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# *The Highlands Voice*

The Monthly Publication of the West Virginia Highlands Conservancy

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## **A MONUMENT TO PROTECT THE BIRTHPLACE OF RIVERS**

The Birthplace of Rivers Initiative, a broad statewide coalition of communities, businesses, sportsmen, river organizations, recreation and conservation groups, has made public the specifics of a proposal to permanently protect an iconic part of West Virginia's Monongahela National Forest as the Birthplace of Rivers National Monument.

The proposal is the result of a collaborative process to solicit feedback over the past year from various stakeholders and the general public. The full proposal is available at [www.BirthplaceOfRivers.org](http://www.BirthplaceOfRivers.org). The release of a specific proposal is an important next step in a public process to discuss the value of preserving the recreational, scenic and heritage-based traditions West Virginians cherish on the Mountain State's public lands.

"It is essential that we permanently preserve this area so we have clean water and healthy lands to pass down as our legacy to our children," said Angie Rosser, Executive Director of the West Virginia Rivers Coalition. "After much collaboration, we now have a proposal that will protect the natural and cultural resources of the land while fostering economic development and maintaining access for fishing, hunting and other outdoor recreational activities that are important to many user groups and local communities."

### **Treasured Landscapes**

The aptly named Birthplace of Rivers National Monument is

the home to the headwaters of six of West Virginia's most highly regarded rivers - the Cranberry, Cherry, Elk, Gauley, Williams and Greenbrier Rivers. The proposed monument is limited to federal land currently managed by the U.S. Forest Service (USFS), including the:

- Cranberry Wilderness which features dense forests of red spruce, trout streams and black bear habitat;
- Tea Creek Backcountry, with some of the best mountain biking trails in the Mid-Atlantic;
- Cranberry Glades, a unique series of tundra-like bogs which shelter migratory birds and rare plants;
- The site of the former Mill Point Federal Prison which imprisoned prohibition moonshiners and conscientious objectors;
- The iconic Falls of Hills Creek which includes West Virginia's second-highest waterfall; and
- The Highland Scenic Highway which skirts the Cranberry Wilderness, providing unparalleled views of the Williams River Valley.

Many of these special features are protected under temporary guidelines, which are always subject to future administrative changes. Such changes could drastically alter the way these areas are managed, and could compromise some of West Virginia's most popular scenic areas and most visited outdoor recreation destinations.

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## Ramblin' the Ridges

By Cynthia D. Ellis

### BOO! HISS! HOOT!

"Then there is our environment: towering dark mountains, deep shadowy hollows, evening and early morning fogs, the intense quiet broken only by the falling leaves, an owl's call, the cry of some unnamed night creature. All lend themselves to a sense of the supernatural, of someone or something watching, lurking, in the dark and hidden places along our roads." So wrote the Appalachian storyteller, "Granny Sue".

The call of an owl certainly can add to the Hallow's Eve season here in West Virginia. And we have a number of owls that make a variety of calls.

Two come to mind when folks think of "hoot owls." The Great-Horned Owl is nicknamed "Old Eight-Hooter" and makes deep soft rhythmic calls. Nearly two feet tall, with striking head feathers arranged in tufts ["horns"], this big bird can tackle prey large and diverse--house cats, skunks--and the males and females call in differently pitched tones.

The second hooter is the Barred Owl. Heard fairly regularly in daytime, this handsome brown-eyed bird has many vocalizations. Its main call has been said to resemble the words, "Who cooks for you...who cooks for you-all?" with a drawn out hoo-ahh on the end. But this can segue into deliciously fearsome variations with many a waver and repeat.



**Saw Whet Owl**

effort only show 9 confirmed nesting sites. But some of those are long-term and thriving. In addition to their phantom appearance, Barn Owls make a drawn out hiss-sss-ing sound, particularly when defending young.

Two nighttime callers are seen or heard even less often. There are only two confirmed nest sites for the elfin Northern Saw-Whet Owl. But it makes up in unique voice for its diminutive size. The call sounds like a school bus backing up; sounding its alarm... or like an old-fashioned two-man saw being sharpened by a whet stone; hence the "saw whet" part of its name.

Long-eared Owls have only been limitedly reported as "possible" or "probable" breeders. More come here to spend the winter, so it could be a bit past the scary season before many people can hear their hollow voiced hoots and squalls.

A champion at waver and quaver calls is the Eastern Screech-Owl. This robin-sized wailer comes in two colors--red and gray, but oddly those phases don't relate to sex or habitat. Two distinct portions make up its ghostly sounds...a "Screech" and "Whinny." Some birders can whistle these calls and enjoy hearing the response from a hillside.

Barn Owls--ghostly white--are scarce now in most parts of West Virginia. Current results of the ongoing Breeding Bird Atlas

**(More on p. 10)**

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## THE BIRTHPLACE OF RIVERS (Continued from p. 1)

The Birthplace of Rivers National Monument would safeguard these unique areas from potential threats by solidifying the intent of most of the area's current management.

### Monument Proposal: Continued Access, Recreation and Restoration

A national monument designation would permanently protect the iconic resources in this area while providing the flexibility to meet place-specific management and access needs identified by the community.

Under the proposal, the U.S. Forest Service would continue to manage the area. Activities such as hunting, trapping and hunting with dogs would be allowed and ecosystem restoration and management by the West Virginia Division of Natural Resources (WVDNR) to improve fish and game habitat would continue.

Establishment of the monument would not close any motorized routes currently open to the public and mountain biking would continue to be allowed on recognized trails. No new roads could be created in the national monument except for public safety or to provide necessary access to further the values for which the monument was established.

The monument proposal also calls for a flexible approach to spruce and spruce-hardwood restoration, a key management objective currently emphasized in much of the area. In a letter to the Pocahontas County Commission earlier this year, USFS Chief Thomas Tidwell has indicated to local officials that national monuments have strong potential to improve local economies through tourism and restoration activities.

As a national monument the federal lands within the monument would be permanently protected from potential industrial activities. A designation would also preserve valid existing rights such as previously-existing leases, grazing and rights-of-way. No private lands would be affected by the proposed monument.

"A National Monument would provide a balanced, flexible designation that serves as an honor to the Mountain State and meet

the access and management needs of this special area," said Mike Costello, Executive Director of the West Virginia Wilderness Coalition. "The current proposal reflects a sincere willingness from many West Virginians to come to the table and collectively address certain issues and create a vision for what we want the protected future of this special land to look like."

### Economic Benefits of Monument Designation

In addition to establishing stronger protections, a [recent independent economic report](#) indicates that a national monument designation could support 143 jobs and bring

vistas, tallest waterfalls, cleanest waterways, and a series of sphagnum bogs forgotten by time. The national monument would also marry West Virginians' love for the land and its renowned musical heritage.

"The natural beauty of our Mountain State is one of the greatest gifts God has given to West Virginia. Establishing the Birthplace of Rivers National Monument will allow us to pass this legacy on to our children" said Rev. Jeffrey S. Allen, Executive Director of the West Virginia Council of Churches. "This endeavor is about preserving the history, the heritage, and the rich mountain culture of West Virginia. It is about birthing a new economy for the people West Virginia."

The Birthplace of Rivers would be the only National Monument in West Virginia, and would be the first managed by the USFS in the eastern United States. A national monument can be designated either by Congress or the President.

The full proposal can be found at [www.BirthplaceOfRivers.org/proposal.html](http://www.BirthplaceOfRivers.org/proposal.html).

###

*The Birthplace of Rivers Initiative is a collaborative effort bringing business owners and community leaders together with organizations including the West Virginia Rivers Coalition, West Virginia Council of Churches, the International Mountain Biking*

*Association, West Virginia Council of Trout Unlimited and the West Virginia Wilderness Coalition. The West Virginia Wilderness Coalition is a partnership of the West Virginia Highlands Conservancy, the Wilderness Society and the West Virginia Chapter of the Sierra Club.*

**Note: Look for a related story on p. 9.**



**High Falls on Hills Creek**

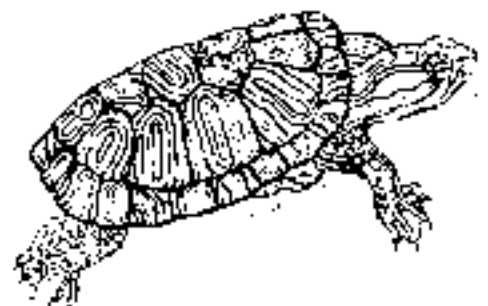
Photo © Jonathan Jessup

a total of \$5.2 million in economic activity to the region annually. The designation could also generate a total of more than \$800,000 annually in tax revenue which would help support libraries, hospitals, emergency services and local arts programs.

"This is an important step toward a brighter economic future for this region of West Virginia," says Lewisburg Mayor John Manchester. "Signature protected lands like national monuments have been shown to make communities more attractive places for people to live and work. Local residents are likely to see numerous benefits including additional jobs, greater support for community institutions and more entrepreneurial opportunities."

### Opportunity to Protect Land That Defines the Mountain State

The Birthplace of Rivers is home to some of West Virginia's most dramatic



# COAL INDUSTRY AND DEPARTMENT OF ENVIRONMENTAL PROTECTION SEEK RELIEF FROM WATER TREATMENT RESPONSIBILITY

By Donald S. Garvin, Jr.

West Virginia Environmental Council Legislative Coordinator

Bad legislative proposals seem to never suffer the death they deserve at the West Virginia Legislature, particularly when the coal industry is concerned.

And that's the case again at recent Legislative Interim Committee meetings.

In July Subcommittee B of the Joint Judiciary Committee began consideration of the study topic: "Jurisdiction at Coal Mining Bond Forfeiture Sites and the Use of the Special Reclamation Fund To Pay Water Treatment Costs at Those Sites."

This is a revisitation of bills that failed last session that would have "relieved" the Department of Environmental Protection and the coal industry of their responsibilities under the Clean Water Act (CWA) and the Surface Mining Control and Reclamation Act (SMCRA) to treat water pollution at abandoned sites (HB 2352, SB 424, and HB 2826).

In July the committee heard claims from Jason Bostic, lobbyist and Vice President of the WV Coal Association, that the Office of Surface Mining Reclamation and Enforcement (OSM) and SMCRA never intended the Special Reclamation Fund to be used to treat water at abandoned sites.

"SMCRA's mandate is to 'prevent material damage to the hydrologic balance', not compliance with water quality based effluent limits," Bostic told the committee.

He said that the West Virginia coal mining industry is being "punished" for trying to do the right thing way back in 1985 – protect waters to a "reasonable standard." He told the committee, "As the CWA has matured and with the advent of water quality based effluent limits, it has driven the concept of water treatment at forfeiture sites to levels never anticipated."

Bostic concluded his remarks to the committee by outrageously claiming that abandoned coal mining operations "are NOT coal mining sites."

At the August meeting of Subcommittee B, legislators were told the other side of this story in a presentation Derek Teaney, a lawyer with Appalachian Mountain Advocates (Mike Becher also of AppalMad assisted in the presentation).

They had been invited to address the subcommittee by Del. Barbara Fleischauer (D-Monongalia), co-chair of the subcommittee. Unlike the Coal Association presentation, Teaney's remarks were fully annotated with references to appropriate federal laws, regulations and court decisions.

Here are some of the highlights of what Teaney told the committee:

- SMCRA requires permit applicant to submit a reclamation plan in order to obtain a permit. That reclamation plan must include a "hydrologic reclamation plan," detailing the steps to be taken to comply with effluent limitations and state and federal water quality laws and regulations, including treatment.
- OSM has expressly stated that Congress intended "that surface coal mining and reclamation operation should not proceed unless all applicable water quality standards are achieved and

maintained."

- Thus, SMCRA requires compliance with water quality standards.
- To prevent material damage to the hydrologic balance, an operator must comply with water quality standards.
- In order to obtain federal approval to run a state program, a state must develop a bonding program. The purpose of a SMCRA bond is to allow the permitting authority to complete the reclamation plan if the permittee forfeits the bond.
- A state has choices: Use a full-cost bonding system – wherein the applicant posts a bond in the amount that it would take for the permitting authority to complete the reclamation plan; or use an alternative bonding system, so long as that system will "achieve the objectives and purposes of the bonding program."
- In the early 1980's, West Virginia – with the support of the West Virginia Coal Association – chose an alternative bonding system, which would allow applicants to avoid posting a bond in the full amount.
- West Virginia's alternative bonding system is specifically designed to spread the risk of forfeiture across the entire industry. Although the West Virginia Coal Association now complains about that result, that was the design of the system that it endorsed in the early 1980's.
- The alternative bonding system consists of a site-specific bond capped at \$5,000 per acre. Because that amount is inadequate to complete reclamation, the alternative bonding system is supplemented by a fee assessed on each ton of coal mined, the proceeds from which go into the Special Reclamation Fund.
- The Special Reclamation Fund has been grossly underfunded since its inception.
- After years of insufficient funding, OSM told West Virginia that it must make changes to the alternative bonding system. After even more years of haggling with OSM, West Virginia finally corrected the deficiencies and OSM approved program revisions that mandated water treatment.
- OSM allowed West Virginia to continue its bonding program only after it determined that the state had acknowledged and affirmed its mandatory duty to treat water at bond forfeiture sites to meet water quality standards.
- OSM has consistently required that WVDEP's alternative bonding system include sufficient funding to treat water at bond forfeiture sites. The regulatory authority must use the bond to complete reclamation, and reclamation is not complete until all water quality standards are met.
- In implementing the water treatment systems, WVDEP must obtain an NPDES permit for its point source discharges.

There was much more to the AppalMad presentation. But Teaney concluded that no legislative fix is available or necessary, and that any attempted changes would jeopardize West Virginia's ability to implement a SMCRA program.

**(More on the next page)**

## BOOK REVIEW

### **THE RIPPLE EFFECT** by Alex Prud'homme

Reviewed by Cynthia D. Ellis

"The Fate of Freshwater in the Twenty-First Century", is the subtitle, and this is a scary book. Alex Prud'homme's *The Ripple Effect* begins with a corpse in a million gallon tank, and has a long paragraph on the details of how a person's system shuts down in dehydration... but those are small details in a volume that one critic called "encyclopedic." The cumulative information--- in chapters on Water Quality, Drought, Flood, and Conflict---are indeed comprehensive.

We, as members of the West Virginia Highlands Conservancy, are accustomed, perhaps even inured, to stories of water woes in our own Highlands areas. We read about them each month in *The Highlands Voice*. But those stories could have even greater impact when added to the cumulative nation-wide and world-wide view chronicled in this book.

The author points out that the world has the same unchanging amount of water but the volume and manner of its use has drastically changed. "We pollute it unthinkingly, price it too cheaply, and take too much of it from the environment too quickly." A close look at water management in our country shows a huge array of problems and shows that many individuals and agencies ignore the problems.

There are phrases which may be unfamiliar: "legacy contaminants", "body burden", "green streets", and "resource wars". There are heroes, such as Sister Francis Gerard Kress of New York, whose investigative efforts were sidelined by her church.

There's sewer talk and worries about old people. An aging population means more medications in the water system. "People wonder where their water is comin' *from*, but they never think about where it *goes*." [Jimmy Pynn of the Newtown Creek, NY wastewater management system]

Chickens make problems too, as with the industrial-type poultry farms of the West Virginia/Virginia border. Individual farmers within the factory farm system may not even know all the ingredients of the feed delivered by the company to them. This has led to run-off complications with little resolution and, in the Chesapeake Bay area, as elsewhere, "The core problem was the human fear of and resistance to change, which was encouraged by entrenched financial interests and abetted by a lack of political will."

Other birds are featured. When Snow Geese landed on a copper mine pit, 342 died. "...tests showed that the acidic water had eaten away the epithelium that lines the esophagus and then attacked the birds' internal organs."

Here in the eastern U.S. we are accustomed to "riparian" water rights based on British common law. It is revealing to read of Western woes, with reliance on "right of prior appropriation" based on Spanish precedent with roots in Latin law. Harry Reid did a water related political flip-flop; much like those of WV politicians in regard to coal [see our history book].

In Las Vegas, one property owned by the Sultan of Brunei, uses 17 million gallons of water a year.

T. Boone Pickens has proclaimed, "Water is the new oil!" and proceeded to buy up huge quantities of rural land specifically to control water rights.

There are also tremendous problems with floods, antibacterial soaps, bottled water ["bottled water can cost between 240 and 10,000 times as much as tap water], industrial water use vs. fisheries, and aging water infrastructure. Pennsylvania is one of a few states that still have a small number of WOODEN water pipes. "WV Water Vanishing" was a bold headline of a Charleston newspaper recently [9/1/13]. Glenville's city system was rated as best in efficiency, but 74 % of Matewan's water is lost and unaccounted for when it leaves the plant.

This book, however, is not all gloom and doom. This book is far from DRY. [sorry] Alex Prud'homme has fashioned an eminently readable account of a multiplicity of dilemmas, certainly. But he concludes with some hope and some solutions---recycling, rain harvesting, education...a water Czar! --- and he fervently urges us to take heed and take action!

## COAL INDUSTRY SEEKS TO AVOID RESPONSIBILITY

(Continued from previous page)

"If the Legislature strips WVDEP of its duty to treat to water quality standards at forfeiture sites, OSM will have to revoke its approval of the West Virginia program," Teaney warned.

Presentations were also made to the committee by Larry George, General Counsel WV Land and Mineral Owners Association (former WVHC president), and Jason Webb, a lobbyist with the same organization. Both told the committee that no legislation was necessary.

Subcommittee B concluded its consideration of this study topic at its September interim meeting with a presentation on the financial status of the Special Reclamation Fund by Kristin Boggs, General Counsel WVDEP.

It is not clear at this time whether the subcommittee will propose legislation similar to the bills introduced last session. However, it is likely that we will see similar bills introduced by coal-friendly legislators in January.

**Editor's note: *The Highlands Voice* fancies itself a newspaper, dedicated to reporting news. Since when is an attempt by the coal industry to avoid water treatment responsibility news? In spite of this lack of novelty, we will report this story. Even if it is no more than a new verse to an old song, it is something new.**

# THE POWER OF PLACE AND THE IMPORTANCE OF NATURAL QUIET IN CANAAN VALLEY<sup>1</sup>

By “ L. Cooper, adapted from <http://www.gcrq.org/bqr/14-1/power.html> Accessed 9/1/13.»

## Summary

There are special places in natural and built environments that have intense psychological power. Consciously and subconsciously, residents and visitors alike perceive these powers through all their senses. When intrusions interfere with these sensory inputs, the observers’ focus on the power of these places blurs.

A variety of recreational experiences are possible in Canaan Valley. Some like the fast and furious, but the slower and quieter modes, including just standing and listening, allow us to better experience the true nature of the place. The recently added State Park’s shooting range compromises this power for all but most especially for those who have long appreciated or now come to the Valley specifically for contemplative recreation. One can experience noise and its associated stresses at Disneyland or any number of places designed for the purpose. A shooting range is possible at many sites. In Canaan, it destroys the experience.

## The Power of Place and Spiritual Awareness

Seeking source material on the Web one quickly sees that most references to the importance of quiet in our lives have a spiritual, even religious, context. In Christianity alone, the role of quiet is pervasive (Psalm 46:10 “Be still, and *know* ...,” just one of a multitude of references to quiet.) The power of such scriptural context is obvious but other powers are also significant. In fact, these have to do with why we build churches, cathedrals, and synagogues; capitols, courthouses, and monuments so augustly. There are reasons architects designed the Federal Capitol building, sited it on a hill, and a reason the Lincoln Memorial faces the Capitol building directly across an impressive reflecting pool. They are designed to inspire, to be special places set apart from the normal and the routine. The power of these places brings our consciousness to another level. Joseph Campbell gave this example:

*I walk off Fifty-first Street and Fifth Avenue into St. Patrick’s Cathedral. I’ve left a very busy city and one of the most economically inspired cities on the planet. I walk into the cathedral, and everything around me speaks of spiritual mysteries....The stained glass windows, which bring another atmosphere in. My consciousness has been brought up onto another level altogether, and I am on a different platform. And then I walk out, and I’m back on the level of the street again.<sup>2</sup>*

Joseph Campbell studied how the mystique of a place transforms its visitors. The example here studies a built form, but natural environments can also take our consciousness to another level. The architecture of the Grand Canyon and the natural setting and geology of the Canaan Valley are as inspiring as any built form.

These special natural and built places possess what is called the power of place. People seek solitude and inspiration at places that possess this power, places such as the Grand Canyon, Yosemite, the Great Smokies, the Everglades, the New River Gorge, Seneca Rocks, Spruce Knob, and, yes, Canaan Valley. These are all among the special places on earth that have the power of place.

## Feeling the Power of Place

Experiencing places like Canaan is more than a quick snap shot at the side of the road, biking or hiking up and down its trails, floating its lazy river, or flying over its floor or down its snow-covered slopes. Experiencing the Valley requires absorbing the natural details into one’s body and soul.

There is no best way to experience it, but it requires intimacy and time. To know the Valley, a person must take up its essence through all the senses. It might be reasonable to conclude that seeing the Valley is the most significant part of experiencing it. One would think this also of the Grand Canyon where, with a 95 percent confidence level, some 94 percent of visitors reported that natural scenery was a reason that they visited national parks. A somewhat lesser but no less significant amount of 90 percent reported that natural quiet was a reason.<sup>3</sup>

However, the other senses are important too: the smells of pine trees and wet soil. The uninterrupted sound of a delicate breeze or a powerful wind through the trees, the swish of a hawk gliding through the air, the metallic cr-r-ruck of the raven—all these are important. One of my favorite sounds in the Valley is the silence punctuated with storm thunder, and then the patter of rain.

The sight and sound of Canaan Valley are the quintessential parts of the place. The sum derived from the sight, sound, and other sensory inputs creates powerful moods and feelings. The totality of these factors creates the power of place. This power affects the mood and soul of people who linger long enough, or comeback from a time apart, to appreciate it.

## Natural Quiet

Indigenous sounds are part of what is called natural quiet. While I do not know if the State of West Virginia has such a definition, the National Park Service identifies natural quiet as the absence of man-made sounds. Natural quiet is not necessarily the absence of sound, although it is the absence of human generated sound. It is the condition that allows enjoyment of naturally occurring sounds, the sounds native to an area. Natural quiet, sometimes in the form of primeval silence, is fundamental to the undiminished Canaan Valley experience.

As a person lingers and gradually absorbs the full meaning and feeling of the Valley, natural quiet grows in significance. Indeed, as people come to know and love Canaan, especially those that spend time away from the crowds, the quiet is generally recognized as an essence of the experience.

Grasser<sup>4</sup> states, “the average visitor consciously dwells on the quietness of the park or just takes it for granted, it is one of the premier resources that draws visitors to our parks.” She continues, “We know instinctively that the natural quiet is important and has an intrinsic value as do clean air and water.”

Although many come to the places like the Grand Canyon and the Canaan Valley to fulfill their curiosity, to take pictures, or just to see the beauty, many others come for contemplative recreation, to experience the aura and power of place, true power of the area. Compromising the natural quiet of the area is compromising the power of the place.

**(More on the next page)**

## QUIET IN CANAAN VALLEY (Continued from previous page)

A diversity of environments is important to the human psyche. Opportunities for contemplative recreation in natural settings are essential to many people, if not to all people. Even knowing that such places exist is valuable. To have diversity, we must save some places for quiet, even while letting noise into the bulk of our surroundings.<sup>5</sup> State and nationally protected area are the only places where it is possible for us average citizens to protect natural quiet.

### Canaan's Natural Quiet Being Compromised

First came the increase in vehicular traffic. In prime tourist season, it is now almost continuous. Then came all nature of sounds associated with local development, most especially the attendant air pumps and noisy fans. The gas wells have and continue to be abominably noisy both their drilling and, later, their eternal blowing off which can come at any hour of the day or night; relentless, persistent, and totally unpredictable. Next came the super-sonic, low flying jets. For some reason, even the military finds something about the Valley irresistible. They fly as low as possible and seem to love to frighten all of us residents to death with their also unpredictable auditory torture. Now, summer and winter, there are nearly constant flyovers by small tourist planes--one person's single enterprise being another's misery.

Some would call most of these noise intrusions the natural consequence of highly prized economic development, the price that must be paid for jobs and more prosperity. Regardless, the noise is essentially continuous. Even in the quietest parts of the park and the Valley, natural quiet has been compromised.

However, this does not mean that all gates are open and that further sound degradation is predictable, desirable, or uncontrollable. Given the Valley's unique acoustics, some noises, like a shooting range, are both discretionary and intolerable. Its cost in terms of compromise of the Valley's power of place and natural quiet comes at far too high a price.

Residents and visitors alike who value the quiet, solitude, and more contemplative forms of recreation are affronted and injured by such harsh sounds. They must make their views known to the Governor and to State Park officials. Some sounds are very difficult to control, others are optional. The sounds emanating from the shooting range are obnoxious, disturbing, and discretionary. Giving the matter yet a broader context, Herman<sup>6</sup> said it well: "If intrusive, urban-type attractions are allowed to squeeze out more passive, nature-oriented forms of recreation, our parks will become little more than government-subsidized summer resorts in quasi-natural settings."

### Conclusions

Some places have special power due to their constructed or natural qualities. This power of place is especially evident in the Canaan Valley. Things that change the natural characteristics of the Valley impact its power of place. As a power generator in church would steal the spiritual power, the sounds from a shooting range in the south edge of the Valley reverberates broadly and steal its power.

We have the responsibility to maintain a few places where people can address nature face to face. Places that preserve and maintain space for contemplative recreational pursuits are precious. Such public spaces are woefully scarce. Millions of people turn to the natural areas for this type of relaxation and inspiration. And, indeed, this is one of the highest needs that Canaan Valley can provide to West Virginia citizens and the American public.

1. Adapted from article at <http://www.gcrq.org/bqr/14-1/power.html> Accessed 9/1/13.
2. Flowers, Betty Sue, ed. 1998. *The power of myth*/Joseph Campbell, with Bill Moyers. New York: Doubleday.
3. NPS (US National Park Service). 1995. Report [to Congress] on effects of aircraft overflights on the national park system. Washington, DC.
4. Grasser, Mary Ann, and Kerry Moss. 1992. The sounds of silence. *Sound and Vibration* 26 (Feb.): 24–26.
5. *The Power of Place and the Importance of Natural Quiet in the Grand Canyon*. Canaan <http://www.gcrq.org/bqr/14-1/power.html> Accessed 9/1/13.
6. Herman, Dennis J. 1992. Loving them to death: Legal controls on the type and scale of development in the national parks. *Stanford Environmental Law Journal* 11 (3): 3–67.

## COMMUNITY UPDATE: BILL REED READY FOR A CHANGE

Many *Voice* readers will remember Bill Reed, the gentle, kind, irascible, uncompromising curmudgeon who served as editor of *The Highlands Voice* from 1996 (about) until 2002. For twenty three years he has lived in the wilds of Raleigh County (.7 miles from the end of the hard road), growing his own food, chopping his own wood, and trying to have as little impact upon the land as he could manage. He has a couple of human neighbors and an abundance of assorted furred and feathered neighbors.

Now he has decided it is time for a change. He is 87 and has come to realize that a person can't go on growing his own food and chopping his own wood forever. He has decided to move on.

Moving on entails selling his land. He owns 144 acres, mostly wooded with creeks and a wetland. He has a home, a workshop, and a studio. There is electric and phone service; water comes from a spring.

Bill's approach to "land management" has always been one of benign neglect. He cuts what trees he needs for firewood; he keeps clear enough ground for his hokme and garden. The rest he wants to leave alone, allowing it to eventually reach the condition it was in two hundred years ago.

He is looking for a buyer who shares his values. He doesn't want to sell it for the timber. He wants someone to live on it and let the land "manage" itself.

If you or anyone you know would be interest, you may reach Bill at (304) 924-5828 or [wilreed@ntelos.net](mailto:wilreed@ntelos.net). Or call him up just to visit.

## Join Now !!!

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ E-Mail \_\_\_\_\_

**Membership categories (circle one)**

	Individual	Family	Org
Senior	\$ 15		
Student	\$ 15		
Introductory			
Other	\$ 15		
Regular	\$ 25	\$ 35	\$ 50
Associate	\$ 50	\$ 75	\$ 100
Sustaining	\$100	\$ 150	\$ 200
Patron	\$ 250	\$ 500	\$ 500
Mountaineer	\$500	\$ 750	\$ 1000

Mail to West Virginia Highlands Conservancy PO Box 306 Charleston, WV 25321

**West Virginia Highlands Conservancy**  
**Working to Keep West Virginia Wild and Wonderful!**

### GREAT HISTORY BOOK NOW AVAILABLE



For the first time, a comprehensive history of West Virginia's most influential activist environmental organization. Author Dave Elkinton, the Conservancy's third president, and a twenty-year board member, not only traces the major issues that have occupied the Conservancy's energy, but profiles more than twenty of its volunteer leaders.

Learn about how the Conservancy stopped road building in Otter Creek, how a Corps of Engineers wetland permit denial saved Canaan Valley, and why Judge Haden restricted mountaintop removal mining. Also

read Sayre Rodman's account of the first running of the Gauley, how college students helped save the Cranberry Wilderness, and why the highlands are under threat as never before.

With a foreword by former congressman Ken Hechler, the book's chapters follow the battle for wilderness preservation, efforts to stop many proposed dams and protect free-flowing rivers, the 25-year struggle to save the Canaan Valley, how the Corridor H highway was successfully re-routed around key environmental landmarks, and concluding with the current controversy over wind farm development. One-third of the text tells the story of the Conservancy's never-ending fight to control the abuses of coal mining, especially mountaintop removal mining. The final chapter examines what makes this small, volunteer-driven organization so successful.

From the cover by photographer Jonathan Jessup to the 48-page index, this book will appeal both to Conservancy members and friends and to anyone interested in the story of how West Virginia's mountains have been protected against the forces of over-development, mismanagement by government, and even greed.

518 pages, 6x9, color cover, published by Pocahontas Press To order your copy for \$14.95, plus \$3.00 shipping, visit the Conservancy's website, [wvhighlands.org](http://wvhighlands.org), where payment is accepted by credit card and PayPal. Or write: WVHC, PO Box 306, Charleston, WV 25321. Proceeds support the Conservancy's ongoing environmental projects.

### SUCH A DEAL!

#### Book Premium With Membership

Although *Fighting to Protect the Highlands, the First 40 Years of the West Virginia Highlands Conservancy* normally sells for \$14.95 plus \$3.00 postage. We are offering it as a premium to new members. New members receive it free with membership.

Existing members may have one for \$10.00. Anyone who adds \$10 to the membership dues listed on the How to Join membership or on the renewal form will receive the history book. Just note on the membership form that you wish to take advantage of this offer.

### Leave a Legacy of hope for the future

Remember the Highlands Conservancy in your will. Plan now to provide a wild and wonderful future for your children and future generations. Bequests keep our organization strong and will allow your voice to continue to be heard. Your thoughtful planning now will allow us to continue our work to protect wilderness, wildlife, clean air and water and our way of life.

### Send us a post card, drop us a line, stating point of view

Please email any poems, letters, commentaries to the VOICE editor at [johnmcferrin@aol.com](mailto:johnmcferrin@aol.com) or send real, honest to goodness, mentioned in the United States Constitution mail to WV Highlands Conservancy, PO Box 306, Charleston, WV 25321.



# CONGRESS REMINDS US WHY NATIONAL MONUMENT DESIGNATION IS IMPORTANT

By Mike Costello

We've heard it before: *"The Monongahela National Forest is already protected. It will always remain just the way it is."*

We all wish those words were true, but in late-September, the House of Representatives reminded us that priority areas of our public lands need some help in order to remain just as special as they are today.

Indeed, Congress made potential threats apparent in a major way by passing two bills which aim to strip important environmental laws and open up public lands to unprecedented levels of development.

In order to protect priority areas of public lands from similar threats, a diverse coalition of West Virginian organizations released a collaborative proposal to preserve an ecologically and recreationally-significant portion of the Monongahela National Forest as the Birthplace of Rivers National Monument, providing much-needed protection in an age when our public lands are constantly under siege by extreme members of Congress, with the backing of the current House majority. (See story on p. 1)

The Bills are:

**H.R. 761 - "National Strategic and Critical Minerals Production Act of 2013"**  
*Under the legislation, virtually any non-vegetative material removed from the public lands is considered a "critical and strategic mineral" for which the normal environmental statutes and policies do not apply. Sec. 103 of the bill declares that the priority of the lead agency (in this case, the Forest Service) is to maximize mineral resource development while mitigating environmental impacts, so that more of the mineral resource can be brought to the market place.*

**Status: PASSED 276-178**

**H.R. 1526 - "Restoring Healthy Forests for Healthy Communities Act of 2013"**  
*The legislation mandates drastic increases in timber cuts on all National Forests nationwide, while limiting critical environmental review under the National Environmental Policy Act and the Endangered Species Act. Masked as an extension of the Secure Rural Schools program, the bill extends Secure Rural Schools for only one year, tying local funding solely to timber sales in future*

*years. This policy discourages economic diversification, creating dependence on cyclical extractive industries and setting important conservation and restoration efforts back in places like the southern Monongahela National Forest, which is still recovering from a period of unbridled industrial activity.*

*The bill:*

*-Requires each National Forest to establish "Revenue Reserve Areas", within which the Forest Service would be required to harvest and sell no less than 50% of the sustained yield each year.*

*-Allows unprecedented industrial activity while creating exemptions from laws such as the Endangered Species act and the National Environmental Policy Act (NEPA).*

*-Exempts Revenue Reserve Areas under 10,000 acres from environmental review and public comment.*

*-Prevents the Forest Service from reducing the size of the Revenue Reserve Areas, once they are established.*

*-Limits the scope environmental review, if review is even required.*

*-Prioritizes unsustainable levels of industrial activity over water quality, recreation, wildlife habitat and other values of the forest system.*

*-Essentially blocks citizen groups from filing lawsuits when development under this "logging without laws" measure goes wrong.*

**Status: PASSED 244-173**

## **A Path to Protection for Special Wild Places**

The citizen proposal for the Birthplace of Rivers National Monument (available at [www.birthplaceofrivers.org](http://www.birthplaceofrivers.org)) is the product of a collaborative effort to provide stronger, lasting protections against short-sighted decisions by Congress or a future administration which would alter the way this special land is used and enjoyed.

The proposal aims to keep the area just as it is, by permanently preserving backcountry areas and maintaining an emphasis on spruce and spruce-hardwood restoration, rather than leaving these areas at the hands of decision makers who favor extraction-based profits over people and special places. All currently-permitted access for hunting and fishing, gathering of wild foods or other recreational activities would

be unaffected by monument designation, ensuring these cherished activities will always be possible on this incredible landscape.

West Virginians can't afford to take a "do-nothing" approach if we want assurances that future generations can enjoy the woods and waters of the southern Monongahela National Forest. The Birthplace of Rivers National Monument represents a unique opportunity for the people of the Mountain State to come together to set aside some of our most iconic natural wonders and beloved recreational resources.

## **Take Action!**

Call our Senators and Representative Rahall. Ask them to protect the Monongahela National Forest's best woods and waters. Tell them why you support the Birthplace of Rivers National Monument!

**Senator Jay Rockefeller:**

304-347-5372

**Senator Joe Manchin:**

304-342-5855

**Representative Nick Rahall:**

202-225-3452

**Note: On HR 761, Representatives Shelly Moore Capito (R WV) and David McKinley (R WV) voted in favor of the bill. Nick Joe Rahall (D WV) voted against it. On HR 1526, Ms. Capito, Mr. McKinley, and Mr. Rahall all voted in favor of the bill. Mr. Rahall was one of seventeen Democrats to do so. Both bills have been referred to the Senate where was referred to the Committee on Energy and Natural Resources. The Senate has taken no action.**

## **Voice Available Electronically**

The Highlands Voice is now available for electronic delivery. You may, of course, continue to receive the paper copy. Unless you request otherwise, you will continue to receive it in paper form. If, however, you would prefer to receive it electronically instead of the paper copy please contact Beth Little at [blittle@citynet.net](mailto:blittle@citynet.net). Electronic copies arrive as e-mail attachments a few days before the paper copy would have arrived

## **MORE FROM CYNTHIA D. (Continued from p. 2)**

Few West Virginia birders speak of hearing Short-eared Owls, but we certainly do look forward to seeing them in some locations in winter. This visitor often flies just before dusk too, so this is one birdy apparition that can actually often be enjoyed with eyes as well as ears.

That then, is a brief summary of the haunting sounds of owls that could be heard in our state.

But, here within the West Virginia Highlands Conservancy and its volunteer board members, something else scary appears, and we need you to help relieve our fears.

We are fearful of failing. We are fearful of failing to take advantage of all the talents available through our general members. We are fearful of falling into a rut of slogging along---each of us individually---on our own portion of work for the West Virginia Highlands Conservancy, without seeking your ideas, input, and hands-on help. This is not to ignore the fine support you already give, in other ways, but to possibly add a new dimension.

So, Voice Editor McFerrin has been seeking your help on behalf of the board. He has posted invitation columns titled, "Want to Become More Involved" [see June and September issues]. Indoors or outdoors, there may be some way in which you can assist. Can you follow an issue, read governmental regulations, man a booth, lead a hike, draw a cartoon, write a letter to the editor of a newspaper, or send a photo? What else? Oh...and don't give up on us, if we respond less fully than you expect. Recruiting helpers and finding the right way to use talents may be new to some of us. Whether you contact a committee chairperson, or any board member, we'd like to hear from you. But we do need you. We need you to give a hoot.



## **Swan Song**

Summer sounds have bleached to pale  
Birds no longer cheering from the nest  
Nor lofting solos from tips of trees;  
Even the toads have stopped their trilling

Faintly heard, a tractor makes a go at neglected hay  
Luring an exhaust of swallows out of nowhere  
Pushing the day to its close  
Fireflies from uncut edges and blackberry boughs

Stars flicker on to park machines and birds alike  
To listen dreamily to the coming night  
Adorned with cricket tunes and katydid chants  
Bass staccato of a solitary owl

It's time to add a blanket to the bed  
On this Summer's dusk when all at once  
You recognize her parting song and find yourself reaching back  
As you might in a crowd, for your lover's hand.

E. R.



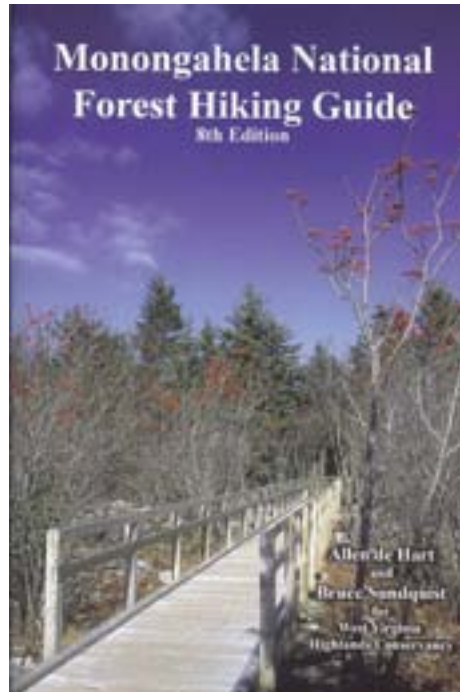
*The Highlands Voice* is published monthly by the West Virginia Highlands Conservancy, P. O. Box 306, Charleston, WV 25321. Articles, letters to the editor, graphics, photos, poetry, or other information for publication should be sent to the editor via the internet or by the U.S. Mail by the last Friday of each month. You may submit material for publication either to the address listed above or to the address listed for Highlands Voice Editor on the previous page. Submissions by internet or on a floppy disk are preferred.

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

The West Virginia Highlands Conservancy web page is [www.wvhighlands.org](http://www.wvhighlands.org).

The West Virginia Highlands Conservancy is a non-profit corporation which has been recognized as a tax exempt organization by the Internal Revenue Service. Its bylaws describe its purpose:

The purposes of the Conservancy shall be to promote, encourage, and work for the conservation—including both preservation and wise use—and appreciation of the natural resources of West Virginia and the Nation, and especially of the Highlands Region of West Virginia, for the cultural, social, educational, physical, health, spiritual, and economic benefit of present and future generations of West Virginians and Americans.



## The Monongahela National Forest Hiking Guide

By Allen de Hart and Bruce Sundquist

Describes 180 U.S. Forest Service trails (847 miles total) in one of the best (and most popular) areas for hiking, back-packing and ski-touring in this part of the country (1436 sq. miles of national forest in West Virginia=s highlands). 6x9" soft cover, 368 pages, 86 pages of maps, 57 photos, full-color cover, Ed.8 (2006)

Send \$14.95 plus \$3.00 shipping to:  
**West Virginia Highlands Conservancy**  
 P.O. Box 306  
 Charleston, WV 25321  
 OR  
 Order from our website at  
[www.wvhighlands.org](http://www.wvhighlands.org)

### New 8TH Edition Now Available on CD

WV Highlands Conservancy proudly offers an Electronic (CD) version of its famous Monongahela National Forest Hiking Guide (8th Edition), with many added features.

This new CD edition includes the text pages as they appear in the printed version by Allen deHart and Bruce Sundquist in an interactive pdf format. It also includes the following mapping features, developed by WVHC volunteer Jim Solley, and not available anywhere else:

- All pages and maps in the new Interactive CD version of the Mon hiking guide can easily be printed and carried along with you on your hike
- All new, full color topographic maps have been created and are included on this CD. They include all points referenced in the text.
- Special Features not found in the printed version of the Hiking Guide: Interactive pdf format allows you to click on a map reference in the text, and that map centered on that reference comes up.
- Trail mileages between waypoints have been added to the maps.
- ALL NEW Printable, full color, 24K scale topographic maps of many of the popular hiking areas, including Cranberry, Dolly Sods, Otter Creek and many more

Price: \$20.00 from the same address.

### BUMPER STICKERS

To get free **I ♥ Mountains** bumper sticker(s), send a SASE to Julian Martin, 1525 Hampton Road, Charleston, WV 25314. Slip a dollar donation (or more) in with the SASE and get 2 bumper stickers. Businesses or organizations wishing to provide bumper stickers to their customers/members may have them free. (Of course if they can afford a donation that will be gratefully accepted.)

Also available are the new green-on-white oval **Friends of the Mountains** stickers. Let Julian know which (or both) you want.



## **LISTEN UP! IMPORTANT ANNOUNCEMENT**

The West Virginia Highlands Conservancy will hold its annual meeting on Sunday, October 19, 2013, at Saranam Retreat Center, near Montrose in Randolph County at approximately 9:15 a.m. For directions, contact Hugh Rogers at [hugh.rogers@gmail.com](mailto:hugh.rogers@gmail.com)

The board meeting will include the election of at large Board members as well as any other business that may come before the meeting.

Immediately following the annual meeting will be the quarterly Board meeting. All members are welcome at the Board meeting and are free to take part in the discussion although only Board members may make motions and vote.

## **WILDERNESS COALITION TO HOST WILD AND SCENIC FILM FESTIVAL ON NOVEMBER 4**

The Wild and Scenic Film Festival, the nation's premier outdoor and conservation film festival, comes to Lewisburg's historic Lewis Theatre on Monday, November 4 at 7 p.m. The nationally-touring festival is hosted by the West Virginia Wilderness Coalition, and all proceeds will benefit the Coalition's work on the Birthplace of Rivers National Monument initiative, a campaign to permanently protect pristine streams, backcountry recreation and dense forests in the southern Monongahela National Forests.

The Lewisburg installment of the festival will feature films such as "How the Kids Saved the Parks", a short documentary about schoolchildren banding together to save the California State Park system, and "The Last Ice Merchant", an award winning film portraying the rapidly-changing lives of traditional Peruvian ice merchants, as well as short pieces full of breathtaking scenery, conservation messages and high-energy outdoor adventure.

Some of the Wild and Scenic Film Festival's best outdoor adventure films will be shown at on November 3 at Hill and Holler Bicycle Works in downtown Lewisburg during the "Birthplace of Rivers Bash" at 5 p.m. This special festival pre-party will celebrate the Birthplace of Rivers National Monument initiative with adventure films, complimentary refreshments and the driving Appalachian sounds of the Hell for Certain String Band.

Tickets are \$15 for the film festival, \$10 for the pre-party or \$20 for both events. Advance tickets can be purchased via PayPal at [www.wvwild.org](http://www.wvwild.org). Businesses, organizations or individuals interested in sponsoring the Wild and Scenic Film Festival may make contributions or receive more information at the Coalition's website.

The Wild & Scenic Film Festival was started by the watershed advocacy group, the South Yuba River Citizens League (SYRCL) in 2003. It is building a network of grassroots organizations connected by a common goal of using film to inspire activism. With the support of their National Partners: Patagonia, CLIF Bar, Sierra Nevada Brewing and Mother Jones, the festival can reach an even larger audience in four venues coast to coast.

## **RAFFLE! RAFFLE! WIN! WIN! WIN!**



**West Virginia Highlands Conservancy is pleased to present this amazing sculpture! The piece was generously donated by artist and member Mark Blumenstein; we call it "Mountain Melody: Phoenix Duet".**

**Mark has been creating art from recycled materials in West Virginia for nearly as long as WVHC has existed.**

**He prefers that the piece be offered for all to have a chance to own it, rather than be auctioned. So tickets go on sale on the date of the next board meeting, October 20, 2013. The raffle ends October 5, 2014 and a winning ticket will be drawn at the fall board meeting of October 19, 2014. Tickets cost \$3 or 2 for \$5. Purchase soon through the online store or contact any board member, especially Cindy Ellis, [cdellis@wildblue.net](mailto:cdellis@wildblue.net) .**

**Perhaps you have just the right spot to showcase this unique piece!**

# THIS LAND IS YOUR LAND--KANAWHA STATE FOREST

By Cynthia D. Ellis

Kanawha State Forest, seven miles from the city of Charleston, is a special bit of green space for many in the capitol city and nearby. Its 9,300 acres offer streamside and ridgeline trails, wildflowers, stands of hemlock...a convenient and unique chance to experience nature. "A Mecca of Recreation for the Greater Kanawha Valley." That's how one veteran supporter had always described it.



A group of about 25 people met at the forest on September 8 for West Virginia Highlands Conservancy's "This Land is Your Land Event." Among those on hand were forest staff Assistant Superintendent Kevin Dials and Naturalist Sara Miller, Carl McLaughlin of Kanawha Trail Club, and Bill Hall of the Kanawha State Forest Foundation. Very senior Kanawha State Forest supporters Clarence Aleshire and Flossie Kourey brought their historical expertise. We talked and learned how mining and timbering preceded the establishment of this facility and of its present uses and hopes for the future. Boosters have worked hard to list some forest structures on the National Historic Register.

Alas, the pest Woolly Adelgid is present on some of the hemlocks of the forest--an informational kiosk on invasive plants is planned for the near future. In a discussion on possible timbering for fire suppression purposes, the forest foundation representative assured us of the vigilance of his group regarding this, keeping in mind that the prohibition of timbering here had come from long collaborative debates.

Next Carl led our group as we hiked, and looked and learned more, on both history and features of the forest. Some Cardinal Flower was still in bloom; we also heard of how this spot tied in with the very early development of the salt industry in the Kanawha Valley.

No one tricked us into a "Snipe Hunt," such as was done frequently with young workers with the Civilian Conservation Corps when they labored here.

We just ambled along and then all thanked each other for coming together to enjoy the afternoon.

Maybe some even went home to hoist a cold beer in honor of the forest---having been told that in the late 1800's the Anheuser Busch Company cut lumber in these woods. The oak for beer barrel staves came from the place that was to become Kanawha State Forest.



**Hemlock Woolly Adelgid**

The little beasts are not really visible at this stage. They are hiding in their egg sacs (the white things) waiting for the right time to time to pop out and continue sucking the life from their hosts.



## CITIZEN ACTION FOR REAL ENFORCEMENT (CARE) – UPDATE AND THANK YOU

*To readers of the August Voice who responded to the call to action by signing the petition in support of the CARE campaign (and those who haven't yet responded but would like to now).*

Dear CARE Campaign supporter,

Thank you so much for standing up for real enforcement and signing the petition to the Office of Surface Mining (OSM) demanding intervention into the West Virginia Dept. of Environmental Protection's failed mining program. Our formal legal petition to OSM is chock-full of damning evidence of the DEP's failures to protect communities, but it's going to take more than facts and figures to push the OSM to take the kind of sweeping action we need. It's going to take the strong voices of regular citizens like you.

We've gotten off to a great start. More than 200 WV citizens like you have signed our petition and over 19,000 allies from around the country have emailed OSM and the Dept. of Interior in support of this campaign.

**This is a critical time for our campaign.** The OSM Regional Office in Pittsburgh has told us they expect to complete their initial review of our petition by **December 2nd**. Here are a few things you can do to help us keep the pressure on.

**Spread the Word.** We still need lots more signatures on the petition! Get your friends and neighbors to sign on today! They can sign it online at: <http://bit.ly/19jdqlr>. Or you can fill out the attached paper version and send completed sheets to:

733 Petition,  
c/o WV Highlands Conservancy,  
PO Box 306,  
Charleston, WV 25321

**Write a Letter to the Editor.** We also need to spread the word to the general public and letters to the editor of your local paper are a great way to do that. Just speak in your words about why these issues are important to you as a West Virginian. You can draw on our campaign summary here: <http://crmw.net/updates/citizen-action-for-real-enforcement.php>, or from the August issue in of *the Highlands Voice* (on line at [www.wvhighlands.org](http://www.wvhighlands.org))

**Volunteer with the Campaign.** In the coming months, we will be holding more public educational events, canvassing neighborhoods, and more. Let us know if you are interested in stepping up to help out in bigger ways. Thanks for all you do for the great state of West Virginia and we look forward to hearing from you.

For the land and people,  
Mathew Louis-Rosenberg  
Citizen Action for Real Enforcement Campaign

### Old Warriors Never Die (Or At Least Not Yet)

## HAPPY BIRTHDAY, MR. HECHLER

On September 20, 2013, former Congressman and Secretary of State and perpetual writer, speaker, and friend to the West Virginia Highlands Conservancy Ken Hechler celebrated his 99<sup>th</sup> birthday. Congratulations!

In the September, 2010, issue, *The Highlands Voice* noted what everybody assumed at the time was his final attempt at political office. While the assumption about the close of his life in electoral politics has held, he is still writing, speaking, and doing everything else he always did. So here's to you, Mr. Hechler—a happy birthday and many more.

To read about what Mr. Hechler has meant to the Conservancy over the years, go the archives ([www.wvhighlands.org](http://www.wvhighlands.org)) and read the September, 2010, issue of *The Highlands Voice*.



### CARE: Citizen Action for Real Enforcement - Petition

We, the undersigned SUPPORT the CARE campaign's petition to the Office of Surface Mining Reclamation and Enforcement to terminate West Virginia's mining enforcement program and implement a program that is accountable to the people of West Virginia.

Our support of the petition is based on the fact that West Virginia's failure to properly enforce its approved State program has enabled coal operators to use destructive mining practices that have devastated significant areas of its diverse, mountainous, and productive landscape. Waters have been contaminated for generations to come. These mining activities have caused communities and downstream areas to be subjected to increased flooding risks. Complete upstream watersheds have been rendered incapable of maintaining proper hydrological function. A huge portion of southern West Virginia has been permanently scarred by inadequately regulated mining and tens of thousands of additional acres are currently under permit or slated for permitting that would cause widespread additional significant harm to communities and their environment.

Print name

Address

Signature

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**Return to:** 733 Petition, c/o WV Highlands Conservancy, PO Box 306, Charleston, WV 25321

#### **MOUNTAINTOP REMOVAL UP CLOSE AND PERSONAL**

Visit Kayford Mountain and/or Mud River Mountain south of Charleston to see mountain top removal (MTR) up close. Bring lunch for a picnic on Kayford mountain. Hear the story on how the late Larry Gibson saved fifty acres from mountain top removal on Kayford Mountain. Call in advance to schedule. Julian Martin (304) 342-8989; martinjul@aol.com.

#### **OUTING CANCELLED**

Because of the government shutdown, the previously scheduled *This Land is Your Land* outing to the Greenbrier Ranger District, Monongahela National Forest has been cancelled.

# HIGHLANDS CONSERVANCY BOUTIQUE

And the adorablosity just keeps on coming...



**The Polo Shirt**

(No model available. Applications still being accepted. So far we have no applications for the model positions)

► The baby shirts are certified organic cotton and are offered in one infant and several toddler sizes and an infant onesie. Slogan is "I ♥ Mountains Save One for Me!" Onesie [18 mo.]---\$17, Infant tee [18 mo.]---\$15, Toddler tee, 2T,3T,4T, 5/6---\$18

► Soft pima cotton adult polo shirts are a handsome earthtone light brown and feature the spruce tree logo. Sizes S-XXL [Shirts run large for stated size.] \$18.50

► Order now from the website!

Or, by mail [WV residents add 6 % sales tax] make check payable to West Virginia Highlands Conservancy and send to James Solley, PO Box 306, Charleston, WV 25321-0306

## T- SHIRTS

White, heavy cotton T-shirts with the **I ♥ Mountains** slogan on the front. The lettering is blue and the heart is red. "West Virginia Highlands Conservancy" in smaller blue letters is included below the slogan. Short sleeve in sizes: S, M, L, XL, and XXL. Long sleeve in sizes S, M, L, and XL. **Short sleeve** model is \$15 by mail; **long sleeve** is \$18. West Virginia residents add 6% sales tax. Send sizes wanted and check payable to West Virginia Highlands Conservancy ATTN: James Solley, WVHC, P.O. Box 306, Charleston, WV 25321-0306.



## HATS FOR SALE

We have West Virginia Highlands Conservancy baseball style caps for sale as well as I ♥ Mountains caps.

The WVHC cap is beige with green woven into the twill and the pre-curved visor is light green. The front of the cap has West Virginia Highlands Conservancy logo and the words West Virginia Highlands Conservancy on the front and I (heart) Mountains on the back. It is soft twill, unstructured, low profile, sewn eyelets, cloth strap with tri-glide buckle closure.

The I ♥ Mountains The colors are stone, black and red.. The front of the cap has I ♥ MOUNTAINS. The heart is red. The red and black hats are soft twill, unstructured, low profile, sewn eyelets, cloth strap with tri-glide buckle closure. The stone has a stiff front crown with a velcro strap on the back. All hats have West Virginia Highlands Conservancy printed on the back. Cost is \$15 by mail. West Virginia residents add 6% tax. Make check payable to West Virginia Highlands Conservancy and send to James Solley, P.O. Box 306, Charleston, WV 25321-0306