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West Virginia Power Plants Lead the Nation

WV POWER PLANTS JUST KEEP GETTING DIRTIER

As a key U.S. Senate committee considers the Bush administration's bill to delay and weaken clean air safeguards, a new Clear the Air report released today by several West Virginia Environmental groups and the U.S. Public Interest Research Group (U.S. PIRG) finds that 64% percent of West Virginia's oldest and dirtiest power plants are getting dirtier, not cleaner.

"When it comes to power plant pollution, many of West Virginia's dirtiest power plants just keep getting dirtier," said U.S. PIRG Clean Air Organizer Debra Gemme. "Pollution from power plants fuels global warming and causes serious health problems, including asthma attacks, heart and lung disease, and even premature deaths."

With research finding adverse health effects from air pollution at levels once considered safe, more people than ever live in areas that fail to meet national health standards.

According to the new report, annual soot-forming sulfur dioxide (SO2) and smog-forming nitrogen oxide (NOx) emissions increased at many of West Virginia's oldest and dirtiest power plants from 1995 to 2003, even while the Clean Air Act reduced

power plant emissions of the pollutants statewide. The law's "cap-and-trade" rules allow dirtier plants to forego cleanup by buying pollution "credits" from cleaner facilities. Carbon dioxide (CO2) emissions increased at most power plants and statewide; there are no federal limits on CO2 emissions.

The Appalachian Center for the Economy and the Environment, Ohio Valley Environmental Coalition, Mon Valley Clean Air Coalition (formerly Citizens for Alternatives to Longview Power), West Virginia Environmental Council and West Virginia Highlands Conservancy joined U.S PIRG in releasing the report in West Virginia.

"Some West Virginia citizens are paying extra for the nation to have cheap energy. The past decade shows that pollution trading puts the health of communities near the oldest and dirtiest coal burning power plants at risk. While the Clean Air Act has reduced emissions statewide, without specific requirements for every plant to meet modern pollution standards, West Virginia's dirtiest power plants continue to smother their neighbors with increased amounts



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Tucker Prayer Circles

As he promised to work to preserve Blackwater Canyon, candidate and now Governor Joe Manchin, quoting Senator Byrd, called it the “crown jewel” of West Virginia. Now let’s consider the jewel’s specific location. Anyone interested in its fate had better pay attention to Tucker County.

Last September, during the Friends of Blackwater’s “Visioning” conference, Sam Eichelberger, President of the Tucker County Commission, pleaded for help: Tourism, he said, can’t be our only business. Please help us find new jobs.

Supporters of a Blackwater Canyon National Park listened with sympathy. In their view, this ought to be a “both-and” type of deal. They have touted the park as an economic boon for the county. A park would not only draw tourists, it would draw attention to a beautiful, down-home place to live and do business.

Mr. Eichelberger doesn’t see it that way. He sees half of his county occupied by government entities. On January 5, he led a public forum on land ownership. “We are setting aside land for the flying squirrels,” he said, “but we need to set aside some land in Tucker County for Tucker Countians.” As reported in The Inter-Mountain, one county resident said, “We don’t need any more \$5.85 an hour jobs. We’ve got those coming out the ass.” Another speaker warned that “the Global Bio-Diversity Treaty Weapons Project . . . says this area is supposed to be devoid of all human life.”

The county development authority, of which Mr. Eichelberger is a member, circulated a petition opposing any sales of land to the state or federal government. To be precise, the petition added, “This includes any sale of land in the Blackwater Canyon . . .”

Since the development authority has no authority over sales of private land, the petition was cast as a citizens’ resolution and addressed to “all of our elected officials.” Its rationale was twofold: land owned by governments and certain nonprofit organizations was removed from the tax base and was not available for development.

On the tax matter, one might say the county had been provoked. Federal land management agencies such as the Forest Service and the Fish and Wildlife Service make payments to counties in lieu of property taxes, but the payments have been decreasing. Last July, the Canaan Valley Wildlife Refuge paid the county just under \$100,000 in revenue sharing funds. In two years, the payments had dropped from \$6.70 to \$6.44 per acre. Why? Congress had funded the program at 46.6 percent. Back in 1997, during the Clinton administration, it was funded at 66 percent. A Republican Congress finds it easy, even advantageous, to alienate local governments.

The development authority has promised to hold more forums on the land purchase issue. According to The Inter-Mountain, “The Jan. 5 meeting caused a few tempers to flare and authority members hope that future meetings will be more peaceful.”

Down in the canyon, Allegheny Wood Products (AWP) still hopes to conjure a timber haul road from its half interest in the old railroad grade. As a rail-trail, the grade is eligible for the National

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CANAAN FIR AND RED SPRUCE RESTORATION

By Dave Saville

The West Virginia Highlands Conservancy has been working for several years for the conservation and restoration of two important members of our forest community, balsam fir and red spruce. Balsam fir is threatened by over browsing from the un-naturally large deer population and an exotic insect pest, the balsam woolly adelgid. Red spruce, while as a species is doing just fine, has been reduced from covering over one half million acres of the West Virginia highlands to about 50,000 acres today.



Balsam fir in West Virginia is unique. It has existed for centuries isolated from the southern fraser fir and the northern balsam fir. It is a unique intermediate between its northern and southern cousins. Native "Canaan" balsam is close to be extirpated from our state. Adelgids are killing mature trees, and there is insufficient natural regeneration occurring because deer are browsing the young tender seedlings.

To combat the problem, we have attempted to protect the genetic material of the various stands of fir by seed banking the seed in long-term storage facilities of the Natural Resource Conservation Service. We have constructed numerous deer exclosures that are serving as refuges and research units for the fir. We have also instituted an aggressive

program to grow Canaan Valley balsam fir seedlings for restoration projects on both public and private lands.

Red spruce is a different story. Once covering thousands of acres, it creates a unique ecosystem that is now listed as "endangered" by the National Biological Service. Historically spruce lands have been replaced by hardwoods, and now development pressure is further reducing its coverage. Land managers in the highlands are just beginning to place more attention on the restoration of this ecosystem.

The Highlands Conservancy has been working to raise awareness to the restoration needs of the red spruce ecosystem. We are encouraging the use of red spruce in reclamation and restoration projects instead of using exotic Norway spruce and Scotch pine. Because red spruce is not a commercially grown species, we have had to initiate our own seed collection effort, and contract with various nurseries to get the trees grown. In 2005, we will have about 11,000 West Virginia source red spruce trees planted in various restoration projects around the highlands including on the Canaan Valley National Wildlife Refuge and Monongahela National Forest.

To develop a big picture, landscape scale, restoration plan, we are bringing together ecologists and GIS technicians. This plan will look at where spruce historically existed, where it is now, and where we can best focus our efforts to connect and expand the many remnant spruce ecosystem "islands" that are widely scattered across the mountains.

Why are we selling seedlings?

Because Canaan fir and Red spruce are not commercially grown trees, seedlings are not available in the private sector. Because of this, we have focused considerable effort in collecting cones, processing seed, and getting it into the hands of growers. We have made available thousands of Canaan fir seedlings over the years, and for the first time this year we will have red spruce seedlings available. While most of these seedlings will be used in the various projects we have underway, we are making a few available to our members. This April we will have "plugs" of both species available. These are container grown 6-12 inches.

Proceeds from the sale of these seedlings will be used to further our efforts on behalf of these two important West Virginia natives. Quantities are very limited at this time. \$10 for 10 plugs, or \$20 for 25. Send your order to WVHC PO Box 306 Charleston, WV 25321. If you have any questions or would like more information contact Dave Saville at daves@labyrinth.net or 304-284-9548.



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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.

MORE ABOUT DIRTY AIR

(Continued from p. 1)

of pollution they belch from their plants," said Cindy Rank of the West Virginia Highlands Conservancy.

"We know how to solve the air pollution problem, but the Bush administration's air pollution bill will set us back decades," Gemme said. "The bill creates a permanent loophole in the law for the dirtiest power plants."

"Those of us who live downwind from power plants like AEP's John Amos are needlessly subject to heavy air pollution thanks to lax enforcement of the Clean Air Act. There's no need for Bush to legalize power companies' illegal behavior," said the West Virginia Environmental Council's Denise Poole.

"We have the solution at hand and that's enforcing the current Clean Air Act and getting real pollution caps in place," said Joe Lovett, Director of the Appalachian Center for the Economy and the Environment. "All power plants should be required to meet modern air pollution standards."

"Pollution on the Rise: Local Trends in Power Plant Pollution" examines U.S. Environmental Protection Agency data on power plant emissions of CO₂, SO₂, and NO_x since 1995, the first year the Clean Air Act's Acid Rain Program capped SO₂ emissions from power plants. Key findings include:

- Sixty-four percent of the state's dirtiest power plants increased their annual CO₂ emissions from 1995 to 2003, an emissions increase equivalent to putting 1,868,657 more average cars on West Virginia's roads.
- West Virginia's John E. Amos power plant in Putnam County ranked 1st in the nation for the largest net increase in annual CO₂ emissions from 1995 to 2003. The plant increased its annual CO₂ emissions by 6,393,582 tons, the emissions equivalent of putting 1,116,783 more average cars on West Virginia's roads.
- John Amos power plant ranked 4th in the nation for the largest net increase in annual SO₂ emis-

sions from 1995 to 2003, an emissions increase equivalent to building 15 typical new power plants in the state.

- John Amos power plant ranked 7th in the nation for the largest net increase in annual NO_x emissions from 1995 to 2003, an emissions increase equivalent to putting 410,000 more average cars on West Virginia's roads.
- 7 of West Virginia's dirtiest power plants that increased their annual SO₂ emissions since 1995 are located in areas that violate the national health standard for fine particle soot.
- 2 of West Virginia's dirtiest power plants that increased their annual NO_x emissions since 1995 (John Amos and Mitchell) are located in areas that violate the national health standard for ozone smog.

The report concludes that national caps on SO₂ and NO_x alone are not enough to protect the health of local communities but must work hand-in-hand with plant-specific safeguards, such as the New Source Review program, which ensures that all power plants eventually meet modern pollution standards.

The Bush administration's so-called "Clear Skies" bill would delay by at least a decade – until after 2018 – and dilute SO₂ and NO_x reductions called for in the Clean Air Act, repeal New Source Review for power plants, and repeal or significantly weaken other plant-specific clean air programs to rely instead on pollution trading, while ignoring global warming altogether. Earlier this month, the National Academy of Sciences confirmed that the administration's bill is weaker than current law for individual power plants.

"If there were requirements for truth in government labeling, the 'Clear Skies' initiative would be called 'Clear Lies.' We have to remember that this initiative came from vice president Dick Cheney's secret meetings with energy executives and their lobbyists. This exclusive club of the nation's

biggest polluters had been pushing for years to replace the New Source Review provisions of the Clean Air Act with this cap and trade scheme," said Vivian Stockman, project coordinator for the Ohio Valley Environmental Coalition. "They've been salivating for this change, and they sure weren't thinking about our kids' lungs when they colluded on this plan."

"I hope Senators Byrd and Rockefeller will join with medical professionals and public health advocates to publicly oppose the Bush administration's bill," said Poole.

The report recommends that EPA and federal and state lawmakers:

- Enforce existing Clean Air Act programs, including New Source Review, designed to ensure that every community has healthy air;
- As a first step, pass a national cap that limits CO₂ emissions economy-wide to 2000 levels by 2010;
- Strengthen and finalize EPA's proposed Clean Air Interstate Rule (CAIR) to cap SO₂ and NO_x emissions from power plants in the eastern U.S. at 1.8 million tons and 1 million tons, respectively, by the end of the decade, as the law requires; and
- Strengthen the Clean Air Act's existing programs to further reduce all four major power plant pollutants. — CO₂, So₂, NO_x and mercury.

For a copy of the report, e-mail vivian@ohvec.org or visit www.uspirg.org.

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Words from the President (Continued from p. 2)

Historic Register. Converted to carry trucks, it would lose that character. The Forest Service, owner of the other half, has undertaken an environmental impact analysis of AWP's request. It could be out for comment by August. The Division of Highways, potential owner of both halves, has pledged to improve the rail-trail as mitigation for Corridor H, but the specter of AWP has pushed the project down its priority list. The Department of Natural Resources and the Fish and Wildlife Service, charged with preserving the river and the canyon's endangered species, have taken their places in the agencies' prayer circle, each one asking for the others to go first.

At a county commission meeting, Mr. Eichelberger urged the Highlands Trail Foundation to support "motorized traffic" in the canyon. He complained that only "avid hikers," about 10 percent of the public, were using the trail. "Blackwater Canyon should not be shut off to 90 percent of the people," he said. He added that canyon bus tours could promote economic development.

Here's a modest opportunity for an entrepreneur: "Open up" the scenic, historic Blackwater Canyon without destroying its scenic and historic qualities. Forget buses. Besides their size, noise, and fumes—their effects on walkers, bikers, and the canyon itself—they don't offer much of an experience. You can't "get" the canyon through the window of a bus. I'm thinking about non-motorized vehicles used elsewhere in the world to transport children, seniors, and avid passengers. I'm thinking about pedicabs.

But that's just more tourism. Mr. Eichelberger's plea for job diversity should be taken seriously. At the public forum, he cited the boom in Morgantown: 5,000 new high-tech, high-paying jobs in the coming year. "All we want is a little piece of that," he said. At the same time, he did not want the county to "be" Morgantown.

Those of us who opposed Corridor H on the grounds, among many, that it offered a false promise, that four-lane highways did not bring jobs to rural areas, could take a break. In its Status Report for January, 2005, the DOH estimates that the Davis-to-Bismarck section could be built in seven years or so. Whether it is or not, let's hope that Tucker County somehow becomes an exception to the economic development rules.

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



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WVHC Spring Review Rescheduled

The WV Highlands Conservancy Spring Review and Board of Directors meeting is re-scheduled to the weekend of April 22nd, 23rd & 24th.

It will be held at Elk River Touring Center in Pocahontas County.

See coming issues of the Highlands Voice for details.

Other WVHC meetings in 2005 include:

Winter Board of Directors meeting: Sunday, January 30th (location TBA)

Spring Review: April 22nd, 23rd & 24th - Board meeting Sunday, April 24th

Summer Board of Directors meeting: Saturday, July 30th

Fall review: October 21st, 22nd & 23rd - Board meeting Sunday, October 23rd

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by Allen deHart & Bruce Sundquist

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Patron	\$250	\$250	\$500
Mountaineer	\$500	\$750	\$1,000

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BOARD MEETING HIGHLIGHTS

It was a wintry day in Elkins as the Board met for its winter meeting. Jim Solley reported to the Board that we are cruising right along in our plan to offer the hiking guide on CD. The CD would include the text of the current hiking guide plus color, printable maps as well as information on the Allegheny Trail and on the Wilderness Coalition's proposal for more wilderness areas in the Monongahela National Forest. While there is no finished product to show, Jim thinks the CD will be complete soon. We plan to offer it through the *Highlands Voice* and on the website initially as a kind of test marketing before offering it through our usual network of suppliers. Twenty first centuries, here we come.

Treasurer Bob Marshall reported that we are doing OK financially. We spent more than we took in for program expenses but that is acceptable since program is where we do our valuable work. We did better on administrative expenses than we had expected.

Administrative Assistant Dave Saville reported that he had been working hard during

the past few years to solidify our estimates of memberships. Past estimates had included some complimentary trial memberships, some people who were behind in dues but still on the list, etc. He now has the list pared to the point that membership totals reflect actual dues paying members.

We are going to do a mailing to lapsed members, inviting them to return.

We had an inconclusive discussion of accepting advertising in the *Voice*. Some thought it would junk it up; others thought it would be a source of revenue. We resolved this by doing what all bodies do when they don't know what else to do: appointed a committee to consider it.

The public lands committee reported that we are going forward with our wilderness proposal and that it is likely that a bill will be introduced this year. The Forest Service expects to have a draft of its management plan out this spring. The alternatives it is considering are on its web site.

The wind power committee reported on

the status of various proposals. A common thread in the pending proposals is that it appears that there is some difficulty getting financing for the projects. Apparently the bat kills at windfarms were unexpected and have thrown the companies (not to mention the bats involved) for a loop. The West Virginia Public Service Commission has recently published siting rules; public comments are due by February 18.

The highways committee reported on the intersection of its areas of concern with that of the Blackwater Canyon committee. As part of the mitigation to be provided for Corridor H, the Department of Highways was supposed to improve the rail trail that runs down Blackwater Canyon. But Allegheny Wood Products owns half of the trail and wants to make a logging road out of it. Since it is impossible to improve a rail trail while simultaneously making it into a logging road, nobody knows what to do. Corridor H Alternatives and the WV Department of Highways are doing alternative dispute resolution to see if it is possible to work this out.

Legal Efforts to Limit Valley Fills Spreading**KENTUCKY GROUPS SEEK LIMITS ON FILLS**

By Ken Ward, Jr.

Three environmental groups have filed suit to expand new restrictions on mountaintop removal permits to the coalfields of Kentucky. If successful, the lawsuit would stop new mining operations in Kentucky from being approved through a streamlined permit process meant for activities that cause little environmental harm.

Since last July, U.S. Army Corps of Engineers' officials in West Virginia have been blocked from streamlined approval of new mountaintop removal valley fills. In West Virginia, coal companies must go through detailed, individual permit reviews when they propose to bury streams with waste dirt and rock.

But in Kentucky, the corps continues to approve new valley fills through much less rigorous "general" or "nationwide" permit authorizations.

"We're trying to make the law the same in both states," said Jim Hecker, environmental enforcement director for Trial Lawyers for Public Justice.

Hecker is among the lawyers who filed the new suit Thursday in U.S. District Court for the Eastern District of Kentucky in Lexington. Judge Jennifer B. Coffman, a Clinton appointee, was assigned to hear the matter.

The case was filed on behalf of Kentucky Riverkeeper Inc., Kentuckians for the Commonwealth and the Kentucky Waterways Alliance. The groups are also represented by Lexington lawyer Joe Childers, Joe Lovett of the Appalachian Center for the Economy and the Environment, and Brent Bowker and Amanda Moore of the Appalachian Citizens Law Center in Prestonsburg, Ky.

With the new suit, environmental groups are trying to block streamlined permitting of mountaintop removal jobs that would bury streams in the Cumberland, Kentucky, Big Sandy and Licking River watersheds.

"What's illegal in West Virginia is just as illegal in Kentucky," Lovett said.

In mountaintop removal, coal operators blast off entire hill-tops to uncover valuable low-sulfur coal seams. Leftover rock and dirt — the stuff that used to be the mountains — is shoved into nearby valleys, burying streams.

A 2003 draft study by federal regulators found that 1,200 miles of Appalachian streams have been buried or otherwise "directly impacted" by valley fills between 1992 and 2002. That 4 1/2-year study found that past, present and future mining in the region could destroy 1.4 million acres of forest, or 11.5 percent of the study area.

"We need to slow down the mining so it's done in a way that doesn't hurt people or destroy the land," said Patsy Carter, a Martin County, Ky., resident and member of Kentuckians for the Commonwealth.

Bill Caylor, president of the Kentucky Coal Association,

could not be reached for comment. Corps officials had no immediate comment on the new lawsuit.

Like the West Virginia case, the Kentucky suit questions the corps' historic practice of approving valley fills through a Clean Water Act authorization called Nationwide Permit 21, or NWP21.

Under the law, such permits are supposed to be used only to approve categories of activities that, cumulatively, would have minimal environmental effects.

In a July 8 opinion, U.S. District Judge Joseph R. Goodwin in Charleston ruled that the corps had never concluded that valley fills caused only minimal adverse impacts. Without such a finding, the judge said, the corps cannot use NWP 21 for any mining permits.

The Bush administration and several mining industry groups have appealed Goodwin's ruling to the 4th U.S. Circuit Court of Appeals in Richmond, Va. The first legal briefs are due early next month, but no oral argument has yet been scheduled.

Previously, the 4th Circuit overturned two rulings that the late U.S. District Judge Charles H. Haden II issued to tighten restrictions on mountaintop removal.

In one of those cases, the 4th Circuit complained that Haden had issued an overly broad injunction against certain types of new mining permits in West Virginia and Kentucky. So, in his ruling, Goodwin narrowed his injunction to permit applications in the southern judicial district of West Virginia.

Meanwhile, coal companies in Kentucky can continue to obtain valley permits through the streamlined, NWP 21 process.

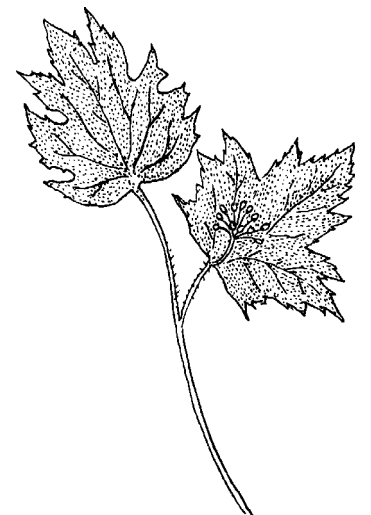
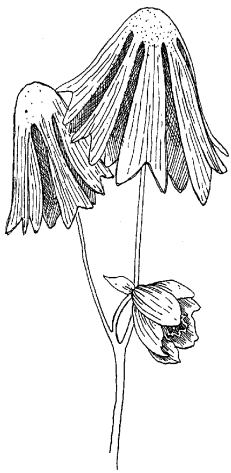
In their new suit, environmental groups seek a ruling similar to Goodwin's from a federal judge in Kentucky.

Lawyers argued in court papers that the corps never properly studied mountaintop removal's impacts before approving NWP 21 and failed to put any limits on the length of stream that could be buried and qualify as "minimal" impact to the environment.

If the suit is successful, any industry appeal would go to a different court, the 6th U.S. Circuit Court of Appeals, based in Cincinnati.

In Kentucky, the corps has approved more than 50 mining projects through streamlined Clean Water Act permits since March 2002, the lawsuit states. Those projects would disturb more than 55 square miles and bury more than 35 miles of streams beneath nearly 200 valley fills, the suit states. Another 27 permit applications are pending. But, corps records include estimated fill lengths for only a third of those permits. Those would bury about 9 miles of streams.

This story originally appeared in The Charleston Gazette.



Been There. Done That. Still Doing It. Sometimes the Impossible Just Takes Longer

HISTORY OF THE WVHC'S INVOLVEMENT IN VALLEY FILLS

By Cindy Rank

WVHC has a long history of working on a variety of mining issues critical to protecting the environment, communities and life in WV. One of these is to prohibit the dumping of mine waste into valuable headwater streams – or at least to limit those ‘fills’ to only the uppermost ephemeral reaches of streams. The Kentucky litigation against the Army Corps of Engineers [see accompanying article] is but the most recent challenge to the ever expanding practice of using headwater stream valleys as dumping ground for waste rock from massive mining operations. Of course there are other sections of the federal law that are meant to prevent or limit mining’s impact on streams ...but that’s another ongoing story for another day. — For now, here is a brief review of the highlights of WVHC involvement in the Valley Fill debate leading up to 2005.

(Apologies for any errors in detail in this effort to condense what are some extremely complicated matters. Apologies too for inadequate recognition for individuals whose names have been left out in the interest of simplicity. WVHC owes a huge debt of gratitude to many lawyers, technical experts and other local, state and national organizations as well as dedicated Board Members, members who donate time or money to the cause, and members in the coalfields who suffer from environmental problems our actions are meant to solve.)

1984-86 An Upshur County resident contacted Senator Byrd who contacted Region VII who contacted local Sierra Club rep who contacted Friends of the Little Kanawha (FOLK) about a proposal by Island Creek Coal Company to expand its 2,000 acre operation on Tenmile Creek of the Buckhannon River. The expansion was to involve a permit to mine another 900 acres including plans for a one-mile long valley fill of a tributary to the Right Fork and a 90 foot high dam across a farm pasture. The dam was to act as a sediment pond for the fill and the next 12,000 acres of mining planned for the Right Fork watershed. However, the owner of the farm never intended his 15-year-old lease to allow anything but a single strip of mining along the hillside above the pasture – so much for the age-old reliability of the hand shake and verbal agreement.

— WVHC and FOLK called together individuals and groups concerned about the Buckhannon River and the Buckhannon-Tygart River Coalition was born.

— Administrative and legal challenges by the Coalition, together with increasing acid mine drainage (AMD) problems throughout the rest of the Tenmile operation, resulted in the proposed Job #11 never being started.

1988 WVHC and other state and national environmental groups sued the WV regulatory agency responsible for enforcing the Surface Mining Act (SMCRA) over lack of enforcement of many sections of the Act — including stability of fills, contemporaneous reclamation, AMD, bond-

ing, etc. A settlement agreement brought some significant but short-lived improvements in the program.

1990-91 WVHC representative was appointed to the Joint Legislative Committee to reorganize the Department of Energy, which had been designed during the Moore administration to promote more than regulate coal mining. The regulatory agency became the Division (now Department) of Environmental Protection (DEP) and some needed attention was turned to keeping reclamation current, especially at mountaintop removal sites like the DALTEX mine in Blair, Logan County.

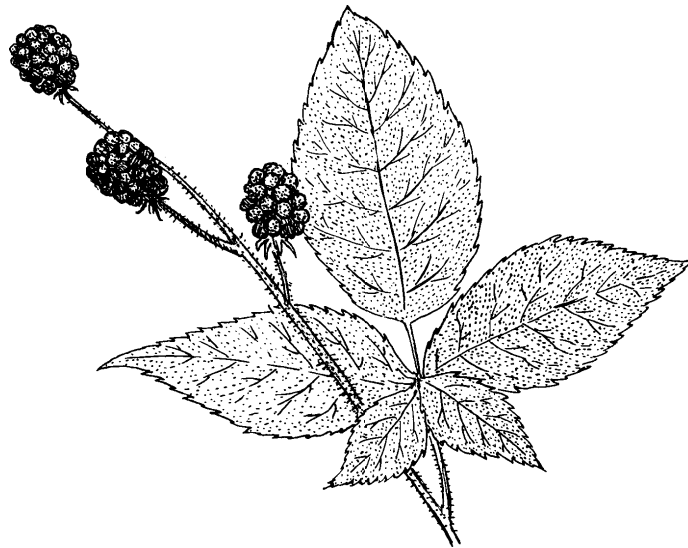
1994 The annual surface mine tour sponsored by the state to showcase some of the ‘successes’ of the mining program focused on contemporaneous reclamation improvements at massive mountaintop removal sites in several counties. Visits to these sites prompted a president’s column in the VOICE to express concern about giant mining operations common to Wyoming being superimposed on the steep hills and deep valleys of West Virginia.

1995 - 96 WVHC representative was appointed to a Joint Legislative Committee on Mitigation which was established to review WV’s policies of mitigating for stream loss due to valley fills. Because it is impossible to truly recreate a stream, and very difficult to adequately improve nearby streams to make up for the loss, industry had years earlier convinced WV to accept monetary compensation for streams buried under fills. The committee was established when industry ap-

proached the Legislature to reduce even further the already obscenely low price it had been paying for those lost streams.

1996 An earth day article in the VOICE cited impacts mining was having on the West Virginia, including 67 known miles of streams that had been buried under valley fills. The article prompted a letter from the WV Mining and Reclamation Association that challenged WVHC to provide detailed information about the 67 miles of streams. Responding to the challenge, VOICE articles in September and December described the convoluted process of authorizing fills that involved a tangled web of federal and state agencies and noted that the 67 mile figure was based on acreage documented in DEP “mitigation” files from 1992 to 1995. Also, referring to the Legislative Mitigation Committee’s visit to the Hobet 21 operation in Mud, WV the articles portrayed the 2 ½ mile long valley fill proposed for Connelly Branch as a concrete example of that process.

1997 Several WVHC members presented at and participated in the first ever (and only) Citizens Mine Tour. Organized by the first DEP Environmental Advocate (a position created by the reorganization bill of 1991) and conducted with the help of DEP personnel, the tour brought



MORE HISTORY OF VALLEY FILLS (Continued from previous page)

together individuals from local communities to visit mines and discuss shared concerns about mining in their respective communities.

1997 A WVHC member compiled the first-ever comprehensive map showing the extent of mine permit areas and valley fills in the three county area of Boone, Logan and Mingo. The map was an important piece of evidence in the Bragg litigation filed in 1998.

1998 WVHC was represented on Governor Underwood's Task Force on Mountaintop Removal. After numerous public hearing and considering volumes of testimony from all sides of the issue, WVHC representative John McFerrin was the only member to vote against adopting the Task Force's final report. In support of his opposition he penned an extensive detailed Minority Report that addressed a multitude of topics including the illegality and environmental and economic impacts of filling free flowing streams.

1998 Joining several brave individuals WVHC filed the Bragg v Robertson litigation challenging the Army Corps of Engineers and the Environmental Protection Agency's failure to enforce the Clean Water Act, and WV DEP's failure to enforce the Surface Mine Act. A Settlement Agreement with the two federal agencies concerning the Clean Water Act provisions provided that EPA would conduct an in depth Environmental Impact Statement (EIS) about Mountaintop Removal Mining and Valley Fills.

The agreement also provided for a Memorandum of Understanding to better coordinate review by all five federal and state agencies involved in the permitting process and to set some basic requirements on fill size while the EIS was being completed.

1999 Judge Haden accepted the settlement agreement, but noted that the WVHC/plaintiff's original contention that the Corps' own regulations made it illegal for that agency to issue permits to fill streams with mine waste was legally correct.

2001 Litigation once again challenging the Army Corps' authority to issue permits under Section 404 of the Clean Water Act was filed in Kentucky.

2002 The Environmental Protection Agency changed the definition of "fill" for purposes of the Clean Water Act. Before the change, the dirt and rock dumped into valleys as part of mining was considered "waste" and was legally not acceptable as "fill" material and therefore couldn't legally be permitted by the Corps. After the change waste rock from mining was specifically defined as "fill" material and therefore could legally be permitted by the Corps as suitable "fill material". At the same time Judge Haden ruled that the KY folks were correct in their assumption and that the rule change didn't matter because the Clean Water Act itself prohibited the Corps from approving valley fills.

2003 The Fourth Circuit Court of Appeals reversed Judge Haden's ruling, giving the Corps a green light to proceed.

2003 Several state and one national group filed litigation vs. Corps to stop it from using the more general Nationwide Permit #21 to rubber stamp fills at huge mountaintop removal sites. (A nationwide permit is to be used to authorize activities which cause only MINIMAL impacts and requires less scrutiny than Individual Permits and no public input.)

2004 Judge Goodwin ordered the Corps to cease using Nationwide 21 in the Southern Court District of WV and to authorize fills only after more detailed scientific scrutiny and public input within the framework of Individual Section 404 permits. Fall 2004 the Bush Administration appealed Judge Goodwin's decision to the Fourth Circuit in Richmond. The appeal is still pending in early 2005.

Currently WVHC, Ohio Valley Environmental Coalition, Coal River Mountain Watch and Sierra Club WV are commenting on the inadequate and misleading applications for Individual Permits that coal companies have applied for since Judge Goodwin's ruling. Extensive comments on over 35 applications have been coordinated, compiled, written and submitted to the Corps by Margaret Janes of the Appalachian Center for the Economy and the Environment.

January 2005 Litigation has been filed in Kentucky to stop the Corps from using Nationwide Permits to authorize valley fills in that state as well. The suit mirrors the 2003 WV litigation and continues the long-lived effort to shrink the size of these massive fills that are devastating our water, forest, and community resources. [See accompanying article.]

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, and XXXL. \$10 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

HATS FOR SALE

West Virginia Highlands Conservancy caps for sale. The cap is khaki and the pre-curved visor is forest green. The front of the cap has West Virginia Highlands Conservancy in gold above the I [Heart] Mountains. The heart is red; we and mountains are black. It is soft twill, unstructured, low profile, sewn eyelets, cloth strap with tri-glide buckle closure. \$10 by mail. Make check payable to West Virginia Highlands Conservancy and send to Julian Martin, P.O. Box 306, Charleston, WV 25321-0306.

SHIRTS NOW AVAILABLE IN LONG SLEEVE MODEL

We now have I [heart] Mountains long sleeve shirts in sizes M,L, XL. The shirt is heavy cotton and white with blue lettering. The heart is red. \$15 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

Lovers (Friends, Acquaintances, Whatever) of the Mon, It's Time to Speak Out

CRITICAL TIME IN MON FOREST PLANNING

West Virginians now have a rare opportunity to help shape the future of one of the state's most important natural treasures, the Monongahela National Forest. The Forest Service is rewriting the "Mon's" land management plan, the legal document that determines how the forest can—and can't—be used (or abused) by the Forest Service.

The new plan will direct the kinds of management that take place on the land – ranging from wilderness and wildlife protection to logging, road construction, mineral and gas drilling, pesticide application, and other destructive practices.

The Forest Service is entering a critical period in its planning. Hundreds of West Virginians have already let the Forest Service know that they love to hunt, fish, bike, and hike in the Mon, and want to see its forested backcountry and streams protected. As the Forest Service enters the last critical months before a draft plan is released, it is important that they hear that message again loud and clear from West Virginians and others throughout the region. Talking points and Forest Supervisor Clyde Thompson's contact information are at the end of this message.

Forest Service Planning Update

For over a year now, the Forest Service has been quietly weighing its options for the Mon's future. Several critical issues are currently being considered that will determine the forest's future for decades to come. Will the agency decide to allow logging in important backcountry recreation and habitat areas that are currently protected from logging? Will the Forest Service propose more wilderness areas for the Forest? Will old growth forests be protected? Will streams and rivers be protected?

While the agency is addressing these key questions, it is also trying to amend this plan with a minimum of public engagement. The Forest Service plans to release a draft of the plan by late spring. All of which means that important decisions are quietly being shaped now and now is the time to let the Monongahela National Forest hear from WV conservationists who believe:

- The Mon is an oasis of natural forests and clean drinking water in the state and want it to stay that way,
- Local businesses and communities will benefit more from protecting the natural heritage and recreational opportunities that the Mon provides, than from increased logging,
- The Forest Service should provide more

wilderness and stronger – not weaker – protection of special areas, recreation opportunities and wildlife habitats.

Backcountry Protection

For the first time in 20 years, the Forest Service is considering the fate of currently protected areas such as Cranberry Backcountry, Tea Creek Mountain, and Seneca Creek backcountry. These special places are called "6.2 Areas" by the Forest Service. These 6.2 Areas are among some of the Forest's most special places and they are currently off-limits to logging and road construction. These areas are popular because they provide important hiking, hunting and camping opportunities for people and strong fish and wildlife habitat protections as well.

The Forest Service will decide whether it will continue these protections as they are now, expand them to other areas, or eliminate them entirely for some areas under the guise of habitat "restoration." Eliminating these protections means the agency could allow logging, roadbuilding, and the resultant damage to streams and sensitive wildlife.

Logging in the name of "restoration" will jeopardize the special benefits [recreation, drinking water, and wildlife] this Forest offers West Virginians and others. Now is the time to tell the Forest Service that they should keep current "6.2" protections in place and expand them to other special places, not reduce them.

More Wilderness in WV

Wilderness designation by Congress is another tool to protect important wild lands on the Forest. Working together as the West Virginia Wilderness Coalition, the West Virginia Highlands Conservancy, WV Chapter of the Sierra Club and The Wilderness Society have identified 15 special places on the Mon Forest that deserve permanent protection as congressionally designated Wilderness. Please tell the Forest Service that they should be recommending Wilderness designation for the 15 special areas identified by the West Virginia Wilderness Coalition, to safeguard them for the use and benefit of many generations of West Virginians and others in the future. For more information about Wilderness in West Virginia, visit the Coalition's web site at <http://www.vvwild.org>

TAKE ACTION: Make Your Voice Heard

West Virginians who care about the Monongahela National Forest need to get involved now. Using your own words as much

as possible, please tell Supervisor Thompson that you think the Mon Forest and the citizens of West Virginia will be best served if the Forest Service:

- 1) Recommends wilderness designation for the 15 areas supported by the West Virginia Wilderness Coalition [www.vvwild.org]. Designation as wilderness would ensure that these areas are protected from logging, road construction, and other commercial exploitation for the benefits of future generations.
- 2) Protects all remaining 6.2 Areas from all logging and road construction and extends this protection to other special areas of the Forest, including Falls of Hills Creek and Gauley Mountain.
- 3) Protects remaining Old Growth on the Forest and allow more to naturally regenerate in the future.
- 4) Protects streams, rivers and watersheds from damage from logging and road construction with strong management guidelines.

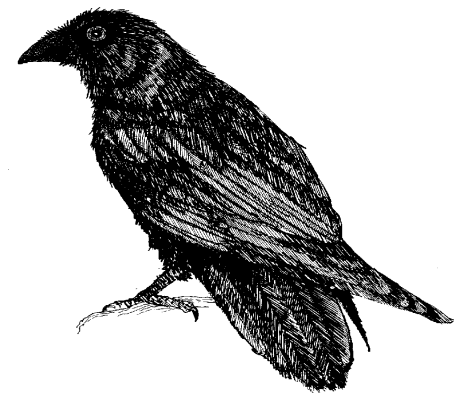
Send your letters to:

Clyde Thompson
Forest Supervisor
Monongahela National Forest
200 Sycamore Street
Elkins, WV 26241

or email cnthompson@fs.fed.us

Remaining Questions?

Contact Dave Saville of the WV Highlands Conservancy at (304) 284-9548 or daves@labyrinth.net, Matt Keller of the WV Wilderness Coalition at (304) 864-5530 or mattk@twc.org or Mary Wimmer of the Sierra Club at mwimmer@hsc.wvu.edu.



What Wilderness Means to Wildlife Habitat and Fisheries

By Matt Keller

The 2004 National Trout Unlimited bumper sticker says it all: "Wilderness: A Great Place to Hunt and Fish." Hunting and fishing are indeed two of the major outdoor recreational uses of Wilderness areas, as well as the viewing of flora and fauna which brings such awe and enjoyment to other Wilderness users. Much of the inherent value of the Wilderness resource comes from its wildlife.

The proposed Wilderness areas on the Monongahela National Forest provide rich habitat for a wide variety of plant and animal species, six of which are federally listed as Threatened or Endangered and several others that are rare and/or listed species of concern. Designation of an area as Wilderness ensures protection of habitat from the impacts of logging, mining, roads, utility lines, wind power projects, and other human disturbance

Some other facts about wildlife and Wilderness:

- Wilderness areas are often the best places to conduct baseline research on wildlife populations and long-term trends in habitat use.
- Wilderness areas often hold the largest individuals of certain game species found in an area.
- Wilderness provides refuge to big and small game animals alike – places where populations can escape the pressures put on them by roads and human activities.
- Wilderness hunting is traditional hunting by foot or horseback.
- Wilderness is a place where the forces of natural selection and survival rather than human actions largely determine which and how many wildlife species will exist.
- In terms of fish habitat, within the proposed Mon NF Wilderness boundaries are located forty-nine (49) streams classified by the WV Department of Environmental Protection [DEP] as "Tier 2.5" streams. This is a special anti-degradation designation for "high quality waters of special concern."¹ Currently, approx. 450 streams are on the list statewide. Thus, although our proposed Wilderness acreage represents less than 1% of the State's land base, over 10% of WV's most pristine streams are located within this small amount of land. Wilderness is the highest form of protection from human impacts that can be given to these streams over the long term.

Wildlife and Fisheries Management in Wilderness

The Wilderness Act (1964) does not change the jurisdiction of state and federal agencies with regard to wildlife management: "Nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the several states with respect to wildlife and fish in national forests." The West Virginia Division of Natural Resources (WVDNR) manages fish and wildlife in WV wilderness and all other state and federal lands.

Wilderness managers are mandated by the Wilderness Act to maintain the wilderness character of an area, including its na-

tive wildlife populations. The Wilderness Act specifically allows for a variety of wildlife management activities in designated Wilderness. In fact, the continuance or restoration of native wildlife populations dependent on natural habitats often constitutes one of the prime reasons for designating Wilderness, and is one of the "conservation" purposes for which wilderness is to be managed pursuant to section 4(b) of the Wilderness Act.²

Other aspects of wildlife management in Wilderness:

Wildlife management in Wilderness is to be done through the use of the "minimum necessary tool" when implementing management programs, while at the same time assuring a continuing untrammelled (left to operate freely) condition.³

The use of motorized or mechanized equipment, and access by motor vehicles or aircraft, may be permitted within designated Wilderness areas for certain wildlife and fisheries management activities if found to be "necessary to meet the minimum requirements for the administration of the area for the purpose of this Act."⁴

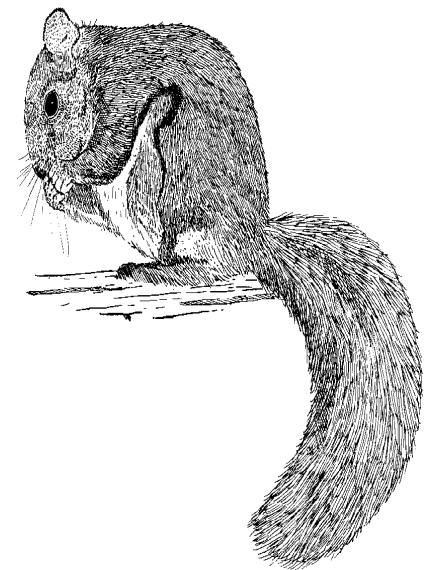
Chemical treatment of waters is permissible in Wilderness if done to restore native habitat impacted by human activity in a way that does not harm wilderness values. Thus, application of limestone fines to counteract human-caused acidification of a Wilderness stream can be done, especially if stream access for trucks exists outside the Wilderness boundary, or other means of delivery are feasible.

The WV DNR in coordination with the U.S. Forest Service may carry out fish stocking activities in Mon NF Wilderness streams, using means appropriate for Wilderness, for either of the following reasons:

- to reestablish or maintain an indigenous species adversely affected by human influence;
- to perpetuate or recover a threatened or endangered species.²

Minimizing Wildlife Management Impacts of Proposed Mon Wilderness

The West Virginia Division of Natural Resources currently has access to 1,512,245 acres of federal and state land to manage wildlife. Current and proposed Wilderness areas make up only 15% of this, as shown below.⁵



(Continued on p. 12)

Snowbird

By Joe Gatski

Up the valley
through the rain shadow
climbing reaching sky
features finely cut
in white stone of medina sand
with all but one of seven suitors left
far below,
see now, how proudly she stands
for tonight the stars are her crown

Hearthstone

By Joe Gatski

Though o'er
a many rough wilderness
I may travel
I know that somewhere,
at the end of the trail,
there are folks who will welcome me with kindness and grace.
Wine is on the table
and the parlor is filled with song.
In the kitchen the women are eagerly preparing
to serve up warm helpings of love.

From Joe Gatski, a West Virginia Highlands Conservancy member who writes; "I am a firm believer in your cause. Here is a poem I have written that I hope you may enjoy." Hearthstone is about the Allegheny Mountains, the land and its people. Snowbird is about the legend of princess snowbird and her famous climb up seneca rocks." Born April 5th 1956, Fairmont, West Virginia, Mr. Gatski attended High School in Grafton, WV. He is an avid outdoorsman and has spent a lot of time in the Appalachian Mountains. His activities include hunting, fishing, canoeing, horseback riding, gathering and growing wild herbs, edible plants and mushrooms. He is also an artist, singer-songwriter, and musician.

More About Wilderness and Wildlife (Continued from p. 11)

Furthermore, the West Virginia Wilderness Coalition has worked with WVDNR Wildlife and Fisheries managers, along with U.S. Forest Service fisheries personnel and WV Trout Unlimited members, in drawing proposed Wilderness boundaries. As a



result, boundaries for several areas were modified to avoid conflict with current wildlife management activities. Over 17,000 acres of proposed Wilderness acreage (nearly 10%) were removed from consideration to accommodate current WVDNR wildlife management activities, which require occasional vehicular ac-

cess and motorized equipment.

Through these modifications, we have excluded from proposed Wilderness acreage: 65% of maintained wildlife openings, 67% of maintained orchards, 22% of waterholes (6 out of 27), and 55% of linear wildlife clearings.

¹ Jessica Welsh, WV Department of Environmental Protection, Charleston, WV

² Scott, Doug, 2001. Wildlife Management and the Wilderness Act of 1964—debates regarding Whiskey Mountain area in the Fitzpatrick Wilderness, Wyoming (1984). Pew Wilderness Center, Seattle, Washington.

³ California Wilderness Act, H. Rept. 98-4042-44.

⁴ The Wilderness Act of 1964, : Public Law 88-577

⁵ West Virginia Land Stewardship Data, Natural Resource Analysis Center and West Virginia Cooperative Fish and Wildlife Research Unit, West Virginia University, updated January 2000

HOUSING DEVELOPMENT THREATENS NEW RIVER GORGE

Land Resource Companies, a real estate development firm based in Atlanta, is proposing a 2,200-home development along ten miles on the rim of the New River Gorge in Fayette County. The 4,300-acre property is currently owned by Rush Creek Land Co. but Land Resources Companies hopes to complete purchase by the end of February.

Located north and south of the Cunard community, 613 acres of the proposal actually lies within the boundary of New River Gorge National River, the remainder is immediately adjacent to the National Park Service (NPS) boundary, which follows the rim of the Gorge.

The area of proposed development is zoned by Fayette County for "land conservation." However, Land Resources Companies filed an application on January 21 requesting that the area be re-zoned for "planned development." The National Park Service supports the county commissioners and zoning board members' continued protection of the area as a conservation zone, particularly those areas within the park boundary, and that are along the canyon rim.

In 2002, special federal legislation modified the boundary of New River Gorge NR to include, among other areas, approximately 613

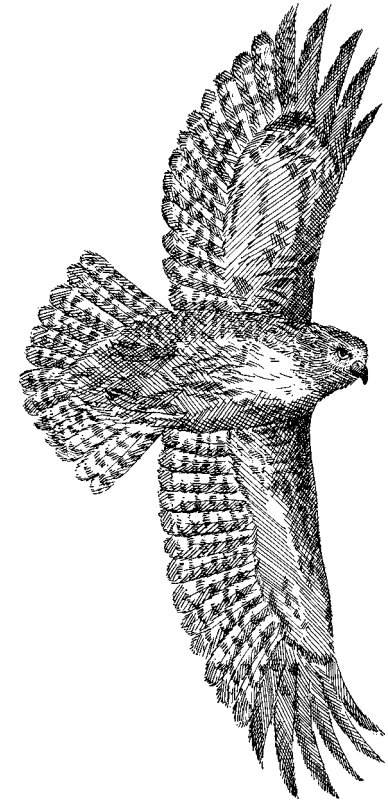
acres of the Rush Creek Land Company property and the adjacent 649-acre Berwind Land Company tract. This was done primarily to address concerns the National Park Service had in the Kaymoor Top area, where existing road traces that were being used as park trails were only partially within the boundary, and some portions of the gorge rim were not included. The National Park Service wanted to include the critical habitat of the rim environment within the conservation status of the park and to incorporate the existing trail in its entirety to ensure continued public access.

Including land within the boundary of the New River Gorge National River is not the same as buying the land. Although the National Park Service always intended to purchase the land, it has not yet done so.

This development could be visible from several popular overlooks on the east side of the Gorge such as Diamond Point on the Endless Wall and Babcock State Park.

In 1978, Congress charged the National Park Service with protecting the natural, scenic and historic values of the New River Gorge. Congress also directed the NPS to work with local governments to establish zoning laws or ordinances which would assist in achieving the protection of

those values. The present zoning of "land conservation" achieves this goal. Fayette County has been a leader in this arena and a valued partner of the NPS. This is an opportunity for Fayette County to continue that tradition by maintaining the existing zoning classification for this area.



TAKE ACTION TO PRESERVE THE NEW RIVER GORGE

A public hearing has been scheduled by the Fayette Co. Planning and Zoning Commission for February 22 at 3:00 pm in the Fayette County Courthouse, followed by another public hearing before the Fayette Co. Commission on Friday, February 25 at 9:30 a.m.

You may also send written comments regarding the rezoning application of lands within the New River Gorge National River to

Fayette County Planning and Zoning Commission
Fayette County Courthouse
PO Box 307 Fayetteville, WV 25840
Case # Z-500-05-1

HELP SAVE THE CHEAT RIVER CANYON

By Judy Rodd

The wild and scenic Cheat River and Cheat Canyon are in grave danger!

In 2003, Allegheny Woods Products ("AWP") — the same company that in 1997 bought the remaining private land in the Blackwater Canyon — has begun logging in the Cheat Canyon, just above the Cheat River, in recognized endangered species habitat.

The company is ignoring requests from the U. S. Fish and Wildlife Service to conduct surveys to protect rare species — including the Cheat snail and the Indiana bat.

Boaters on the Cheat have witnessed road construction and logging along the Allegheny Hiking Trail, a cross-state trail that has been in continuous public use since 1970. Flyovers have confirmed a network of haul and skid roads near Even Nastier rapids. AWP bought 5,000 acres of the Canyon in May of 2003.

This conduct by AWP is a major test of the Endangered Species Act in West Virginia. Illegal logging in the Cheat Canyon

cannot be tolerated — and the unique Cheat Canyon ecology must be protected for future generations.

A coalition of conservation groups has committed to raise funds NOW to cover expenses for a lawsuit — to see that sensitive areas in the heart of the Cheat Canyon are protected.

Please donate NOW to support this important cause. The Cheat River is where West Virginia's whitewater industry got its start — and it is a touchstone for wildwater enthusiasts world wide.

Mail donation checks payable to Friends of Blackwater, 501 Elizabeth St., Charleston, WV 25311 — and put "Cheat Canyon" on the memo line. Or donate on-line at <http://www.saveblackwater.org/>, and put "Cheat Canyon" in the message. All donations go to lawsuit expenses, not for organizational costs.

And please go to <http://www.saveblackwater.org/> and click on the "Cheat" button for more information on the Cheat Canyon Campaign.

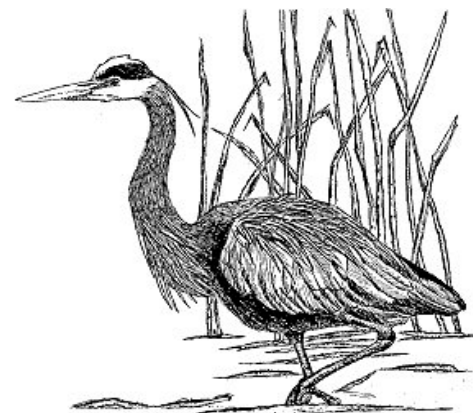


STILL IN NEED OF SOMETHING TO READ

Last month the *Highlands Voice* printed the abstract of some research by Rick Webb on the Effects of Acidic Deposition on Aquatic Resources in the Central Appalachian Mountains. If you want to read the entire report, you can download it at swas.evsc.virginia.edu/Effects.pdf

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.



GOOD STUFF FOR FREE

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, 1525 Hampton Road, Charleston, WV 25314.

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

BUMPER STICKERS

To get a free **I (heart) Mountains** bumper sticker(s), send a self-addressed, stamped envelope to Julian Martin, 1525 Hampton Rd., Charleston, WV 25314

BLACKWATER CANYON UPDATE

By Judy Rodd

In the deep woods and winter silence of the Blackwater Canyon, black bears are hibernating. While we humans scurry around, there are no worries for these wonderful creatures. They await longer days before they have to arise and get about their ursine business.

Sometimes at Friends of Blackwater we feel like the bears have the right idea. Wouldn't it be great to curl up and sleep away the world's worries for a couple of months? But there are things to be done and places to be — and we can't stop now! Here's some updated news:

Our Keep Dolly Sods Wild project has made real gains. Congressman Mollohan and Rahall have ordered studies by the General Accountability Office and the National Academy of Science on wind project regulation and impacts. We need wind plant siting regulations that protect viewsheds, wildlife, and property values. Two wind plants are proposed near Dolly Sods this year, despite the fact that over 8,000 bats have been killed at just one small facility.

J. Lawrence Smith, one of West Virginia's most beloved nature writers, is donating his skills to write a new "Blackwa-

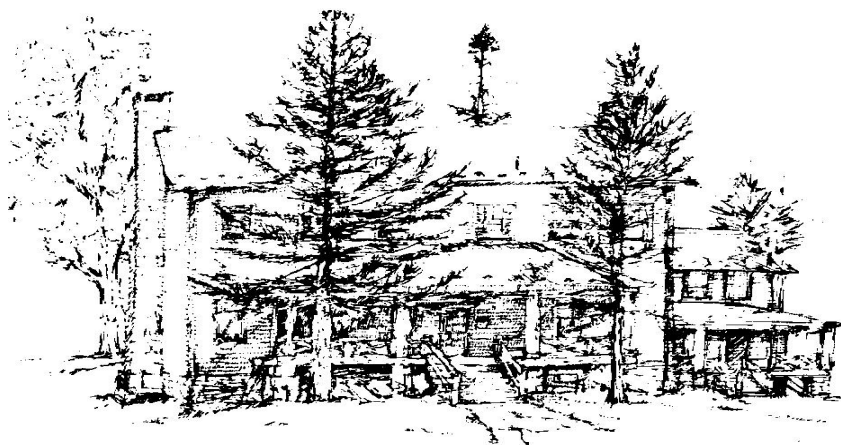


ter Country" book, that Friends of Blackwater will publish this fall. This book will spread the Blackwater message to every corner of the state.

The historic Canyon Trail remains gravely threatened. The Forest Service will release its "Alternatives" report in August, and we must be prepared — with expert evidence and public pressure — to mount a full-scale campaign against turning the most dramatic hiking and biking trail in West Virginia into an industrial logging road! Meanwhile, we want to install new signs on the first two miles of the Canyon Trail from Thomas to Douglas, to educate and entertain the many tourists who use the Trail.

We are also planning a special 2005 outreach to children on the wonders of Blackwater Canyon, and the unique "critters" that live there. We will develop special web pages aimed at children with an online quiz and a short curriculum for teachers.

These are just some of the projects we need to carry out — and with you, we will! Thanks for your support. Visit our website at www.saveblackwater.org for more news.



The West Virginia Highlands Conservancy
presents it's

40th annual

Fall Review

at

Cheat Mountain
Club

October 20-27, 2005

For over 100 years known as a great place for hunting, fishing and wilderness adventure, the Cheat Mountain Club is a special retreat from the outside world - a gracious, quiet, comfortable lodge that fosters contemplation, good talk, and recreational enjoyment in a place of spectacular natural beauty.

This year we will again dedicate an entire week to our 40th annual Fall Review. In the heart of it all, on Cheat Mountain, on the shores of the Shavers Fork of the Cheat River, we'll have workshops, art, lectures, outings, service projects, dignitaries, music, and a whole lot of fun. Details are still being worked out, but mark your calendar for the greatest Fall Review ever! Contact Dave Saville for more information and reservations. daves@labyrinth.net or 304-284-9548

West Virginia Mountain Odyssey



Outings, Education and Beyond

February 19, Sat. Olson Tower, Monongahela National Forest. Given up hiking for the winter? Snow is no reason to put those hiking poles away. Get those winter boots and parkas out and see a different part of the Mon...from snowshoes! Olson Tower is located near Backbone Mountain MD, which is in between Thomas and Parsons, WV. This will be an 8 mile circuit with warm-up hot chocolate afterwards at the Blackwater Falls Lodge. If no snow is available, we will hike in the Olson Tower area. Snowshoe rentals are available at Whitegrass Ski-Touring Center. Contact Susan Bly 304-876-5177 (day) or 304-258-3319 (7:00 pm - 9:00 pm) sbly@shepherd.edu for further details.

April 16th - 18th: North Fork Mountain, Monongahela NF, WV: Camp at modern Seneca Shadows with all facilities. Day 1: Set up camp and hike to the top of Seneca Rocks. Day 2: Moderate 10 mile shuttle hike to Chimney Rocks. Day 3: Break camp and head home. Reservations recommended. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

May 28th - 30th: Canaan Mountain Backpack: 22+ mile, 2 night, strenuous backpack through this under-utilized but beautiful part of the Monongahela National Forest. Contact Mike Juskelis at 410-439-4964 or Email at .

June 11th-12th: Dolly Sods North/Dolly Sods Backpack, MNF, WV: 14 mile moderate Backpack with sweeping views, vistas, streams and waterfalls. Will try to hike 7 miles each day. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

June 25th-27th: Seneca Shadows Car Camping/Rohrbaugh Plains day hike, MNF, WV: Camp at modern Seneca Shad-

ows with all facilities. Day 1: Set up camp and hike to the top of Seneca Rocks. Day 2: Moderate 10 mile shuttle hike in Dolly Sods featuring a spectacular vista, views, waterfalls and a few challenging creek crossings. Day 3: Break camp and head home. Reservations recommended. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

July 2nd: Pond Run/Racer Camp Hollow, Great North Mountain, VA-WV: 9 mile strenuous circuit hikes with multiple stream crossings and a visit to White Rocks vista. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

July 9th-11th: Otter Creek Wilderness 2 night Backpack, MNF, WV: Hike 14+ miles with several wide stream crossings. Camp near beautiful waterfalls and swimming holes. Limit of 10 participants. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

August 6 & 7, Canaan Fir Cone collecting volunteer opportunity. The Highlands Conservancy has been working for many years conserving West Virginia's unique Balsam fir nicknamed "Canaan Fir." Threatened by overbrowsing by white-tailed deer, and an exotic insect pest, the Balsam Woolly Adelgid, this special member of the forest community needs our help. These trees are not reliable cone producers, and only bear cones once every 3-6 years, last time in 2001. This outing is dependant on a cone crop this year. Contact Dave Saville 304-284-9548 .

September 3rd - 5th: Roaring Plains, Hidden Passage, Canyon, Rim 2 night Backpack, MNF, WV: 13+ miles with packs plus an optional side trip w/o packs along Long Run Canyon Rim. Night # 2 may be

dry. Loads of fantastic views! Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

September 23rd - 25th: High Meadows/Seneca Creek Backpack, MNF, WV: Car Camp at primitive Spruce Knob Campground on Friday night. Backpack 13 miles from Spruce Knob to the headwaters of Seneca Creek on Saturday/Sunday. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

October 8th -10th: Great North Mountain Backpack, GWNF, VA/WV: 21+ mile strenuous backpack featuring 4 fantastic overlooks. Will hike 7 miles on day 1, 10 miles on day 2 and approximately 5 miles on day 3. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

October 8-9, and October 15 & 16: Red Spruce cone collecting volunteer opportunity. (two weekends!) 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 and Canaan Valley State Parks. Contact Dave Saville 304-284-9548 daves@labyrinth.net.

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, and Larry Gibson, (304) 586-3287 or (304) 549-3287 cellular. Contact in advance to schedule a time and date.