

West Virginia Highlands Conservancy
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The Highlands Voice

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BIG FUN AND MORE AT THE SPRING REVIEW

Spring Review 2004

April 23-25

Timberline Four Seasons Resort Canaan Valley, West Virginia

Following our 38 year tradition, we will hold our annual Spring Review in one of West Virginia's most special places: Canaan Valley, home of the Nation's 500th National Wildlife Refuge, and the heart of the Monongahela National Forest.

We will feature a Saturday evening presentation, Appalachian Ecology, by George Constantz

There will be a selection of outings to chose from including Blackwater Canyon, Roaring Plains, Canaan Valley National Wildlife Refuge, Dolly Sods and more. Canaan Valley NWR will host a workshop on orienteering using GPS, and a service outing to remove some fencing from Refuge lands.

Friday night, April 23.

4:30pm – till ? Reception Wine and cheese as people arrive and register. There will be a cash bar, and dinner will be available at the Grill. A casual evening of socialization, connecting with friends, making new friends.

7:30pm "The Beauty of the West Virginia Highlands" a slide show by Highlands Conservancy Board of Directors member, and photographer extraordinaire, Jonathan Jessup.

Saturday April 24.

7:30 am Breakfast buffet

9:00 am Outings. Box lunches from Whitegrass Café available.

4:00pm Evening reception with snacks and cash bar

6:00pm Dinner, featuring the culinary delights of Whitegrass Cafe

7:00pm Meet Stan Skutek the new Manager of the Canaan Valley National Wildlife Refuge, Hear Issue updates featuring Matt Keller on Wilderness, Cindy Rank on Mining, Judy Rodd on Blackwater Canyon, Peter Shoenfeld on Wind Power, Anna Sale on the Mon Forest Plan Revision and others.

8:00pm Feature Presentation Appalachian Ecology, a slide presentation and discussion by George Constantz

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Spiritual Outpouring

by Frank Young

On Tuesday, March 30th, I attended a public hearing on the Bush administration proposal to "clarify" (read effectively eliminate) the stream protection regulation known as the "Buffer Zone Rule", which prohibits mining within 100 feet of a stream.

I was heartened by the nothing less than spiritual outpouring of the three dozen or so folks who spoke against the buffer zone rule change. I spoke from my prepared notes. But many who spoke didn't use notes, and some of those who had notes got caught up in the emotion of the evening and of the issue, cast aside their notes and spoke directly from their hearts. The common thread was their heart-felt, honest concern about the streams, the critters that live there, and about the people negatively impacted by the proposed buffer zone rule change. As they spoke sometimes I wanted to laugh, other times to cry.

Only Coal Association chief Bill Raney and coal industry lawyer Bob McLuskey spoke in favor of the rule change.

I do not know what effect, if any, the sentiment expressed in Charleston on that Tuesday evening will ultimately have. But the message was unmistakable- "keep the buffer zone rule as it is".

One normally quite genteel lady declared, "The goddamn coal companies have taken it all except one hundred feet, and now they want that too"! Her outburst appeared to be considered and controlled, rather than from having lost control.

My own words were mostly as follows:

"Perhaps no environmental issue has more direct economic and quality of life impact on the people of West Virginia than that of water quality, including maintaining- as nearly as possible- the natural integrity of our streams- both of water quantity and water quality. The Clean Water Act and other laws have as their goal the preservation and improvement, not further degradation, of streams and underground aquifers- the natural conduits and storage basins for the water we must have to survive.

Yet we now see the federal government proclaiming, on the one hand, strong environmental protection policies, while on the other hand gutting the very rules and regulations designed to assure a good and decent environment for mankind and all of god's creatures.

Mountaintop (mountain range) removal mining and its associated valley fills destroy water storage aquifers, increase water runoff during rain events, and cause even lower water flow rates during times of little or no precipitation- because part of the reserve storage capacity has been depleted. The "evening out" of wet weather vs. dry weather water flow rates is significantly disrupted by mountaintop removal mining. And valley fills dump up-side-down concoctions and mixtures of various metallic elements into stream headwaters, mixtures which destroy the natural chemical and biologic balance of waterways throughout their length, and within the many aquifers they feed along their course.

Too, the political pretentiousness with which we proclaim the "protection of our streams" on the one hand, while allowing them to be filled to the brim with mining wastes, on the other, is nothing short of laughable. With this operating policy, "We protect the streams by destroying them" becomes the effective reality.

And the political hypocrisy inherent in being sworn to uphold the laws on the one hand, but arranging to allow subversion of those laws on the other, would be laughable were it not so tragically serious."

WVHC Calendar:

Spring Review- April 23rd, 24th & 25th (Board meeting on Sunday, 25th)

Summer Board meeting- Saturday, July 24th

Fall Review- October 22nd - 24th (Board & General membership meetings Sunday, 24th)

roster of Officers, Board Members and Committee Chairs

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Spring Review schedule (continued from p. 1)

Café \$20/person

Sunday April 25

7:30am Breakfast Bar
9:00am – 3:00pm Highlands Conservancy Board of Directors meeting. Members welcome
9:00am outings for folks not interested in attending the Board meeting

Lodging

Bunk house at Timberline \$15/night, reservations required.
Canaan Valley State Park Lodge 1-800-622-4121
Blackwater Falls State Park Lodge, 1-800 CALL WVA

Meals

Breakfast buffet at Timberline on Saturday and Sunday morning \$8/person
Box lunches by Whitegrass Café on Saturday, Lunch at Timberline on Sunday \$8/person
Dinner Saturday evening at Timberline by Whitegrass



George Constantz

George Constantz is the Education Coordinator for the Canaan Valley Institute. He authored the popular book Hollows, Peepers, and Highlanders: an Appalachian Mountain Ecology. With his wife Nancy Ailes, he founded the Pine Cabin Run Ecological Laboratory, now, Cacapon Institute. George is a well known and respected West Virginia ecologist with a profound understanding of Appalachian ecology, and an uncanny ability to instill in others, a sense of understanding and appreciation for the West Virginia Highlands we hold so dear. In his words:

Born in Washington, D.C. in 1947, I spent six years of my childhood in Barranquilla, Colombia, among the iguanas of the Magdalena River's floodplain, and in Chihuahua, Mexico where I loved chasing roadrunners through the desert. Since receiving a B.S. in Biology from the University of Missouri-St. Louis and a Ph.D. in Ecology from Arizona State University, I have worked as a park naturalist, fish ecologist, researcher, and college and high school teacher of biology, population ecology, environmental science, and environmental ethics. In Hollows, Peepers, and Highlanders: an Appalachian Mountain Ecology (1994, Mountain Press, 267 p.), I explored the quirky, bizarre adaptations of Appalachian organisms. Since 1993, I have developed river and watershed conservation programs in the West Virginia divisions of Natural Resources and Environmental Protection, and at River Network and Canaan Valley Institute.

I assess the needs of stakeholders throughout the region and develop workshops to address those needs by managing the Education Program. I frequently speak to groups on watershed management and the natural history of the Appalachian Mountains.

Registration

Please send registration by April 18th including meals desired, whether a bunk space is needed, and payment to: West Virginia Highlands Conservancy PO Box 306

Charleston, WV 25321

Questions? Contact Marilyn Shoenfeld 301-587-6197

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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 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

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.

Bird/Bat Fatality Study for Backbone Mountain Wind Farm

By Peter Shoenfeld

An avian mortality study was conducted during the first-year's operation at the Mountaineer Wind Energy Center (MWEC) on Backbone Mountain, as required by the West Virginia Public Service Commission's (WVPSC) permit. Data was collected between April and November, 2003; the report was finalized and released on March 16, 2004.

Highlights:

- A major bird kill occurred in late May, during heavy fog, in the vicinity of the electric substation and nearby turbines. Twenty nine carcasses were found, and the number actually killed was probably several times as great. The apparent cause was the sodium vapor lights foolishly used at the substation. These have been turned off and this event is unlikely to happen again.
- Four hundred and fifty eight dead bats were found in the August-October search period. The number actually killed was most likely around 2000 and could be twice that number. This was by far the worst incidence of bat fatalities ever recorded at a wind farm and is of great concern.
- Forty dead birds were found in addition to those associated with the May kill. This projects to a likely 180 (4 per turbine) total killed during the approximate six month period covered by the study, with an upper 90% confidence limit that is twice as great. Although, this is more than twice the national average for wind farms, it is difficult to view these numbers with biological concern, given the short normal life spans, the losses due to habitat destruction, and the enormous mortality from collisions with other man-made structures.
- Twelve of the 44 turbines are lit with L-864 red strobe lights required for aviation safety. No difference in mortality was observed between the lit and unlit turbines, suggesting that this type of lighting is a good choice from that standpoint.



hoary bats, 87 eastern pipistrelles, 60 little brown bats, 28 silver-haired bats, 6 northern long-eared bats, 2 big brown bats, with 4 unidentified.

Species Composition:

The total 69 bird carcasses found included 21 identified as red-eyed vireos, 5 magnolia warblers, 4 yellow-billed cuckoos, 3 blackpoll warblers, and 3 wood thrushes. Other than that, no more than 2 of any one bird species were found. Nine bird carcasses were unidentified.

The bat fatalities included 200 red bats, 88

to coincide with spring and fall migration seasons, covering the periods April 4-June 24 and August 18-November 11, with one additional search in late July.

The estimation of total fatalities from number of carcasses found is made difficult by the fact that only an unknown fraction of birds killed will be found. Many will be missed, and many others will be carried off by scavengers. These effects are highly variable, particularly with season. Additional experiments are used to estimate these effects—dead birds are put out, and then the searcher's (and scavenger's) success in finding them is observed. This study was significantly limited by "not enough" of such experimentation. Plans for this study included two such experiments, for birds only, in the spring and fall. However, the spring experiment was cancelled because of weather problems. The sample size in the fall experiment was only 30, and there was no bat experiment. It was this small sample size that led to 90% upper confidence limits for numbers killed that were typically twice the median.

The experiment that was conducted estimated that the average time until carcass removal by scavengers or otherwise was 6.7 days and that the searcher's probability of success in finding a carcass known to be present was .28, about one in four.

Participants:

The study was led by Dr. Paul Kerlinger, and funded by FPL Energy. The report was authored by Ms. Jessica Kerns and Dr. Kerlinger. Ms. Kerns is with the Appalachian Laboratory, at the Center for Environmental Science, University of Maryland, Frostburg. Dr. Kerlinger is a principal in his own consulting company. Wind project opponents sometimes criticize Dr. Kerlinger for his industry affiliation. To me, this seems unfair, since whomever did this work would have the same affiliation.



The team also included a "Technical Review Committee," established by the terms of the WVPSC permit. Organizations represented included the Brooks Bird Club, Atlantic Renewable Energy (the developer), FPL Energy (the operating company), WVPSC, WVDNR, USFWS, and the Highlands Conservancy. The Highlands Conservancy is represented by Frank Young and myself. This committee has oversight responsibility and critiqued the first draft of the report. I became further involved in providing statistical assistance, when it became apparent that this was needed.

Maryland wind project opponent Dan Boone sent a message to the editor of the Voice attacking the study and stating that "I am willing to send my comments about this poorly done research and its questionable results to those who request them." However, at the time of this writing he has not responded to repeated such requests.

The report is 39 pages long and analyzes the available data rather thoroughly. Many hypotheses are discussed, while only a few highlights could be provided here. It is available online at <http://www.vvhighlands.org/Birds/MountaineerFinalAvianRpt-3-15-04PKJK.pdf>.

A follow-on study is planned for 2004.

Study Methodology: A two-person search team went out approximately weekly to search for carcasses; it normally took them two days to cover the 44 turbine wind farm. The study period was timed

WOODCOCKS--AND GOVERNMENT THAT WORKS FOR ALL OF US

By Judy Rodd

As I write this, Emily Samargo is glued to the computer, finishing the layout for our Spring 2004 Friends of Blackwater Newsletter. It's a big job. Emily has come to Charleston for several days, leaving her normal work at the North Fork Watershed Project office in Thomas, at the head of the Blackwater Canyon Trail.

Meanwhile, in the woods outside Thomas, in the moist and warming soil along the Canyon rim, miracles are taking place.

Earthworms, grubs, and beetles are moving and feeding. Tubers, bulbs, and rhizomes are stirring, sending their energy upward to court the buzzing pollinators with color and scent, lace and flourish.

Just in time to keep those grubs and worms in check, hundreds of woodcocks have flown into the Canyon from their winter feeding grounds further South. (The woodcock's narrow, three-inch bill is perfect for probing in the soil for tasty morsels.)

One of Spring's more spectacular miracles in the Canyon is the dance of the male woodcock — which he performs, they say, to attract a mate. (Sort of like John Travolta in "Saturday Night Fever?"")

The dance begins at dusk, when there is barely light enough to see. The male, a plump, dappled fellow with short legs, usually invisible in a brushy area, utters a series of loud, shrill, buzzing "peent, peent" cries. To me, they sound almost insect-like, like a cicada. Then the noise stops, and the bird begins to flap its wings rapidly, rising explosively into the darkening sky, the sound of its wings whistling loudly in the cool night air.

From the ground, the once-concealed bird is now quite visible, if you look carefully. He flies in tight, circling spirals, higher and higher, a fainter and fainter fluttering dark ball against the sky.

Can the female woodcocks on the ground see him?

I like to think so. "Peent, peent" probably translates as "Hey you all, watch me!"

Just as our hero seems to be too high to pick out against the sky, he stops his spiral upward and begins to hurtle downward in a zig-zag series of pitches, twittering loudly. (I would say that this exultation can be translated as: "*Ladies! – check this*

out!")

The dance often ends with a bang — or at least a loud "thud" — when the exhausted bird finally returns to earth, often quite near where he started.

At this point, we must close the veil of modesty, but suffice it to say that a gnarly display of well-fed stamina has hopefully attracted both the attention and the favorable assessment of a female woodcock — and the great cycle begins again!

What a miraculous way to take care of a few earthworms!



Each time I visit a local, state, or national park — or any of our public recreational lands — I see mothers, fathers, children, babies, and grandparents, enjoying the outdoors. I see folks in wheelchairs, and folks with canes, and folks driving beat-up cars, and folks in fancy SUVs. I see Birkenstocks on feet and granola in high-tech aluminum food boxes on the picnic table — and I see high-heeled sandals and white-bread baloney sandwiches. I see costly carbon-fiber hiking poles, and picked-up sticks from the woods — in the eager hands of brown and white and yellow children. I see a real, everyday, working diversity that I find inspiring.

Well-off people have their private resorts, but for the great majority of ordinary Americans, and especially those at the lower end of the economic spectrum, governmentally-protected and cared-for public lands are the key to a decent, affordable vacation — or even more importantly, a Sunday afternoon in the woods or at the lake, enjoying the natural world.

Creating and protecting public lands for public use and enjoyment is about creating a decent and liveable, spiritually rich society for *all of us* — social justice in the deepest sense.

When we fight to save and protect our special places like the Blackwater Canyon, we insist that government not only has the power but the duty to take action — to enhance the lives of *all* of our citizens. We build the positive and life-affirming role of government of, for, and by *all* of the people.

Our public lands, our parks, our greenspaces, are our collective commons and birthright in the natural world. They are worth fighting for!

T SHIRTS

White, heavy cotton T-Shirts with the I[heart]MOUNTAINS slogan on the front. The lettering is blue and the heart is red. Sizes S, M, L, XL, XXL, XXXL \$8 total by mail. Send sizes wanted and check made out to West Virginia Highlands Conservancy to:

Julian Martin
WVHC
Box 306
Charleston, WV 25321-0306

A Forum, Not A Mouthpiece

Although *The Highlands Voice* is the official publication of the West Virginia Highlands Conservancy, the stories it contains do not all represent positions of the organization. As a corporation, the Conservancy acts through its Board. When the *Voice* contains summaries of Board actions, those are official positions. The other stories are submitted by members and others. Many reflect the organization's official positions but not all do. The *Voice* did, after all, publish articles both vigorously opposing and vigorously supporting windfarms in parts of the highlands. Although they appeared in the *Voice*, all could not possibly represent official Conservancy positions.

Acid Mine Drainage--the Gift That Keeps on Giving**THE DLM MINE SITE REVISITED**

By Tim Higgins

It was a bright day for November; temperature close to 60 degrees. I had invited Cindy Rank for a trip back through time, to a place we had traveled many times before, long ago. I picked Cindy up at 9:00am. She had her camera and the taped-together multi-folded, multi-colored, hi-lited topo- maps, now worn and torn from years of use.

We were headed to a forgotten part of Upshur county. My Volvo would make this trip; gone is the old '62 VW bus that had carried us on this road many time before. We headed off from Caanan ridge toward the Selbyville Rd., crossing the upper reaches of the Little Kanawha river in the process. On the Alexander Rd, County Route 11, the view toward the east is breathtaking at the turn. The mountains and trees reign still and beautiful.

We were now in the Buckhannon watershed, below Selbyville, above Beans Mill. With a quick left before the river and up the switchback road to the old church, we had our first view of the old DLM strip mine. At this point we had traveled about 12 miles from Cindy's home.

This was the second phase of the DLM strip-mining complex located on the western side of the Buckhannon river. It was here we began our picture-taking more that 20 years ago. Today some of the houses that were there before the mining took place remain - some in poor condition, others not. The water-holding ponds remain, close to the back door of some of these homes. There are a few new homes completed; one that caught my eye is a log cabin overlooking one of the holding ponds, still orange from the acid. One point to remember: Wherever they had gouged the earth for the coal, there are no trees. We are on the Alexander to

Alton Rd.(11/15) and it's time to move on.

Along the single lane gravel road, we passed another small pond that would run acid water all the time. It had been bulldozed open years ago. Up the hill to the ridge, we passed several small farms. The difference in the color of the pasture of these farms to the dry dead grasses of the stripped land is the difference between night and day. A turn to the right put us in the community of Alton.

Crossing the Buckhannon river, (Route 32) we are now close to no-man's land. A quick ascent through the woods opened up into the original DLM strip mining complex. Straight ahead lies a huge tank. Cindy informed me it was anhydrous ammonia, a new treatment for the water. "State of the Art", she had been told. Around the bend to the right were the multi-ponds of different colors. They were stair-stepped, one flowing into another until there was no place left to go but the creek and on to the Buckhannon river just above Alton. None of the ponds looked inviting.

Along the road bank, down toward the ponds were several water seeps that stained the ground a bright orange. Ahead lay another tank 500 or more gallons in size filled with sodium hydroxide, the "State of the Art" water treatment we were told about many years ago. Both tanks had thousands of feet of hose running to the different ponds.

A treeless landscape lay ahead as we ascended to the ridge top, broken only by the several large oaks in a small fenced-in graveyard. We pulled out the torn and tattered topo maps. Besides the brown grasses blowing in the wind the only other movement was a

(Continued on p. 5)**A LITTLE HISTORY**

The current situation at DLM is only the latest in the long history of that site. In an earlier chapter, the West Virginia Rivers Coalition had petitioned to have the Buckhannon River watershed declared unsuitable for mining. Under both the federal and state Surface Mining Acts, one may petition to have an area designated as unsuitable for mining if some feature of the area makes it unsuitable for mining. The Rivers Coalition contended unsuccessfully that the Buckhannon drainage was so prone to produce acid that it should not be mined. The petition was rejected.

Another chapter took place in 1979 when Braxton Environmental Action Program filed complaints with the federal Office of Surface Mining and the Environmental Protection Agency about acid discharges from the property. At about the same time, Mountain Stream Monitors published a newsletter suggesting that the mining in Braxton County was destroying the trout streams.

While the article did not mention DLM by name, the permit numbers listed in the article were those of DLM. DLM decided it was being defamed, and sued Braxton Environmental Action Program, Mountain Stream Monitors, and WVHC member Rick Webb, a leader in both organizations.

That case was bounced out of the court system without even a trial by the West Virginia Supreme Court. It held that the defendants had a right to petition the government for redress of its grievances and, through its newsletter, seek to influence public sentiment concerning the passage and enforcement of laws.

The most recent event was the agreement that West Virginia made with DLM in 1985. West Virginia agreed to assume responsibility for treating the acid water that came from the DLM site. In exchange for assuming this responsibility, the state received \$800,000 in cash, securities, and equipment. It also received the option on 4,000 acres of land in Upshur County. At the time of the agreement, DLM was spending \$300,000 per year on water treatment.

It was through this agreement that West Virginia became responsible for treatment of water at the site.

The *Charleston Gazette* reported this exchange in a September, 1985, article under the headline "State is taking gamble in deal on acid drainage." In that article, Roger Hall of the Reclamation Division of what was then the Department of Energy observed that " 'the jury is still out' on whether acid mine drainage can be whipped." He also said that "progress is being made" on the problem.

More About DLM (Continued from p. 4)

white pickup truck with a green license plate. This is the person who has the thankless job of monitoring the water coming from this barren land. Keep in mind that the job is a secure one. Water treatment at this site will go on FOREVER at taxpayer's cost.

Once we had our bearings, we made a left turn at the equipment buildings run by the state that maintains this "Godforsaken" treeless land. Stopping at a gated road just before the road wound down to Panther Fork through the woods, we were greeted with a NO TRESPASSING with a "Hazardous" warning sign. "Wonderful place", I thought to myself. Cindy informed me that this is the same area that she visited with the State personnel in a previous year; where this road leads to the three larger stair-step ponds, that are not visible from the public road system.

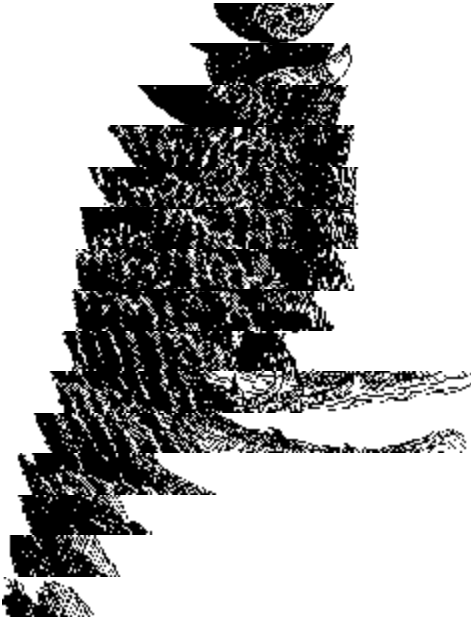
Continuing on down the hill on Rt. 32, is the only road that crosses Panther Fork on the valley floor for its full length, from Hemlock on the eastern border of Upshur county to Beans Mill on the Buckhannon River.

I have heard many stories of this river tributary and the treasures it held before the mining; hardly any one talks of it any more. Before the creek crossing on the left hand side of the road is THE POND. More like a toxic waste dump. The water from the mining ridge we just came off of is collected here for treatment before it is released into the lower end of Panther Fork.

The first time I saw this area was during active mining, with Rick Webb; it was my introduction to acid mine drainage. At that time, DLM, in an effort to abate THE PROBLEM would routinely throw large bags of sodium hydroxide briquets, split open with a knife, in the ditch on the right hand side of the road. Water from the active mine site ran through the split-open bags neutralize the acid and turn the rocks in the ditch bright orange.

"State of the Art Treatment", Rick Webb told me at the time. Sometime after

semi-enforcement of water quality regulations, a little dam was constructed in this ditch to capture some of the water which feeds it into a pipe that goes under the road and into a barrel-shaped mechanical device that is rusted away and held lime. The remainder of the water from the ditch was measured for volume and flow, which was supposed to release a quantity of water from the pipe into this lime hopper. After the small amount of water had dissolved the proper amount of lime for the main flow rate, it was



fed to the entire water flow to the pond.

This "State of The Art" device, named AQUAFIX, (see www.aquafix.com) is now a rusting relic of another failed attempt to put the acid genie back in the bottle. Treatment now is by the West Virginia's monitoring of the ponds' water quality output and manually adjusting a valve connected to a line of anhydrous ammonia from the large tank we saw on the other side of the hill. The pond itself has a skimmer boom spread across it to keep the floating crud on top

from reaching the discharge stand pipe. A well worn small path leads to the discharge pipe on the down-hill side of the ponds' lower end where the water sample is taken.

I could only imagine what it would be like to take a sample on a minus 20 degree day with 22" of snow on the ground analyze it then trudge to the other side of the pond and adjust the valve for the proper "State of the Art Treatment"

Time to move on. We drove only a short distance down before coming to Panther Fork, where a wooden bridge crosses the creek. It's still a wild wonderful place to see looking up stream. We drove another mile then turned around and headed back to the equipment building, making a left on (32/15). This is the ridge that separates Panther Fork that drains to Beans Mill on the left side of the road for Herods Run and Swamp Run on the right, both of which drain into the Buckhannon river mid-way between Alexander and Alton. Pine trees line the road side, broken only by the several roads winding through them for the person testing the water before it leaves the site. Along the road are pipes sticking out of the ground 10 or 12 inches in diameter. Some had caps on them; others not.

We stopped at one with no cap to peer down into a monitoring well of some kind; no sign of any recent activity around any of them. We turned around before reaching Smooth Rock Lick Runs' upper reaches, which flows into the left fork of the Buckhannon.

On the return drive along the ridge road, what stood out to me was that this was once pristine, with a hard wood forest on it. Now it is pine woods. Is this what DLM meant when they said WE CAN PUT IT BACK BETTER THAN IT WAS BEFORE?

For it is said that only the trees speak the truth. What's left on the DLM site that will grow are only spindly pines. Yes. They speak the truth. They can only whisper. All the trees cry for life. They don't want to die. Is any one able to hear their cries?

W. Va. DEVELOPMENT AUTHORITY AUTHORIZES BONDS FOR GREENBRIER POWER PLANT

The West Virginia Development Authority has approved issuing \$175 million in tax-exempt revenue bonds for the Western Greenbrier Co-Generation facility. The proposed facility will use unproven technology that has never been shown to be commercially viable.

The Highlands Conservancy has commented upon this facility. The Conservancy commented: "As a demonstration project, Western Greenbrier must use state-of-the-art pollution control technology

and low impact fuels. Instead, the project reaffirms the use of coal as a primary fuel source, does not use the best pollution control technologies for all pollutants, and leads the region away from sustainable sources of power. The reliance of the project on waste coal and significant amounts of high quality coal also promotes continued mountaintop removal coal mining." See the August, 2003, *Highlands Voice* for more details.

A FRIEND REMEMBERED

By Julian Martin

When the West Virginia Highlands Conservancy lawsuit against dumping mine waste in our streams came before federal Judge Charles Haden, I hoped he would go by the law. And that is what he did. The law is clear; mine waste cannot be dumped into intermittent and perennial streams. As a conservative, he believed in the law, and he ruled that the law meant what it said. People who love our mountains were overjoyed at his decision.

Judge Haden wrote that the destruction of the unique topography of Southern West Virginia by mountaintop removal is "permanent and irreversible" and that if the forest canopy is destroyed, our streams are exposed to extreme temperatures and aquatic life is destroyed — "these harms cannot be undone."

As a birdwatcher, he was concerned that "If the forest wildlife are driven away by the blasting, the noise, and the lack of safe nesting and eating areas, they cannot be coaxed back."

Haden chastised administrators for trying to change the Clean Water Act behind the back of Congress. He wrote that amendments to the act "should be considered and accomplished in the sunlight of open congressional debate and resolution," and "not within the murk of administrative after-the-fact ratification of questionable regulatory practices."

To exclude dumping mine waste from the Clean Water Act would, in Haden's words, be an "... obviously absurd exception" that "would turn the Clean Water Act on its head and use it to authorize polluting and destroying the nation's waters for no reason but cheap waste disposal." Haden further observed that Congress "did not authorize cheap waste disposal when it passed the Clean Water Act."

Speaking to the question of whether dumping mine waste into streams had an adverse effect on the streams, Haden wrote that "When valley fills are permitted in intermittent and perennial streams, they destroy those stream segments" and "if there is any life form that cannot acclimate to life deep in a rubble pile, it is eliminated." Haden pointed out the obvious truth that "No effect on related environmental values is more adverse than obliteration. Under a valley fill, the water quality of the stream becomes zero. Because there is no stream, there is no water quality."

A mutual friend told me that Judge Haden was stunned when he was taken on a flyover and viewed mountaintop removal from the air. He observed in his ruling that "The sites stood out among

the natural wooded ridges as huge white plateaus, and the valley fills appeared as massive, artificially landscaped stair steps."

"Some mine sites," he said, "were 20 years old, yet tree growth was stunted or nonexistent compared to the thick hardwoods of surrounding undisturbed hills, the mine sites appeared stark and barren and enormously different from the original topography."

It is ironic that Judge Haden died just 10 days before the Bush administration will conduct a hearing Tuesday in Charleston. They are proposing to change the buffer zone rule to make it legal to dump mine waste into the streams Judge Haden so valiantly



tried to protect.

Long after the names of the people of limited vision, who are destroying our mountains and streams, are forgotten, the name of the very distinguished Judge Charles Haden II will live on. He is indeed an authentic West Virginia hero.

Mr. Martin is a director of the West Virginia Highlands Conservancy and a college classmate and friend of Chuck Haden. This story originally appeared in the Charleston, Gazette.

Speakers Available!!!!

Does your school, church or civic group need a speaker or program presentation on a variety of environmental issues? Contact Julian Martin 1525 Hampton Road, Charleston WV 25314 or imaginemew@aol.com or 304-342-8989.

BUMPER STICKERS

To get a free I [heart] Mountains bumper sticker(s), send a self-addressed, stamped envelope to Julian Martin, WVHC, Box 306, Charleston, WV 25321-0306

BROCHURES

The Sierra Club, Citizens Coal Council, Coal River Mountain Watch, Ohio Valley Environmental Coalition, West Virginia Rivers Coalition, Appalachian Focus(Kentucky), Big Sandy Environmental Coalition(Kentucky), Kentuckians For The Commonwealth and the West Virginia Highlands Conservancy have put together a new brochure entitled "Mountaintop Removal Destroys Our Homeplace STOP THE DEVASTATION!" For a copy send a self addressed stamped envelope to Julian Martin, WVHC, Box 306, Charleston, WV 25321-0306

Quantities are available for teachers, civic and religious groups and anyone who can get them distributed.

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

IT IS APRIL AND ANOTHER EARTH DAY

By Don Gasper

Chevron has named one of its oil tankers "The Condoleezza Rice". Just one symbol of oil, gas and coal (energy) power in Washington. Many of the President's agency heads and advisors came from these industries, and we know Dick Chaney's orientation. In 1970, the First Earth Day, it was not much different.

When Senator Gaylord Nelson began thinking of E-Day, he wanted bi-partisan congressional support and he could only find one Republican supporter in the party of big business. E-Day found a waiting, and a tuned-in audience, as a "teach-in" about the status and dangers to the environment it was a success. Awareness and concern mushroomed. Think what computers and the web can do, and have done, today!

Two weeks later the Washington Star noted some Earth-Day college students labeled 12 members of Congress "The Dirty Dozen". Environmental groups began to publicize their anti-environment voting records. No one much noted, but the status had begun to shift, as two very secure congressmen lost in the primaries where the environment was one of the issues. That fall 5 more on the Dirty Dozen list were defeated. When Congress reconvened everyone claimed to be "an environmentalist". In the next 3 years the Clean Water Act, the Clean Air Act, and the Endangered Species Act were introduced, and all were passed.

If Legislators sense citizen support for our planet's protection, they will follow. Most citizens consider themselves to be environmentalists. When Al Gore ran for president, he at first knowledgeably championed the environment but later distanced himself from it, thinking it a liability. This may have been a mistake, because don't we now sense a spontaneous bubbling up everywhere of this concern for the environment? This is particularly noticeable in the absence of federal leadership. It is presently most clearly seen in efforts to by-pass government. Upcoming election debates will be most interesting. Again the young and connected are listening, as are many now wiser elders this E-Day.



West Virginia Mountain Odyssey



Outings, Education and Beyond

Jonathan Jessup, jonathanjessup@yahoo.com, Outings Committee Chair

April 3 – 4, Sat-Sun. Big Schloss-Great North Mountain/GWNF, VA-WV: 13 mile strenuous backpacking circuit hike, first along a stream and then along a ridge line with a fantastic 360 degree view at Big Schloss. Maximum number of participants is 10. Contact Mike Juskelis to reserve your spot: ph# 410-439-4964 or Email at mjuskelis@cablespeed.com.

April 17 – 19, Sat-Mon. Early spring backpack on North Fork Mountain. Many exceptional cliff overlooks for a 26 mile backpack. Reservations required. Please email Alan M. Aliskovitz at amxa@hotmail.com or call him @724-283-5436.

April 23 – 25, Cranberry Wilderness. Southern Mon Forest GPS backpack. North and Middle Fork Trails, Laurelly Branch Trail. 23.5 mi, 3450' gain elevation. Optional bushwhack. Unscouted hike. Most of the time we will be walking along the river banks. The goal of the hike is to find as many different types of Trillium flowers (last year we saw 3 types) and salamanders (only one type last year) as we can. Please, reserve your seat no later than a week in advance. Leader Dimitri Tundra: 301-770-9639, tartakd@hotmail.com.

April 30 – May 2, Fri.-Sun. North Fork Mountain. Car Camp at modern Seneca Shadows with all facilities. Day 1: Set up camp and hike to the top of Seneca Rocks. Day 2: Moderate 9 mile shuttle hike to Chimney Rocks. Day 3: Break camp and tour Dolly Sods on the way home. Reservations recommended. Those wishing to meet at the trailhead on day two and not car camp are welcome. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

May 8, Sat Run/Stack Rocks - Great North Mountain/GWNF. Laurel Run/Stack Rocks - Great North Mountain/GWNF. 6.5 mile strenuous circuit hike featuring incredible views beyond Big Schloss! 1600 ft. elevation change over 2.2 miles. Pink Lady Slippers and wild Iris line portions of the trail. Leave Brokenland Parkway/Rt. 32 Park and Ride (Bus Side) at 8:00. Contact Mike Juskelis for details: ph# 410-439-4964 or Email at mjuskelis@cablespeed.com.

May 12/13 – 18. Big South Fork National River and Recreation Area TN, KY. Come join us in one of the nation's newer recreation areas. Car camping for a couple of nights and completing a 30 mile backpacking loop. "The free flowing Big South Fork of the Cumberland River and its tributaries pass through 90 miles of scenic gorges and valleys containing a wide range of natural and historic features." "Plenty of remote wilderness, with steep cliffs and interesting geology, including some of the biggest arches in the east." Knoxville-TN.com. Contact Susan Bly 304-876-5177 (day) or 304-258-3319 (7:00 pm - 9:00 pm) or sbly@shepherd.edu.

May 29 – 31, Sat-Mon. Northern Dolly Sods. Memorial Day Weekend. 3-day intermediate backpack trip in northern Dolly Sods, the higher, more open, less visited part of Dolly Sods. Start and end at Bear Rocks. The route includes Raven Ridge, Cabin Mountain, and the Forks. Only 15 total miles of backpacking so there will be time to explore. Recent

prior backpacking experience required. Limit: 10. Contact Bruce Sundquist at 724-327-8737 or bsundquist1@juno.com

May 29 – 31, Sat.-Mon. Otter Creek Wilderness Backpack. Plan for a picturesque backpack up most of Otter Creek and explore a rarely visited bog. If time allows, bushwhacking to a few potential overlooks spotted on a previous trip. Multiple fords, steep trails, and up to 11 miles per day. Strenuous. Itinerary may change based on weather and water levels. Contact Eric Shereda for more information at: backpacker@1st.net, (740) 676-4468

June 12 – 15, Sat.-Tues. Roaring & Flatrock Plains. Four days of moderate backpacking, base-camping, and hiking, mainly near the rim of Allegheny Front and Long Run, hopefully all the way to Haystack Knob. Visit one of the highest, most scenic and most rugged parts of the West Va. Highlands, hopefully near the peak of the spring colors (Mountain laurel, azaleas, pink ladyslipper orchids). Prior backpacking experience required. Total backpacking miles is only 16, giving us time to explore and enjoy scenery: Limit: 10. Contact Bruce Sundquist, 724-327-8737 or bsundquist1@juno.com

June 19 – 20, Sat-Sun. Blackwater Canyon Mountain Biking. Come join us as we bike along old forest and logging grades. June 19 will involve biking from the Olson Fire Tower down the north rim on Forest Road 18 to the town of Douglas, and then go down Blackwater Canyon via the old railroad grade to the town of Hendricks. June 20 will involve the Canaan Loop road- Forest Road 13, riding from the road's junction with WV Rt 32 to the BWF State Park, a total of 17 miles. Overnight camping is available in the park. Contact Dave Paxton at explorewilderness@yahoo.com for details and reservations.

June 26, Saturday. Roaring Plains Circuit hike. 11.5 mile strenuous hike with fantastic views through hardwood and Red Spruce Forest, Canadian Plateau type environs and beautiful streams. Optional car camping at modern Seneca Shadows Campground Friday and Saturday nights. Reservations suggested for the campground. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

July 10, Sat. Lake Sherwood/MNF. Nine mile moderate circuit hike with several stream crossings along Lake Sherwood, up Meadow Creek trail and along Allegheny Mountain trail and returning on the Virginia trail. Optional car camping Friday and Saturday nights at semi-primitive tent loop far away from the noise of the main campground. Modern Facilities close at hand. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

July 29 – Aug. 1, Thurs.-Sun. Tea Creek Backcountry. Car camping and backpacking. Set up Base Camp at Tea Creek primitive campground on day one (optional). Day 2 and 3 hike approximately 17 miles

while spending the night camped on the trail. Day 4, return to Base camp and spend additional night if required. Limit of 10 participants. Those wishing to meet at the trailhead on Friday morning and not car camp are welcome. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

August 7, Saturday Flat-water canoe float. Flat-water canoe float through the sixmile long Buckhannon River pool at Buckhannon. Meet at Sheetz at Corridor H at 11. Take out will be about 3 p.m. It is a pretty, generally clear reach and we will have some current to push us along. Bring everything and just show up. If you need more information, call Don Gasper at 472-3704.

August 13-15, Fri.-Sun. Mount Rogers High Country Backpack (VA). 21 mile strenuous hike with spectacular views of the open highlands and surrounding mountains. Open areas are similar to a hilly Dolly Sods but with better views and a more remote feel. Hike is mostly above 4000' elevation and about half exposed meadows. Please bring appropriate rain gear and equipment. Trails can be rocky and wet and weather can be unpredictable at times. Prior backpacking experience required. Hopefully, the Highbush Blueberries will be ripe. Limit: 10. Contact Eric Shereda for more information at: backpacker@1st.net, (740)676-4468

August 21, Saturday. Explore Fisher Spring Run Bog. This large, open and seldom visited bog is just within the Dolly Sods Wilderness and is one of only ten national natural landmarks in West Virginia. Wildflowers and many plant life forms adapted to bog and high elevation conditions are the focus of this trip. Active bear area. ~5 hours with optional camping that evening. Waterproof boots suggested. Can be combined with hike on the next day. Leader: Jonathan Jessup. (703) 204-1372, jonathanjessup@hotmail.com

August 22, Sunday. Dolly Sods Scenic Area on Allegheny Front and Dolly Sods North. Enjoy stunning mountaintop views across many miles of mountains from unique, wild, open rocky tundra on the backbone of West Virginia. We'll then cross FR75 and head into North Sods for a walk in more open country. Last year's trip went well with great weather and a cool dip in Red Creek. ~6 miles, 2 of which are rocky. Can be combined with previous day's hike. Leader: Jonathan Jessup, (703) 204-1372, jonathanjessup@hotmail.com

August 27 – 29, Fri.-Sun. Blue Bend, MNF. Car Camping /Shuttle Hike. Three day trip in the Monongahela National Forest. Camp along scenic Anthony Creek under the Hemlocks and surrounded by mountains. Hike Blue Bend Loop trail and Anthony Creek trail and South Boundary trail. Those wishing to meet at the trailhead on Saturday and not car camp are welcome. On the way home visit the Hump Back covered bridge and scenic Goshen Pass. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

September 4 – 6, Sat.-Mon. – Spruce Knob Area - Labor Day Weekend. Easy 3-day backpack/base-camp/hiking trip to the back side of Spruce Knob, spending both nights at Judy Springs (former) campsite. The rest of the time will be spent hiking and exploring the ridgetops, stream-sides, foot trails and high mountain meadows behind Spruce Knob. Or you can just enjoy the immediate surroundings of Judy Springs. 7 total miles of backpacking — all along Seneca Creek. Prior backpacking experience required due to the remoteness of the area. Limit: 10. Contact Bruce Sundquist, 724-327-8737 or bsundquist1@juno.com

September 11 – 13, Sat.-Mon. Otter Creek Wilderness Back Pack. Backpack overnight in this unbelievable wilderness. Hike 14+ miles with several wide stream crossings. Limit of 10 participants. Optional Stuart Recreation Area Car Camping Friday night at modern campground with all facilities. Reservations suggested for the campground. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

September 25 – 26, Sat.-Sun. Seneca Creek Backpack. Fourteen+ miles in the Seneca Back Country utilizing Huckleberry trail, High Meadows trail and Seneca Creek Trail. Several wide stream crossings. Limit of 10 participants. Distant travelers can set up a base camp at Spruce Knob lake Campground Friday evening and stay till Monday if desired. Reservations suggested for the campground. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

September 25 - 26 and October 2&3 Red Spruce cone collecting volunteer opportunity. As part of the Highlands Conservancy's Red Spruce Restoration efforts, we will be collecting cones from various areas in the Highlands including Snowshoe Mountain Resort, Monongahela National Forest, Canaan Valley National Wildlife Refuge and Blackwater Falls State Park. Contact Dave Saville 304-284-9548 daves@labyrinth.net

October 10, Sunday. Roaring Plains Fall Foliage on Canyons Rim Trail. Day Hike. Medium difficulty, depending on weather. Explore and witness spectacular, remote, rugged, rocky and rarely visited high elevation country with several jaw dropping views. Be prepared for cool temps and possible weather. Only one 400ft climb. ~5 miles. Finish hike by 5pm. See photos at <http://www.jonathanjessup.com/rp-set1.html>. Possible optional nearby day hike on Oct 9th for those interested. Hosted by Jonathan Jessup. (703)204-1372 jonathanjessup@hotmail.com

Almost Anytime. Visit Kayford Mountain south of Charleston to see mountain top removal (MTR) up close and hear Larry Gibson's story about how he saved his mountain, now almost totally surrounded by MTR. Bring a lunch— there is a picnic area on Larry's mountain. Just call Larry or Julian Martin. Leaders: Julian Martin, (304)342-8989, imaginemew@aol.com and Larry Gibson, (304) 586-3287 or (304) 549-3287cellular.

Monongahela National Forest Hiking Guide

by Allen deHart & Bruce Sundquist

Published by the
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Highlands Conservancy**

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PRIVATE PROPERTY RIGHTS, INDEPENDENCE AND COMMUNITY

Some thoughts by Don Gasper

Early settlers in this country were driven first to acquire their land and then to use their land for survival. For one hundred years there were few people and isolation nurtured an independent spirit with, in some cases, greed and exploitation of land and people. Sometimes and places so intense was this independent spirit that pioneers could scarcely be governed by laws of the community.

In most places there were always small communities, where settlers gathered for protection and commerce. Here, always, individual rights are given up for the good of the community and indirectly returning the good to each individual - his life being more secure with less strife, being a part of a community and sharing agreed upon community goods with neighbors. Communities grew until most people lived in them.

A part of living in a community is exerting restraint and acknowledging that our claim to the use of the land is not absolute, but limited by obligations to the community and to future generations.

The rights of the individual are important but individualism alone, without a balancing commitment to community, is a disastrous social formula. Private enterprise can not be put above the welfare of the community. The individual has to respect his neighbors and the land. They are a part of a watershed and a community.

The will and best interests of the community takes precedence, over the sometimes irresponsibility, the arrogance and greed of the individual (or few individuals). Such land owners can not be allowed to make societal conflicting use of their land.

In respecting land, and the earth, the land-owner acknowledges also, his is a temporary ownership. His is a stewardship. His rights to use his property are also limited by future owners of his land. Ever more so, in a world without sufficient resources, with so much degradation, it is important that property be treated as a living trust.

The cult of the individual, and the extremist view of absolute property rights

rather than neighborliness, is not an enlightened one today.

Globally, in fact, today population growth, the economics of resource depletion, and recognition of our ecological impacts force us to be aware that we are each a part of a global community.



CANDIDATES OVERWHELMINGLY SUPPORT BLACKWATER PROTECTION by Judy Rodd

It's only April of this election year, and already a large number of statewide West Virginia candidates have spoken out in favor of protecting the Blackwater Canyon!

Friends of Blackwater sent Blackwater Canyon background information to candidates and asked for their comments on Blackwater Canyon protection. Here is the current list of candidate statements, as of the FOB Spring Newsletter's deadline. The statements are listed alphabetically by candidate name, and have been edited for space. For updates, check our web site. And be sure to vote on May 11th!

Secretary of State

D - Donna Acord: I am a member of Friends of Blackwater and believe the entire Blackwater Canyon should be put in public ownership and eventually be made into a national park.

D - Ken Hechler: I support Blackwater Canyon protection.

R - Betty Ireland: Protection of our public lands is important to the preservation of a natural environment that is vital to West Virginia's tourism economy. My husband and I are avid outdoor enthusiasts and frequent visitors to the Blackwater area, as well as to other protected scenic and ecologic spots throughout our state — count me as one of your supporters!

D - Larrie Bailey: Protecting our special places is the key to West Virginia's future. I visit the area often. Blackwater Canyon must remain pristine.

D - Mike Oliverio: The Blackwater Canyon area

is one of the most beautiful places in West Virginia. I spent many excursions with my family there and treasure it deeply. Through the expansion of Blackwater Falls State Park and other treasured places around West Virginia, we can add to our economy through tourism while conserving our natural resources.

Governor

R - Rob Caphart: I support your efforts to protect Blackwater Canyon. We need to preserve our recreational lands for the people of West Virginia.

D - Lloyd Jackson: The Canyon is a unique natural gift to West Virginia. The Jackson Administration will initiate serious negotiations with the private landowners for the acquisition of the Canyon and will use every power at its disposal to acquire the Canyon as an addition to Blackwater Falls State Park. The Blackwater Canyon should be preserved for the citizens of West Virginia and for future generations, and the protection of the Blackwater Canyon will be a priority for the Jackson Administration.

D - Jim Lees: I am opposed to the timbering of the Blackwater Canyon. As Governor I would fully support the efforts to incorporate the Canyon into either a Federal or State park system.

D - Joe Manchin: As Senator Robert C. Byrd has remarked, the Blackwater Canyon is West Virginia's "Crown Jewel." As Governor, I would work with federal, private and non-profit sources to come to a fair and equitable agreement with the landowner, to preserve this region for future

generations. This unique viewshed is a vital piece of our history, heritage and environment.

R - Doug McKinney: I have visited the Canyon a number of times. It should be maintained in as nearly pristine condition as is possible.

R - Richie Robb: Blackwater Canyon is truly a unique area of natural beauty that must be preserved. I agree with all efforts to preserve this property for future public use. If the state is making the purchase, I am not as adverse as Lloyd Jackson to the use of eminent domain particularly where, as I understand it, there may have been a recent effort to have the property's value artificially enhanced.

D - Lacey Wright: The Blackwater Canyon is very important to me, as I have visited the area on a regular basis since I was in high school. I support moving all the private land in the Canyon into public ownership and protecting the welfare of West Virginia. Some places should just remain pristine.

We are determined to keep Blackwater protection as an important issue in this year's campaign — and your support is making that happen! So, if you haven't already signed the 2004 Election Year Save Blackwater Canyon Petition, please do so — either "on-line" at www.saveblackwater.org, or by sending in the form in the March **Voice**.

Editor's note: The Highlands Conservancy does not endorse or support any candidate for public office.

MOVING TARGET

By William Stolzenburg

High in the Allegheny Mountains of West Virginia, a wide-eyed wad of fur surveys the night woods from the treetop heights and launches itself into the void. *Glaucomys sabrinus fuscus*, the northern flying squirrel, spreads a velvety cape of skin and glides a shallow descent 50, 100, 150 feet through the air, its flattened tail ruddering the living kite between trees.

Now sailing hellbent for a collision, the squirrel at last flares its airfoil and softly alights, low upon the trunk of a spruce. A folding of cape, a scan for predators, and flying squirrel becomes terrestrial squirrel, foraging among the mossy roots and moldering logs of the aging boreal forest.

Not a bad show of aerobatics for a rodent, albeit one less commonly performed in modern times. In 1985, 49 years after the Virginia northern flying squirrel was first described by science, its rarity propelled the squirrel onto the federal endangered-species list. And with that des-



ignation, *Glaucomys sabrinus fuscus* has since come under the scrutiny of scientists and land managers looking to learn its critical needs, its requisite forests and foods, and how to furnish them. The squirrel has become what's known in the vernacular as a "conservation target," an evolutionary unit of biological diversity providing focus for the conservationist's aim.

The northern flying squirrel is a Pleistocene relict, one in a cast of cool-weather plants and animals left stranded atop the Appalachians when the cold climates of the last ice age retreated northward 11,000 years ago. It was then a denizen of virgin spruce and birch, maple and hemlock, of ancient gothic forests with understories rioting in mosses and mushrooms and rot-

ting logs. When loggers arrived in the 1800s, there were some 200,000 acres of these montane spruce forests in West Virginia; today the estimate is 20,000 acres.

Among the remnants, biologists find the last of the Virginia northern flying squirrels occupying a narrow ecological band at elevations of 3,000 to 4,600 feet, where the high spruce forest mingles with the hardwoods below. Their investigations uncover a squirrel that thrives where the trees are allowed to grow tall and old, providing nesting cavities when they die, adding structural and organic complexity to the forest floor when they fall. In sum, they find their subject dangerously marooned upon little sky islands of red spruce forest.

Taking its cues from the biological surveys, The Nature Conservancy has been pinpointing the squirrels' last strongholds of unprotected habitat, and moving to their defense. Around the periphery of the Monongahela National Forest, within which most of the region's boreal forests remain, the Conservancy has been adding padding to the whole, securing private forest preserves from the Cheat Mountain sky continent to the high plateau of Dolly Sods.

There, biologists also find the Cheat Mountain salamander, a fellow endangered species found nowhere beyond these mountains. They find the northern goshawk, the saw-whet owl and the fisher, all dependent to varying degrees on unbroken boreal forests of the central Appalachians.

To cover them all at a stroke, "we decided to go for saving the ecosystem first," says Appalachians program manager Thomas Minney. "When we looked at breaking down the targets, we chose instead to roll them up into the dominant ecosystem that supports them all—the red spruce ecosystem."

Both the Conservancy and the U.S. Fish and Wildlife Service have begun looking to restore some of the missing mountain forests, to reconnect fragments too small to support squirrels or salamanders on their own. It is a plan founded a bit on silviculture and a lot on patience. Says Mark Ford, research biologist with the Forest Service in Parsons, West Virginia, "What we now think of as good squirrel habitat may be three to four hundred years away from good squirrel habitat."

One more consideration for complexity's sake: It may take more than time to grow the forest for the squirrel. It may take

the squirrel to grow the forest.

It turns out the boreal forest grows well only with the help of subterranean fungi that relay water and minerals to its roots. The fungi, many of which are better known to epicureans as truffles, need a little help of their own, in the form of a digging animal to spread their spores. Enter the northern flying squirrel, a committed truffle gourmand.



Ferrying spores hither and yon, the squirrel fertilizes its own forest.

Squirrel of the forest, forest of the squirrel. The targets of conservation come with a serendipitous quality, wherein looking hard to save one sheds light on saving another.

This article originally appeared in the Spring, 2004, issue of The Nature Conservancy's magazine. © The Nature Conservancy. All rights reserved.

"I hope you love birds too. It is economical. It saves going to heaven." Emily Dickinson



SCOUTING THE VIEWS ON BUCK TAIL TRAIL

By Mike Juskelis

Participants: Don, Ian, Jonathan, Dan, Betty, Andrew, Lori, Rachel, Terri, Karl, Wendy, Mathias, Dave, Meg, Leena, Keith, Nada and Sam the wonder dog
Distance/skill level: 9.7 mile circuit/ moderate with one very steep climb.
Weather: Sunny, 57 degrees, no wind or clouds.

It was intended to be a scouting trip of trails that I've never hiked before to a grandstand view of Trout Run Valley from Halfmoon Lookout. I was expecting a small turnout ... two cars of hikers perhaps ... but as the days grew warmer and the cabin fever in many homes reached a delirious level our ranks swelled to eighteen.

The only snafu happened right at the beginning. We were all so busy chattering away about whether the hike was to be attacked in a clockwise or counter-clockwise direction that both Don and I walked right by the Buck Tail Connector with six pink blazes splattered on the trees around it! It was obvious by the time we reached the top of the forest road that, not by choice, clockwise was to be the direction ... at least for today. At the crest we found ourselves surrounded by Rocky Ridge on our left, the peaks of North Mountain along Waites Run in front of us and the slow slope of the back side of Halfmoon Mountain on our right.

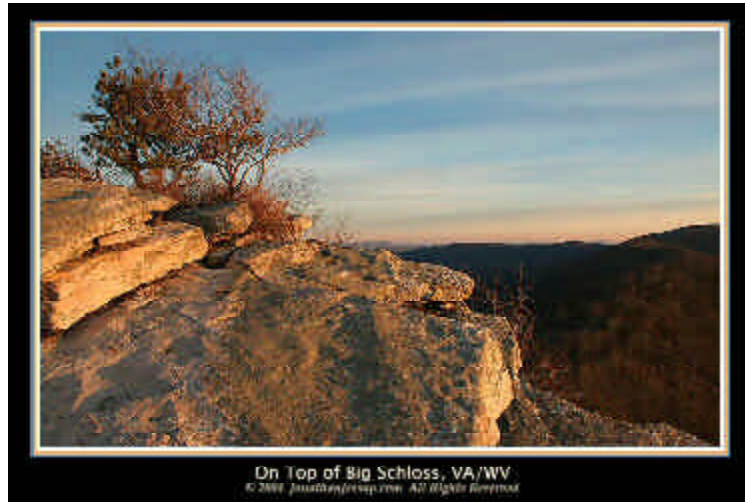
As we dropped down into Halfmoon Hollow the forest road changed into a footpath and slowly meandered its way upward through the cove crossing the stream a half dozen times or so before it parted it's company and gradually lead us to the intersection with the German-Wilson Trail. This trail starts off innocently as a wide abandoned forest road and then just as you get the sense that this trek is going to be a cake walk the trail turns sharply left, leaving the road, and climbs steeply up a dry rocky gorge littered with blow-downs. To make matters worse, this steep cove was sheltered from the sun by a nearby peak and was covered in a couple of inches of slushy snow ... real fun stuff to walk uphill in!!!! Fortu-

nately the climb was short-lived and we all made it to the top. From there it was almost a mad dash as everyone sensed that the summit of Halfmoon Lookout — and lunch— were close at hand.

The view was everything I heard it was. To our left you could see almost the entirety of Mill Mountain. Still in its winter nakedness you could see Sandstone Springs, where some of us will be camping in a couple of weeks, Big Schloss and Wolf

threatening to throw Don off of the cliffs for missing that turn off, letting the sun warm our bodies and our souls

Well, all good things must reach a conclusion I guess so, with much reluctance, I mustered the troops and we made our way back along the spur trail and then the Halfmoon Trail, for a quick descent into Trout Run Valley. We easily found that pink-blazed Buck Tail Connector trail that we walked by in the morning and followed it back



Gap. Straight ahead was Tibet's Knob and Devil's Hole Mountain. To our right was Long Mountain with Trout Pond to it's north. Even the southern portion of the Great North Mountain was visible beyond it all. Betty and Dan jumped down quickly to claim one of the more prominent lunch spots and disturbed a Red Tailed Hawk that was roosting in a nearby pitch pine. What a sight as it blasted out like a jet from an aircraft carrier!!! The view only lasted for minutes but it seemed like hours as we watched it soar in the cloudless skies over Mill mountain !!! We lingered for a half hour, basking on the rocks, eating, chatting about this and that,

to the cars. (It was rather obvious after all !!!) One note here: the "F" map published by the PATC shows this trail as a somewhat straight 1.5 mile trail. The trail actually follows the contours of the mountain, weaving in and out of the coves, for a distance of 2.2 miles.

Everyone thoroughly enjoyed themselves, even those who found the German-Wilson trail to be a bit more than nasty, and I believe all feel that 1) this hike should be promoted to our regular repertoire of hikes and 2) CLOCKWISE is probably the preferred way to assault Halfmoon Lookout on future outings.

FALLING MOUNTAINS CD RESPONDS TO AN ENVIRONMENTAL NIGHTMARE

Falling Mountain is pleased to announce the release of an important new compilation CD called Moving Mountains: Voices of Appalachia Rise Up Against Mountaintop Removal Coal Mining. The CD features thirteen artists inspired by the people and places of rural southern Appalachia being devastated by mountaintop removal coal mining, including singer/songwriter Andrew McKnight, songwriter and occasional WestVirginia

Public Radio host Kate Long, guitarist and songwriter Mike Morningstar, and venerable fiddler Vasser Clements as well as six interviews with local residents.

Moving Mountains was compiled by lifelong musician and activist Jen Osha. Most of the proceeds from sales of Moving Mountains will go to non-profit organizations, including the Ohio Valley Environmental Coalition and Coal River Moun-

tainWatch.

Order at www.fallingmountain.com. It is also available at Taylor Books in Charleston. Concert and promotional events are currently being planned for the southern Appalachian region. If you would like to help host or organize an event, please contact Jen Osha at jen_osha@yahoo.com.

Legislative Recap

HOW THE SAUSAGE TURNED OUT

By Donald S. Garvin, Jr., West Virginia Environmental Council Legislative Coordinator

Environmental Quality Board Saved By The Gavel

When the clock struck the hour of midnight on the last night of the 2004 session of the West Virginia Legislature, Senate President Earl Ray Tomblin banged the gavel. It is likely that the next bill up for consideration was SB 737, the bill that would have transferred the setting of our water quality standards from the Environmental Quality Board to the Division of Environmental Protection.

But the session was over, and so the Environmental Quality Board survives for another year.

Talk about a cliffhanger!

The session ended a little over two weeks ago, and I have still not recovered. So I hope you will forgive me if I provide you here with only a quick run-down of how other environmental issues fared in this year's session.

Water Quality

Years of constant and incessant whining have finally paid off for the water polluters in West Virginia.

The judiciary committees in both the House and Senate caved in to the "whines" of the various industry lobbyists that make up the Dirty Water Coalition and stripped almost all of the new protective standards from SB 353, the EQB water quality rule.

One of the winning whiners was the Chamber of Commerce, who succeeded in getting protective standards for 69 new toxins stripped from the rule – in spite of the fact that the federal EPA recommended the standards and said many of these toxins cause cancer.

Another winning whiner was the Independent Oil and Gas Association, who succeeded in getting some 350 trout streams from being added to the state's list of protected trout waters – in spite of the fact that DNR has documented that these streams are, in fact, trout streams.

The WV Coal Association was also a winning whiner (they are, after all, the top-dog whiners in the state, hands down) who after years of whining finally succeeded in getting water quality standards reduced for manganese and aluminum – in spite of the fact that EPA has twice disapproved these lower standards. Persistence pays off, apparently.

What we are left with is another year-long legislative study that will look into how the EQB develops water quality standards, how the EQB determines what is a trout stream, and why on earth a recent court decision would question the Legislature's authority to amend rules promulgated by the EQB.

We are also left with the EPA questioning whether or not the water quality rule as amended by the Legislature fulfills the Tri-

ennial Review requirements of the federal Clean Water Act.

Water Quantity

With the Governor on board, both houses passed SB 163, a bill that finally claims sovereignty over the state's waters for the citizens of West Virginia, provides for a study of water usage in the state, and contains a mechanism for DEP to step in and regulate in cases where water shortages are threatened. This is a good first step, and a long overdue tribute to Rick Eades and his insightful and dogged leadership on this issue.

All-Terrain Vehicles

The Legislature finally passed an ATV safety bill this session. It only took seven years for our lawmakers to insist that children riding these machines wear helmets.

However, this is a very weak bill in other regards. The bill does not ban ATV use on all paved roads, a provision that was pushed even by the lobbyists for the ATV manufacturers.

The bill does include a provision that allows counties with "comprehensive plans" to ban ATV use on roads within those counties (there are maybe three counties with comprehensive land use plans).

This essentially leaves 21,000 miles of the state's 34,000 miles of roads open to ATV operators. There is a problem with ATV's running illegally and destructively on our public lands such as the Monongahela National Forest, our national park lands, and our state parks and forests. ATV's don't drop in to these places from thin air – they reach them in large part by using paved roads that are outside the official boundaries of these special places.

Perhaps in another seven years we can convince legislators to ban ATV's on all state roads. The machines are not designed to run safely on these roads in the first place.

Garbage

Approximately half way through the session, HB 4462 was introduced. It was a bill sponsored by southern WV delegates to permit certain solid waste facilities to accept solid waste up to 100,000 tons per month.

For those who remember the garbage wars of the early 1990s, this brought back bad memories.

Fortunately, the bill had some major flaws and it was way too late in the session to fix them. And there were too many legislators uncomfortable with the proposal.

This bill did not make it out of committee. But don't be surprised if it returns next year.

Bottle Bill

The West Virginia Bottle Bill was in-

roduced in both the House (HB 4147) and Senate (SB 293). The bill would have created a 10-cent refundable deposit on glass, aluminum and plastic beverage containers. Similar bills in other states have resulted in a tremendous reduction in the tonnage of garbage collected in those states.

Committees in both houses failed to move the bill this year. However, supporters held a very successful "Deposit Day" in conjunction with this year's Environmental Council E-Day at the Capitol. Organizers paid folks 10 cents for every beverage container they brought to the Capitol.

Linda Mallet who was the lead lobbyist on the bill for WV Citizen Action Group reported that they collected about 1,000 containers per hour during the effort!

Clean Elections

Supporters of campaign finance reform in West Virginia had a couple of major victories this session, as the Public Campaign Financing Act (SB 270 and HB 4260) was advanced in both houses. This bill would create a system of public financing for election campaigns in West Virginia.

The Senate Judiciary Committee passed out it's version of the bill by a 10-4 vote, and a House Judiciary subcommittee passed out a pared-down version of its own.

While the bill did not advance further this session, it is heartening to see legislators recognizing the importance of reducing the need to raise mega-bucks in order to run for office, as well as reducing the obvious influence big money has on politics.

While Ohio Valley Environmental Coalition and West Virginia Citizen Action Group have taken the lead on this bill, the effort is supported by an unusually large coalition of interest groups, including labor and the environment.

The "Fill" Bill

And finally, there was SB 728, which would have added the federal definition of "fill material" to the Water Pollution Control Act. Now this was just a little bill that supposedly only conformed state law to federal law. But the bill was proposed by the coal industry and not by DEP. Think something's up here? Can you say, "Overburden"?

The bill died in House Judiciary Committee.

The coal boys really took it on the chin this session. But, then there's always the next session to look forward to.

(This article was composed with assistance from the entire WVEC lobby team, including Conni Lewis, Allan Tweddle, Denise Poole, and Don Alexander).

WILDERNESS CAMPAIGN MOVES AHEAD

By Matt Keller

As we move into spring, the Wilderness Coalition is nearing completion on a draft proposal for new wilderness areas on the Mon! There are a few issues that remain to be worked out with various stakeholders that we are in the process of dealing with. This issue of *The Highlands Voice*, as well as the past few, features articles about areas with very high wilderness potential.

As many of you are aware, the Mon National Forest is currently revising their management plan. We've been working closely with them to make sure our potential wilderness areas are properly evaluated for wilderness recommendation. We have engaged the West Virginia Division of Natural Resources and are working with them to resolve potential conflicts regarding wildlife management and boundaries for potential new wilderness areas.

We recently met with staff for all five of our congressional delegation members and got very positive feedback regarding how we've conducted our wilderness work thus far. All five members seem very open to continuing the dialog about a new wilderness bill for West Virginia.

This summer, we will be working hard to generate a tidal wave of support for our draft proposal. We'll be hitting the road and telling our story to a wide range of folks across the state and hopefully forming new alliances to strengthen our cause.

We hope to get many additional endorsements from a wide range of businesses, organizations and civic bodies and elected officials in the coming months.

The West Virginia Wilderness Coalition has recently produced a new brochure which provides general information about wilderness and why we need to protect more in the state. We will be sending copies to all Highlands Conservancy members soon so keep an eye out. We are in the process of producing additional literature about wilderness and our campaign, much of it dealing with specific issues relevant to wilderness designation and many of the myths that surround it.

If you haven't done so already, please contact your elected officials in Washington D.C. in support of wild places on the Mon. Be sure to tell them you want to see more designated wilderness and ask them to be a leader in crafting and introducing legislation to do just that. If you have internet access, go to our website, <http://www.wvwild.org>, where you'll find an easy way to contact our congressional delegation and Governor Wise. Addresses and talking points for a letter can be found in this edition of the Voice if you are not able (or willing!) to go online. If you have any questions, comments or concerns, feel free to contact me: Matt Keller, matk@tws.org, 304-864-5530.

SPICE RUN PROPOSED WILDERNESS AREA

by Beth Little

This wild area rises from the Greenbrier River on its western boundary, and is named for Spice Run, which is also the boundary between Pocahontas and Greenbrier Counties. The area is bounded on the north by Calvin Price State Forest, on the east by County Road 21 and private land, and on the south by roads up Little Creek. It contains the watersheds of Spice, Davy and Kincaid Runs, all native brook trout streams which drain into the Greenbrier River.

Spice Run lies within the Appalachian Plateau physiographic province of West Virginia, just west of the Allegheny Front. It is underlain with sandstone from the Mississippian Period and shale from the Denovian Period. Spice Run, along with Davy Run and Kincaid Run, two smaller tributaries of the Greenbrier River, cut steep hollows which define the terrain. The elevation goes from just under 2,000 feet along the Greenbrier River up to 3,284 on the top of Slab Camp Mountain.

If designated, Spice Run would be one of the most remote wilderness areas in West Virginia. Access is by rough jeep road

on the west, by canoe or kayak on the Greenbrier River, or by fording the Greenbrier on foot from the Greenbrier River Trail, which can only be done during normal to lower flows. There are no marked trails within the area, just a jeep trail along Spice Ridge, which separates Spice Run from Calvin Price State Forest, and another coming in from the south to Slab Camp Mountain.

In their Wilderness Attribute Rating System (WARS) analysis for Spice Run, the U.S. Forest Service reported that the area had high potential for wilderness experience. It was found to have very strong opportunities to provide solitude and primitive recreation. Spice Run's wilderness attributes were among the highest of all areas evaluated in the WARS process. The majority of the proposed area has been managed for over 17 years in a way that has maintained these wilderness attributes. It is clear that Spice Run is even more appropriate for wilderness designation today because of this.

Across the Greenbrier River, the logging town of Spice Run was located next to the railroad, which is now the Greenbrier River Trail. Here the timber was hauled out

by the Spice Run Lumber Co. at the turn of the last century. Pillars from a bridge spanning the Greenbrier still stand in the river. The forest has grown back, and the wildlife has returned, making this a great place to hunt or hike for the adventurous explorer who needs no trail to keep from getting lost.



MIDDLE MOUNTAIN PROPOSED WILDERNESS AREA

by RICH BAILER

Located in southern Pocahontas and northern Greenbrier counties, the seventeen mile long Middle Mountain Wilderness candidate is the largest roadless area in the Marlinton/White Sulphur Springs Ranger District of the Monongahela National Forest. The proposed wilderness area would comprise a large portion of Middle Mountain, including lands currently managed as semi-primitive, non-motorized (management prescription 6.2), for a total of just over 12,000 acres. The area is bordered on the north by State Rt. 39/92; on the east by State Rt. 92 and private land; on the south by MNF land; and on the west by County Road 23.

The topography of Middle Mountain is quite irregular, as the mountain is dissected by numerous small tributaries of Anthony Creek on the east side, and of the North Fork of Anthony Creek on the west. The mountain seems to repeatedly fold in on itself, with numerous hollows and drafts. The Douthat headwaters and Devil's Garden areas in particular are like this. Anthony Creek and Douthat Creek are classified as Tier 2.5 streams, those that can support trout populations. Thus, the opportunity to protect a major portion of their watersheds, and the associated fishing activities, exists with wilderness designation.

Middle Mountain would be unique among existing wilderness areas in the Monongahela NF because of its relatively low elevation and rainfall. There is a marked difference between the east and west faces of the mountain. The forest community on the east facing slope is dominated by oaks, hickorys, and other mixed hardwoods, along with white pine. The west slope, which receives considerably more rain, is more verdant as a result. Rhododendron, eastern hemlock, various azaleas, and striped maple can be found here among various hardwoods. The area provides critical habitat for the Federally Endangered Shale Barren Rockcress and some other rare species.

Opportunities for outdoor recreation in this area are considerable. There are a number of access points from Rt. 92 on the east, and from Rt. 39/92 on the north. The Middle Mountain Trail follows the spine of the mountain and is easily traveled, with numerous spots to camp. There is little in the way of water along the ridgeline, however. What water can be found exists as small springs in various places below the top of the mountain, so campers should come prepared with their own supply. Scenery on the mountain is almost entirely wooded, with several fine east-facing views

along the top of the ridge. Middle Mountain is well-known among hunters as heavily populated by white-tailed deer, wild turkey, and black bear. Evidence of black bear passing can commonly be found. Wildlife management has been occurring here, and it is much used by the hunting community.

Middle Mountain will add wilderness to an area of the MNF that currently has none. Hunting and other recreational uses traditionally associated with this area would be able to continue, and reclusive species like black bear, wild turkey and native brook trout would benefit.



TALKING POINTS FOR A LETTER ABOUT WILDERNESS

- I support protection of significant new wilderness areas on the Monongahela National Forest (MNF). Currently, just 78,000 acres - less than 9% - of the MNF is protected as Wilderness, well below the average for eastern National Forests. Wilderness areas protect the headwaters of our rivers, the source of clean drinking water. Also, forested watersheds control rain runoff to minimize flooding. They provide ideal locations for hunting, fishing, backpacking and other forms of outdoor recreation in scenic and natural settings.
- It has been 20 years since any new wilderness was designated in West Virginia. Our current areas are a major tourist draw. We are fortunate in WV to have wild areas left in the East that qualify for Wilderness. Economically, we should take advantage of this opportunity to better compete with surrounding states for tourism dollars, as well as prevent overuse of our current areas.
- Now is the time to designate additional wilderness areas in our state. Benefits associated with designated wilderness are far reaching for the people of West Virginia, our wildlife populations and the land itself. Protecting our last few remaining wilderness areas will ensure that present and future generations can use and enjoy parts of the forest in their natural state.
- I strongly urge you to support efforts to designate new wilderness areas on the MNF and hope that you will be a leader in crafting legislation that will preserve our last remaining unprotected wild places.

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Rep. Nick Rahall
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PLANNING IN THE MON FOREST: WHAT'S AT STAKE?

The Forest Service is in the process of revising the Monongahela National Forest's Management Plan. This is the document that governs how the entire forest is managed. This revision to the current plan will determine how the Mon will be managed for years to come.

For the past year, representatives from the WV Highlands Conservancy, the Sierra Club and the Wilderness Society have been actively engaged in the plan revision process. **Now we come to you, to encourage your participation, because right now there is an important opportunity to get your voice heard for the protection of the Monongahela National Forest.**

The Monongahela National Forest website is a great way both to learn about the forest planning process and to keep up on the revision's progress. The Forest Service posts not only an electronic version of their newsletter, but also draft documents as they are completed. It can be accessed at http://www.fs.fed.us/r9/mnf/plan_revision/plan_revision.htm. In addition, the Forest Service sends out monthly newsletters with updates on the plan revision's status. If you would like to be added to the newsletter mailing list, please let us know.

The Forest Service has proposed an ambitious timeline for the plan revision process. They are now expecting the draft plan and EIS to be released in December 2004 and the final plan released in the fall of 2005.

Less than nine percent of the forest is permanently protected as Wilderness, designated so by Congress. It is a priority for forest activists across the state that Wilderness protections for additional wild forest lands are recommended for designation.

Wild forest protections are just one of the many issues addressed in the Forest Plan revision. The coordinating committee has been working to identify key issues in the plan revision process. Below is a list of the many of the topics to be addressed during this Plan Revision. For more information about any of these areas, including a list of talking points, please contact one of the organizations listed. This is not meant to be an exhaustive list of issues or talking points, but rather a beginning point to help you articulate your own concerns.

Thank you for caring enough about the Mon to get involved. Your involvement will make a BIG difference for the Mon's future.

Bob Marshall, Public Lands Committee Chair, WV Highlands Conservancy, P.O. Box 306 Charleston WV 25321 (304) 284-9548,

Anna Sale, WV Conservation Organizer, Sierra Club, P.O. Box 2024 Charleston, WV 25327 (304) 342-3182

Fran Hunt, Mid-Atlantic Program Director, The Wilderness Society, 1615 M Street NW Washington, DC 20036 (202) 429-2657

Forest Health

Too often, the Forest Service and the timber industry adopt an extremely limited view of forest health. "Forest health" can mean whatever the speaker wants it to mean—and the remedy for an unhealthy forest is usually logging and weakening of environmental safeguards. The focus is on tree health, and especially trees that have commercial value as timber. However, a more ecologically sound definition of forest health implies much more than just trees. A forest includes the many interacting plants, animals, insects, and micro-organisms that live and reproduce there. For example, the soil alone contains thousands of types of fungi, bacteria, earthworms, and insects, all of which are essential to growing future generations of healthy trees (as well as other organisms). What's more, dead trees, insects and disease are part of the natural forest cycles of growth and death and are not necessarily cause for human intervention (logging.)

Roadless and Wilderness Areas

Our National Forests offer a haven from the sights, sounds, and smells of our increasingly developed and crowded world. Roadless and Wilderness areas make up the wild core of the Monongahela National Forest. Opinion in West Virginia and across the nation is strongly in favor of protecting roadless areas on our National Forests and for congressional Wilderness designation for roadless areas that qualify as wilderness. All National Forest roadless areas 1,000 acres or more should be protected from logging and road building. The Forest Service should recommend all National Forest roadless areas that qualify for inclusion in the National Wilderness Preservation System.

Logging

In general, management of the Monongahela National Forest should provide those goods and services that will not be provided by market forces from private lands. Specifically, the Monongahela National Forest should emphasize mature and old growth forests, intact watersheds, backcountry recreation, biological diversity, wilderness, clean water, protection and restoration of unfragmented habitats, protection of unique and rare habitats, conservation of threatened and endangered species. Management for timber and other commodities is appropriate only where consistent with this overarching goal.

Roads

National direction for a new Roads Policy for the National Forests was developed in 2001 under former Chief Michael Dombeck. The Forest Service acknowledged that roads, especially if poorly maintained, can damage watersheds and that few detrimental environmental impacts are more lasting than those caused by roads. Each National Forest is required to analyze its road system in order to determine the minimum road system needed on each forest. The agency also laid the groundwork for decommissioning some of its worst roads through the forest plan revision process.

Off Highway Vehicles

Off Highway Vehicles (OHVs) and All Terrain Vehicles (ATVs) are currently not allowed on any trails within the Monongahela National Forest. This prohibition is in place because the Forest Service recognizes that the fragmented nature of the Monongahela, plus its high rainfall levels and fragile soils, make the national forest a poor location for the development of an OHV trail network. The West Virginia ATV Association realized this also, and instead, worked to establish the Hatfield McCoy Trail System which is using public funds to develop a trail system on private lands. Nevertheless, there are still OHV interests working hard to establish OHV use on the Monongahela National Forest. It is important that the Forest Service hears from non-motorized Forest users who want to protect the fragile resources and peace and quiet of the Forest from OHVs and ATVs.

Snowmobile use is occurring on Forest roads and trails. This use is not addressed by the current Plan. Unless there is enforcement in place to ensure that snowmobiles are being used appropriately and not entering Wilderness areas, snowmobile use of Forest roads and trails should not be allowed.

Soils and Acid Rain

Any farmer or gardener will tell you that each type of plant requires just the right balance of nutrients in its soil. Trees, for example, use nutrients including calcium, potassium and magnesium to make their trunks, branches, bark, leaves and roots. A good gardener also knows that the pH (acidity) of the soil needs to be right, or the plants will not be able to use the nutrients in the soil properly. Just like plants in a garden, the growth of trees in the forest depends not only on the balance of nutrients found in the soil, but also in the pH (acidity) of that soil.

In forests that get acid rain, that acid rain moves through the forest soil and can wash away vital plant nutrients. This loss of nutrients (nutrient depletion) reduces the fertility of the soil, killing some trees and/or slowing the growth of others. The loss of these nutrients from the soil can also have a number of damaging effects on streams and fish. Rotting wood returns nutrients to the soil, but if logging occurs, the nutrients in the cut trees are also removed from the forest and are not available for the next generation of trees. Thus, timber is not, on these nutrient poor soils, a truly renewable resource.

The Monongahela National Forest recently developed a short report for the public on acid rain and its effects on soils and streams. This report, "A Forest Soil Nutrient Concern," states that 40 percent of the Mon may have the soils and geological conditions that are at risk of nutrient loss due to acid rain. Unfortunately, this paper does not mention logging, or acknowledge that logging removes the nutrients stored in logged trees from the forest and can worsen nutrient depletion at that site.

Watershed/Streams and Rivers

The most ecologically healthy watersheds in this region of the country are found on National Forest lands. The streams and rivers in these watersheds provide clean drinking water and excellent fishing opportunities. The streams, rivers and watersheds of the Monongahela National Forest provide the best remaining habitat in the region for a wide variety of both terrestrial and aquatic species. The forest's role as a refuge for these species and as a provider of clean water needs to be given the highest priority in the plan revision process. Where good habitat and watershed conditions exist on the Monongahela, they must

Recreation

The Monongahela National Forest is within a day's drive of 1/3 of the nation's population and forms the backbone of a thriving regional natural resource based tourism economy. The public, especially West Virginians, views the Forest as a special, unique, oasis that should be left just as it is. The Mon is highly valued as a place for more primitive recreational activities that are in very limited supply regionally.

A great contrast is visible between the naturally appearing national forest and most of the remainder of the state where development, mining, and logging operations have resulted in a heavily man-influenced, disrupted, and often polluted environment. Forest Service management should emphasize the protection and expansion of remote areas where primitive and semi-primitive non-motorized recreation can occur without the disturbance of road building, mineral extraction, or logging.

Careful recreation planning for the Mon is necessary if the Forest Service is to provide these unique recreation opportunities and also remedy and prevent problems of overuse, user conflicts and resource damage.

Threatened, Endangered and Sensitive Species

The Monongahela National Forest is home to nine endangered and threatened species. The listed species are the Bald Eagle, the Cheat Mountain Salamander, the Indiana Bat, the Virginia Big-eared Bat, the West Virginia Northern Flying Squirrel, Running Buffalo Clover, Shale Barren Rock Cress, Virginia Spirea, and Small Whorled Pogonia. The Monongahela National Forest is home to 9 out of 10 of all remaining endangered Northern Flying Squirrels. Without strong protections for these species, they may soon be lost. Activities such as logging, herbicide spraying, controlled burns, gas drilling and road building can kill or harm these species and destroy their habitats. Protecting rare and endangered species is an important part of the Forest Service's role as steward of national forest resources and is required by law.

The Forest Service should also address the needs of so called "sensitive species," meaning species that may be harmed by human activities and which could become vulnerable to extinction if not carefully protected. The Forest Service must resist pressures to open the Monongahela to increased logging, road building and other activities that can: 1) cause further harm to these rare species, 2) damage the forests where they hibernate, forage and reproduce; or 3) in the case of the squirrel, lead to destruction of the trees they use as shelter and a means of travel.

What's more, protection of these special plants and animals will also protect the wild, remote and unique character of the Forest that makes it so attractive to human visitors. Most of these nine species require the wild and undisturbed forest habitats that make the Monongahela so popular to human beings as a refuge from the noise and crowding found in so many other places.

be protected. Where they are fragmented, they must be reconnected. Where they are disturbed, they must be restored.

Logging and road construction can damage streams, watersheds and fish. The erosion and sedimentation caused by poorly constructed or maintained roads is the primary cause of stream damage and harm to native fish and other aquatic species on most forests. This forest plan revision for the Monongahela needs to protect the health of streams and rivers both to protect water quality (drinking water sources) and fish and wildlife populations.

COUGAR CONFERENCE COMING UP

By Helen McGinnis

The Eastern Cougar Conference 2004 is the second only conference devoted entirely to this magnificent cat east of the Rocky Mountains.

Over the last 20 years, cougars have been regaining former habitat in the Black Hills, across the Great Plains, in the states and provinces surrounding the Great Lakes, and along the west side of the Mississippi River. Thousands of people believe they've seen them east of the Mississippi, but solid evidence is hard to come by.

Sessions will be devoted to regional updates and modern techniques for confirming the existence of cougars, such as remote infrared cameras, hair snares, and DNA analysis. Many people believe they've seen black panthers. DNA analysis has proven that black leopards roam England and Wales; do they also live in North America?

Are cougars a major threat to people? David Baron, author of *The Beast in the Garden*, will share his insights, based on cougar incidents near Boulder, Colorado. What can we learn from recovery efforts for other large predators, such as Florida panthers, lynx, wolves and jaguars? Chris Bolgiano, a well known environmental writer, will give the keynote address.

Susan Morse will give two talks. Sue is a forester and director of Keeping Track in Vermont—a nationally recognized naturalist and habitat specialist with thirty years of experience tracking and interpreting wildlife uses of habitat. She has developed an effective and unique track and sign survey

protocol that is at the cutting edge of wildlife research in the US today.

On Saturday morning, Walnut Hill Tracking from Massachusetts and Jay Tischendorf will conduct a tracking workshop. Trackers are well known in New York State and New England—less so farther south. Jay says, "Tracking is so much more than finding tracks and trails in snow. Animals, just like people, leave telltale signs of their passing, which to someone attuned to the natural script of the wild, can provide countless insights into animal presence, behavior, movements, and interactions. Tracking truly involves all five of our senses. Some of my most enjoyable moments afield have been spent pouring over some animals' tracks and spoor. Snow, mud, dirt, dust, and sand are all substrates that will hold tracks, but even in their absence 'sign' can be found, if one knows what to look for—and how."

Everyone interested in cougars is welcome—wildlife professionals, naturalists, hunters and people who are concerned about cougar attacks. Fees for the entire conference, including the tracking workshop, are \$150.00 for wildlife professionals, \$100.00 non-professionals, and \$75.00 for students. For a single day, \$50.00 will be charged.

For complete information, visit the Eastern Cougar Foundation's web site, www.easterncougar.org and click on the lower left corner of the Home Page. There you will find a registration form, schedule of events, and lists of hotels, motels and camp-

grounds. Or you may contact Helen McGinnis, PO Box 300, Harman, WV 26270; 304-227-4166.



BENEFIT FOR RAPTOR CENTER HEARTWOOD CONFERENCE

May 28-30, 2004

On Friday, April 16th, the WV Raptor Rehabilitation Center will be holding its second benefit show, hosted by the West Virginia Brewing Company in Morgantown. Bring the whole family during dinner hours (from about 6-8pm) and meet Annie the red-tailed hawk and Otus the Eastern screech owl. Then, stay for a night of great local entertainment, including Sam Lamont & the Lowdown Sound and Beth Staley. Products donated by local businesses will be raffled, and door prizes will be given away throughout evening.

We had a great turn out for last year's benefit and are hoping you all support us again! All proceeds from the cover charge go directly to purchasing rats (yum) and supplies for the injured birds of prey we treat at the Center. If you have any questions (or would like to donate an item for raffle) please call Katie & Jesse at 594-4157. Check out our website, www.wrrc.org, for pictures and info about the birds you'll be helping by attending our benefit. Hope to see you at the Brew Pub!

You are invited to join forest protection advocates from across the nation on Memorial Day weekend for the 14th annual Heartwood Forest Council. The event, one of the largest environmental gatherings in the East, will be held at the 500-acre Caroline Furnace Camp in northern Virginia, just outside the George Washington National Forest. Caroline Furnace Camp, in Virginia's Shenandoah Valley, is surrounded by the George Washington National Forest. Featured speakers include actor Woody Harrelson, campaign finance reform champion Granny D, former U.S. Representative Cynthia McKinney, author Richard Manning, and many more. For program details and registration information, go to www.heartwood.org or call (812)337-8898.