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Sayre Rodman and Mary Moore Rieffenberger Take Their Leave

BIG SHOES TO FILL!

For as long as there has been a Highlands Conservancy Sayre Rodman and Mary Moore Rieffenberger have been among its leaders. Current membership records don't go all the way back to the founding of the organization but memory does. Unless memory is faulty, they were involved at the founding of the Conservancy and have served on the Board since. It is only our lack of records of the very early years that makes it impossible to verify absolutely their length of service.

Within the last year, both have left the Board. While either could have coasted along on past achievements and contributions and remained on the Board for years, both realized it was time to go. Sayre's health made it difficult for him to attend Board meetings; Mary Moore just wanted to give someone else a chance.

With their departure, a link to the original Board has been broken. While this break was inevitable, it is still a momentous occasion. Thus it is appropriate to devote some part of *The Highlands Voice* to a celebration of their lives and work.

SAYRE

By Helen McGinnis and Jean Rodman

When John McFerrin, Voice editor, asked me to write a biography of Sayre, I searched my memory. I remember a sturdy middle aged man, always good to be around, self-assured, and knowledgeable. I asked others. Bruce Sundquist said, "He was very articulate and intelligent." Jim Moorman, an attorney who helped with the wilderness effort in the late 1960s and early 1970s, recalls, "He was a terrific, warm personality." Don Garvin concurs that he is intelligent but Sayre always insisted that small-mouth bass were superior to trout—a major flaw in Don's opinion. (Ed: See related story, p. 14)

Sayre was active in the Conservancy

(Continued on p. 15)

MARY MOORE

By John McFerrin

If Highlands Conservancy Board members were ever assigned nicknames, Mary Moore Rieffenberger's would have to be

The Beloved Board Member. She is universally known as having a kind heart and a generosity of spirit that is second to none.

Her life has not been limited to classing up our Board meetings with her presence and influence, although she did do that. She has been an active environmentalist for as long as anyone can remember. As a long time friend put it, "wherever, whatever and whenever there was a conservation or environmental issue, most likely she was on the scene or in the fray to support or object according to the proposition."

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From the Western Slope of the Mountains
by Frank Young

Power Plant Siting Comments Due

The West Virginia Public Service Commission (PSC) is moving swiftly to formulate electrical generating power plant siting rules. The WV Highlands Conservancy and other organizations have long requested that such siting rules be developed. You chance to comment on a draft of these rules will expire by mid-February unless a comment period extension is granted.

The rules will cover any and all kinds of commercial EWG (exempt wholesale generation) power plants- including those fueled by coal or natural gas, those driven by wind turbines or water driven turbines- even solar powered or other commercial sized plants whose power is distributed through the wholesale electricity markets.

The draft of the siting rules can be viewed at the PSC's internet site at: http://www.psc.state.wv.us/orders/2003_12/GO2551cb.htm.

What kinds of concerns and comments might the public want to comment about? The WV Highlands Conservancy will offer comments about the considerations that need to be made to birds, bats and others of nature's precious resources.

Too, we will offer that the draft PSC suggestion that analysis of viewshed effects of smokestacks, large buildings and wind turbines and towers at distances up to 5 miles is inadequate, and that viewshed considerations up to 15 or 20 miles need to be offered as part of applications for siting permits. Some of us have determined that some special places can suffer substantial view detriment from distances of up to 20 miles from certain kinds of power plant installations.

As the Conservancy's wind energy committee reads the PSC's draft siting rules it strikes us that these rules do not seem to contemplate the many miles of scenic vistas directly and significantly affected by structures hundreds of feet tall located in the heart of the mountainous highlands of West Virginia. Facilities located in the already heavily industrialized Kanawha and Ohio Valley may not create the same degree of scenic degradation as do and would similar facilities located on high ridges in the heart of the most scenic and most recreational areas of the state.

In summary, then, public comments might well address extending the area covered by viewshed analyses to 15 or even 20 miles from the PSC's suggested 5 miles, for more critical studies and projections of potential harm to rare and endangered species and especially birds and bats, and special consideration for scenic recreational areas located in the highest elevations where scenic values are most precious and where large structures can be seen for much greater distances.

Public comments should be addressed to: Sandra Squire, Executive Secretary, Public Service Commission of West Virginia, P.O. Box 812, Charleston, West Virginia 25323. Comment letters should reference "General Order 255.1, Power Plant Siting Certificates"

We have asked the PSC to extend the public comment period. But the current public comment period of these draft siting rules expires February 13th.

Reminder- WVHC meetings schedule:

Spring Review- April 23rd, 24th & 25th
Summer Board meeting- Saturday, July 24th
Fall Review- October 22nd, 23rd & 24th

roster of Officers, Board Members and Committee Chairs

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BOARD MEETING HIGHLIGHTS

By Hugh Rogers, Secretary Extrordinaire

On January 24, the Highlands Conservancy board of directors munched to the Green House in Elkins for our winter meeting. When we adjourned in mid-afternoon, we found the roads even more obscure. But we crept home knowing we had passed a budget for 2004 and settled a perennial issue.

While we were meeting in Elkins, the Legislature's regular session was underway in Charleston. The Highlands Conservancy has supported the West Virginia Environmental Council's lobby team at the Legislature from its beginning. They are "our team," as well as OVEC's and WVRC's and Sierra Club's team, indeed the team for every citizen who cares about the state's environment. The Highlands Conservancy, though, "has provided WVEC's lobbying effort with far more financial support than any other single group or individual," as Don Garvin, the team's coordinator, wrote in last month's Voice.

The question before us was whether we could or should maintain that leadership. Adopting a budget is a sobering process, especially when a deficit is projected. We saw how little money was available for all the things we ought to do. The finance committee reported that some other groups now had much larger budgets than ours, but they had not matched our contribution. Shouldn't they take more responsibility for the lobby team?

The committee's recommendation that we cut back our support would free up money for other projects, but it was also a challenge to our colleagues. Some on the board took a different approach: rather than look at what others were doing, we should ask how much the team was worth to us. In the end, on a split vote, we restored our contribution to last year's level. Two board members pledged to raise the difference—thus some individuals, at least, will be asked to take more responsibility.

There's a footnote to this story: On the following day, the WV Rivers Coalition had their winter board meeting, and afterwards Don Garvin told me that WVRC had more than doubled their prior years' contribution.

The wilderness campaign is another major program expense for 2004. Dave Saville reported that the group had completed research on inventories, borders, and suitability for twenty potential areas—roughly fifteen percent of the Monongahela National Forest's total acreage. That list will be submitted to our lawmakers for their consideration. Dave anticipated that a bill could be presented in Congress this year.

The research will serve a double purpose, since potential wilderness is an important issue to be considered in the Forest Service's management plan revision. The Forest Service has announced a schedule of "open houses" for public input and information on that process, beginning in Elkins on February 21. There's

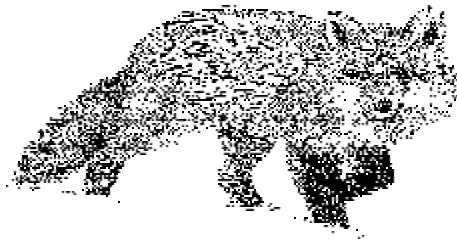
a "rolling" draft document at http://www.fs.fed.us/r9/mnf/plan_revision/plan_revision.htm. You can sign up for paper and/or electronic news bulletins.

Would you like to see all twenty potential wilderness sites? Check out the schedule of outings on our web site, and if no tour has been offered for one you're interested in, contact Jonathan Jessup and he'll try to find a leader. Or he'll persuade you to lead one yourself. He told the board, "Everyone's issue needs an outing." He'd like to see more options: inspections of good and bad logging operations, proposed wind farm sites, bike trails, whatever.

The report on avian impact monitoring at the Backbone Mountain wind farm will not be released before the end of January. Bats were not the subject of that study, but a "white paper" on bat mortality at Backbone is available on the National Wind Coordinating Committee's web site, or from Peter Shoenfeld, chair of our wind committee. A more formal study will be done this year.

The Public Service Commission has released a draft of new siting rules for exempt wholesale generating facilities (EWG's), including wind farms. The document, known as G.O. 255.1, is out for public comment. The Conservancy will seek an extension of the time to comment on this important issue.

One more issue worth mentioning is the proposed alignment for Corridor H across the head of Blackwater Canyon. The Department of Transportation has requested concurrence on that route from the relevant agencies. For many reasons, neither the state DNR nor the federal EPA and Fish and Wildlife Service preferred that route over the other alternatives studied. Concurrence may be slow in coming. If and when it does, the Conservancy's overstretched budget will be called upon to support the opposition and we'll be fundraising on that familiar issue again.



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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.

WATER QUANTITY: THE ODYSSEY OF THE WATER PROTECTION ACT

By Conni Gratop Lewis West Virginia Environmental Council Lobbyist

Giving you a brief history of the water quantity bill is like reducing *War and Peace* to one page. It's really hard to explain what happened to a bill that everyone, including legislative leadership, claimed they wanted. But let's have a go at it.

Rick Eades had spent years trying to educate West Virginians about the value of our water and the threats to it from beyond our borders. Few listened until West Virginia Water was sold to a foreign conglomerate. In response, Senator John Unger introduced a bill in the 2003 regular session to declare that the waters of the state belong to West Virginia. It died on the last night of the session only because the House wanted language that would prevent taxing waters and the Senate wanted to be silent on the issue.

But the issue didn't die: a simple resolution to study a plan to protect the state's water supply was extensively rewritten and made more comprehensive. It provided for a technical advisory group (which included yours truly and industry lobbyists, so it wasn't that technical). A select legislative committee and the advisory group were established. Then Senator Unger went to Iraq for four months to do humanitarian work. He spent some of that time being shot at without having a weapon of his own. Good practice for what happened in the advisory group.

Delegate Nancy Huston, the select committee co-chair, carried on in his absence. During the summer, committee staff prepared a bill that would cover interbasin water transfers, among other provisions. The Republicans on the select committee didn't like it at all. So the next month, a more limited bill emerged. This pattern of introducing more limited draft bills continued through the year.

Meanwhile, West Virginia University law school students put on a symposium on water issues. Legal scholars came to share what other states are doing and pretty much stuffed the attendees with information. This seemed to change the dynamics as it became clear that West Virginia was so far behind the legal curve it's scary.

During the fall it became apparent that the bill would include a declaration of policy and a comprehensive study of water use. This may not seem like much, but many industry lobbyists didn't see the need for any study, or any legal changes. Lawyers would carry on and on about common law as though nothing could

improve it. Sen. Unger would listen to the lawyers and then engage them in debate. He would ask simple questions like "if you're against the study, what are you for?" — and get silence in response.

In December the draft bill was modified and strengthened. In early January, even after industry lobbyists finished nitpicking what had become a common law preservation bill (and not so much a water quantity resource preservation bill), it was still a decent bill that pointed the state in the right direction — toward the late 20th century.

Monday evening, January 12, a public hearing was held at the Capitol. Supporters of the bill outnumbered opponents by at least two to one. The opponents mostly said, "We still have concerns," not "This bill needs to disappear." And we shouldn't tax water (taxes were not part of the bill).

The select committee met the following morning and members, particularly from the House, proceeded to object to the bill. Delegate Mezzatesta stated that he opposed it. Apparently he had problems saving West Virginia's water for its citizens and businesses. There was wrangling and arguing and pretty soon the meeting spun out of control. A motion was made to reconvene at 6:00 P.M. and the committee approved it. Unfortunately, all Interims bills had to be at the government and finance committee meeting by 4:00 P.M. So the select committee never reconvened and the bill died.

This may be a good thing. Leadership really wanted a decent bill, the public wants a decent bill and we may actually get one, thanks to recalcitrant industry lobbyists. Leadership intends to run the committee's bill, we are hearing there may be stronger bills offered as well, the Attorney General's office may offer a bill, and now the Governor has joined the issue and introduced a bill of his own.

So, the WV legislature is likely to pass a water quantity bill this session, but just how strong a bill remains to be seen.



A Happy Groundhog Day to you and yours from the West Virginia Highlands Conservancy.

Industry Wages Major Assault on WV Water Quality Standards

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

Even before the West Virginia legislature convened, the joint Interim Rulemaking Committee put the art of sausage making to shame last week in its final meeting. It was the most overt pandering to industry "special interests" that I have ever witnessed around here.

The committee actually adopted into the water quality rules package a series of terrible, weakening, industry amendments that had NO official legislative sponsor.

This is simply not how things are supposed to be done in our democratic system. Sure, in the past industry has written amendments, we have written amendments. It's done all the time. But there is always a member of the legislature that submits them as their amendments. Not this time.

The end result was that industry lobbyists and lawyers – folks who have never been elected to public office – were for all practical purposes given a full seat on the committee. THEY were essentially submitting amendments, and doing the committee's work, while representing only their narrow self-interests.

It was left to Senator John Unger, a member of the committee, to point out how wrong-headed the process had become.

"Mr. Chairman, I just want the committee and the public to be clear as to what's going on here," Senator Unger said.

"These are special interest amendments as far as I can tell."

He then raised a copy of the first amendment in the air and said, "This amendment to remove the new toxins from the water quality rules is the Chamber of Commerce amendment, is it not?"

Next he raised the second amendment in the air and said, "This amendment to remove the new list of trout streams is the Oil and Gas Association amendment, is it not? Our trout fishermen will love this one."

Then he held the third amendment up and said, "This amendment to remove the designation of all state waters as drinking water sources is the Manufacturers Association amendment, is it not?"

Finally, he waved the last amendment in the air. "And this set of amendments to weaken the standards for selenium, aluminum and manganese, this is the Coal Association's amendment is it not?"

"So, Mr. Chairman, these are special interest amendments, are they not?", Senator Unger asked.

Without skipping a beat, the committee chairman, Senator Mike Ross, replied

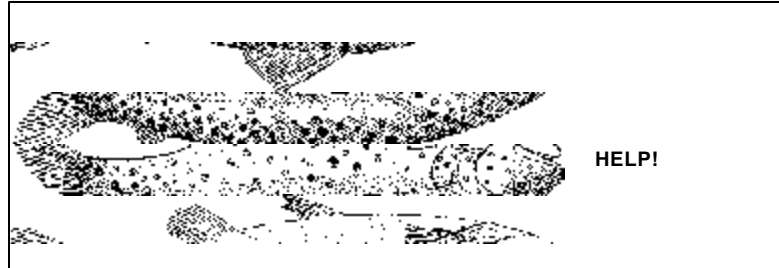
(only half-jokingly), "Yes, senator, this committee accepts all special interest amendments."

Senator Unger concluded his remarks by saying that he just wanted to clear things up because "I thought we were supposed to do this" (propose amendments), "but obviously the legislative process is now going in a different direction."

In spite of Senator Unger's eloquent performance, Senator Herb Snyder moved that the committee adopt the industry

wants EQB to provide detailed proof that each stream is a trout water, with individual public notice and hearings for each stream.

4. WV Coal Association Amendments — Weakens the water quality standards for selenium, aluminum, and manganese. The coal industry claims that it's impossible to meet the proposed standards, as our soils are naturally high in these elements. So it costs them too much to treat wastewater for these parameters, even if



amendments as a block, and we are now stuck with four major weakening amendments to the water quality rule that have no other legislators' names officially tagged to them. Isn't that convenient?

Here's the list of industry amendments:

1. Manufacturer's Association Amendment — Eliminates the designation of state streams as public drinking water sources. It has been the policy of the state since 1967 that all waters of the state are designated as public drinking water sources. Industry's alternative would be to declare only the area around existing public water intakes as Category A, clean drinking water.

2. Chamber of Commerce Amendment — Removes proposed water quality standards for 75 new toxins. At least 70 of these toxins come directly from EPA's National Recommended Water Quality Criteria: 2002. The others include aldrin and arsenic. The Chamber wants EQB and DEP to independently verify the applicability of each standard with individual public notice and hearings for each parameter.

3. Independent Oil and Gas Association Amendment — Removes the designation of more than 440 streams as "trout waters." DNR diligently reviewed the streams of West Virginia to create this list and it has been through the complete public hearing and comment process. IOGA

they are harmful to human or aquatic life.

The committee also accepted an amendment by Senator Sarah Minear that removes the CURRENT trout stream list from the water quality rule! The result would be that, if passed, West Virginia's stream list would contain no trout waters.

So, folks, the battle is on. The House and Senate judiciary committees will now take up the water quality rule. You can start contacting your delegates and senators immediately. Simply tell them to oppose these attempts to weaken our water quality standards.

SEVENTY THOUSAND COMMENTERS CAN'T BE WRONG

As of mid-January, 2004, the agencies involved had received some 70,000 comments on the proposed Environmental Impact Statement on Mountaintop Removal. Although there is no complete count available, most of the comments were unfavorable.

PLANNING ON THE MONONGAHELA NATIONAL FOREST

For the first time since 1985, citizens have the opportunity to change the direction and focus of the Management Plan for the Monongahela National Forest. The Forest Service began revising the Plan for the nearly million acre National Forest last year. As part of the public participation component of the revision process, the Forest Service will be holding public "Open Houses" in 6 cities.

Will the next 15 years of Mon Forest management be an all you can eat buffet for the timber industry, or will it be managed more with conservation and recreation in mind? The answer is determined by what is in the revised Plan.

Please look at the schedule of open houses below, and find one in a city near you, and plan to attend. This is your chance to tell the Forest Service that logging is not the highest and best use of our public lands and that watershed protection, wildlife, wilderness and recreation should receive

higher priority.

These Open House meetings will provide a forum for discussion with Forest Service officials on aspects of the Forest Management Plan that need to be changed. It is important to voice your concerns to help prevent the Mon from becoming a mere tree farm to benefit the timber industry. You can also follow this issue in The Highlands Voice as the Forest Management Planning process progresses over the next couple years.

More information about the Plan is available from the Forest Service's web site at <http://www.fs.fed.us/r9/mnf/>. The Plan is

a work in progress consisting of several pieces. In previous plans, the Forest Service might have completed a draft of the entire plan and then presented that draft for public comment. This time, it is posting pieces as they develop. If you wish to read what they have so far, it is available. Regardless of the pieces' stage of development, people may comment on the pieces at any time so long as they are still labeled "draft."

Questions? Contact Dave Saville, West Virginia Highlands Conservancy, daves@labs.net or 304-284-9548.

The Open Houses

- 2/21 Elkins, WV: Davis and Elkins College Gym 10am-2pm**
- 2/23 Morgantown, WV: Holiday Inn 4-7pm**
- 2/25 Petersburg, WV; Public Library 4-7pm**
- 2/26 Pocahontas County, WV High School 4-7pm**
- 2/27 Richwood, WV: City Hall 4-7pm**
- 3/20 Charleston, WV Gaston Caperton State Training Center 10am-2pm**

ALL TERRAIN VEHICLE LEGISLATION HEADED DOWN WRONG PATH

By Conni Gratop Lewis West Virginia Environmental Council Lobbyist

The ATV bill (HB4022) that passed the House of Delegates on Thursday, January 22, is completely unacceptable. Not only does it not require ATV's to be used in accordance with the manufacturers' recommendations, it does not state that the DNR or other agencies have the power to regulate their use on public lands. Nor does it require helmets on children on private property.

It does however permit the machines on public roads without a painted centerline, which is the majority of the state road system. It does also permit them on the shoulders for a distance of 25 miles. And where in West Virginia is there a 25-mile stretch of road with continuous shoulder?

It does also require the DMV to offer a safety course and there is a limitation on teenagers having passengers. And it does

allow counties to regulate their use in subdivisions, a nice provision for the Eastern Panhandle and small bits of other counties, but of no use in most of the state.

Several Senators have introduced the ATV bills that were generated in the interim session. Other versions have also been introduced. These bills are far superior to the version of 4022 that passed. The Senate bill numbers include: 215, 252, 253, and 223.

Remember, the first efforts to regulate these machines surfaced in the early 1990s. West Virginia is one of a handful of states that still does not regulate them. No wonder two dozen or more people die in ATV accidents every year in this state.

To Contact your Representatives on Legislative Issues:

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MB-27, Building 1
State Capitol Complex
Charleston, WV 25305
304 347-4836 toll free: 1 877 565-3447
On Line: www.legis.state.wv.us

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City	State	Zip	Senior	\$15		
			Student	\$15		
			Introductory/			
			Other	\$15		
Phone	E-Mail		Regular	\$25	\$35	\$50
			Associate	\$50	\$75	\$100
			Sustaining	\$100	\$150	\$200
			Patron	\$250	\$500	\$500
			Mountaineer	\$500	\$750	\$1,000

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

CONSERVANCY OBJECTS TO FILLS AT LOGAN COUNTY MINE

The West Virginia Highlands Conservancy has appealed to the West Virginia Surface Mine Board the decision by the West Virginia Department of Environmental Protection to issue a permit to Coal-Mac Phoenix 4 in Logan County along Island Creek of the Guyandotte River. The proposed mine would contain seven valley fills which the Highlands Conservancy contends would violate the stream buffer zone rule.

The stream buffer zone rule prohibits its mining within one hundred feet of a stream. The Conservancy contends that filling in the stream with mine waste would violate this rule. The Department of Environmental Protection and the mining company have joined forces to contend to the contrary.

This is not the first time the stream buffer zone rule has been at issue in litigation in which the Conservancy participated. The interpretation of that rule was one of

the issues before Judge Charles Haden, II in the United States District Court. Judge Haden ruled that the Conservancy's interpretation of the rule was the correct one.

When that decision was appealed, the appellate court held that Judge Haden did not have jurisdiction to consider that issue. It did not reverse Judge Haden on his interpretation of the rule or make any indication that it believed his ruling was incorrect.

The hearing on the appeal to the Surface Mine Board began on January 20. At that hearing, the Department of Environmental Protection defended its interpretation of the rule. The mining company joined in this defense of the rule, adding for good measure that enforcement of the rule would result in the end of mining as we know it, the end of the world, etc. The hearing will reconvene on February 4, after this issue of *The Highlands Voice* goes to press.

The Conservancy also addressed inadequate forestry requirements for the postmining land use and inadequate effluent limits on selenium. Selenium was found by the United States Environmental Protection Agency and others below fills in that area. In spite of this, the West Virginia Department of Environmental Protection has required neither testing to determine the potential for selenium discharge from these fills nor any limits to be monitored during mining.



WILDERNESS CAMPAIGN UPDATE

By Matt Keller

Now that we have a firm grasp of special places on the Mon that should qualify for wilderness status, the task of drafting a proposal for the actual designation of some of them lays ahead. There is much input we have in hand, or are waiting for from others with a stake in the fate of these areas that needs to be considered. We'll soon be meeting again with some of these stakeholders to hopefully iron out some details. We will also be meeting again with the West Virginia congressional delegation in Washington DC in the coming weeks to further discuss our options for moving forward in the process.

Many fantastic volunteers have been involved in drafting written descriptions of these potential wilderness areas so we'll have all pertinent information readily at hand, along with an area map and photograph. A description of one such area, Big Draft, appears in this month's Highlands Voice.

On the grassroots organizing front,

we've recently made contact with members of the three wilderness coalition groups in counties where potential wilderness areas exist. Letters were sent (you may well have gotten one) and calls were made to urge folks to support the wilderness campaign by sending a letter to their senators, representative and Governor Wise in favor of additional wilderness designations on the Mon. In December, we had a phone banking event in Charleston to do the bulk of these follow up calls.

Special thanks to hard working volunteers from the Sierra Club-West Virginia Chapter and Highlands Conservancy who made those calls at the event. Be on the lookout for our new brochure in the coming weeks. We are in the process of reviewing a nearly final draft and hope to have it to the printer in the next couple of weeks.

The coalition recently met to plan for the more public campaign that will occur once a proposal is finalized. Our time line and action plan was updated for the

next few months and strategy was developed that will hopefully lead us into the successful introduction of a West Virginia wilderness bill! Much work remains to ensure that success. If you'd like to get involved or would like more information, don't hesitate to contact me.

Matt Keller
WV Wilderness Coordinator
PO Box 6
Masontown, WV 26542
(304)864-5530
mattk@tw.org
<http://www.wwild.org>

BIG DRAFT: A POTENTIAL WILDERNESS AREA FOR THE SOUTHERN END OF THE MONONGAHELA NATIONAL FOREST

By Matt Keller

Situated on the southern tip of the Monongahela National Forest, the potential Big Draft (also referred to as Anthony Mountain) Wilderness Area is approximately 5 miles north of White Sulphur Springs, WV. The area is bounded on the north by county road 21/2, on the south and east by Big Draft Road (county road 36/1) and on the west by private land. The entire area has been managed by the US Forest Service as semi-primitive non-motorized (management prescription 6.2) for the past 20 years. Its current primary uses are hiking, fishing, hunting and whitewater paddling.

This area is covered mostly with second growth, mixed oak forest with patches of hickory, black locust, sassafras. Many of these stands are 100 or more years old. The slopes above Anthony Creek are very rugged and steep, supporting dense rhododendron thickets. At the bottom of the gorge near the water is a remarkable mature hemlock and white pine forest.

Located in the Ridge and Valley Province of the Appalachian Mountains,

the potential Big Draft Wilderness area is underlain predominantly with shale formed during the Devonian Period and sandstone of the Mississippian Period. Anthony Creek meanders through nearly 5 miles of the area, picking up Laurel Creek and Big Draft Run before its confluence with the Greenbrier River near the town of Anthony.

The area has outstanding recreational opportunities. It is adjacent to Blue Bend Recreation Area, which has a campground and trailhead for the Blue Bend Loop Trail, which travels through the potential wilderness and has multiple scenic overlooks. The Anthony Creek Trail can be accessed from this loop and connects the system with the Greenbrier River Trail and the town of Anthony.

The area boasts over 13 miles of established hiking trails with connectivity to many more. The area has long been popular for the wilderness quality whitewater trip down Anthony Creek which challenges paddlers with up to Class III rapids.

To read more about this whitewater trip and see a picture of the area, point



your web browser to <http://www.americanwhitewater.org/rivers/id/3309/>. The area has long been popular with trout fisherman seeking a wilderness quality experience.

The Big Draft area could provide designated wilderness for a region of the forest that has none. It is one of three areas in the White Sulphur Springs Ranger District that meets the criteria set forth by the 1964 Wilderness Act. The Lewisburg/White Sulphur Springs region has a strong and growing natural resource tourism economy. Having designated wilderness nearby would only strengthen the area's attractiveness for tourism and business development/relocation.

CLEAN WATER ACT SURVIVES PROPOSED RULE CHANGE

By Don Gasper

In the December "Highlands Voice" I wrote about the E.P.A./Administration's roll-back on federal water quality protection of wetlands and "head-water" streams.

This would have been a very serious change because there would be no traditional protections of small intermittent streams or larger streams until they flowed into another state. There would no longer be "Federal" pollution permits to discharge industrial waste and other pollutants, or Federal standards on which state programs are based. The annual cry of polluting industry in the West Virginia Legislature is to have "no state water quality standard any more stringent than the Federal requirement" - would be ominous in a new and terrible way. It looked as if industry would finally have its way through the Environmental Protection Agency rule change in Washington.

My December article called for citizens to protest this subversion of The Clean Water Act and to back bills already in the U.S. Legislature to counteract this proposed

roll-back. It would do this by clearly stating that, "All waters of the United States" were to be protected. I also noted for 30 years The Clean Water Act has been our program to "restore and maintain the chemical, physical, and biological integrity of the nation's water".

In response to this rash and out of step subversion by rule and interpretation, an outcry arose. Not only had court challenges started, but bills had been introduced in Washington, and 218 members of the U.S. House of Representatives sent a letter to the President in protest. These agencies also got over 115,000 citizen comments, most opposing any change in traditional protections.

In response to this outcry on December 16, 2003, the E.P.A. announced it was

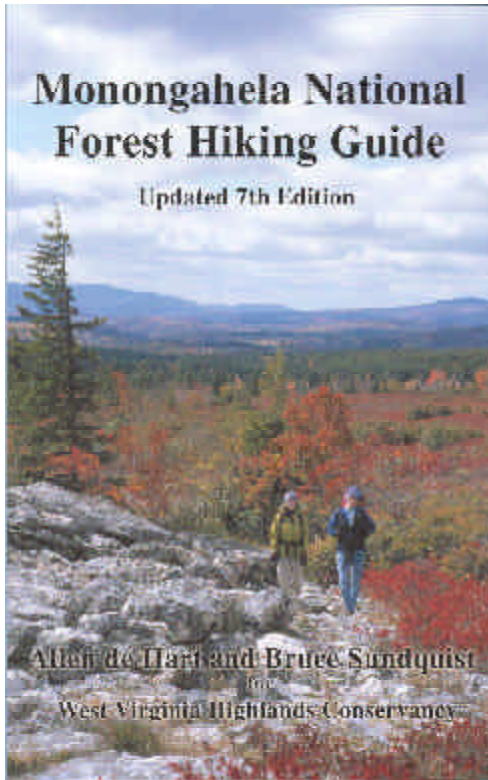
dropping any rule change. They seemed to have listened - in this instance - in this election year.

Now this same E.P.A. shamelessly, (in classic Orwellian double-speak) is saying it will "reaffirm and bolster protections". One wonders, if they begin another four years (the last four for this President) if they will begin again an unfettered assault on



water quality - if they will listen for long to the citizen plea for clean water - and clean air.

For now, however, it is a victory.



Monongahela National Forest Hiking Guide

by Allen deHart & Bruce Sundquist

Published by the

West Virginia

Highlands Conservancy

The new 7th edition covers:

more than 200 trails for over 700 miles

trail scenery, difficulty, condition, distance, elevation,

access points, streams and skiing potential.

detailed topographic maps

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5 wilderness Areas totaling 77,965 acres

700 miles of streams stocked with bass and trout

send \$14.95 plus \$3.00 shipping to:

West Virginia Highlands Conservancy

PO Box 306 Charleston, WV 25321

Or, visit our website at

www.wvhighlands.org

“CLEAR SKIES” AND THE CLEAN AIR ACT

By Don Gasper

In 2001 the nation first heard of the E.P.A.'s new "Clear Skies Initiative". In 2003 it was introduced as a bill in Washington to replace the Clean Air Act of 1990 and its amendment.

The Clean Air Act had reduced sulfur in our eastern air by half in 1995, and it proposes a further clean-up with its health and environmental benefits. "Clear Skies" delays this clean-up schedule asking 70% reduction by 2018 of nitrogen, sulfate and mercury. It has been held up so far in congress as it has been recognized by many as an industry bill. The Clear Skies Initiative is not the only proposal to change the Clean Air Act. There is now a more aggressive clean-up bill proposed by some eastern states that would reduce sulfur and nitrogen by 90% by the year 2012. (Mercury, emissions of particular health concern, would concurrently be reduced by 75% at no added cost.) It is called "Clear Skies - Plus". This deserves our support because West Virginia is located downwind of many industrial facilities which produce many of these emissions. So try to follow this twisted tale. This is important then to West Virginia, and the Mid-Appalachians.

Remember the eastern blackout on August 14 last year when the power grid from Illinois to Boston to Canada gave out? Health departments throughout the east noted high ozone days were reduced to moderate on August 15 and 16. Though characteristic winds from the midwest prevailed, the power plants were shut down.

Regional air pollution in the east has its greatest sources in the eight state Ohio Valley. At the time the Clean Air Act was amended, existing industrial facilities, including power plants, were largely exempted from clean-up. Congress assumed that they would be replaced shortly by newer plants which were subject to all the requirements of the Act. They were, however, supposed to clean-up as companies replaced and repaired units. They generally did not, thinking they could get away without it. (You've heard of the "new source" controversy - perhaps.) That's when in 1999 Clinton's E.P.A. started law suits to force their clean-ups. The first, against American Electric Power would force 10 power stations to add pollution controls. Five are in West Virginia.

It was also a court victory for clean air last summer that delays a new E.P.A. rule that would allow more air pollution. We have bills, rule changes and court decisions. No wonder polluters can find loopholes and supporters of clean air are frustrated. Now, the E.P.A. points out the delays and notes their "Clear Skies" would clearly point the way to a clean-up. However this same E.P.A. with its "Clear Skies", etc., is responsible for most of the delay and confusion. This E.P.A. may want only delay. "Clear Skies" demands little of polluters for six years. This E.P.A. may want only delay, in

spite of its clear statements - "our desired environmental outcome...has always been to clean up dirty power plants", and "dirty power plants need to be cleaned up now, not a decade from now." How can they be believed, when in the same recent address to the Edison Electric Institute, the E.P.A. head said they would appeal the court decision that prevented the E.P.A. relaxed rules to go into effect.

These rules would institute the controls and schedule of the Clear Skies Initiative without going through the U.S. Congress. It would have set the nation on a lesser clean-up on a longer time table. The deceptive E.P.A. propaganda now claims their plan and "Clear Skies" will "make more progress in cleaning up our air than anything we have done in the past decade". This E.P.A. must realize it cannot be "business as usual". We have lived with dirty air for too long. This issue is too transparent in an election year. Though last summer the E.P.A. was saying "They would probably drop some enforcement actions against utilities" - they now say they will prosecute vigorously Clinton-era lawsuits to force polluters to clean-up. "We will be enforcing the law."

How wonderful that sounds; we'll see how this develops.

For more information about the Clear Skies Initiative, go to <http://www.ntec.org/air/air/bushcsi.html>; <http://www.pbs.org/nov/science/clearskies.html>; http://www.sierraclub.org/cleanair/action/clear_skies.asp; <http://www.nrdc.org/air/pollution/qbushplan.asp> or any of several other web sites on the topic. These sites contain analysis of the Initiative as well as links to both advocates and opponents of the Clear Skies Initiative.



Annual E-Day! At the Capitol Tuesday, February 17, 2004

The West Virginia Environmental Council's annual **E-Day! At the Capitol** will be held on Tuesday, February 17, 2004 from 10:00 am until 3:00 pm. All displays will be in the lower rotunda area this year.

The Environmental Council will be holding its annual E-Day at the Capitol on Tuesday, February 17. There will be displays at the Capitol as well as an evening benefit fund raiser. As usual, we are hoping for a grant turn out, with lots of displays and citizen lobbying!

The Environmental Council's 2004 award recipients will be recognized during E-Day while at the Capitol and the actual award presentations will occur that evening during the Benefit.

We hope all of you can attend both!

The West Virginia Environmental Council is encouraging organizations and sustainable businesses to participate. Informative displays, demonstrations, and items for sale are permitted. If you have other activities related to your issues or business, please let us know so we can better organize our event. Set up time is from 8 a.m. until 9:45. Displays will remain in place from 10:00 a.m. until 3:00 p. m. The West Virginia Highlands Conservancy will have a table and display under the able direction and leadership of Julian Martin.

Evolving Private Lands Conservation

By Jonathan P Jessup

On December 21st, 2003, the Washington Post ran an article titled "Developers Find Payoff in Preservation." If you haven't read it already, I suggest you do. You can find the article on the WashingtonPost.com web site by searching for the article title in Google.

As stated by the Land Trust Alliance (www.lta.org), "This article will impact the entire land conservation community. Congress pays attention to issues covered by The Washington Post and the Senate Finance Committee is already considering new regulations on land trusts to restrict the types of problems cited in this article. Those opposed to land conservation will certainly use this article to attack land trusts and easements in Congress and in state legislatures."

Excerpt from Post article:

"Without question, conservation easements have done much good. Conservationists credit them with making preservation the fastest-growing arm of the environmental movement, fueling a boom in land conservation and helping to protect more than 6 million acres nationwide. Easements have helped safeguard fragile ecosystems, critical watersheds, land bordering national parks and some of the nation's most stunning vistas." – The Washington Post, December 21st, 2003.

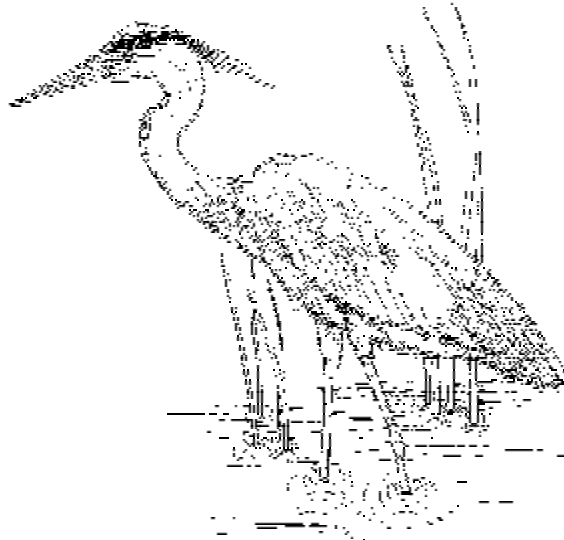
In addition to the above praise, the article goes on to voice ethical concerns with a small minority of conservation easement practices. It is the Post's second of last year that critically discusses conservation activities of the private sector. It is important to raise valid concerns with certain land trust activities and publicize them. Practices for environmental conservation need to be subject to valid peer review, which is a key ingredient towards better land conservation. The Post may be taking steps towards much more constructive, critical analysis of the land trust conservation movement since their obviously biased TNC-bashing article earlier in 2003. On one hand, I applaud the Washington Post for their efforts in this regard and on the other, I have significant concerns as to their message.

Questioning conservation

The Post article at one point questions the entire conservation easement practice. This after previously saying "Without question, conservation easements have done much good." The article then goes on to quote this so-called expert (John Echeverria) to suggest that zoning is a more applicable land conservation method. In particular I disagree with this point. Zoning is an entirely different process to restrict development, and it is also less flexible. Neither is meant to replace the other. Aspects of restrictive zoning

are less effective and also less respectful of property rights and thus, less likely to happen for conservation. If the Washington Post hopes that remote mountainous parts of West Virginia will be restrictively zoned to inhibit development I have five words for them: That won't happen anytime soon.

Definition: 'A conservation easement is a restriction placed on a piece of property to protect the resources (natural or man-made) associated with the parcel. The easement is either voluntarily sold or donated by the landowner, and constitutes a legally binding agreement that prohibits certain types of development (residential or commercial) from taking place on the land.'



This kind of very specific legally binding agreement on a property is very different from a zoning restriction on property. I strongly disagree with the quoted point by Mr. Echeverria that easements undermine the environmental cause. Easements certainly do not undermine the cause of environmental protection. I believe the vast majority of land trusts further the environmental cause. By cooperating with and purchasing rights to properties, land owners have developed a supportive stance towards land trust conservation efforts across the country. It's good to be on the right side of land owners, who after all, often own lands we want to conserve. Also, since land trusts are community focused, their efforts

engage private individuals in volunteer efforts to help. Community efforts for environmental conservation and restoration help foster environmental awareness at a grass-roots level. We need more of that. When communities have a vested interest in the environment, they'll help our cause. That's what I'm trying to promote.

Questioning environmentalists

According to the The Washington Post, Mr. Echeverria apparently questions present-day environmentalists in making land-use decisions for future generations. In that case, I say what about federally designated Wilderness designations? These are also important land use mandates that restrict what the government and future generation can do with land. My suggestion for the Post is to not stir this issue because many traditional environmentalists would otherwise like their article. Fact is, a good portion of what land trusts do in conservation is based on science and not unfounded ideas. A conservation easement can not tell future generations that land must be agricultural, but only allow for that use. This is not an assumption one might make in reading the Post article in question.

(Continued on p. 12)

Private Lands Conservation
(Continued from p. 11)

Conclusion

I find the Washington Post article "Developers Find Payoff in Preservation," replete with good information, valid concerns as well as some faulty conclusions and ill-advised recommendations. To quote Glen Barry, Ph.D. of www.Environmentalsustainability.info (no .com), "It would be a shame to see this important conservation instrument lost as a result of these abuses." In saying that, Mr. Barry is referring to the work of land trusts in conservation easements. In publishing their story "Developers Find Payoff in Preservation," the Washington Post is moving towards filling an important role in private lands conservation, one of peer review. I think they could be more supportive and hopeful of the conservation easement process and what it can do for the environment. Face it, big money is going to be a part of land conservation, whether the money is private sector or public sector. Private sector environmental conservation brings great environmental protections and it should thusly be tolerated and encouraged.

What you can do

Congress is again in session with land conservation reform as a high priority, partially due to an earlier Post article of 2003. I ask you to write your congressmen to request that any reforms should be to further promote and enhance land conservation

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.

SAMPLE LETTER

Honorable Charles E. Grassley Chairman, Senate Finance Committee 219 Dirksen Senate Office Building Washington, D.C. 20510	Honorable William M. Thomas Chairman, House Ways and Means Committee 1002 Longworth House Office Building Washington, D.C. 20515
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Dear Chairman Grassley and Thomas:

We are writing today to commend both of you for your leadership in advancing both the "CARE Act of 2003" (S.476) and the "Charitable Giving Act of 2003" (H.R. 7). Specifically, we are writing to express our support for sections 106 and 107 of S.476.

These tax reductions will do a great deal towards providing voluntary tools for private landowners. As recognized within each of President Bush's budgets, these tools will enable private landowners to utilize market-based opportunities while providing for conservation. Far too often working farmers and ranchers are given a choice between selling to a developer and going bankrupt. These tax reductions provide these private landowners with another option that allows them to remain in agriculture while remaining in control of their own destiny.

We appreciate that some concerns have been raised regarding property rights. We hope to work with you to address these concerns and ensure that the benefits of these provisions are provided to private landowners and included within the final bill.

activities in realization that the private sector has an important environmental conservation role to fill. Environmentalists are desperate for more choices in privately-based conservation. Congress should realize that an important aspect of private sector conservation is critical peer review and this system has self regulatory aspects. Congress should be very careful in any regulations it enacts. Reforms should be common sense changes and additions. These reforms should be simple and straightforward in practice. Conservation easements should be valued accurately. Open green spaces in New York City should be valued differently than ones in North Dakota, for example. Golf course green spaces surrounded by

development should be valued significantly less than ones with miles of relatively pristine undeveloped views (such as we have in West Virginia!).

Government has an important role to fill in supporting and legally fortifying land conservation easements. Congressmen would be well advised to endorse land conservation and enact in law that these voluntarily established protections will indeed be backed by law into perpetuity as intended. Congressman Joel Hefley's letter offers another template (found on LTA.ORG), you may wish to combine my above suggestions with his letter below:

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

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

West Virginia Mountain Odyssey



Outings, Education and Beyond

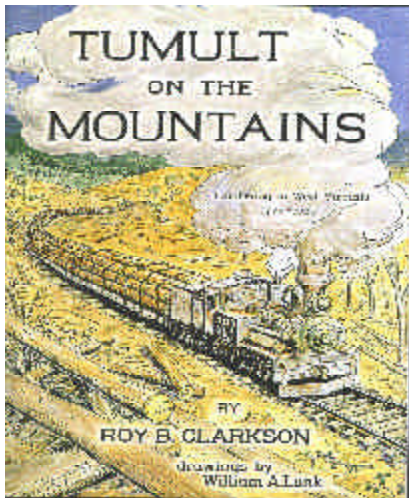
Feb 14, 2004. Sat. Canaan Mountain Snowshoe. Love the great outdoors and want to spend some quality time in it? Then join other like minded individuals as we snowshoe across the top of Canaan Mountain and fall in love with snow all over again. Warm-up hot chocolate afterwards at the Blackwater Falls Lodge. If no snow is available, we will hike on Canaan Mountain. Snowshoe rentals are available at Whitegrass at reasonable rates. Contact Susan Bly (304)876-5177 (day) or (304)258-3319 (7-9PM) sbly@shepherd.edu for further details.

Feb 21, 2004. Sat. Pond Run, Great North Mountain/GWNF, VA-WV. Strenuous 11 mile circuit hike in George Washington National Forest. Several small stream crossings, 1600 ft. change in elevation - 1400 ft in the first 2.5 miles, beautiful streams and runs. Contact Mike Juskelis for details (410)439-4964 or mjuskelis@cablespeed.com.

Feb 28, 2004. Sat. Half Moon Lookout/Buck Tail Trail Loop Scouting Trip/Great North Mountain/GWNF. Moderate 9 mile circuit hike to an outstanding view of Trout Run Valley. Contact Mike Juskelis for details: ph# 410-439-4964 or Email at mjuskelis@cablespeed.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

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) 549-3287 cellular.



Tumult on The Mountains by Roy Clarkson
McClain Printing Company – Parsons, West Virginia 1964

"Tumult on the Mountains – Lumbering in West Virginia, 1770-1920" portrays the lumber industry from its inconspicuous beginnings through a century and a half of progress. As long as the virgin timber supply lasted, the industry grew, slowly at first, then with ever increasing impetus to a crashing climax in 1909. By this time much of the original timber was destroyed and the industry rapidly declined.

Much of the information was obtained from letters and personal interviews with remaining "old-timers" who fondly recalled the old days and shared their experiences with him. 257 full-page pictures are used in the book to depict every phase of the lumber industry. The preservation of these photographs along with the comments of the vanishing "old-timers" is a most valuable contribution to the history of West Virginia.

The West Virginia Highlands Conservancy has a limited number of these books, signed by the Author, Roy Clarkson, below his hand written message; "Keep West Virginia Wild, Wonderful." Roy is a long-time member of the Highlands Conservancy. Proceeds will benefit the campaign to designate more Wilderness on the Monongahela National Forest. This book is a must-read for anyone with even a casual interest in the forests of West Virginia. Thanks to Roy for this generous contribution to our efforts.

We are selling these signed editions of Tumult on the Mountains for \$45. Price includes shipping.

WEST VIRGINIA HIGHLANDS CONSERVANCY FEATURED

Editorial Note: The West Virginia Highlands Conservancy was recently featured in the Newsletter of the Campaign for America's Wilderness. The article is reprinted here without editing.

Few statewide grassroots groups have been working to protect wilderness longer than the West Virginia Highlands Conservancy.

Even as Congress was finalizing the Wilderness Act in 1964, whitewater paddlers and hikers began hearing that favorite wild places in the West Virginia highlands—Spruce Knob, Seneca Rocks, Dolly Sods—were threatened by a proposed "Highlands Scenic Highway." In the fall of 1965, close to 400 river enthusiasts, climbers, cavers, and others held their first "Review," a gathering to rally supporters and coordinate work of many outdoor groups. Among the speakers were Secretary of the Interior Stewart Udall and West Virginia Senator Robert Byrd (D).

It was soon decided that a permanent activist group was needed as a watchdog and the West Virginia Highlands Conservancy was formed in 1967. For 37 years, the Highlands Conservancy has tackled an unusual array of threats to wild places: scenic roads and interstates, rampant logging, dams, strip mining and "mountaintop removal" (which means just what it says), and pollution.

The focus for the Highlands Conservancy is the 909,000-acre Monongahela National Forest. Currently, less than nine percent of the Monongahela is permanently protected as wilderness. Each of the five existing wilderness areas has a long story of citizen activism led by Highlands Conservancy volunteers. The first two came in the Eastern Wilderness Areas Act, the product of a showdown lobbying fight pitting grassroots activists nationwide against a wrong-headed Forest Service theory that no lands in the eastern half of the country could qualify under the Wilderness Act due to some prior human impacts. WVHC activists were key players in this successful campaign—and were rewarded with the 10,215-acre Dolly Sods Wilderness and the 20,000-acre Otter Creek Wilderness when the law was signed in 1975. In 1983, Congress

designated the 35,864-acre Cranberry Wilderness and the Laurel Fork North and South areas, totaling 12,000 acres. And in 1988, a 2,700 acre West Virginia portion was added to the Mountain Lake Wilderness on the Virginia state line.

Great as these achievements have been, less than half of one percent of West Virginia is permanently protected as wilderness. The Highlands Conservancy has joined with the West Virginia Chapter of the Sierra Club and The Wilderness Society to form the West Virginia Wilderness Coalition, which is endorsed by many other organizations. This broad alliance is at work to craft citizen proposals for additional wilderness areas and needed expansion of several of the existing areas as well. Activist are also involved in the current revision of the forest plan for the Monongahela National Forest, due for completion in spring 2005.

Even though there are many threats, one WVHC leader stressed that the organization is "more opportunity driven than threat driven." West Virginians and diverse outdoors users from surrounding states emphasize the extraordinary and diverse recreational and scenic values to be found in the still unprotected wildlands of West Virginia. And they point to the fatal weakness of Forest Service alternatives for "backcountry" or "semi-primitive non-motorized areas," the fact that these do not offer the permanence of wilderness-by-law. Just this past October, the Cranberry Backcountry (contiguous to the current wilderness area, to which much of it should be added) was opened to motorized vehicles, with over 1,000 vehicles in two weekends invading an area long managed as de facto wilderness.

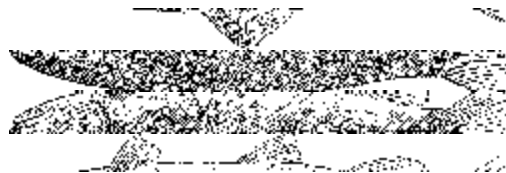
The West Virginia Highlands Conservancy is works hard to reach beyond its 2,000 members (who are backed by nearly 50 organizational members) to enlist others who use the wild places of West Virginia. From the outset, the group has encouraged diverse outdoor activities linked to conservation activism, all led by volunteers. WVHC publishes the Hiking Guide to the Monongahela National Forest and a monthly newspaper, the Highlands Voice, which is mailed to some 5,000 addresses—including every public library in the state.

Which is superior?

WE REPORT; YOU DECIDE



Small Mouth Bass



Brook Trout

More about Sayre (Continued from p. 1

from its inception around 1964. He was on the Conservancy's Board of Directors from about 1977 until this past fall. He chaired the Public Lands Committee for much of that time. He was also on the Board of the Western Pennsylvania Conservancy, and remains as an emeritus member.

According to his wife Jean, Sayre developed a love of mountains when he was about 15 at a camp in Colorado. It has been a lifelong passion. He has climbed in the Rockies in the states, the Selkirks and the Purcells in BC, Canada, on Mt. Logan, the Alps, and in Nepal and Bhutan. Anything outdoors interested him. He and Jean did lots of backpacking, rock climbing, caving, and canoeing.

Sayre led the first rafting trips on the Youghigheny, the Cheat and the Gauley Rivers, which he and Jean did in solo rafts with oars. He particularly liked running the upper six miles of the Gauley before it was flooded and became Summerville Lake because it was too rugged for most people to run.

Jean recalls that in the middle 1960s the Army Corps of Engineers had plans for a dam on the North Fork of the South Branch of the Potomac at Cabins. The Canoe Cruisers of DC organized a series of canoe races and trips to publicize better uses for the river and had a beginning meeting on Spruce Knob to protest the dam. Jean believes that was the real start of the Highlands Conservancy.

Sayre loved the Monongahela National Forest. Fighting clearcutting, road building, strip mining and advocating wilderness kept him occupied.

He always preferred cross-country travel to trails. He managed to be lost and unlost in the West Virginia woods many times. He led hikes for the Conservancy's Reviews, which were famous because his group was always late for dinner.

Otter Creek was one of his favorites. He and Jean led friends up Devil's Gulch in Otter Creek long before it became Wilderness with a capitol W. Actually, they led about 28 people up that gulch over the years. Only two of them ever repeated the trip. Jean is not quite sure just what that said about either the trip or their friends.

In front me I have a yellowed copy of the revised (1970) edition of "Otter Creek," one of the Conservancy's three wilderness proposals/hiking guides published to advance the cause of wilderness preservation on the Mon. Although the principal author was the late Vic Schmidt, Sayre had a lot to do with it. Many of the excellent photos within the guide were probably his.

Sayre was instrumental in protecting the future Otter Creek Wilderness from roads. In 1969, Otter Creek was a wilderness study area. Island Creek Coal Company owned the subsurface mineral rights to the area. The Forest Service granted Island Creek a permit to build roads so that they could take core samples and determine the value of the coal. The WVHC, with attorneys Fred Anderson and Jim Moorman taking the lead, took the Forest Service to court, claiming the agency did not have the right to issue permits for road building in a potential wilderness area. Sayre testified in front of a judge at a court hearing on January 30, 1970 in Clarksburg, WV. By all accounts, he was very effective. The court ruled that the WVHC did have standing to sue. The Forest Service appealed, and there was another hearing in Richmond before a federal court on April 6, 1971. This court upheld the ruling of the lower court.

Island Creek stopped building roads. They contracted with the owner of a team of draft horses. The core drilling equipment was dismantled and carried into the proposed wilderness on with

packhorses. There it was reassembled, and the cores were drilled. The cores showed that the coal was too thin to be worth mining. The wilderness quality of Otter Creek was saved.

Many of us old timers fondly remember the Roaring Creek Cultural Center, an old two-story farmhouse along Roaring Creek Rd. that the Pittsburgh Climbers rented. I remember good times there with Sayre and Jean and their two girls, Anne and Buff; Bob and Sue Broughton, Vic and Marji Schmidt; and others. The old house also was used as a meeting place for nurturing and supporting newcomers to the Conservancy. Dave Elkinton remember at least two research weekends on Canaan Valley and the Davis Power Project in the Cultural Center—then later in a cabin on the Dry Fork that took its place after the Roaring Creek house burned down.

The Roaring Plains was another of Sayre's favorites. One Thanksgiving he, Barry Bishop and an Englishman went to a cross-country hike on the Plains. It began to snow, and they became disoriented. Eventually they came upon some footprints of other hikers, which was encouraging until they became aware that the footprints were their own. Somehow they'd managed to walk in a circle. Sayre opened his first aid kit expecting to find a compass there, but it wasn't. They couldn't agree on which way was south. Eventually he and Barry both pointed in what they thought was the right direction. They compromised and took off halfway between. The Englishman had led an expedition of snow cats across Greenland, but he left the route finding on this trip to Sayre and Barry. They eventually found their way back to the Cultural Center but were four hours late for Thanksgiving dinner.

Sayre is an excellent photographer. He has always had cameras. He got the first Nikon F the year it came out (probably 1959). It still works. He built a darkroom in the cellar and did his own color printing there.

He was a chemical engineer who worked with lubricants for rolling mills in both steel and aluminum. The beer can from which you drink probably uses one of his lubricants in the "drawn and ironed" process that forms the can. Please recycle.

Eventually Sayre was afflicted with Parkinson's Disease. Right now he can be reached at Rm. 260 St. John's Specialty Care Center, 500 Whittenberg Way, Mars, PA, 16046.



More about Mary Moore (Continued from p. 1)

Mary Moore's history with the Conservancy is intertwined with her history with the Brooks Bird Club. The Conservancy has both individual and organizational members. One of the very first organizational members was the Brooks Bird Club. Mary Moore has represented the Brooks Bird Club on the Conservancy Board for as long as anyone can remember. Even the Board Member who regularly sports a hat labeling him as "Older Than Dirt" cannot remember a time when Mary Moore was not on the Board representing the Brooks Bird Club.

If anybody took attendance at meetings to organize what would become the Highlands Conservancy, the attendance list is now long gone. Memory has it, however, that Mary Moore was there. While it is possible, memories being what they are, that she has not always been on the Board, she has either been on the Board since either at or close to the beginning of the organization.

Former Conservancy President Dave Elkinton (a pup when compared to Mary Moore; he didn't join until 1970) remembers Mary Moore as "an active, articulate board member, who welcomed new faces at WVHC meetings, and did not shun controversy. Over the years I developed a deep appreciation for their dedication, wisdom, and tenacity. One could calculate how many thousands of hours of meetings (both board and committees), thousands of miles and

many dollars for gas for driving, she has contributed to making the Conservancy what it is today. Then multiply by several, since both she and Sayre were simultaneously as deeply involved in other organizations too. In fact one characteristic both share is not only unprecedented length of continuous board service, but most of that, serving a representatives of other organizations."

When Joe Rieffenberger was president of the Conservancy (mid-1970's), Mary Moore acted both as Board member and hostess. Joe would have meetings at the Rieffenberger home. Those who came a long way occasionally got to stay the night. She is patient (married to Joe for 34 years and counting. 'Nuff said.) and kind. A highly reliable source within the Rieffenberger household reports that she is an excellent cook, as do many others.

In addition to her work with the Conservancy, Mary Moore was (and still is) active in the Brooks Bird Club and the Friends of the Library. She still goes to the public school to read stories to school children. She is known as a terrific hostess and has a very special flower garden.

Although retired from the Conservancy Board, Mary Moore remains in Elkins where she is continuing with her other activities and, at least for now, trying to stay warm.

October 25, 2003, Cheat Mountain Lodge

MONONGAHELA NATIONAL FOREST SUPERVISOR SPEAKS TO WEST VIRGINIA HIGHLANDS CONSERVANCY

by DON GASPER

Supervisor Thompson focused on the upcoming revision of the management plan for the Monongahela National Forest. He noted this is to be a "revision" only, will not tackle "wild and scenic status for rivers" - and it will be drafted in two years. He is serious about this as he distributed a time-line for the completion of the many segments of the plan. He seemed to be a reasonable, competent man and a good listener - almost in spite of his rapid schedule of plan completion.

He described 35% of the Monongahela as back-country/roadless 127,000 acres, wilderness 79,000 acres and 110,000 acres with threatened and endangered concerns. They will re-study suitability of land for timber harvest. They must consider increased timber cutting. They have not met removal estimates, and it appears now they cannot. Timber harvest must not harm ecosystem integrity. The National Forest Management Act requires U.S.F.S. to identify lands not suitable for timber. On the Monongahela it is now 46%. Elimination criteria are: steepness, inaccessible, stream-side buffers, roadless areas, sediment and trout concerns and visual concerns. Clearcut will remain a management tool.

They are defining their responsibilities to threatened and endangered species and will work with the Nature Conservancy, U.S. Fish

and Wildlife Service and the W.V. Division of Natural Resources. He notes the endangered flying squirrel is embedded in the spruce ecosystem. They consider biodiversity in seven



landscapes with intact core areas. They will adjust some 6.2 roadless allocations, and some recreation demands accommodations. The distribution and mix of substrates and rotation to produce a diversity of plant and animal communities and forest products. They will provide direction for desired species. Anticipated wildlife goals have not been met. They are concerned about forest structure, health, disease and insects - and social and economic aspects at the same time.

Water quality is a great concern. They will consider Acid Rain and acid neutralization capacity of streams. Their broad concerns are with water, roads, and access, special areas (old growth, etc.), wildlife and fish, economics, and recreation. Specific concerns are oil and gas, pipe and powerlines, towers, and wind turbines. They are determined to do some monitoring. The connections the Highlands Conservancy has made between wilderness and recovery is generally thought to be valid, and he thought we were going about our Wilderness Campaign in the right way.

He remarked the Monongahela's soils are moderate to highly erosive, timber, minerals, and roading can magnify the problem. Stream tree buffer zones can help, also they will shade trout streams, and contribute fallen trees for channel complexity.

He reminds us of a U.S.F.S. "open house" in March. As the Highland's Voice reported before and as Supervisor Thompson noted there were 678 comments on the Monongahela's "notice" to produce a plan revision. We hope to continue to work profitably and amicably with him on the Plan's development.