amendments haven't gone far enough," said Jack Cosby, a professor in the University of Virginia's Department of Environmental Science.

For evidence, biologists can point to several streams in the southern Appalachians, like the St. Marys, near Waynesboro, Va., which flows down the Blue Ridge Mountains into the Shenandoah Valley.

The river, as picturesque as an image in a travel brochure, is dying. Decades of acid rain have killed off local populations of fish, insect and vegetation species along its five miles, scientists say. Gone are the silvery rainbow trout that once spawned in the river, as well as much of the green-hued plankton that fed insects and minnows. Gone are several types of mayflies that fishermen tried to imitate with lures. Most of the fishermen are gone, too.

"It's clear as gin," said Paul Bugas, a state biologist who has studied acid rain in the region. "But when you've got a beautiful stream here, you've often got a sterile stream."

A study produced last year by Dr. Cosby and two other University of Virginia scientists for an environmental group, Trout Unlimited, found that by 2041, 22 percent of Virginia's 304 trout streams would be chronically acidic, or virtually dead, unless air pollution laws were toughened. The report said about 6 percent of the state's streams were chronically acidic.

As he stood on a boulder-strewn ridge called Black Rock Outcrop in Shenandoah National Park, Rick Webb, one of the co-authors of that study, said certain streams were more vulnerable to acid precipitation because the bedrock or soils around them cannot provide the minerals to neutralize acid. Such is the case with the quartzite and sandstone bedrock common to the western slopes of the Blue Ridge mountains.

After heavy rainfall, streams that lack natural acid buffers will suffer sudden waves of high acidity that kill off fish larvae and eggs. Although adult fish may survive those acid shocks, the fish populations will inexorably dwindle and over time entire species may vanish from a stream, Webb said.

Such theories help explain what fishermen in Virginia have been noticing for more than a decade.

Hank Woolman, 67, has been building cane fishing rods and guiding fly fishermen in the Blue Ridge Mountains since he retired from

See ACID on page 14

## HOLY EARTH!

by Michael Hasty

### Subterranean Drain

When a group of coalfield residents and the West Virginia Highlands Conservancy halted production at Arch Coal's Dal-Tex operation last month - courtesy of a legal injunction from federal judge Charles Haden - it reignited a continuing discussion about the economics of coal in West Virginia.

An excellent column in the February 19th issue of the Charleston Gazette by the editorial page editor, Dan Radmacher, bluntly stated the obvious: coal causes poverty. The three major coal-producing states in the US rank in the bottom half in poverty rates, with West Virginia next-to-last. And the poorest counties in West Virginia, with the highest unemployment rates, are the coal-producing counties.

Radmacher was answered in the Gazette a week later with a fluff piece from the president of the National Mining Association (indicating the level of the public relations battle going on) talking about how good coal has been for West Virginia: jobs jobs jobs blah blah blah - you know the routine. He claimed that the coal industry contributes \$3 billion in direct benefits to the state's annual economy and - in a kind of loaves and fishes effect - \$10 billion in "indirect" benefits.

(You have to wonder into which category the hundreds of thousands of dollars in annual campaign contributions to state elected officials fall.)

We can probably safely assume that those benefit figures are as inflated as industry estimates of the costs of complying with environmental regulations - which in the case of sulphur dioxide, for example, were about two thousand times higher than the actual costs.

In a recent advertising supplement to the Sunday Gazette-Mail, the state coal industry claimed \$17 billion in total benefits to the state - half the gross state product. But what's a few billion dollars among friends? The same supplement said the industry provides \$1 billion in West Virginia wages on one page, and \$2 billion on another.

But even accepting the coal industry's numbers - however ephemeral they may be - when you add up what it costs West Virginia to support Big Coal, the state comes out the loser.

Begin with the fact that most of the land these out-of-state corporations are draining their profits from was stolen from the farmers who originally owned it. As I

mentioned last month, by 1923 half the state's land area, containing 80 percent of the total exploitable resources, was owned by nonresidents. Think of the billions of dollars in wealth that has been transferred out of West Virginia in the past century.

Add to that the industry practice in the early 1900s of importing miners to West Virginia from Europe and other sections of the US. When the coal companies decided to increase their profits by replacing miners with technology over the last few decades, over 100,000 West Virginia miners were put out of work, and essentially dumped on the state economy.

This not only put an extra burden on taxpayers in the form of increased social costs. It also had the effect of keeping average wages lower here than any other state in the region - one of the principal reasons the coal companies imported miners in the first place, and the phenomenon Governor Underwood keeps referring to every time he claims credit for a new employer moving here because of "the quality of the West Virginia work force."

Here's another consideration: since 1998 was a record year for coal production in West Virginia, that means that the potential \$5 billion dollars in union wages those 100,000 coal miners would have earned and spent in the state last year if they were still doing the mining, instead went into the pockets of corporate stockholders. And the source of that wealth is forever gone from West Virginia.

It's impossible to figure out exactly how much those lost jobs currently cost the state. The population continues to drop in the coal regions; and obviously many former miners have retired (the average age in West Virginia is second only to Florida), died of black lung disease, or moved into other, usually lower-paid jobs. But if the industry can use ballpark numbers, so can we.

Since the highest poverty and unemployment rates in the state are disproportionately in the coal counties, and the state poverty and unemployment rates are about a third higher than the nation's, it is entirely reasonable to attribute a third of the state's annual social welfare costs to coal's dominance of the West Virginia economy. This seems like a conservative figure, in light of the industry's claim to be responsible for creating more than half of the jobs in West Virginia - in which case they should be responsible for half of the unemployment, too.

But one third accounts for \$40 million in annual unemployment benefits (coal pays \$6 million per year into the Unemployment Fund. In 1992 unemployment benefits in the mining industry paid \$2.43 for every dollar the industry contributed.)

A third of welfare payments would cost another \$35 million. And coal's share of food stamps and school lunches adds \$100 million more. Plus Medicaid payments of at least \$50 million. And if you include a third of Old Age, Survivors and Disability Insurance recipients you can add yet another \$800 million to the annual cost of West Virginia coal.

(Keep in mind though, that in the weird way the economy is calculated, all the federal tax money coming in to defray these costs is considered an economic plus to the state.)

Dividing the annual Workers Compensation benefits by three gives you about \$170 million. Compare this to the WV Coal Association's boast of a less than \$100 million contribution to the fund. The industry congratulates itself that, since the recipients are dying off, some of the surplus left over from their \$12 million annual contribution to the state "black lung" fund can help the shortfall in Workers Comp.

Of course, we don't want to ignore the nearly \$200 million some scofflaw coal corporations still owe to the Workers Compensation fund. A sweetheart deal cooked up between labor and industry to release them from their obligation threatens to let this be another write-off picked up by other West Virginia taxpayers.

Well, we've racked up a pretty good-sized chunk of change already, and we've hardly started counting how much of a liability Big Coal is to West Virginia. Are they paying their fair share of taxes? And if not, how much is the average taxpayer putting out to make up the difference? What kind of effects is coal having on other West Virginia industries, like agriculture, timber and tourism?

What about the environmental costs? The health costs? The costs to families and communities? And even the spiritual costs?

We'll explore some of these other issues next month.

Michael Hasty is a columnist at the Hampshire Review. His weekly column "Thinking Locally" can be found on the Internet at [www.hampshirereview.com](http://www.hampshirereview.com) ✦

## MEMORIES OF EAGLE'S NEST

By: Pam DeVier

Twenty-nine years ago, I took my first breath of mountain air. I was just an infant, being held in my parent's arms at the edge of the Blackwater Canyon. The year was 1969 and times were very different for my family and West Virginia.

My father was born in a small town in the mountains and as he has always said to me, "You can take the man out of the mountains, but you can never take the mountains out of the man." This has been so true in the case of my family. Circumstances in his life took him to Baltimore, where he met my mother and made a home that my sister and I would eventually grace. But every year when the days got shorter, the nights got cooler and the colors of autumn splashed the land he would return to the mountains. Brushing aside worries of money, time and hassle, he would gather up his family for the journey to West Virginia.

I was just a pre-school child, a tomboy with a wild spirit for adventure..... Greed and power had not reared their ugly head into my innocent life. I also did not know that our destination was really called Lindy's Point, and would become one of the great preservation struggles in the history of the state.

My earliest memories of the Blackwater region are still vivid. I remember my sister and I dangerously frolicking on the rocks in the great river, while my mother fretted, warning us "not to go out too far." We would chase our big collie dog through the crunching leaves to unknown destinations. There was the first deer, the first raccoon, then the first bear! One year in late October we woke up glowing with the excitement of a Christmas morning; for overnight the season's first snow had silently blanketed the mountains. Some days we would just sit quietly by the fire, where I would write childish poems and stories. Many of our adventures remain frozen in pictures -- my grandparents, who are now gone, at Dolly Sods; my godmother at Seneca Rocks. Even when my sister and I started school, we would get special permission every year to miss a week in the fall. The reason given -- educational vacation. And it was education. I learned about the people and history of West Virginia. But most of all I learned about the land, from Spruce Knob to Cranberry Glades to the namesake hemlocks of the Blackwater. Looking back I probably learned more about life from my weeks in the mountains than all my days in classes.

However, one memory stands out above all the rest -- our hikes to Eagle's Nest. I was just a pre-school child, a tomboy with a wild spirit for adventure. I did not yet know the difference between a State Park and a National Forest. I

could not yet read a topographical map. To me it was all just the great wilderness of West Virginia. I did not understand the politics of land ownership and land use management. Greed and power had not reared their ugly head into my innocent life. I also did not know that our destination was really called Lindy's Point, and would become one of the great preservation struggles in the history of the state. All I knew was that I was on the most exhilarating adventure. My father would take us deep into the forest to a secret trail that, of course, in my mind, only my dad knew. We would wind through trees, over rocks and finally along the edge of a mountain to an overlook of unparalleled beauty. And we would sit for hours, dreaming and watching the raptors soar with the wind. So originated the family's name for this place that spurred the imagination of a child -- Eagle's Nest. For I was the young heroine, standing high above the river to save my great love. Some years the canyon would still be green with just a hint of frost in the air. Other years, only bare skeletons shivered along the mountainsides. However, some years were perfect -- an old Master oil painting of brilliant reds, yellows and oranges.

But the child grew up. Sixteen years passed -- a teenager. Then twenty-one years passed -- an adult of sorts. There were new adventures with new company -- Otter Creek Wilderness, North Fork Mountain, and Seneca Creek Backcountry. Backpacking was now an inseparable part of my life. But it would take a life-changing personal tragedy to begin to understand that I could not continue to recreate in the lands I loved so much without putting an effort towards preservation. As I saw the trees dying along the ridgetops of the Appalachians, I realized that to pass through the land without doing anything to protect it for future generations, was as great a crime as the policies of politicians and corporations that I criticized. My interest and support in grassroots environmental protection had been spurred.

Many locals would shake their heads at me -- how can I understand the problems of West Virginia? I am not a resident of the state. I live in a big city, three hours away. And I say to that -- my body may be in the city, but my soul was rooted in the mountains twenty-nine years ago. And I hope one day, circumstances in my life will allow me to return permanently to the mountains of my family and bring my past full circle.

I returned this past winter to Blackwater, continuing the family tradition off-season. Winter is a peaceful time in the mountains and I hoped it would give me an opportunity to commune with the wilderness and write. While I was there, I illegally walked to Eagle's Nest, ignoring the excess of posted signs. How much shorter the hike seemed to older and taller legs. Damn the signs! Arrest me, fine me, ban the tomboy running to the cliffs of her childhood, feeling helpless and powerless to save her true love, the great wild canyon of the Blackwater.

As I stood against the wind that cold January day, tears swelled in my soul. The words of John Denver rang through my mind, "And I know it's just changes, and mankind marching on. I know we can't live in yesterday. But compared to what we are losing and what it means to me, I'd give my life and throw the rest away...To the wild country, where I belong."

While I was there, I illegally walked to Eagle's Nest, ignoring the ... posted signs. ... feeling helpless and powerless to save my true love, the great wild canyon of the Blackwater. As I stood against the wind that cold day last January, tears swelled in my soul.

An individual can feel so hopeless when they see a new landscape being carved on the past. I am sure the victims of war know this feeling well. Has the struggle in West Virginia become a war of sorts? I cannot predict the future of my beloved Blackwater. It would be a tragedy to lose the Blackwater Canyon to logging and development. No matter what happens, I know in my heart that the spirit of the land will remain constant. However, it is important that those who have the future of the land in their hands realize not only the environmental importance of the land, but the historical importance as well. If we can not embrace our history, we can not live completely in the future. The Blackwater defines my family. It is an inheritance that I can not deny. The desecration of the land takes away not only the well-documented ecological integrity of the land, but takes away the past of so many as well. ✦



Blackwater Falls photo Rick Lardenberger

Bill Ragette' sent this last fall. It is more relevant now than ever.

## Letter

to: Alexis Herman, U.S. Secretary of Labor, and Hillary Rodham Clinton

from: Jan C. Lundberg

*100,000,000 New Jobs or*

*Solutions Toward Y2K / Economic Collapse Include Depaving and Pedal Power, for Sustainable Village Economics*

"If there is an enemy, it's us: Too many of us."

- oil analyst Jan C. Lundberg

Dear Ms. Secretary and Ms. Clinton:

My expertise is oil price and supply, as Hazel O'Leary can attest. I have used my knowledge of that industry to assist the environmental movement since 1988.

U.S. unemployment levels, whatever they really are, can get a lot worse in a quick spiral, as you must know. It is of grave concern particularly with the looming Y2K episode which might be like a 9 on the Richter Scale. Meanwhile, the economy's "healthy" consumption is killing the planet ecologically, as well as culturally. Clinging to the status quo has an appropriate time, but that would not be today onward.

A tremendous job-generator is at hand which re-gears the economy toward local self reliance. There are many aspects of self reliance; the concept can also be expressed as "small business combined with neighborhood village economics and responsibility." It also is a matter of sustainability within an ecosystem that would thus become healthier. One reason for that would be the nonimportation of oil, which is not only a prime fossil-fuel polluter; oil takes on awesome proportions in a vulnerable, interdependent economy. This was first made clear on a moderate scale during the oil crises of the 1970s.

Local food security is a must, along with reliable, safe, fresh water supply. The answer to getting clean water is not (or should not be) technology, as opposed to sound watersheds. The answer to food and water security, and generating jobs, includes (1) creating neighborhood gardens via removing pavement, such as narrowing needlessly wide roads by 50%, and (2) maximizing pedal power, such as bicycle-carting. As to water supplies, neighborhood-based rainwater catchment and wells may need to be created, along with distillation requiring renewable non-grid energy sources.

In forests are countless roads that should never have been built, as they allowed for deforestation and net loss of employment. Countless roads need decommissioning in order to lessen erosion. As you must know, the salmon industry in the Pacific Northwest is on its knees due to damaging roads, clearcuts as well as dams.

Just repairing or removing and revegetating roads can employ armies of workers. Consider trying to get money to our citizenry this way, allowing people to relearn that the Earth's and people's needs are one. But the Earth's need is supreme if we are to survive as a part of the larger whole. There are far too many people, even in the United States -- considering our polluting and squandering nonrenewable resources. Birth

control, immigration, intercity migration, etc. are going to be hot, hot issues when there are too many mouths to feed -- when the system may break down. This breakdown can be entirely due to tenuous interdependence amongst global corporate and government institutions and systems. Economic collapse can happen with or without a Y2K computer-related crash or panic. Likelihoods and probabilities should not be trifled with; action must be taken on the basis of current Congressional findings regarding Y2K and vulnerability of systems under an emergency, while recognizing and maximizing people's inherent freedom and rights. However, it is time to face this: What can occur soon is the revisiting of both the Great Depression and oil crises, but combined and much worse. Some environmentalists are overjoyed that CO2 emissions would go way down, but under such a scenario we may see many nuclear "events," as the deadly, mutagenic waste and weapons are severed from the electrical grid which may well go out, and are not cared for by a comfortable, competent priesthood baby-sitting the nukes.

I offer the figure of perhaps over a hundred million jobs being created as a coordinated lurch toward neighborhood/community-based economics and governance, in the event of collapse of multinational corporations' and government agencies' service and distribution systems. The problem may be that federal government will never pursue depaving or pedal power for local control. After all, the Big Three motor-vehicle manufacturers only lose under this outlook-unless those people also go with the changing flow. Yet, if we recognize we all must have a home and make a stand at surviving one of the biggest tests of civilization's history --Y2K -- we will start being real neighbors on our own streets again. Sharing and cooperation could happen by using fewer ovens, cars, computers, etc., while providing each other's health and child care, home repairs, pulling up cement and asphalt, gardening, obtaining local water and distilling it, distributing goods for miles using human and animal power -- these things get us away from greenhouse gas-emitting practices. Hemp should now be legalized in low-THC strains for industrial uses, and various food and fibre seed-banks established, commensurate with the upcoming potential sudden need. The "100,000,000 jobs" reflects about half the nation's people capable of working. Picture a neighborhood and its diverse people: half of them could easily take on communal tasks, part-time jobs, etc. Barter can become indispensable. Food security based on distant, unreliable corporations

has problems, although it is "today's economy." But as screwed up as Russia's economy is, over 50% of the potatoes -- their main protein source -- are eaten by the people who grew them. That supply is safe for them.

I attach my previous proposal making the rounds widely, thanks to my contacts using the worldwide web. "Strategizing for Community" spells out the oil supply threat (to transportation, agriculture and electric generation) as a background to why depaving and pedal power are essential for local economics and maintaining the social fabric. After a draft of the report was reviewed by Y2K experts and activists, it was placed on various websites. The BBC recommends our website, <[www.tidepool.com/alliance](http://www.tidepool.com/alliance)>

Please have discussions amongst yourselves and the American people about this letter's points, and kindly respond to me as soon as possible, in a timely fashion. Thanking you in advance, I am

Sincerely yours,

Jan C. Lundberg  
President, Fossil Fuels Policy Action  
Institute  
Executive Director, Alliance for a Paving  
Moratorium  
Publisher/Editor, "Auto-Free Times"  
international magazine ✦



## Educational Outreach -- Expanding the Mission of The West Virginia Highlands

### Conservancy

(This article was submitted for publication in the Voice on January 16, 1999. The views expressed continue to be very relevant and timely)

By Jack Slocomb

I have been a member of the West Virginia Highlands Conservancy (WVHC) for a number of years. I am a native West Virginian, living in Cumberland, Md.-- right up the valleys from the Dolly Sods where I have been tramping around for a good part of my adult life.

Although I have not been what you would call an "active" member, I certainly have admired the legacy of the WVHC in terms of protecting and keeping viable the natural spirit of one of the best pieces of wild real estate in the country. The WVHC's efforts have added immeasurably to my experience of the Alleghenies. The wilderness areas, especially the Dolly Sods and the Cranberry Wilderness, I have seen as cherished gifts in my life, and over the years these areas have become almost extensions of my own personality. These places sort of figure into my self-definition now.

My experience of them has also been woven into my dual-track careers in Environmental Education and Family Therapy -- as well as into my stab at nature writing. And so the WVHC's efforts have had some far reaching effects as far as my own personal journey is concerned. And I know that I am certainly not the only person who has reaped these benefits.

The WVHC's activism through the years has paid off quite well, indeed. But a recent experience I have had in regard to the Corridor H controversy has prompted a few new thoughts about the WVHC's future role in assuring the long term integrity of West Virginia's unique natural heritage. Here's the scoop.

Recently, in the Cumberland Times-News, I read a commentary by a member of the "Corridor

H Action Committee" inciting people to rise up against the "aging hippie, pantheistic, anti-war element" whose activity has been blocking the construction of Corridor H through the courts. In this writer's mind, and likely in the minds of the people he represented, Corridor H was the Potomac Highland's last best hope for a slice of the economic pie in the Alleghenies. He also championed Corridor H because it would reduce traffic fatalities due to outdated, winding single lane mountain roads. I felt that his letter merited a challenge, which I hastily composed. There have been several other letters to the Times-News now sent in by other Corridor H supporters in response to my comments.

As I have composed replies, it kept occurring to me that these folks are mostly people like myself who passionately want their communities to thrive. Nobody can fault them for that dream. But where we differ is in our visions of how that end can be accomplished. I don't want to polarize our points of view but to evoke dialogue. I think that these Corridor H supporters honestly believe in the possibilities of the highway as the conduit of which will bring that prosperity in all of its manifestations in this region.

I sharply disagree with this position, and I feel that they are basing this belief on certain assumptions, accumulated over a lifetime, about how rural communities can come alive economically. In my opinion, that particular kind of information has relegated them to working within a very narrowly defined conceptual frame which does not allow for all the complexities of this issue. Also, it certainly ignores the knowledge

we now have about how intrinsically interwoven are the processes of a region's ecology and economic life. To me, their voices in so many ways represent the utter failure of public education to provide an adequate information base about concept of sustainability. Being provided with this learning does not necessarily mean that a person would not still believe in the highway as the answer. But his position would at least have been better thought through.

This observation nicely segues me to where I'm going with all this. I believe it was Thomas Jefferson who first advanced the idea that a democracy presupposes an informed citizenry. I'm wondering then, based upon the above experience, if the mission of the WVHC could not be immeasurably strengthened by consciously preaching beyond the "choir" of the already converted. Dynamic ideas always gain more political clout when the larger community embraces them. The WVHC cannot change the educational system overnight, but we can surely use our vast intellectual and spiritual resources to balance the advocacy activities with an equally robust public environmental educational venue of some kind. As an Environmental Educator, I would strongly support that this effort center around the themes *Connectedness* and *Sustainability* rather than advocacy. I think this avenue would better bridge the WVHC's interests with needs of communities.

The outreach effort could consist of a combination of different activities tailored to specific kinds of groups. These might include field trips, media presentations, articles in local newspapers, workshops and seminars, and conservation projects. Such an endeavor might actually inject the conservancy with some money, too ( through grants and participant fees, etc.)

I would like to know how other members view an expanded public educational role of some kind for the Conservancy in light of the present times and the urgency for communities in the Alleghenies to reinvent themselves economically in environmentally sustainable configurations.

That's the scoop. ❀

With each stunned step on solemn shale  
we unearth our ugly nakedness;  
wish to hide our genitals,  
and cover our consciousness,  
with indigenous sticks and soft  
wet leaves ...

but there are nonesuch to be  
found

Eden is no more ❀

Poems by Bob Henry Baber  
(from *A Picture of Life's Other Side*)

#### Cold Knob, Reclaimed

(Putting lipstick on a corpse)

From scalped rim the blue ridge  
stretch  
violet mist draped towards Trout  
Valley  
from Kennison Mountain and Bushy  
Ridge  
designated by rustic timber  
company plaque-

behind out back, in shale at  
highwall base  
the rustic timber company pine-  
seedlings,  
hostages of stupidity,  
half-dead issue of our greed,  
are now over a quarter century  
old. ❀

#### Strip Poem

(The distraught lovers unearth  
collective guilt)

As we walk this hallowed and  
hollowed ground  
we feel the crucifixion of soil  
and the cruel fixations of man  
hellbent on manipulating.

The rock has been rolled  
from the entrance,  
but no angel appears  
to proclaim resurrection.  
There will be no miracles today,  
k. c.

Without trees to absorb them  
the unnatural echoes of our barren  
cries  
bounce off our naked disgrace and  
shame  
only to rattle like snakes  
between the lichenless stones.

**McFERRIN continued from page 1**

There was remarkable consensus on this issue. Except for the coal industry lobbyists, who muttered about "perceived damage" due to blasting, everyone else who spoke before the Task Force on this issue said that we should do something to provide relief to people who were damaged by blasting. Even those who passionately defended the practice of mountaintop removal said that those affected by blasting were entitled to protection.

**Except for the coal industry lobbyists, who muttered about "perceived damage" due to blasting, everyone else who spoke before the Task Force on this issue said that we should do something to provide relief to people who were damaged by blasting.**

One option for fixing this problem would be to enforce the existing law. The law requires prevention of damage. Enforcing that law would prevent damage. The second option was to tinker with the law. The legislature picked option two.

The legislature responded to this problem by repealing the section of the statute which requires companies to "prevent" damage due to blasting. At the same time, it created the Office of Explosives and Blasting within the Division of Environmental Protection. It ordered this new office to write regulations which would require companies to "prevent" damage due to blasting. In other words, the legislature's solution to the problem of blasting damage is requiring the citizens and the Division of Environmental Protection to run around a big circle. When

they make it back to the starting point, they will have regulations which require companies to "prevent" damage due to blasting. This was what we had before the legislature "reformed" the law on blasting. While this may not make the law on blasting any worse, it is hard to see this as any improvement.

While the citizens are running around this regulatory circle, there are pitfalls. In the declaration of legislative policy that precedes the section of the statute that creates the new Office of Explosives and Blasting, the legislature declares that it is state policy to "use reasonable means and measures to prevent harm" from blasting. For the first time, weasel words have crept into the law on preventing damage due to blasting.

Unlike the former law, which required prevention of damage, "reasonable" is in the eyes of the beholder. To some, if three of a home's four walls are still standing after blasting, that's 75% which is a C in most classrooms and thus reasonable. To others, the only reasonable regulations are those which prevent all damage, as the law required before the legislature "improved" it.

Whose view of what is reasonable prevails depends upon what happens as the Office of Explosives and Blasting makes its new regulations. It may be that the strict requirement of the old statute will be preserved and the law will be no worse than it was before the legislature came to the rescue of those threatened by blasting. It may be that some other view of what is reasonable will prevail. The only thing that is certain is that the law is not going to get any better for having gone through this rulemaking process. The best that citizens can hope for is that, once they have run in this rulemaking circle, they will arrive at the starting point with a law which is no worse than it was when they

began.

The new law also makes new laws which duplicate old laws. The new statute prohibits most blasting within three hundred feet of a home or one hundred feet of a cemetery. The law already prohibited all mining within three hundred feet of a home or one hundred feet of a cemetery. While prohibiting blasting within three hundred feet of a home or one hundred feet of a cemetery is not a bad idea, this was already prohibited by the prior law, which still exists, prohibiting mining in those areas. The new law requires companies who blast within one thousand feet of homes to prepare a plan detailing how they will prevent damage to those homes. Even before the changed in 1999 the law already required that companies prevent damage to all homes, including those within one thousand feet of the blasting.

While the new blasting law either leaves the substance of the law the same or makes it a tiny bit worse, the new bill enshrines in law the longtime industry and Division of Environmental Protection attitude that damaging homes is perfectly acceptable so long as the company pays to repair the damage. The law says in unambiguous terms that the duty of the mining companies is to prevent damage. In spite of this, it has long been the industry and DEP attitude that damage is acceptable if (in DEP's ideal world) the damage is paid for or (in the DEP world as it actually operates) most of the damage is paid for. Law or no law, it long ago surrendered on the idea that damage should be prevented.

This attitude appears most strongly in the new law's emphasis on the pre-blast survey. Under the law as it was before the 1999 legislature, companies were required to offer a pre-blast survey to all homes within

**Concluded on next page**

## **Forest Watch Coalition Announcement of Forest Forum**

### **A Monthly Series of Programs About the Forests of West Virginia**

Designed to help citizens learn about and appreciate West Virginia's forests, Forest Forum is an evening program of meetings on a variety of forest topics. With topics ranging from changing public attitudes to the impact of air pollution, Forest Forum will feature speakers from academia, government, and citizen groups.

The goal of the series is to help increase public knowledge about and appreciation of the forests of West Virginia. Presentations will include talks, slides, workshops and other formats. They are aimed at the general public.

Forest Forum meets the second Tuesday of each month at 7:00 PM, with the first program on Tuesday, May 11. Meetings

are in the downstairs meeting room of the Elkins Public Library. Programs are free and open to the public.

Schedule of meetings and programs:

May 11 *Changing Public Attitudes To The Forest*, Prof. Steve Hollenhorst, West Virginia University School of Forestry

June 8 *Planning West Virginia's State Forests* (Details to be announced).

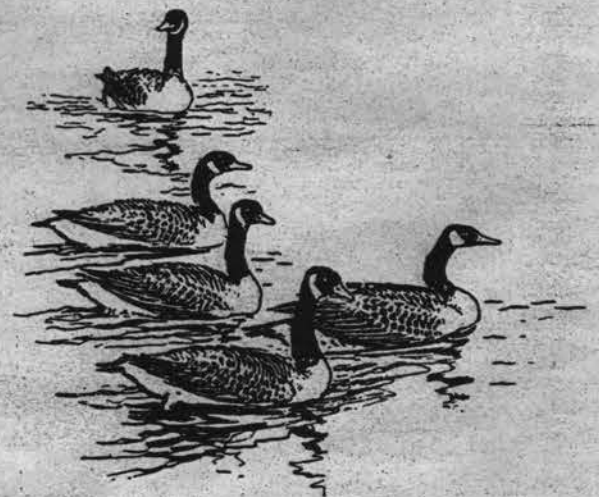
July 13 *The Watershed in West Virginia's Forests*, Zach Henderson, Executive Director, Shavers Fork Coalition

August 10 *Old Growth*, Rick Landenberger, Doctoral Program, West Virginia University School of Forestry

September 14 *Threatened and Endangered Species*, Craig Stihler, WV Division of Natural Resources, Natural Heritage Program

October 12 *Air Pollution Impacts on West Virginia's Forests*, Prof. Jim Kotcon, West Virginia University Department of Plant and Soil Science

Questions? Call Forest Watch Coalition at (304)637 - 4082. ✚





one half mile of the permitted area. This survey was supposed to document the condition of the property before the mining. In theory, at least, this would make it easier to recover for damages to property if the mining company failed in its duty to prevent damage due to blasting.

The change in the law as a result of the bill that passed in 1999 is that, instead of pre-blast surveys within one half mile of the permit area, the surveys will be extended to seven tenths of a mile from the blast site or one half mile of the permit area which ever is greater.

Because none of the blasting takes place right at the edge of the permitted area, in many situations this will make little or no difference. For blasting that takes place toward the interior of the permitted area, seven tenths of a mile from the blasting may be less than five tenths of a mile from the permitted area. In those cases, the new law will make no difference.

In those cases where the blasting area is reasonably close to the edge of the permitted area, some more people will be eligible for a pre-blast survey. Even if this is true, the benefit to citizens is questionable. There is no enforcement policy which ensures that the company pays for damage which is not documented in the pre-blast survey but appears during the blasting. Without some mechanism to make the pre-blast survey a useful tool in recovering for damage due to blasting, it is of no benefit to citizens to extend the area where pre-blast surveys are required.

The bill also sets up a system of arbitration to be administered by the Division of Environmental Protection. Citizens who had been damaged by blasting could submit the claim to the Office of Explosives and

Blasting. The office must determine if the claim has merit. If the company (but not the citizen) is dissatisfied with the determination by the Office of Explosives and Blasting, then it may ask for arbitration. Once in arbitration, the claim is to be settled in a "manner which is inexpensive, prompt and fair to all parties."

The determination by the Office of the merit of the claim and the decision of the arbitrator are final. The statute provides no appeal to Circuit Court. Once a citizen asks for a determination then the citizen may not seek relief elsewhere. The remedy before the Office of Explosives and Blasting is exclusive.

**Current blasting problems exist because the Division of Environmental Protection is ignoring the needs of homeowners. The Office of Explosives and Blasting gives the homeowners a new place to go and be ignored**

A homeowner seeking compensation through this system must depend totally upon the willingness of the Office of Explosives and Blasting to determine that the damage is caused by blasting. Given the reluctance of the Division of Environmental Protection to make such a determination in the past, this is unlikely. If past performance is any guide, the new Office of Explosives and Blasting will follow the pattern of its parent Division of Environmental Protection and never determine that damage was caused by blasting. Homeowners damaged by blasting will have the choice of either ignoring the Division of Environmental Protection and filing suit in Circuit Court as they may now and could have under prior law or presenting their

claim to an unsympathetic agency which can deny the claim with no possibility of appeal, arbitration, or any other remedy.

Even were the pre-blast survey and the Office of Explosives and Blasting's claims procedure designed to be fair to the homeowner, they would still represent a retreat from the law as it was before the 1999 amendments. Before the 1999 amendments, the emphasis was on preventing damage. Now the law accepts damage as inevitable and sets up systems which, at first glance, appear to make it more likely that companies will have to pay for the damage they cause. That the systems are almost certain to be ineffective in even this modest goal make the new law of even less value to homeowners.

The centerpiece of the new law is the creation of the Office of Explosives and Blasting within the Division of Environmental Protection. Current blasting problems exist because the Division of Environmental Protection is ignoring the part of the law that requires prevention of blasting damage. Current blasting problems exist because the Division of Environmental Protection is ignoring the needs of homeowners. The Office of Explosives and Blasting gives the homeowners a new place to go and be ignored.

On the whole, Senate Bill 681 does not make the law on blasting dramatically worse. Although it rearranges some things and creates a new Office of Explosives and Blasting, it does nothing to make the laws stronger and precious little, if anything, to make it more likely that citizens will get relief. It is certainly no indication that the Underwood administration is committed to providing relief to coalfield citizens plagued by blasting problems. ✦

## Who Are America's Worst?

### New Book Has the Answer

(Based on a article by Mokhiber & Weissman - web page [www.sfbg.com/focus/](http://www.sfbg.com/focus/))

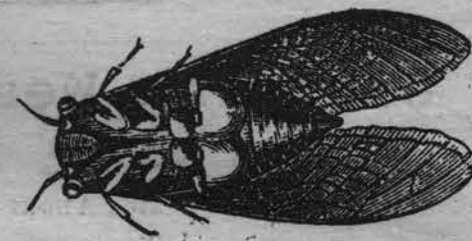
If you want to know who the very worst despoilers are a good place to look would be in *A Pocket Guide to Environmental Bad Guys (and a Few Ideas on How to Stop Them)*. The authors are James Ridgeway and Jeffrey St. Clair, and it was published in soft cover by Thunder's Mouth Press, February 1998.

The authors believe that it is a waste of time and energy to attack institutions and laws, but to go after the individuals and put the word out to the public about the kinds of anti-environmental things they are doing. A few of these bad guys you may not have heard of and that is what the bad guys want - to be shrouded in anonymity. Would you believe that one of those bad guys listed is a co-founder of the Natural Resources Defense

Council, John Bryson? He is the CEO of Edison International and is presently busy expanding the use of coal-fired plants in Asia.

Then we can return to our old friend, Charles Hurwitz, who makes the list in fine style. Government money paid a huge ransom for saving the Headwaters old growth redwood stand, a sum estimated to be about five times greater than the value of the trees as lumber. Some carefully positioned political contributions to the Democratic National Committee by Hurwitz helped out here, and as is usually the case, the payoff phenomenally exceeded the initial "investment." This in the face of some of Hurwitz's companies owing the government over \$2 billion in failed savings and loans. (I am reminded of a bankrupt coal operator a few years back who was still paying himself enough salary to tour the pleasure palaces of Europe living in a grand style. These folks operate in a different plane than the rest of us.)

Another corporate anti-hero is Ira Rennert, who is completing the largest residence in the US on Long Island (What? Bigger than Bill Gates \$50 million residence



in Redmond Washington?). Rennert controls the Magnesium Corporation of America, considered to be "the largest source of air pollution in America" by the authors.

Here are only three - it must be fascinating reading if nothing else to uncover these wreckers of our environment from under the rocks where they hide ("rocks" in this case being mostly corporate controlled media).

The winning way to saving the environment is not through supporting the large environmental groups that sit in Washington, but with smaller groups that have maintained their edge. Examples cited by the authors of successful crusaders for the environment are David Brower and Lois Gibbs who are able to rally grassroots support. ✦

All functions will take place at the Blackwater Falls State Park Lodge unless otherwise noted.

**FRIDAY MAY 14<sup>TH</sup>**

4PM **REGISTRATION**  
 6PM **RECEPTION/POSTER SESSION**  
 7PM **SQUARE DANCE**  
 9PM **SALAMANDER EXPLORING,**

**SATURDAY MAY 15<sup>TH</sup>**

7-9AM **BREAKFAST** "on your own"  
 8AM **BIRDWATCHING**  
 9AM **FIELD TRIPS** bag lunches by Sirianni's Restaurant  
 10AM **WILDFLOWER WALK** West Virginia Sierra Club  
 10AM, 2PM **INTERPRETIVE NATURE WALKS**  
 5PM **BANQUET RECEPTION BEGINS**  
 5:30-7PM **DINNER**  
 7:15PM **ISSUE UPDATES:** current hot topics  
*Factory Poultry Farming* Margaret Janes  
*Corridor H* Hugh Rogers  
*Blackwater Canyon* Judy Rodd  
*Mt. Top Removal* Cindy Rank  
*Clean Water Act* Pam Moe-Merritt  
 7:45PM **PANEL DISCUSSION** Blackwater Canyon  
 Linda Cooper **Moderator**  
 WVHC Blackwater Canyon Committee  
 Jeff Towner **Endangered Species**  
 US Fish & Wildlife Service, Elkins Field Office  
 Jason Halbert **Blackwater Canyon: the big picture**  
 Heartwood/Appalachian Restoration Campaign  
 Joe DiBello **Blackwater Canyon National Park?**  
 National Park Service, Regional Office  
 Steve Hollenhorst **Eco-tourism**  
 WVU Recreation Specialist  
 Ruth Blackwell Rogers **Impacts of Corridor H**  
 Corridor H Alternatives

**SUNDAY, MAY 16<sup>TH</sup>**

8AM **BIRD WATCHING**  
 7-9AM **BREAKFAST** "on your own"  
 8:30-10AM **RIVERS COALITION MEMBERSHIP MEETING**  
 10AM **WILDFLOWER WALK, CATHEDRAL STATE PARK**  
 West Virginia Sierra Club  
 10AM, 2PM **INTERPRETIVE NATURE WALKS**  
 10AM-4PM **HIGHLANDS CONSERVANCY BOARD MEETING**  
 12:30PM **LUNCH** "on your own"

**Lodging**

Rooms have been reserved at the **Blackwater Falls State Park Lodge.**

Rates are \$56.91 double.

Call before May 1st for reservations 1-800-CALL-WVA

**Camping** in the Park Campgrounds at \$11/ night, \$16/night with electricity.

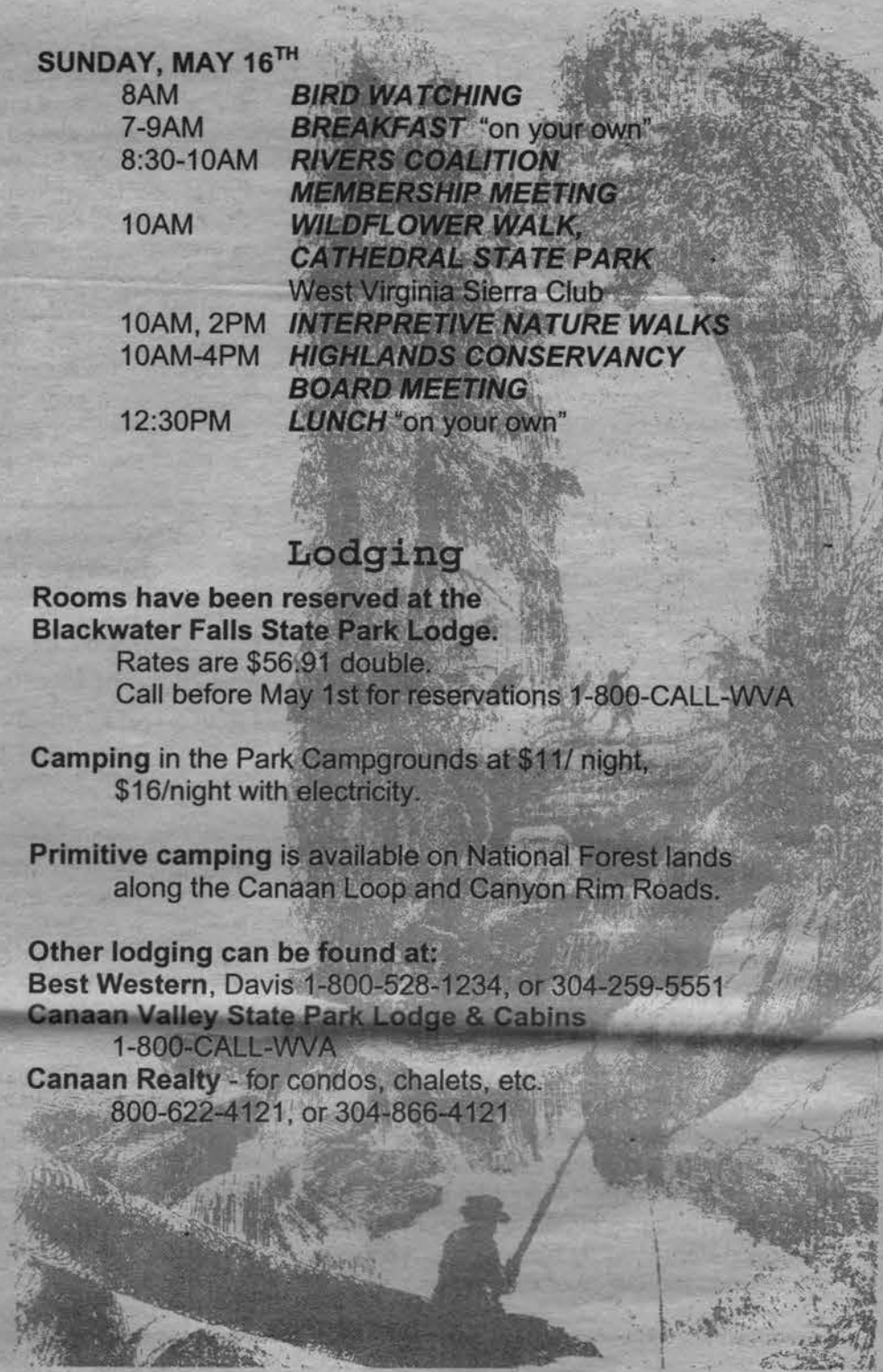
**Primitive camping** is available on National Forest lands along the Canaan Loop and Canyon Rim Roads.

**Other lodging can be found at:**

**Best Western**, Davis 1-800-528-1234, or 304-259-5551

**Canaan Valley State Park Lodge & Cabins**  
 1-800-CALL-WVA

**Canaan Realty** - for condos, chalets, etc.  
 800-622-4121, or 304-866-4121



Join The West Virginia Highlands Conservancy  
 & The West Virginia Rivers Coalition at the

## 1999 Blackwater Review

May 14-16

**Featuring!!**

**Friday evening reception, dance, and poster session.** Join us in the Blackwater Falls Lodge for some fun.

**Field trips and adventures** including; salamander exploring, spelunking, canoeing, kayaking, wildflower walks, canyon explorations, auto tours, Dolly Sods, fly fishing and more.

**Fly-Overs** our own ace, Richard diPretoro will take folks up for a birds eye view of Blackwater Canyon, routing for Corridor H, Canaan Valley, or whatever else you might like to see.

**Itinerary**

## Field Trips

All trips begin at 9AM Saturday Morning and meet at the Blackwater Falls State Park Lodge, unless otherwise noted. Weather can be extreme in these parts, prepare for the worst, hope for the best.



### FLY-OVERS

Flying from the airport in Oakland, MD, Richard diPretoro will be making regularly scheduled trips throughout the day on both Saturday and Sunday. Let us know your preferred day and time and we'll do our best to get everyone up that wants to. It's about a 1 hour drive from Blackwater Falls State Park to the Airport. \$20/person

### DOLLY SODS

This will be a car tour with a few short, moderately easy hikes to places like Bear Rocks, Fisher Spring Bog, Red Creek, and the Allegheny Front.

### HIKE THE BLACKWATER CANYON

Hike through the canyon along the rail-trail, approximately 8 miles, from Coketon to Hendricks. This is a fairly easy walk, all down hill. This is the best way to get down into the canyon, many historical, scenic, and ecological attractions along the way. Shuttles arranged.

### SPELUNKING (Caving)

We will be exploring caves with no technical or rope requirements. You will get wet and dirty. Wear shoes with treads, overalls are a common garment among serious cavers. Rules require each person have 3 sources of light, generally a headlamp, hand held flashlight, and a candle or back up flashlight are used. Helmets, miner/construction type, are needed too. We'll have some extras for those who don't have one.

**Bowden**, Ken Ashton, Geologist and NSS member will lead this expedition into this popular local cave in the morning. Beginners welcome.

**Sinks of Gandy**, after lunch we will travel past Laurel Fork Wilderness on our way to Osceola, where Gandy Creek flows for a mile underground.

**Stillhouse**, for even more, we will visit this small cave near the sinks.

### FLY FISHING BLACKWATER CANYON

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.

### CANOING

**Blackwater River**, Canoe through the Canaan Valley National Wildlife Refuge. This is a Class I trip, with mostly still, and some moving water. Experienced guides, beginners welcome. Join Charlie Waters from the Adventure Skool, and Chip Chase from White Grass Ski Touring Center, on this excellent trip into Canaan. Boat rentals \$15/person

**Shavers Fork**, Join Zach Henderson from the Shavers Fork Coalition for a ride on another Fork of the Cheat. This trip is Class II, ability to maneuver required. Boat rentals \$15/person. Shuttle to be arranged.

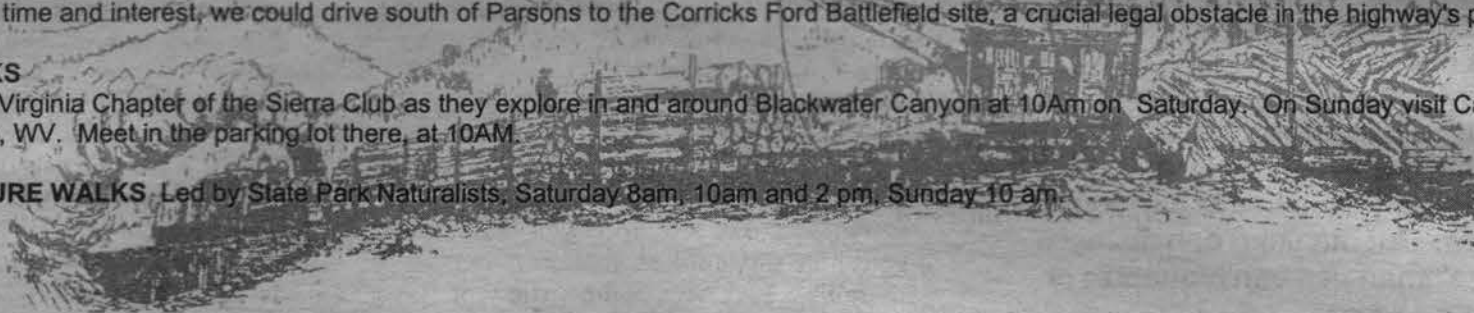
### CORRIDOR H TOUR

Join Hugh Rogers and Corridor H Alternatives for a tour of Tucker County--we'll look at the impacts to the Upper Blackwater Canyon and Coketon historic site, then drive to Big Run Bog and the Olson Tower, which offers spectacular views of the Mon National Forest and the highway's proposed alignment. Depending on time and interest, we could drive south of Parsons to the Corricks Ford Battlefield site, a crucial legal obstacle in the highway's path.

### WILDFLOWER WALKS

Join the West Virginia Chapter of the Sierra Club as they explore in and around Blackwater Canyon at 10AM on Saturday. On Sunday visit Cathedral State Park in Aurora, WV. Meet in the parking lot there, at 10AM.

### INTERPRETIVE NATURE WALKS



### Registration

Please send us your registration no later than May 7<sup>th</sup>, thank you!

	Cost/person	#people	Total
Registration Fee	\$5.00 x	_____	_____
Bag Lunches, Saturday	\$5.00 x	_____	_____
Sat. Banquet/Dinner	\$15.00 x	_____	_____
Fly-Over	\$20.00 x	_____	_____
Canoe Rental	\$15.00 x	_____	_____
		TOTAL	_____

Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_ E-Mail \_\_\_\_\_

- Field Trips**

  - # \_\_\_\_\_ Dolly Sods
  - # \_\_\_\_\_ Blackwater Canyon Hike
  - # \_\_\_\_\_ Spelunking
  - # \_\_\_\_\_ Bowden Cave
  - # \_\_\_\_\_ Sinks of Gandy/Stillhouse
  - # \_\_\_\_\_ Fly Fishing
  - # \_\_\_\_\_ Canoeing
  - # \_\_\_\_\_ Blackwater River
  - # \_\_\_\_\_ Shavers Fork
  - # \_\_\_\_\_ Corridor H Tour
  - # \_\_\_\_\_ Wildflower Walks
  - # \_\_\_\_\_ Saturday, Blackwater
  - # \_\_\_\_\_ Sunday, Cathedral
  - # \_\_\_\_\_ Fly-Over, please indicate preferred day and time.

Please send registrations to:  
 WVHC & WVRC  
 1999 Blackwater Review  
 801 N. Randolph Ave.  
 Elkins, WV 26241  
  
 304-594-2276  
 daves@labs.net



**YOUNG from page 2**

feel good, knowing that they are enjoying a "Naturalized Area" only twenty feet away. How do they know? An official sign on the guardrail tells them so!

Now, the Department of Highways thinks it is good at road building. But I question their judgement about what constitutes a natural area. Their logic that they can somehow "naturalize" an area by putting up a birdhouse, and a sign, is twisted, distorted, demented. What's the harm? Maybe only a little. Maybe a lot. How many folks, young and old, will never know what it means for an area to be natural unless the road sign says it is? How many of them will never seek to stand in a forest where one cannot see direct sunlight at high noon? How many will never stop to listen to a roaring creek cascade down a waterfall or along a rocky creek bed? How many will never experience the sounds and sites of wildlife other than the thud and the crumpled car hood from a collision with a deer on that interstate highway? Why won't they? Because the sign on the guardrail didn't tell them about these other, more genuine natural areas.

The more we try to naturalize, the further from a natural state we take things. To truly naturalize, the environment must be left alone, to be natural. Mankind can live in harmony with nature. But mankind can no more "naturalize" than fish can humanize or devils can make holy. ❖

### **1999 Cheat River Festival ! Friday Evening, April 30 & Saturday, May 1, 1999; Albright, West Virginia**

The 5th Annual Cheat Festival in Albright, West Virginia promises to be better than ever. The downriver race, known as the "Cheat River Massacre-ence," kicks off the Festival weekend at 5:00 PM sharp on Friday, April 30th with an evening downriver race exhilarating for paddlers and landlubbers alike. Expert paddlers will compete head to head through twelve miles of the wildest rapids on the rugged Cheat Canyon. Participants must register between 1:00 PM and 4:00 PM Friday at the Festival site and pay a race entry fee of \$20. For more information, call race coordinator Rob Voorhees at (304) 599-9513.

Festival gates open at 1:00 PM on Saturday, May 1st, allowing plenty of time to hear the bands, explore the booths, taste the treats, and relax on the banks of the Cheat.



Government leaders supplicate themselves in prayer for coal, a video snap by Bob Gates. From left to right: House Speaker Bob Kiss, Senate President Earl Ray Tomblin, Governor Cecil Underwood, and UMW District 17 President Bob Phalen at the March 12 Miners Rally at the Capitol.

The Fest generally winds down around midnight Saturday after the last band calls it an evening. Come prepared for whatever the weatherman offers as the Festival goes on rain or shine!

Find the Festival on Route 26, 10 miles south of I-68 Exit 23 (Bruceton Mills). From Exit 23, just follow Route 26 south until you see signs for the Cheat Fest.

On Saturday afternoon you'll find plenty of activities for families, including our memorable Kids' Area and a variety of stage acts. This year's Kids' Area will feature fun and educational activities planned by members of the West Virginia Rivers Coalition in conjunction with the Mountain's Promise program of Americorps. Come watch the puppet show entitled "What is the Color of Water?" or just stop by and paint one of the larger-than-life fish.

Another fun activity for folks of all ages will be "CHEAT FEAT," a game with ten questions all about the Cheat River and the people who protect it. The game will be fun, easy, and educational. All contestants are eligible for prizes. The grand prize is a raft trip for four, donated by Appalachian Wildwater/ USA Raft.

This year's Festival once again spotlights an exciting variety of musical talent. Performing Saturday afternoon and evening are: The Elktones, Joint Chiefs, Michael and Carrie Kline, Minstrel Paul & Cat, Nature's Own, Keith and Joan Pitzer, The Short Brothers, The Wildwater Band and The Zucchini Pickers. If you've never heard some of these musical acts, you don't know what you're missing!

A traditional and ever-popular event is the Cheat Fest Silent Auction, featuring enticing arts and crafts, kayaks, paddles and outdoor gear, as well as a surprising array of goods and services. Throughout the day, folks can view all the items on display at the Silent Auction Booth and write in their bids ... again and again and again, until time is called, the Silent Auction is complete, and the highest bidders walk (or paddle) away with their merchandise. Not only do people get fantastic deals, but all the proceeds go towards the restoration and preservation of the Cheat River.

Friends of the Cheat is looking for volunteers to help out before, during and after the Fest. For more information contact Kerry Manier at the Friends of the Cheat office: (304) 329-3621, email: [foc@cheat.org](mailto:foc@cheat.org), or visit their website at [www.Cheat.org](http://www.Cheat.org) ❖

### **Yup, He's from the "Get out the Cut" Industry as One Would Expect**

A Parkersburg native is the new head of the Division of Forestry, Governor Underwood announced Wednesday.

Charles R. "Randy" Dye, 47, is an area procurement manager for Georgia-Pacific Corp. in Brookneal, Va. He has worked for the company for 21 years in Virginia, Georgia and North Carolina.

Dye will be paid \$65,000.

He replaces Bill Maxey, who resigned in October over opposition to the Underwood administration's support of mountaintop removal strip mining. ❖

## LETTERS

### Make the Blackwater Canyon a National Park

*Here is a letter from two persons who have a special place in their hearts for the Blackwater canyon sent by Julian Martin from the many copies mailed him.*

Dear Congressman Mollohan :

In late July 1968, my maternal grandfather, Clayton Watring, died in Blackwater Canyon, West Virginia, when the track car in which he was riding jumped off the Western Maryland track and crashed several hundred feet into the canyon. I was 14 at the time, and did not want to go with my father to the site of the accident. But I always wondered about it.

Last autumn, while enjoying our annual vacation to Tucker County, my wife and I walked the abandoned railroad bed to the point in the canyon where my grandfather died. I found growing there a beautiful hardwood tree, in full autumn glory. I called it "Clayton's Tree."

That hike along the canyon was one of the most rewarding and moving walks of my life. At that tree and in that canyon, I connected with my grandfather and his mountain heritage. And despite the sorrow of the event that brought me there, I found great comfort in the majestic surroundings. I left the canyon making plans to visit it again on our next visit and walk an even longer section.

But later that afternoon, when we stopped at a restaurant in Davis for dinner, I learned that this beloved, majestic canyon is under attack from bulldozers and chain saws. I found it unbelievable that such a national treasure had not only been taken away from the people, but was being destroyed by logging interests. I had just read Ronald Lewis' book *Transforming the Appalachian Countryside* (University of North Carolina Press), and could not believe that the same kind of disregard shown for the virgin forest 90 years ago was once again being played out in this canyon, one of the eastern United States' most scenic spots.

West Virginia is a very special state to me. My parents grew up there and I spent the best days of my childhood there. For the past 25 years, my wife and I have vacationed in West Virginia every year. We spend one week a year in Tucker County--it is the only vacation we take, but we return time and time again to this great area. I live for that week in October and the wonderful scenery we enjoy while we are there. We enjoy hiking these woods, watching the wildlife and photographing the incomparable beauty found there.

I and the thousands of others for whom Blackwater Canyon hold special memories and meanings need your help. Please preserve this canyon for future generations, so that one day I can take my grandson to "Clayton's Tree," so he, like the generations before him, can enjoy the glory of a hardwood forest on an autumn day. This canyon is a success story for nature; please stop the logging, otherwise another 80 years will

pass before it will appear as it did on that magnificent autumn day last October.

Please work with Congress to establish the Blackwater Canyon National Park. Please keep West Virginia wild, wonderful and free for all to enjoy.

May God bless you in your efforts to preserve his magnificent creation.

Carl E. & Barbara J. Feather  
Kingsville, OH +

### The Highlands Voice Appreciated

Editor:

Many thanks to you and the many writers responsible for the Highlands Voice publication. It is a very excellent work with a very high quality of writing - I can hardly put it down! As a member of WVHC, I wish I had the time to be personally involved with WVHC's work - perhaps when I retire and move to WV! Thanks again for your work and please pass along my thanks to the many "Voice" contributors for a truly excellent job. Your work really is making a difference for WV.

Bill Wegener March 21  
Carnegie, PA

*[Thanks for your kind words. I'm happy that you appreciate our efforts, Bill. Ed.] +*

### Illegal logging by the US Forest Service

*The following letter was sent to Peter Shoenfeld, our web site editor*

Dear Mr. Shoenfeld:

I wish to call to your attention the direct violation of federal law occurring on lands managed by the U.S. Forest Service. The Fernow Experimental Forest located in Tucker County, WV is a separate administrative unit of the U.S. Forest Service, and is not a part of the Monongahela National Forest. The Fernow Forest employs a full time logging crew, and is actively engaged in harvesting timber in violation of existing federal law. The Fernow Forest under the guise of research is harvesting timber and making no efforts toward reseedling or replanting the harvested areas.

Specifically, the Fernow Experimental Forest is violating the National Environmental Protection Act (NEPA) by failing to provide the environmental assessments required by that law before undertaking research projects that require clearcuts and other timber harvests. The Monongahela National Forest is required to meet NEPA requirements.

I urge your organization to challenge the Fernow Experimental Forest in Federal District Court and stop this ongoing illegal logging. As the Fernow Experimental Forest is located adjacent to Blackwater Canyon, I'm sending a copy of this letter to Linda Cooper (Blackwater Canyon Committee Chairperson) and a copy to the Public

Lands Management Committee Chairperson, Sayre Rodman. Because of my current employment I must remain anonymous.

Sincerely,  
NEPA March 31, 1999 +

### Sierra Club clarifies agreement with Crties over Blackwater Canyon

Editor:

I enjoyed the analysis in the March Voice of the standstill agreement with Allegheny Wood Products over logging in Blackwater Canyon. I hope you'll let me add a couple of clarifications and comments.

First, to set the record straight: We did not agree to lay off on our Endangered Species Act lawsuit if AWP is having discussions with the Fish and Wildlife Service (the agency responsible for administering the Act). Rather, we agreed to hold off as long as logging and other development are stopped. When and if AWP gives us the required 60 day notice of any plans to resume logging, the endangered species lawsuit comes off the shelf.

One point on which we concur: Neither the Conservancy nor other groups are prevented from dealing with AWP in their own way. If someone finds a tougher approach that might work, we welcome them to come forward and pursue it.

Let me add that we intend to be vigilant in our defense of Blackwater Canyon. For example, the same day the ink was drying on the agreement, we notified AWP of our intent to sue them over proposed logging on other small parcels of land in the lower canyon.

The Conservancy and its members have been staunch defenders of the Blackwater Canyon, in a protracted battle that shows no sign of ending soon. As we all work together toward the common goal of protecting the Canyon and seeing it become the public treasure it deserves to be, I look forward to the day we can brag to our grandchildren about the beautiful Blackwater Canyon that they will know, love, and enjoy. I firmly believe that day is coming.

Sincerely,

Jim Sconyers April 2  
WV Sierra Club Blackwater Canyon  
Campaign

LETTERS concluded on page 14



# Brooks Bird Club Resolution



**Whereas the Brooks Bird Club's mission encourages intelligent use and preservation of our natural resources;**

**Whereas mountain top removal and valley fill substantially alter native habitats to exclude fauna such as Cerulean warblers, Swainson's warblers, herptiles, and native plants;**

**Whereas the Brooks Bird Club supports conservation practices that provide for lasting avian populations and biological diversity;**

**Whereas mountain top removal and valley fill reclamation cannot duplicate native biodiversity and causes degradation of native flora and fauna habitats;**

**Whereas mountain top removal and valley fill reclamation substantially change and degrades habitat, resulting in establishment of exotic flora and fauna that seriously impact native wildlife such as West Virginia birds, mammals, amphibians, reptiles and insect species;**

**Whereas mountain top removal and valley fill reclamation support a minimum number of native species (principally game species such as white-tail deer), and destroy the forest's biodiversity;**

**Whereas mountain top removal and valley fill increase forest fragmentation, are in direct conflict with maintenance of West Virginia forests for migrant neotropical birds, and are on a par with the destruction of tropical rain forests in its impact on species;**

**Whereas runoff and erosion from mountain top removal and valley fill mining operations and reclamation result in stream degradation and loss of freshwater fish species;**

**Therefore, the Brooks Bird Club resolves that the mining practice of mountain top removal and valley fill be abolished in the state of West Virginia.**



**The Brooks Bird Club**

P. O. Box 4077

Wheeling, West Virginia 26003

Adopted by the Board of Directors on November 7, 1998



photo courtesy of Penny Loeb

## ACID concluded from page 3

farming 23 years ago. The St. Marys River was one of his favorite spots until the rainbow trout started disappearing in the 1980's. Then the brown trout also vanished. Now only brook trout, which can tolerate more acidic water, are still in the river, and their numbers, too, are diminishing. He no longer fishes the St. Marys.

"You walk along the river and it's flowing bright and clear," he said. "It's beautiful, until you realize there's nothing growing on the rocks. And there's no insects. The stream was full of insects."

To resuscitate the St. Marys, Virginia recently tried to neutralize its acidity by dumping 140 tons of limestone sand from a helicopter into the river. The lime is expected to stabilize current fish populations for five years or more.

"We recognize that this is a temporary stop gap," said Mr. Bugas, the state biologist. "The key is to reduce emissions."

Armed with such statements, as well as draft copies of the Federal report and their own studies, *New York environmental groups have joined forces with organizations like Trout Unlimited in Virginia, West Virginia, Tennessee and North Carolina to lobby Congress to pass Mr. Moynihan's bill* [italics added by editor].

"In a weird way, this has been good for New York," said John Sheehan, a spokesman for the Adirondack Council, an environmental group. "It bears out the warning that we issued more than 10 years ago: that the Adirondacks are the canary in the coal mines. We're dying first, but that doesn't mean everybody else is immune." ✦

## LETTERS concluded from page 13

### Poems Express Feelings About Blackwater Canyon

Editor:

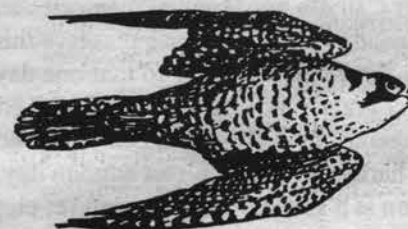
I'm sending copies of my original poems and hope they convey my feelings concerning Blackwater Canyon Park. I'm a native of the area. I know it well - from the plains - Dolly Sods, and the mountain sides to black bear, deer, grouse, whip-poor-wills, to timber rattlers and that evil copperhead snake

The area has been the botanists paradise. Dr. Earl Core took us on a field trip from Davis to Petersburg one year. I saw and heard many compliments concerning fauna and flora.

Please do all you can to save it for us and future generations.

Sincerely,

Donna E. Herron March 23  
Morgantown ✦



## Whole-tree Logging

### *Vacuuming the Northern Forests*

By David N. Carle

This article was submitted by Don Gasper

#### Introduction

Whole-tree logging, the removal of the entire tree including all the branches and crown, is both a relatively new form of logging and "the extreme in (forest) management" (Coates, 1982). In some areas of the northeastern United States and Canada, whole-tree logging is becoming the practice of choice.

Today, on two of the five ranger districts on the White Mountain National Forest (WMNF) 60-75% of the timber logged is by whole-tree logging (US Forest Service, 1993). It is common on industrial lands in Maine and New Hampshire, and takes place on some public lands including the White and Green Mountain National Forests.

Despite the lack of research, some 1,050 biomass plants are now operating in the United States (Johnson, 1993). Wood-to-energy plants in New Hampshire alone burn approximately 1.2 million tons of wood chips (equal to approximately 480,000 cords of wood) a year. Supplying these wood-to-energy plants with wood chips could have major impacts on New England forests.

#### Soil Disturbance

Whole-tree logging uses large, mechanical equipment. This equipment has increased the amount of soil disturbance in the areas being logged. In a study of four whole tree clearcutting (WTC) sites, 92% of the soil surface was disturbed on two of the sites, 98% on one site, and 71% on the last site because the rest of the area was too steep and rocky for the operation of heavy machines (Pierce, *et al.*, 1993).

Soil disturbance can range from destroying soil structure, reducing or eliminating regrowth for several years, to scarification. This is exposure of mineral soil without a canopy. If rain drops do not erode it, soil can become crusted and compacted solely by rainfall impact, to the point where seedling roots may have trouble penetrating the soil (Pierce, *et al.*, 1993).

Pierce, *et al.* (1993) found that at three WTC sites, 48-81% of the areas were compacted. Compacted soil inhibits "root penetration, aeration, and infiltration capacity, which may lead to soil saturation, erosion, and reduced seedling growth" (*ibid.*). Indeed, Martin (1988) found that logging equipment can cause compaction on more than 90% of a site. "The evidence seems clear that compaction, however slight, reduces seedling germination and growth to some degree" (*ibid.*).

Organic matter on the ground conserves forest nutrients, natural fertilizers, soil conditions, water stabilizing elements, and other life supporting requirements (Coates, 1982). Humus, organic debris including dead plants, leaves, twigs, tree trunks, and roots in various stages of decomposition, is an important source of nutrients. Hans Jenny of the College of Natural Resources at the University of California, Berkeley, stated:

*"For soil to function effectively in plant production it must possess substantial water-holding and ion-exchange capacities, good physical structure, and thriving populations of bacteria, fungi, and invertebrates. These attributes are highly correlated with humus substances, which are dark-brown organic macromolecules rich in phenolic compounds and are derived from plant remains and microbial synthesis. Humus has high absorptive capacity for toxic metals, and its buffering power mitigates the impact of acid rain. Humus maintenance requires a steady influx of plant biomass from root decay and aboveground organic residues"* (1980, emphasis added).

Biomass operations remove almost all of the above-ground organic residues. According to Pierce, *et al.* (1993), clearcutting of northern hardwoods leads to a decrease in thickness, organic content, and nutrient content of humus. "Within 3 to 15 years after cutting, the 'O' horizon (humus) is reduced by about one-half."

Little research has been conducted to determine the amount of residue needed to maintain soil conditions for regeneration and growth (Cramer, 1974). Despite this lack of knowledge and understanding of the impacts of whole-tree logging, some foresters continue to promote it.

#### Structure Simplification

Whole-tree clearcutting dramatically changes the vegetative characteristics of the logged area. Species present at the site before logging usually regenerate, but in very different proportions. According to Pierce, *et al.* (1993):

*"We expect that 75-100 years will be required on each site to establish precutting levels of basal area, biomass and density."*

*WTC imposed a distinct even-aged structure, likely to persist for 75-100 years, on the forest. Mechanical activity of skidders over most of each site crushed or damaged existing seedlings."*

In many cases, economic pressure will cause logging to occur long before the 75-100 years required to restore structural diversity to the site. Essentially, 75-100 years in the evolutionary succession of the forest are irretrievably lost for it will never be allowed to develop.

Whole-tree thinning can change the entire structure of a forest. Eastern forests are complex in structure, having multiple layers of canopy. The many different kinds and ages of trees and other vegetation mean multiple layers of leaves. The more foliage layers, or the greater the vertical complexity of forest vegetation, the more breeding birds generally found in the forest (Willson, 1974). Whole-tree thinning removes the economically less valuable trees, thereby eliminating the multi-layer canopy. Whole-tree

thinning is the foresters' version of ethnic cleansing.

#### Nutrient Loss

Whole-tree clearcutting removes over 90% of the above-ground biomass, or approximately 20-25% more of the original biomass than a stem-only clearcut (Pierce, 1993). Also, nutrients such as nitrogen, calcium and potassium are removed. Indeed, Pierce, *et al.* (1993) found that "WTC removes from 1.2 to over 3 times the nutrients removed with conventional stem-only clearcutting."

In New Hampshire, many biomass operations are thinning "junk" or economically low-quality wood. Yet, this young low quality wood has a high amount of nutrients in the branches and crown. According to Pierce, *et al.* (1993),

*"The difference in nutrient removals between whole-tree and stem-only clearcutting is greater in young stands than in older stands, because a greater proportion of stand biomass is contained in the nutrient-rich crowns of young stands."*

According to R.H. Waring of the Department of Forest Ecology at Oregon State University (1980):

*"The annual growth of a forest peaks when the forest canopy first closes. A policy to thin or harvest at this time is not uncommon. Unfortunately, the forest's use of nutrients is also highest at this time, so complete tree harvesting results in a major loss of the available nutrients, exceeding 50% of the pool for some minerals such as potassium."*

Pierce, *et al.* (1993) found that "a single WTC removed 4-6% of the total N, 5-13% of the Ca, and 2-3% of the K."

Over a 100-year rotation, nitrate is usually fully replaced due to the amount of nitrate in air pollution. Potassium input and output is basically balanced in an undisturbed forest, so any logging causes a depletion. Magnesium depletion is similar to that of potassium.

Presently, acidic precipitation is depleting calcium in the soils of New England. Logging leads to increased leaching of nutrients, and can double the rate of Ca loss.

"With WTC, the loss of Ca is 13-33% in 100 years for one harvest and 21-58% for three harvests at the four sites examined. Acid precipitation and WTC harvest removal contribute about equally to Ca depletion...Calcium depletion already may contribute to Red Spruce mortality at high elevations." (Pierce, 1993).

One of the summary conclusions from the Canadian Forest Service's National Forestry Institute on whole tree removal states:

**LOGGING concluded on page 20**

## Your Help Needed! Update on the Campaign for Blackwater Canyon National Park By Vivian Stockman

West Virginia Highlands Conservancy members and friends all around the state have been responding to our newspaper ad campaign. We have a camera-ready quarter page ad that urges people to write Congressman Mollohan *et al.* about Blackwater Canyon National Park. The ad features a cut out letter to send to Mollohan and Brad Basil's endangered flying squirrel art. Individuals and groups in many counties are either donating or raising the money to run the ad in their local papers. If you would like to get the ad in your local paper, copy of the ad, e-mail [vivian@wvadventures.net](mailto:vivian@wvadventures.net) (Or call 927-3265.) So far the ad has appeared in ten different papers.

Letters to the editor help support the ad campaign. You can visit our website at [www.wvhighlands.org](http://www.wvhighlands.org) for ideas about writing your own letter to the editor.

On March 22 friends of the Blackwater Canyon went to Washington, DC, to talk to our West Virginia elected officials about the establishment of the Blackwater Canyon National Park. Our Canyon representatives were: WV Highlands Conservancy's Judy Rodd; West Virginia Rivers Coalition's Pam Moe Merritt; the Tucker County High School Environment Club members, Katrina Ray, Lauren Tigue and Elizabeth Gillespie; and the operator of Tucker County's Granny Gear (a mountain bike racing business). Jim Bollard, president of Brooks Bird Club, came along for part of the day.

This is when they learned of the urgent need to ask Senator Byrd and Congressman Mollohan to introduce a bill authorizing a **Special Resources**

**Study** from the National Park Service as the first step in creating a Blackwater Canyon National Park. So what we need is citizen action NOW. If you haven't already done so, please call Senator Robert Byrd at (202) 224-3954 and Congressman Alan Mollohan at (202) 225-4172 and ask them to introduce such a bill as described in the previous sentence. The bill authorizing the study ought not to be a hard step for our elected officials. The study would determine the validity of establishing the Park, and would look at all the benefits and any possible drawbacks. Since we have over 13,000 signatures from people wanting to save the Canyon, this should give our elected officials an impetus for action.

The WV Congressional delegation has so far received hundreds of letters asking for Blackwater Canyon National Park. To write: The Honorable Alan B. Mollohan, 2346 Rayburn HOB, Washington, DC 20515-4801. The Honorable Jay Rockefeller, 311 Hart Senate Office Building, Washington, DC, 20510. (We'd like to see a copy, too: Julian Martin, WVHC, PO Box 306, Charleston, WV 25321, or e-mail him at [jumartin@wvwise.org](mailto:jumartin@wvwise.org).) Please help spread the word so that more letters come in. ✦

## National Forests in Alabama Shut Down!

PRESS RELEASE of February 12, 1999 (Rick Landenberger posted this on WISE)

Today, the National Forests in Alabama suspended all timber sales on all four forests due to "irregularities" found in the timber sale program for the Shoal Creek Ranger District in the Talladega National Forest. A phone conversation by Wild Alabama Executive Director Lamar Marshall with the Regional Forester's Office in Atlanta confirmed that this action by the Forest Service is due, in part, to the years of work and litigation done by Wild Alabama and WildLaw over illegal timber sales on all the National Forests in Alabama. According to the Forest Service, this action shutting down the forests was the result of three things: (1) years of appeals and litigation by Wild Alabama and WildLaw showing violations of numerous laws, (2) the recent Inspector General's report showing violations of federal laws in virtually every National Forest timber sale they examined in Virginia and Mississippi, and (3) inside reports from courageous Forest Service employees who confirmed what we and the Inspector General have been saying. The Inspector General's report is a scathing indictment of the Forest Service's gross noncompliance with the environmental laws. It can be downloaded at <http://www.usda.gov/oig/auditrpt/auditrpt.htm>

WildLaw and its Executive Director Ray Vaughan have worked on protecting the National Forests in Alabama since the mid-1980s; since the early 1990s, that work has been on behalf of Wild Alabama and the Alabama Wilderness Alliance. In that time we have caught (and proven successfully in court and in administrative appeals) the Forest Service doing the following:

- a.. Failing to consider numerous direct, indirect and cumulative impacts of their timber sales, as required by the National Environmental Policy Act (NEPA);
- b.. Failing to protect endangered, rare species and migratory birds;
- c.. Violating the National Historic Preservation Act by not protecting historic Native American sites on the Bankhead National Forest;
- d.. Using up to 19 times the legal limit of herbicides on the National Forests; and
- e.. Converting natural forests into pine plantations.

Since 1995, legal work by WildLaw and Wild Alabama have halted timber sales on more than 55,000 acres of public lands in the National Forests in Alabama. Just two weeks ago, Regional Forester Elizabeth Estill ruled in our favor in two timber sales on the Talladega, due to the Forest Service's failure to comply with NEPA and consider impacts to migratory song birds.

Next week, Ray Vaughan and Lamar Marshall are scheduled to meet with Regional Forester Estill to discuss this situation. Since we do work in all the National Forests of the region through the organization Wild South, we intend to tell her that every National Forest in the South has these same kind of problems. We will insist that she shut down timber sales on all National Forests in the South, from Texas to Virginia. Ray

Vaughan says, "The Forest Service needs to clean house, the whole house; starting with the room Alabama is good, but cleaning up just one filthy room will not do the job." According to Lamar Marshall, "This shut down vindicates the many years of hard work we have done surveying, watching and litigating over destructive and illegal Forest Service practices. We may have been a lone voice howling in the wilderness once, but now, everyone knows we were right about something being very wrong with how the Forest Service manages our public lands in Alabama."

For more information, contact Ray Vaughan at WildLaw, 334/265-6529, or Lamar Marshall at Wild Alabama, 256/974-3166.

*Lamar Marshall and Ray Vaughan are on the board of Appalachian Voices. They attended the board meeting this summer in Pettus, WV, with the Coal River Mountain Watch. I had the good fortune to meet them at this time, and to learn about the kinds of good works they are doing for our Southern forests. Our hats off to these "environmental extremists" who carried on for years fighting the good fight to finally become vindicated. Editor. ✦*



## Something Smells Foul Here! Is Rocky in Crites Back Pocket?

From Fanny Seiler's column of March 23

Allegheny Wood Products has hired Webber McGinn to handle its public relations abroad, according to Lane Bailey, a Webber McGinn executive who does international work for the company. Webber McGinn is a public relations firm located in suburban Washington. Bailey formerly was chief of staff for U.S. Sen. Jay Rockefeller, and, in that position, helped broker a deal to exchange some of the land owned by Allegheny Wood Products in the Blackwater Canyon with the U.S. Forest Service. Those negotiations broke down. ✦



# Corridor H: Has CHA Caved In?

*Q and A on the Corridor H Agreement (with a note on what the court didn't say)*

By Hugh Rogers

Questions most frequently asked about the agreement between Corridor H Alternatives (CHA), The WV Department of Transportation (WVDOT), and the Federal Highway Administration (FHWA):

- \* Are you giving up?
- \* Can the DOT take my land now?
- \* Will the mediator impose a settlement?
- \* How far will the new construction extend?

The short answers are No, No, No, and a little more than four miles, to the point where the Corridor first meets US 219. For more on the agreement, read on:

On Friday, March 26, CHA, WVDOT, and FHWA filed a joint motion in the U.S. Court of Appeals to ask for certain "clarifications" on the Court's injunction against Corridor H construction. These are the points agreed on, and their effects on the injunction:

1. Construction may resume on the Northern Elkins Bypass, an extension of Corridor H from its current terminus at Aggregates, on US 33 three miles west of Elkins, to a new terminus on US 219 one mile north of Elkins. The bypass is four and a quarter miles.

(a) The bypass is excluded from the injunction's requirement that all 4(f) studies must be completed before any of the 100-mile Corridor may be built. Section 4(f) of the federal transportation law protects some historical, cultural, recreational, and wildlife preserve sites from the impacts of highway construction. No sites remained to be studied along the path of the bypass.

(b) The parties agreed that the bypass has "independent utility," i.e., it will be useful whether or not Corridor H is further extended; there is or will be sufficient traffic to justify the cost of a four-lane bypass; and the bypass has a "logical terminus," i.e., it makes sense to complete it at US 219.

2. The parties agreed to use mediation to explore changes in the project that could avoid,

reduce, or mitigate impacts to Section 4(f) properties.

(a) WVDOT and FHWA are required by law to avoid such impacts as long as there is a "prudent and feasible alternative." Our experience with Corridor H shows that the agencies prefer to bulldoze and mitigate (see "Lipstick on a Pig," *Highlands Voice*, August 1998). If that policy continued, we would have to sue them again to protect the threatened sites. We agreed that mediation is a lot cheaper than litigation.

(b) Mediation is different from binding arbitration. The parties did not agree to accept whatever the mediator suggested, and the mediator has no authority to enforce a compromise. If we can reach agreement on any part of our dispute, the court will approve it. The parties will meet face-to-face to seek solutions with the mediator's help.

3. No right-of-way acquisition will be allowed while the injunction remains in effect. WVDOT must stop condemning people's land for an alignment that may have to be changed. For the same reason, no final design work may be done except on the Northern Bypass. The agreement allowed preliminary design work, if necessary, for the same purpose as the mediation effort: to explore possible alternatives that could avoid, reduce, or mitigate impacts to Section 4(f) resources.

4. Finally, WVDOT will provide information to CHA on the schedule of 4(f) studies, so we will be better prepared to comment or object. In the past, WVDOT and its contractor, Baker Co., have spent months and sometimes years on section-by-section studies and then dumped them on us with a two-week deadline to respond. Then they have accused us of delay!

The agreement has caused some confusion, which for the most part we have enjoyed. Old certainties were undermined. New eyes were opened. *Ad hominem* attacks were reduced. The chairman of the Committee for

Corridor H, Bill Hartman, grumbled, "It's a shame money has to be spent on trivial stuff that doesn't mean much to anybody." Apparently, "trivial stuff" included the special places WVDOT must avoid. Now there's a minority opinion for you!

NOTE: After the agreement was announced, Secretary of Transportation Bonasso declared, "The court said Corridor H should be a four-lane." Did rejection of our NEPA claim mean endorsement of the four-lane design? No - the Court of Appeals did NOT say that. WVDOT does not have to study the alternative of upgrading existing highways over the entire 100 miles, but the issue remains open for Section 4(f)-protected places. Where traffic is low (most of the alignment), a "prudent and feasible alternative" to the impacts of construction must include the option of improving highways we've already built. That's a proper subject for mediation. ✚



*Spotted Sandpiper*  
*Actitis macularia*

## Join the West Virginia Highlands Conservancy

Category	Individual	Family	Organizational
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: \_\_\_\_\_

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

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.

## Mountain Top Removal Forum Held in Spencer

*Antagonists Listen to Each Other's Views*  
By Vivian Stockman and Chuck Wyrstok

The Concerned Citizens' Coalition (CCC) of Roane, Calhoun and Gilmer Counties presented an educational public forum on mountaintop removal on Tuesday March 30<sup>th</sup> at the Heritage Park Community Building in Spencer. Doors opened at 6 PM for the public to view informational displays. From 7 to 9 PM speakers representing all sides gave three-minute speeches on the controversial mining practice. The panelists then answered audience questions for about one and a half hours.

Panelists were: Division of Environmental Protection chief Michael Miano; Delegate Oscar Hines; David Todd, Vice President of Arch Coal; coalfield resident Larry Gibson; Janice Nease from the Coal River Mountain Watch; miner Zak Totten; Rick Abraham of the Logan County Coal Vendors Association; Teddy Hapne of the United Mine Workers; Cindy Rank of the West Virginia Highlands Conservancy; Norma Steenstra of the West Virginia Citizen Action Group; and Janet Fout of the Ohio Valley Environmental Coalition.

Rick Abraham bused in perhaps 30 Logan County miners and their families.

Before the panelists began their speeches, tempers flared in front of a giant Charles Ryan and Associates (public relationships) pro mountaintop removal display ("It's the right thing to do.") However, CCC's Chuck Wyrstok managed to diffuse the situation. Perhaps the presence of the state police helped too.

Bob Hamburg of CCC served as the "time fascist," blowing an ear piercing whistle if anyone went over their allotted time. Roane County science teacher Bob Mertz did an excellent job keeping both panelists and audience within the forum structure. The strictly moderated forum gave all audience members an equal chance to ask questions, as names were drawn out of a basket. To save time and to prevent creating factions at the meeting, applause was not allowed. Janet Fout said she knows of no other group that moderates a forum as well as CCC. Cindy Rank said this type of forum ought to be held all over the state. For perhaps the first time ever, some Logan County miners listened to mountaintop removal opponents without booing. (EPA, take note of our forum structure!)

Because CCC attempts to keep as level a playing field as possible (no pun intended), the groups gained credibility with the local community and respect from opponents. An antagonist from Logan County that Chuck Wyrstok encountered early in the evening, came up to him after the forum to apologize and say he "respected the way things were run." Chuck told him we were all in this together trying to find a common solution.

About 200 people were in attendance. The local newspaper and radio covered the event, and gave us publicity both before and after the forum. Channel 8 from Charleston filmed the entire event.

Many thanks to the CCC members who

## Action alert!

*This from Roger Featherstone of Greenlines via Don Garvin. We in West Virginia should be quite concerned on this issue!*

March 21, 1999

Folks, like it or not, rider mania is here again! It's time to roll up our sleeves and tell Congress once again that anti-environmental riders are an unacceptable way of conducting our nation's business. The sooner we can stop this latest batch of riders, the sooner we will be able to "train" Congress once again to protect our nation's natural heritage in the light of day instead of dismantling environmental protections by sneaking around in smoke-filled hall in the dark of night.

This rider is one we've faced three times in the last three years! The mining industry and their buddies in the Senate are once again trying to derail the BLM's attempts to strengthen federal protections against hard rock mining. Please read the following alert from the Mineral Policy Center and do everything in your power to stop this - and all anti-environmental riders.

Thanks,  
Roger Featherstone, GREEN Director

### Mineral Policy Center - Mining Reform Alert

**Support stronger environmental safeguards against irresponsible mining Tell your senator to support Senator John Kerry's amendment to delete anti-environmental mining rider**

For the third time in the last three years the Senate, bowing to pressure from the mining industry, is attempting another sneak attack to derail efforts to strengthen environmental safeguards against irresponsible mining. This time, industry supporters have added an anti-environmental mining rider to the entirely unrelated Emergency Supplemental Appropriations Bill (S.544), which is intended to aid Hurricane Mitch victims in Latin America. This is the latest in a series of delays that are intended to prevent new, stronger regulations from being issued during the Clinton Administration.

The rider would delay the release of revised environmental mining regulations (43 CFR 3809) until at least 120 days after the National Academy of Sciences issues an unnecessary study examining the adequacy of the existing patchwork of federal and state mining rules. Without the rider, a stronger rule could be issued as early as the beginning of October. If the rider passes, it's unclear when stronger environmental safeguards would be enacted, if ever.

organized the event, especially to Bob Hamburg who perfected the structure of the event and spent hours on the phone getting all the participants together. CCC will happily provide our insights on how to run such an event in your community. Contact Bob Hamburg at 655-8662, Chuck Wyrstok at 927-2978 or Vivian Stockman at [vivian@wvadventures.net](mailto:vivian@wvadventures.net). ♦

What is clear is that the mining industry will try and block stronger safeguards for as long as they can get away with it. They're not after information, the just want to stop the safeguards. We need your help to see that they don't get away with it ---that they don't get away with blocking the long overdue revision of the BLM's hardrock mining regulations and keep them from falling victim to closed-door delay tactics and stealth rider attacks.

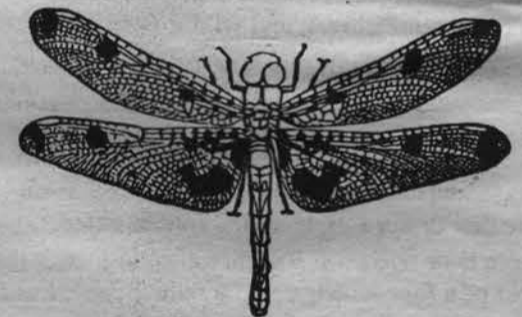
### **What you can do**

On Tuesday, Senator John Kerry (D-MA) will offer an amendment, co-sponsored by Senators Russ Feingold (D-WI) and Mary Landrieu (D-LA) to strike the anti-environmental mining rider from S. 544. Please contact your Senators and urge them to support Senator Kerry's amendment to strike the rider. Tell them that stronger safeguards:

- \* should no longer be obstructed by riders on unrelated bills and closed-door delay tactics;
- \* are necessary to protect the environment from irresponsible mining;
- \* are necessary to prevent mining companies from sticking taxpayers with hundreds of millions of dollars in abandoned mine cleanup costs.

The Capitol switchboard phone number is (202) 224-3121.

For more information, contact Mineral Policy Center at 202-887-1872 or [mpc@mineralpolicy.org](mailto:mpc@mineralpolicy.org).



Dragon-fly (*Diplax Elisa*).

### **HERO concluded from page 19**

soul-stirring beauty, often compared to a cathedral, given the quality of its golden light and the play of green shadows.

Sounds positively ethereal, doesn't it?

A guy like Hurwitz should be sent over to negotiate deals with Saddam and Milosevic. Problem is, he's likely not to consider anything that would pay him less than 50,000 an hour which the Civil Service Commission would frown on.

As for Bruce Babbitt, our guy for brokering what he refers to as "win-win" deals, corporate economic goals invariably prevail. According to Alexander Cockburn, "under [Babbitt's] stewardship, the Endangered Species Act has become a virtual dead letter, and the headwaters collapse demonstrates this sad fact yet again."

So we have a new American hero. Bet John Crites has put Hurwitz's picture up! ♦

## Calendar

**April 9 and 10** - Big Sandy River Tri-State Conference. Breaks Interstate Park, on the Kentucky/Virginia border. The conference focuses on water quality problems within the Big Sandy River Basin. Contact: Ken Cooke 1-800-928-0045 ext. 473.

**April 9 thru 11** - Appalachian Spring gathering. At 4-H Camp in Front Royal, VA. Ten-state regional gathering sponsored by Sierra Club. Activism training and other workshops. Fee: \$65 which includes 5 meals, linens and lodging. For more information, call Ed Drane at (843) 341-4685 or Jim Wright at (703) 820-3341

**April 10 & 11** - Stanley Heirs Foundation weekend gathering at Kayford Mountain. For information call 586-3287 or 522-0246.

**April 12 thru 14** - Backpack Dolly Sods. Sierra Club Outing. Three days, two nights. For more info call John Harris at 229-9227.

**April 16 thru 18** - Cranberry Wilderness and Backcountry led by the Sierra Student Coalition. For info call christy Moses at 284-0155.

**April 17** - Annual meeting of the Forest Watch Coalition. Saturday, 3 PM, at the Green House, 801 N. Randolph Ave. in Elkins (off Rte. 219). Call Beth Little, Chair, at 653-4277 or Jim Sconyers, Coordinator, at 789-6277 for details.

**April 24** - Anti Mountaintop Removal Rally. State Capitol, west side of building - outside walk. 1 p.m. - 3 p.m. Contact: Laura Forman at OVEC office: 522-0246

**April 24** - Good Earth Festival. Jackson County Fairgrounds - 9 a.m. until 9 p.m. Admission free. Contact: Nona Conley at nconley@wvwise.org or, 304-824-5178.

**April 30 & May 1** - Cheat River Festival. Starts with downriver race at 5PM on Friday (participants need to register earlier; call Rob Voorhees for details at 599-9513). Booths and bands at 1 PM on Saturday. For full information, see detailed announcement in this Voice issue.

**May 1** - Canoe the Smokehole Canyon. Sierra Club Outing for experienced paddlers. Call Joe Carney for more info at 344-2797.

**May 8** - Blackwater history tour. Sierra Club Outing. Call Jim Sconyers for more info at 789-6277.

**May 11** - Forest Forum with Steve Hollenhorst, WVU School of Forestry, as speaker. Topic: Changing Public Attitudes to the Forest. Held in the Elkins Public Library at 7 PM. Public encouraged to attend. For questions call 637-4082.

**May 14 thru 16** - The West Virginia Highlands Conservancy Spring Review. Blackwater Falls State Park. *Note that this event has been rescheduled so as not to conflict with the Spring Wildflower Pilgrimage at the Park.* Some rooms have been blocked off for prospective attendees. You may make reservations now for rooms if you wish - mention the WVHC when you do this.

**May 15 and/or 16** - Wildflower weekend sponsored by Sierra Club. Come for either or both days. Easy walks. Call Jim Sconyers at 789-6277.

**May 22** - Allegheny Trail hike near Watoga State Park. Sierra Club Outing. Possibility of overnight camping. For more info call/email Tom Prall at 924-6553 or wvabooks@aol.com

**May 29 thru 31** - Three wild lands in this one Sierra Club outing - Laurel Fork Wilderness, east fork of the Greenbrier Wildland from base camp at Middle Mountain Cabin. Call Jim Sconyers on this one (789-6277). ♣

**June 8** - Forest Forum. Details to be announced. For place and time see May 11 entry above. Call 637-4082 for details.

**June 12** - Planning West Virginia's State Forests Conference/Workshop, Sponsored by Forest Watch Coalition. When: Saturday, 9:00 AM - 4:30 PM. Where: Days Inn Flatwoods, WV (I-79). See May Voice for more details, or call 637-4082.

**June 21 thru 24** - Fire & Grit, Working for Nature in Community, a Millennium Conference. Sponsored by the Orion Society. Speakers and participants: Wendell Berry, Barry Lopez, Bruce Babbitt, Robert Hass, Peter Mattheisen, Terry Tempest Williams, Ann Zwinger, Greg Watson, Stephanie Mills, Gary Paul Nabhan & others. Held at the National Conservation Training Center, Shepherdstown WV. \$225, \$175 for Orion members inc. all plenary & outdoor events, reserved space in collegium, lunch & dinner Tues., Weds., & Thurs. For details check Fire & Grit at website [www.orionsociety.org](http://www.orionsociety.org). For further information email [orion@orionsociety.org](mailto:orion@orionsociety.org) fax (413)528-0676 phone (413)528-4422 ext. 34.

**July 10** - Summer Board Meeting of the WVHC at place to be announced.

**July 13** - Forest Forum with Zach Henderson, executive director of Shavers Fork Coalition, as speaker. Topic: The Watershed in West Virginia's Forests. Details similar to May 11 entry above.

**August 10** - Forest Forum with Rick Landenberger, WVU School of Forestry, as speaker. Topic: Old Growth. Details similar to May 11 entry above.

**Sept. 14** - Forest Forum with Craig Stihler, West Virginia Division of Natural Resources, Natural Heritage Program, as speaker. Topic: Threatened and Endangered Species. Details similar to May 11 entry above.

**October 12** - Forest Forum with Dr. Jim Kotcon, WVU Dept. of Plant & Soil Science, as speaker. Topic: Air Pollution Impacts on West Virginia's Forests. Details similar to May 11 entry above.

**October 15 thru 17** - Fall Review in Morgantown.

## A New American Hero ?

### Move over Bill Gates

By Bill Reed (with credit to Alexander Cockburn, Dave Saville and William Booth of the Washington Post)

Charles Hurwitz is a businessman from Texas. Some would say he was a businessman in the finest American tradition. When he went deeply into debt to take over the Headwaters redwood groves in Northern California in a hostile takeover from Pacific Lumber, it stood to reason that he would be in a liquidating mood. Meaning, of course, clear cutting very valuable old growth redwood trees. As a shrewd businessman he probably knew in advance that he would be taken to task for any such destruction by thousands of irate citizens. But under the laws of the land he was holding many of the cards. But not all of them. He could have been brought to heel, relatively speaking, under the Endangered Species Act if the government had so chosen. The current deal cooked up by Senator Dianne Feinstein and others, and rubber stamped by Bruce Babbitt and Gray Davis, the new California governor, gives Mr. Smart Businessman, Hurwitz, all the breaks.

So 10,000 acres has passed from private to public ownership, that is the good news. Now lets look at the rest of the deal. Only about 4000 acres are old growth, the rest is a patchwork of clearcuts

and second-growth stands. For this land the state of California and the Federal government pledged to pay \$480,000,000. By my calculation that amounts to \$48,000 per acre! And the lions share of this property has been logged off or clear cut. It is a very sweet and generous gift to Hurwitz from the taxpayers of California and the U.S. at large. If this whole area were clearcut (which Hurwitz had planned to do) and every tree were to be converted to lumber, the monetary value would be only about one-fourth of the amount pledged to Hurwitz. Now this fellow knows what he's doing if you measure his business acumen by the amount of capital he produces.

The ultimate trump cards were held by Babbitt and company in the form of the Endangered Species Act. These lands are home to the northern spotted owl and the marbled murrelet, both endangered species. But Hurwitz is a man who can run a tough bluff. *In addition to this great deal, he got free reign to log 136 million board feet on 210,000 acres of other Pacific Lumber land. With a "habitat conservation plan" he can now log and circumvent the Endangered Species*

*Act.* Besides, now he can hold his head up with environmentalists as having done the right thing! He wins both ways!

So how did the corporate media report his? From the Washington Post of March 3, this story appeared by William Booth, Washington Post Staff Writer

After years of negotiation and rancor, the largest stand of ancient redwoods still in private hands was sold today to the government so that the towering forest, and the endangered species it harbors, can be preserved for generations to come.

The federal government and the state of the California agreed to pay Pacific Lumber Co. \$480 million for 10,000 acres of redwood forest along the Northern California coast, including the rarest of the rare: thousands of acres of a primordial habitat known as the Headwaters Forest.

The Headwaters is a grove of moss-draped trees that are as old as the millennium and as tall as 20-story buildings. It is a place of hushed and

**See HERO on page 18**

## Poems by Donna Herron

## The West Virginia Hills

The West Virginia hills, oh, how barren  
And how damned!  
They are being stripped and plundered  
By the money hungry band.  
They are not concerned with beauty  
Nor the Great Almighty's scheme  
That Man must work with Nature  
To perpetuate the scene

Where are all our lofty summits  
So majestic and so grand,  
And the lovely virgin forests  
That once graced our native land?  
Naked hillsides, empty bird's nests,  
Dirty streams are everywhere,  
And the dead cannot lie safely  
In the Earth they thought was theirs.

Who will be the benefactors  
When the future makes it clear  
That the damming of Cheat River  
Once more robs the Mountaineer?  
Is it any wonder then  
That our hearts with anger fill  
As we now behold the spoilage  
Of our West Virginia Hills? ❀



Current destruction at Blackwater Canyon

## To Whom It May Concern

"Go and vote. Be patriotic,  
It's your duty," we are told  
So we do and find out quickly  
Once again our rights are sold.

If we can't trust those elected  
To protect our native wealth,  
We must find a working method  
To repel their use of stealth.

No one person has the answer  
Tho our monster has a name.  
"Greed" is what we call him;  
He admits no sin or shame.

Those concerned with West Virginia  
Must unite to save our state.  
We cannot afford lip service  
Of the kind we seem to rate.

For no matter where we see it,  
Brown and barren, and more still  
Of these ravished wastelands;  
We won't even have a hill! ❀



## LOGGING concluded from page 15

"Harvesting whole trees means the removal of twig and leaf tissues which contain high nutrient concentrations, and account for 28 to 92 percent of the nitrogen, 20 to 83 percent of the phosphorus, 6 to 85 percent of the potassium, and 5 to 87 percent of the calcium in the above ground components" (Coates, et al., 1982).

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