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The Highlands Voice

The Monthly publication of the West Virginia Highlands Conservancy

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CONSERVANCY SUES OVER DEVELOPMENT IN NEW RIVER GORGE

The West Virginia Highlands Conservancy, Inc., along with the National Parks Conservation Association, Plateau Action Network, Inc., and National Committee For The New River, Inc., have sued the Fayette County Zoning Office, the Fayette County Planning Commission, and the Board of Zoning Appeals of Fayette County over the proposed housing development located in and near the New River Gorge in Fayette County, West Virginia.

The Legal Stuff (caution, may cause drowsiness, do not read while driving or operating heavy machinery)

West Virginia law gives counties the option of establishing zoning plans. Several years ago, Fayette County took that option and established a comprehensive zoning plan for the county.

By letter dated April 12, 2006, the zoning enforcement officer approved the application of LRC Holdings, LLC, for a major subdivi-



Looking down into the gorge. The "area of concern" (at top) shows where Roaring River development would extend down into the gorge. Photo by George Beetham.

sion plat approval for Phase I of the Roaring River project. The approval of a major subdivision plat is within the jurisdiction of the Planning Commission, which is required to hold a public hearing prior to ruling on the application. Petitioners maintain that this procedure applies to the application for approval of a major subdivision plat.

The Unified Development Code of Fayette County (which sets up the rules for making zoning decisions) gives a Board of Zoning Appeals the duty to "Hear and determine appeals and review any order, requirement, decision or determination made by the County Planning Commission or Zoning Enforcement Officer charged with the enforcement of this Ordinance".

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From the Heart of the Highlands

by Hugh Rogers

We Do Go On

Department of Amplification In last month's *Highlands Voice*, Editor John McFerrin answered the question, "Who speaks for the Conservancy?" Like our editors before him, John has taken full advantage of the freedom to print different points of view on the many issues that confront us. The Highlands Conservancy is not a dictatorship, and our newspaper isn't Pravda. So while he's duty-bound to publish the board's official pronouncements, John happily prints contradictory opinions when they're submitted in legible form.

John wrote, "This question currently arises on questions of wind energy." That was putting it mildly, to say the least. I received some blistering phone calls from readers who didn't appreciate David Buhrman's piece, "Greenbrier County Group Opposes Windfarm," in the April issue. What irked them most was Buhrman's references to coal, specifically his opinion that the most effective way to reduce air pollution and global warming would be to make coal "cleaner."

Some readers (and some writers) may not be aware that the Highlands Conservancy HAS spoken on so-called "clean coal." We called it a scam. No change in the way it's burned can make coal a clean fuel as long as it is mined by mountaintop removal and processed in a way that puts citizens at risk from toxic waste ponds.

A statement of our position appeared on page 1 of the January *Voice*. Along with more than seventy other groups and individuals from twelve countries, we signed a letter written by Janice Nease, Executive Director of Coal River Mountain Watch. Janice summed it up this way: "There is no such thing as clean coal technology as long as coal is produced by raping the land and oppressing the people."

In West Virginia, we should understand coal holistically. The trouble with the article on the Beech Ridge wind energy project in Greenbrier County was that it separated coal's air pollution from all its other evil effects.

I had one other nit to pick from John's editorial in last month's *Voice*. He portrayed the Highlands Conservancy's board as "befuddled" about wind energy. I want to say that we have declared a position: we favor alternative energy production, including wind, where it does not kill wildlife or impinge on "special places." We went so far as to try to identify such places. And based on that experience we played a major role in the Public Service Commission's adoption of siting regulations. The trouble with our rule (if I may call it that) is that it's not self-applying. Hence the contention.

Department of Long Views Fifty years ago, Peter Matthiessen, then a young, little-read novelist, began working as a commercial fisherman off the coast of Long Island. The job brought him closer to nature than he'd been since he was a child, and he realized that was what he really wanted to write about. He threw a sleeping bag in his Ford convertible and took off across the United States, looking for places where certain American animals were dying out: the bear, the wolf, the crane. His journey became the subject of his book Wildlife In America (1959), which helped launch the environmental movement.

I was unaware of the book and its influence until I heard about it on Garrison Keillor's Public Radio program, "The Writer's Almanac." Like most people today who know Peter Matthiessen's writing, I was impressed by his later books, especially The Snow Leopard. The "Almanac" entry on his birthday, May 22, concluded with something he said recently: "There's an elegiac quality in watching [wilderness] go, because it's our own myth, the American frontier, that's deteriorating before our eyes. I feel a deep sorrow that my kids will never get to see what I've seen, and their kids will see nothing; there's a deep sadness whenever I look at nature now."

Matthiessen speaks for many of us who have children and grandchildren, who are haunted by the destruction of the natural world, who hope and act so that some part may survive, as the bear, the wolf, and the crane have beaten the odds for the past fifty years.

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More About the New River Gorge (Continued from page 1)

In this case, the Zoning Enforcement Officer apparently made the decision to approve the subdivision plat. According to the Petitioners, he did it only after (1) erroneously finding that restrictive covenants protecting existing trees, and requiring replacement of trees that die, would preserve outstanding features and exceptional views; (2) erroneously finding that the Unified Development Code contains no direct reference to viewshed and that there are no viewshed provisions in the Unified Development Code; (3) erroneously finding that any prohibition of building on lots of concern could constitute a taking, potentially requiring the County to reimburse the developer at market value for those lots; (4) erroneously finding that vague references to site visits by the Zoning Enforcement Officer, discussions with an unnamed "qualified firm", testimony from an unnamed "optical expert", incorrect use of balloons, and reviewing documents online, were adequate to rebut the specific conclusions of the formal, scientific viewshed analysis provided by the National Park Service.

Much of the relief sought by the petitioners is clarification of the zoning appeals process. They were done wrong and would like to appeal. The problem is that the Zoning Enforcement Officer made the decision to approve the subdivision plat himself and bypassed any clear path for an appeal. The petitioners want to either appeal to the Planning Commission (which would result in a public hearing) or to Circuit Court.

What's Really Going On

Land Resources Company wants to build a gated community along and in the New River Gorge. The area was zoned "rural recreational and conservation." To build the project, Land Resources Company must either get it rezoned as "planned development" or find some other way around the zoning regulations. The larger fight is over whether Fayette County is serious about its zoning regulations or if they are only a minor obstacle to be avoided.

The part we are currently fighting about is Phase 1 of what could eventually be a gated community of 2,200 homes on 4,300 acres which would have an impact upon up to ten miles of the New River Gorge. Phase 1 contains 480 lots. The current estimated population of

Fayetteville is 2,706..

To build the project, developer Land Resource Company of Atlanta had legal obstacles to overcome. Fayette County is one of only two counties in the state that has a comprehensive plan backed up by zoning regulations. A major provision calls for protection of the gorge's viewshed.

To carry out its project, Land Resource Company had to seek a change in the zoning of its property from "rural residential and land conservation" to "planned development." The county commissioners, planning commission, and zoning officer all agreed to grant the application subject to ten conditions, one of which required the company to "protect . . . the New River Gorge by insuring that the development is not visible from any ground level vantage point, and continue to work with the National Park Service staff to address areas of concern and insure that this development will not impair the scenic views of the gorge." Thus they wrote the comprehensive plan into the project..

Land Resource Company has worked to avoid any provisions of the comprehensive plan that it views as interfering with its project. This has resulted in an approval of the project by Fayette County's Zoning Compliance Officer. He approved the project without any public hearing. Looking beyond the lack of a public hearing, in the view of the petitioners the approval was improper in that the Zoning Compliance Officer approved the project without considering impacts upon the viewshed and by relying upon questionable "evidence." He also made the unwarranted assumption that denying the request would

result in Fayette County having to pay Land Resources Company for the loss of use of its property.

Throughout all of this, the National Park Service (which administers the park) has steadfastly opposed the project, at least in its current form. As Calvin Hite, Park Superintendent, recently wrote, "We would not want future generations to perceive the New River Gorge National River as some substandard unit of the National Park System, nor a conceivable symbol of shame for southern West Virginia, where the profit driven intentions of a few have resulted in the permanent impairment of the area's significant resource values, and a tarnished public trust."



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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.

THE BIRDS OF KAYFORD MOUNTAIN

By Cindy Ellis

On Sunday, May 21, a small party of birders visited Kayford Mountain near the Kanawha/Boone County line. This area is an "oasis" of mountain woodland surrounded by the on-going processes of mountaintop removal type coal mining and its resultant "moonscape" of reclamation. Our trip was to be an ecotour/birding effort.

Four folks from Huntington; John, Debbie, Keith, and Carol, joined David and me at the Cabin Creek exit of I-64. In the minute he'd been there before us, John had noted 3 species of birds in that busy spot. Then we drove to the Stanley heirs' park, which is the center of the land Larry Gibson, and his friends and family have been trying to save. We spoke briefly with Larry and walked slowly back and forth along the brushy edge of the park to begin listening and listing. We heard a number of Cerulean Warblers, famous for their ability to elude easy visual identification through their use of the topmost tree branches. It was great to hear them though...they are noted by several nature and governmental agencies as suffering from decline in numbers.

We noted more species as we followed the small road through the Stanley family compound. Then we went to one of 3 overlooks on the mine site. No one gasped; for most of us the view took away both breath and appropriate words. We were cheered as we trekked back to the road; we all got great views of a Black-billed Cuckoo. Clearly visible was the signature beak and the distinctive tail! Also spirit lifting was the sight and sound of Cedar Waxwings, back near the park, as a small group flew by. Just then a smaller bird flitted by, in low level branches, fanning its tail and spreading its wings. This was the American Redstart, called "little candle" in Spanish. Indeed the black body marked with bold flaming orange patches did light up the deep green of the leafy roadside.

Our tour took us next to a second overlook. David and I had seen it once before and re-counted a little of what Larry had told us about the earthen cracks, the wanton destruction of timber, and the nearly ever-present dynamiting. Again though, there was not much to say. Perhaps to break the spell, I awkwardly spun around a la Julie Andrews, as if to sing,



Cerulean Warbler

"The Hills Aren't Alive..."

Our list of bird species was more than 40 now, and a Broad-winged Hawk soared over to be added to the count. Keith was pointing out butterfly species as well, and we admired Spicebush Swallowtails and others. In this area, near the "white rock" denoting the family cemetery, Blue-winged Warbler and Least Flycatcher were heard. The latter needs West Virginia's steep mountain gullies with streams as it migrates to northern places in our state and others.



Photo by David Ellis

Some of us had seen enough; not everyone wanted to walk to the 3rd overlook of the area that had been mined earliest. Some of us did though, and tallied the first birds seen and heard on a denuded "recovered" site. Only three species, typical of grasslands, were heard. I remembered that we'd listed 3 species also at a highway intersection. On the untouched wooded areas we had found 44. An ornithologist might be able to draw accurate conclusions about the numbers noted in the different areas. I can only say that it certainly looked and sounded better in the part Larry's trying to save.

I sent a friend a picture of me on the mountain with the mining in the background. She is battling lymphoma. She sent back the message, "Looking at that almost makes me sicker than chemo. Geez!"

HATS FOR SALE

West Virginia Highlands Conservancy has two models of caps for sale. One 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. The other model is tan with a muted green pre-curved visor. The front sports the lovely, in color, logo that appears on the Voice masthead. Beside the logo is West Virginia Highlands Conservancy in green. The lower back of the hat has the We (Red Heart) Mountains slogan. Check out a picture of both hats on our website www.wvhighlands.org. Both hats are soft twill, unstructured, low profile, sewn eyelets, cloth strap with tri-glide buckle closure. \$12 by mail. Make check payable to West Virginia Highlands Conservancy and send to Julian Martin, P.O. 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, and XL. Short sleeve model is \$10 total by mail; for the long sleeve model, the cost is \$15.00 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.

BEECH MOUNTAIN WIND DEBATES: BATTLE OF THE MAPS

By Frank Young

There were maps and pictures, and reports about bats and wind turbines, and more maps and pictures, and economic reports, real estate reports, and more maps and pictures, property tax reports, tax credit reports, and more maps and pictures, and anecdotal reports about civil war battles and related historical and cultural locations. And did I mention maps and pictures? There were hundreds of maps and pictures offered as evidence for and against the proposed wind farm.

For 7 days in May the West Virginia Public Service Commission (PSC) heard from a dozen various parties to the case involving an application of Beech Ridge Energy for a permit to construct and operate a wind farm in northern Greenbrier County.

Thirteen parties, legally called *interveners*, had registered with the PSC either in support of or against issuing the requested Certificate of Siting for a 124 turbine wind farm.

The primary opposition to the proposed facility was from an organization called *Mountain Communities for Responsible Energy* (MCRE). The opposition generated thousands of letters opposing the project to the PSC.

There were many issues debated at the semi-formal public hearings, one day of which was held in Lewisburg, and 6 days at the PSC's offices in Charleston. Issues in contention included "viewshed" effects of the proposed wind turbines, potential effects of a wind farm on tourism, on property values and on the general quality of life for residents in the vicinity of the proposed wind farm.

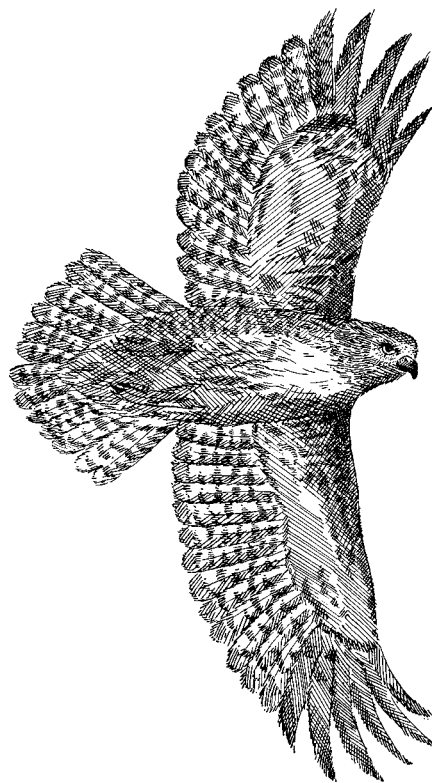
Ecological and environmental effects were high on the list of concerns, too. Fatalities to bats and birds, effects of construction on groundwater aquifers, proximity to and effects on the habitats of endangered species, and debate about "dark skies" all served to generate hours upon dozens of hours of direct and cross examination of dozens of witnesses.

All this and more served to bring local residents, ecological experts, economic experts, labor organization representatives, real estate experts, and lay practitioners of various historic and cultural surveys together to offer often conflicting opinions on the effects of having a large wind farm in the vicinity of Beech Ridge and Cold Knob in northern Greenbrier County.

Basically what is at stake with the proposed Beech Ridge facility is the desire of its promoter, Invenenergy Wind, to own and operate a wind farm, with significant support for the economic activity it would generate, juxtaposed against local residents' ardent desire to live peacefully, unencumbered with whatever industrial activity the wind farm would generate, in the relatively non-industrial areas north and west of Lewisburg. What is locally known as the

Williamsburg Valley was the primary geographical focus of the quality of life issues.

Williamsburg is a small community in the middle of this picturesque valley of family farms, green meadows and pastureland. Other quaint and quiet nearby small communities, separated by miles of "country roads", include Anjean,



Clearco, Cordova, Duo, Friars Hill, Leonard, Renick, Sunlight, and Trout.

Testimony at the hearings was from experts, both for and against the wind farm application, as well as from local Williamsburg Valley residents expressing obviously heartfelt concern for their quality of life, for the ecology of the region, and for the values of their properties there- both as economic assets, as well as for personal, esthetic values not readily measurable in dollars and cents. Time and again the residents spoke of their peaceful homes in the area- priceless assets that no intrusive industrial activity could possibly justify.

There was almost no agreement on the ecological effects of building and operating 124 wind turbines, nearly 400 feet tall, on the various spiny ridges of northern Greenbrier County. Beech Ridge's bat and avian experts testified that the limited studies to date indicated "no significant effect" of the proposed facility on bats and birds. MCRE and its experts, on the other hand, demanded several years more of pre-construction avian and bat studies to determine a base line of bat and bird populations.

But all of the bat and avian experts did agree on one thing- that little is actually known about interactions between wind turbines and bats and birds in the Appalachians- especially

about wind turbines and bats, and about how to lessen the numbers of deaths of bats at wind farms. The applicant's two bat / bird experts, MCRE's bat expert, the applicant's project coordinator, and the PSC's staff point person on bat and bird issues at wind farms all agreed that several years of post-construction bat and bird mortality studies, and including turbine operation tests designed to find operational techniques to minimize especially bat fatalities, would add tremendously to the very limited body of knowledge about bat / bird and wind turbine interactions.

By far the single greatest element of disagreement was the degree of visual intrusion the wind farm would present in Greenbrier County and in the greater region. Several parties had their own maps and "map experts" who offered dozens and dozens of conflicting maps and pictures simulating wind turbines- some from up to 20 miles from the proposed wind power facility- some even of the Backbone Mountain wind farm in Tucker County. The applicant and its experts argued that visual impact of the wind farm would be minimal- repeatedly citing their opinion that natural vegetation would "screen" the view of the wind farm from many both near and far locations of concern.

MCRE and other opponents offered maps and "map experts" who contended that the applicant's viewshed maps were faulty. At one point in the intense viewshed map debate, MCRE's attorney suggested outright fraud on the part of Saratoga Associates, the applicant's viewshed analysis consultant.

After 7 days of intense and sometimes angry debate, both within and outside the hearing rooms, all the parties rested their case. The Commission has until some date in August to either wholly deny the application, or to approve it as presented, or to approve it in part- perhaps denying a siting permit for the whole proposed facility, but approving some parts of it- and / or approving it, but predicated upon the completion of certain pre-construction studies and determinations, as well as certain post-construction ecological studies and other requirements.

The several parties anxiously await the Commission's decision.

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 Martinjul@aol.com or 304-342-8989.

INCREDIBLE DEBATE

An essay by Frank Young

To be perceived as credible, we must actually be credible.

The first "local" utility scale wind energy facility (wind farm) in West Virginia was proposed for Backbone Mountain in Tucker County in the spring of 2000. Less than a year later it had been permitted. By the end of 2002 this wind turbine "farm", now called the Mountaineer Wind Energy Center, was constructed and was putting electricity onto the power grid that serves much of eastern United States.

Although that 1st facility was permitted with little opposition, there was some limited and mostly honest objection to it. But cool heads, both within the WV Highlands Conservancy and with the wind power developer, prevailed and the "wind farm" became a reality.

Subsequent applications for wind farm siting permits have met stiffer, more organized opposition. Today it is more difficult to get a permit for a wind farm than for a mountaintop removal mining operation.

And from my perspective, and from the perspective of many who have commented to me about it, the opposition to utility scale wind energy generation in West Virginia has taken on a tone of amazing incredibility.

Credibility means the quality of being believable or trustworthy, or of having a capacity for reasonable belief. To be credible means to be reliable, or plausible, or worthy of confidence.

Incredibility, on the other hand, means just the opposite. It means unreliable and not plausible, not worthy of confidence, or beyond reasonable belief.

More and more proposed wind farm proposals are being met with increasingly absolutely incredible lists of "facts" by opponents of the utility scale wind energy industry.

Certain internet web sites exist for the apparent express purpose of disseminating patently false or unsubstantiated information (disinformation) about wind turbines and the wind industry in general.

And wind farm opponents actually file with state agencies, with the WV Public Service Commission, for example, some of the most outrageous and unfounded myths and urban legends imaginable about wind farms.

Examples include the "facts" that wind energy facilities alone cause still births and birth deformities in cows and other animals, decreased milk production in dairy cows, that dangerous "fugitive" electricity somehow permeates the ground in areas of wind farms, that "strobing" or "shadow flicker" from wind turbines extends for miles, that wind turbines obstruct electronic communications, and that tourism and property values are certain to decrease in areas that host wind farms.

Other "problems" cited at various internet web sites and other sources include allegations of "bringing lightning closer to homes", "people driving and stopping", that wind turbines are "ugly", and recent suggestions that wind turbines interfere with air traffic control radar.

No substantive support for these "facts" is offered, however. On the contrary, for example, a Marshall University study concluded that property values near wind turbines in Tucker County have not decreased in the 4 years of wind turbine operations there. And the total amounts of Tucker County property assessments have increased during that time.

One commenter told the West Virginia Public Service Commission that at the Backbone Mountain wind farm in Tucker County "the killing in just one day of some 4000 bats was verified". Well, as a part of the technical review committee that oversaw the bat mortality surveys at Backbone Mountain, I can assure you that no such numbers of bat kills have been verified for one day, *nor even for an entire year*. Actual dead bats located at Backbone



Mountain in the summers of 2003 and 2004 were in the hundreds, with mathematical extrapolations of bat mortality for up to perhaps 2000 bats for the entire season. Yet, the alleged killing of 4000 bats a day is repeated as though it were a verified fact. It is, frankly, a deliberate attempt to perpetuate a dishonest campaign of disinformation.

Maybe up to 2000 bat fatalities a year is not an acceptable occurrence for a "green energy" facility. But there will be no useful progress toward learning about bat-wind turbine interactions and how to limit bat fatalities if the interested parties continue to make incredibly absurd exaggerations about the real problem of bats being killed by wind turbines.

Too, some West Virginia wind farm opponents report that the Tucker County wind facility does not pay county property taxes. But the Tucker County Sheriff's tax department reports that Mountaineer Wind Energy Center there has paid all of the property taxes that West Virginia law allows to be assessed. And reports that PSC required ecological studies at Backbone Mountain have not been performed are simply untrue, as well.

The most recent irresponsible claim I've seen put forth by wind farm opponents suggests that wind turbines do not actually produce any elec-

tricity. This claim is that wind turbines are turned, not by the wind, but by electricity taken FROM the power grid, and that any electricity produced is simply "recycled" electricity and does not actually represent any new energy being produced- but that by calling it "wind power" the facility is eligible for substantial production tax credits that would not otherwise accrue to the wind facility owner / operator. That such a scam would include the cooperation of dozens of private and public entities in a conspiracy to commit monumental fraud by the wind power industry makes such a claim not reasonably credible in the absence of any confirming evidence.

Often it seems that the primary real objection to wind turbines is that some people simply don't want to see them at some proposed locations on mountain ridges. A more honest debate would be about the real primary objection- the visual intrusiveness of wind turbines- not unsubstantiated hype and innuendo about all manner of "facts" not really related to the primary concern.

But deception and misinformation is not limited to wind farm opponents. Wind farm developers can and do misrepresent the visual intrusiveness of wind turbines. For example, the Backbone Mountain wind power developers said that the facility there would not be visible from Blackwater Falls State Park. But it is almost always very visible from that park- both day and night. Wind industry assurances that wind turbines "fade into the haze" and are not seen past 4 to 5 miles distance simply do not ring true. I have observed wind turbines from perhaps 20 or more miles north of their Backbone Mountain location.

Too, the reluctance of Florida Power and Light to allow further studies about bird and bat mortality at its Backbone Mountain facility calls into question the suggestion by wind industry consultants- who almost always suggest that effects of wind turbines on bats and birds are or will be "insignificant".

The wind industry needs to understand that in order to continue to market "green" energy, that it must maintain an open and honest appraisal of the actual effects of construction and operations of its facilities.

To be perceived as credible, we must actually be credible.

BUMPER STICKERS

To get free *I ♥ Mountains bumper sticker(s)*, send a SASE to Julian Martin, 1525 Hampton Road, Charleston, WV 25314. Slip a dollar donation (or more) in the SASE and get 2 bumper stickers. Businesses or organizations wishing to provide bumper stickers to their customers/members may have them free—if they can afford a donation that will be gratefully accepted. Cost to WVHC of printing and mailing is \$.25 per sticker.



West Virginia Highlands Conservancy: We're Friends of the Mon!

Protecting and enjoying our Monongahela National Forest

A Memorable Memorial Day in the Mon

By Mike Juskelis

What a perfect way to start the WVHC backpacking season: perfect weather, great hiking companions and a seemingly flawless plan to avoid crowds and seek out some sense of solitude over one of the busiest backpacking weekends of the year. Again we set our sights on Canaan Mountain and again we had the entire mountain to ourselves. While others were bumping into each other in places like Dolly Sods or Otter Creek we saw but 2 tents and a group of 4 young adults in the first hour of the trip. Other than that we saw a couple of pods of mountain

bikers, some car campers near CLR13 and one huge but brief family outing over the course of 3 days. The rest of the time we were alone.

I was joined by the Bishtons, Doc, Blue Mike, Da Judge, Pathfinder (AKA Rock Lady), Everybody Loves Raymond, Rocky B., Heather, Cognac Jack and Molly, one of our canine mascots. Although the beginning and the end of the hike were identical to last year's trip, we added some different trails and increased the mileage a bit this time.

We started at the Blackwater Falls Lodge and followed the Birch Tr to the Allegheny Tr and then the Plantation Tr. From there we took the #6 Fire Tr to CLR13. I was expecting it to be some kind of "Plain Jane" connector trail but instead found a very straight trail full of its own character. The dark, rich Spruce forest was a joy to walk through. From CLR13 we jumped onto the Pointy Knob Tr. This was another nice trail although the east side of it was quite boggy. "Mud" was the word for the day (and actually, as it turned out, for the entire trip). By the time the trail turned north it had dried out significantly and we began walking through woods with an understory of freshly sprouted Hay Scented Fern. (This place will smell great in the fall.) We picked up the sounds of the south fork of Red Run and soon crossed it. At about 8.3 miles into the trip we arrived at the Shelter and campsite and called it a day. After dinner Da Judge and Pathfinder managed to get a fire going and we proceeded to have a contest: "Who can stay up until 9 o'clock?" We all made it but by 10:00 everyone had retired for the evening.

The next day we arose to more blue skies. We were on the trail around 8:30 and soon discovered a hidden gem. The Pointy Knob Tr climbs up out of the bogs and follows an old railroad grade through

stands of Hemlock, Spruce and tunnels of Rhododendron, the whole time remaining meticulously within sight and sound of the south fork of Red Run. For about 1.5 miles it seemed we were hiking along a miniature Otter Creek. We had to ford Red Run below the junction of the 2 forks but all made it across unscathed.

The subsequent walk down CLR13 was nothing short of quick. Along most of it, if we couldn't see Red Run we sure could hear it. This was the third year in a row that I've hiked on Canaan Mt and I've never seen the streams this "juiced".

From CLR13 we veered off onto an old woods road and found the connection with the Mountain Side Tr. We used this to "corkscrew" our way back to CLR13 west of Table Rock. The first third of the trail is really beat up - muddy with lots of blowdowns. It appeared that some trail maintainers recently came through but left the branches they cut lying in

the trail. I think they did it to give mountain bikers something to ride on. Between the mud and these tripping hazards we had to take it slow. The middle portion was a typical railroad grade: a slight incline with lots of rocks left over from the ballast - more slow going. As we approached Laurel Run we returned to a Spruce and Hemlock Forest with a gurgling stream meandering across the trail in several places.

My initial plans were to camp here but Bruce Sundquist suggested that we collect extra water and camp out on Flat Rock and that we did. It was a very rewarding experience. The views here are always outstanding on a clear day but the sunrise the next morning was even more remarkable. We watched in awe as that golden orb peeked out above Dolly Sods and Cabin Mountain and then we went back to bed for another half hour.

We took our time breaking camp but still managed to get on the trail before the preplanned 9:00 o'clock. We hiked out to CLR13, dropped our packs, and walked a short distance to collect enough water to get us through the day. Based on the "mud factor" of the previous two days I expected the Plantation and Lindy Run trails to be pretty messy. They were in places but were in relatively good condition for Canaan Mt trails. We took a long break at their junction before quickly descending off of the mountain. We paid the traditional visit to Lindy Point before finishing off the trip on the Shay Trace Tr.

We were back at the Lodge by 3:00 with visions of cold drinks and ample sandwiches at the Purple Fiddle in our heads. Never has a dark amber brew and Roaring Rapids Roast beef Sandwich tasted so good!



View of the Dry Fork Drainage from Table Rock

Photo © Mike Juskelis



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2006 Wilderness Workshop a Wild Success

By Dee Quaranto

Approximately 35 participants attended the Wilderness Workshop on the first weekend in June. Folks from all over the state, representing the West Virginia Highlands Conservancy, West Virginia Chapter of the Sierra Club, the Greenbrier Watershed Association, Trout Unlimited, the Sierra Student Coalition and other organizations were among those present. The weekend, which was hosted by the West Virginia Wilderness Coalition and funded by a grant from the Sierra Club, took place at The Mountain Institute's Spruce Knob Mountain Center in Pendleton County. The beautiful 400-acre facility, nestled among high meadows and woods, provided the perfect context for a gathering focused on protecting wilderness. The weekend provided a well-balanced set of learning opportunities that covered issues from the conceptual to the concrete, from the historical context of conservation in America to the nitty-gritty details of participation and recruitment. Workshops were informative and interactive, and gave participants a chance to acquire and sharpen wilderness advocacy skills. As Jen Schmidt, Field Director of the Campaign for America's Wilderness pointed out, one of the most important things to include in organizing and education is fun, and there was plenty of that as well.

Our first workshop on Friday night was a presentation offered by John Manchester, Mayor of Lewisburg, and Richwood's Mayor, Bob Henry Baber. Both have endorsed more Wilderness on the Mon, and each discussed how and why he arrived at that decision.

Manchester related a powerful story about how a major home improvement chain tried to strong-arm numerous concessions from him in exchange for locating a store in the area. This, a company representative explained to him, is how the company does business. Manchester, however, held firm and explained how he does business. (His approach, evidently, does not involve bending over backwards to grant a large corporation the privilege of tapping into a lucrative local market.) We West Virginians, he said, too often sell ourselves short, in a sense, "giving away the store" to get the store (or factory, etc.)

Bob Henry Baber of Richwood spoke next, and described the contrasting circumstances of Lewisburg and Richwood as a "Tale of Two Cities," but upon reflection decided it was actually more akin to a "Tale of Two States," due to the economic disparity between the two towns. He related the story of tough economic times as Richwood has steadily lost industry and population. His belief that his town is capable of turning the tide was evident in his enthusiasm for revitalizing the downtown area. That he has his eye on the future was clear as he told of Richwood's plans to provide municipal wireless service. He invited us all to come and take a look around at a town which is a gateway to the Monongahela National Forest and has great potential for development. He stressed that many properties are very inexpensive, and although they may need some TLC, are well worth considering for rehab as primary or secondary residences. His boosterism was so infectious that I've already scheduled a tour with him.

Saturday's first workshop, presented by Mary Wimmer, member of the West Virginia Chapter of the Sierra Club and long-time wilderness advocate, provided participants with a historical overview of the wilderness preservation movement in the United States and West Virginia. With her meticulous research, eclectic sources and obvious passion for the subject, it was easy to see why she has won numerous awards for teaching. I learned that most Wilderness exists because of proposals from citizens. How empowering is that? Her presentation inspired me to ask her for a bibliography and start reading.

Dave Saville, Administrator of the Highlands Conservancy, and Matt Keller, West Virginia Wilderness Campaign Coordinator, segued neatly into their presentation on the birth and development of the WVWC. They explained the process of choosing which pieces of the Mon to include in the Citizen's Proposal. Identifying and accommodating existing uses of the forest was a key component in drafting it. This lengthy and painstaking process involved, among other issues, consideration of the West Virginia Department of Natural Resources' wildlife management activities, which lead to the removal of 17,000 acres originally included. Also taken into account were mountain bikers. In an attempt to preserve their access to favored locations,



An impromptu jam on the deck. Photo courtesy of Jen Schmidt

approximately 20% of the acreage in the original draft of the Proposal was dropped from the final document.

Next up, Jen Schmidt and Harrison Case, Outreach Coordinator of the West Virginia Wilderness Coalition, led us in an exploration of grassroots organizing. We discussed the elements of campaign building, including communications with elected officials, letters to editors, petitions and outreach events. Harrison has been doing a lot of traveling as he works around the state to help get local groups off the ground. He let us in on how he organizes concerned citizens and facilitates their efforts to be effective wilderness advocates.

One of the highlights of the day was the hands-on media workshop with Michael Carroll of The Wilderness Society and Rachel Bocchino of Campaign for America's Wilderness. In addition to discussing strategies for working with local media, they offered a unique speed-writing exercise which was very illuminating. We were given two sets of printed materials and asked to write responses in the form of letters to editors. The catch was that we had only one minute to write the first response, and two minutes to write the second. I was truly amazed by the quality of what we produced. Like many people, I tend to think of all writing as an elaborate process of drafting and nearly endless revision - a major project requiring lots of time and energy. The letters we produced showed us all that it doesn't have to be that way. By the time we got to the third letter, which we were asked to write in response to a hypothetical situation, the five minutes we were allowed seemed a luxurious amount of time.

Our final workshop session of the day was provided by Fran Hunt, Director of Eastern National Forest Protection for The Wilderness Society and Jon Owen, a Government Affairs Representative with the Campaign for America's Wilderness Society. Fran clued us in on political processes involved in mounting effective campaigns, researching and reaching constituencies and focusing efforts. Rewarding audience participation with chocolate was just one of many successful strategies she employed to keep us attentive as the day wound down. Then Jon entertained and informed us with a bit of theater. He masterminded a hilarious role play in which workshop leaders demonstrated what NOT to do in a meeting with an elected representative. It was a unique, fun way to deliver a serious and important message.

In our last bit of official business for the day, participants gathered to share our thoughts about the weekend, and assessments were overwhelmingly positive.



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The workshops educated, informed, and entertained us. The leaders provided us with background information, affirmed what we're doing, and gave us direction and ideas on what to do next. There was a palpable sense of energy and momentum in the room. A number of us used some of that energy to take a long walk on a ridge where we enjoyed an unforgettable sunset and each other's company. As darkness fell, we gathered around a bonfire for more conversation and some home-grown music.

On Sunday morning, we broke into groups and brainstormed strategies for moving the campaign forward. We each submitted personal action plans with specific activities. This was a perfect way to assimilate all we'd learned and keep us focused on our individual contributions to this crucial effort.

Several of us headed from the Mountain Institute down the road to the Seneca Creek trailhead to see one of the proposed wilderness areas, and ended the weekend with a potent reminder of what we're trying to protect. The weekend drew together a great mix of people with a variety of backgrounds and a wide array of skills and experiences. It was a great opportunity to meet fellow travelers, learn new skills, recharge political and spiritual batteries and connect with a strong community of wilderness advocates. It was a real privilege to have the opportunity to learn from the members of the West Virginia Wilderness Coalition. I am awed and humbled by their knowledge and commitment. They're lots of fun to hang out with, too.



Participants enjoying a workshop. Photo courtesy of Nate Parr

MONONGAHELA NATIONAL FOREST HIKING GUIDE

by Allen deHart & Bruce Sundquist

Published by the West Virginia Highlands Conservancy

PRINT EDITION

The 7th edition covers:

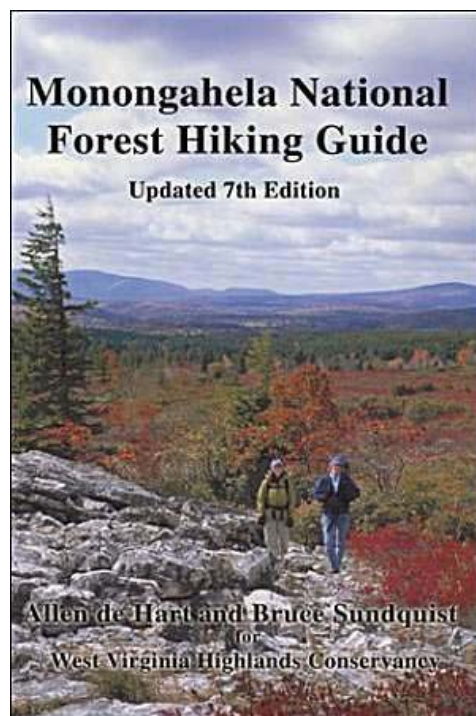
- more than 200 trails for over 700 miles
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West Virginia Highlands Conservancy
PO Box 306

Charleston, WV 25321

Or, visit our website at www.wvhighlands.org



COMPACT DISC EDITION

WV Highlands Conservancy continues to bring its publications into the computer era with its latest innovation- the publication of the Electronic (CD) version of its famous Monongahela National Forest Hiking Guide, **Allen Dehart, Bruce Sundquist, 7th Edition**, with maps and many other enhancements by WVHC contributor **Jim Solley**

This premier CD edition of MNF7 includes the text pages as they appear in the printed version of the 7th edition in an interactive pdf format. It also includes the following ancillary features, developed by a WVHC dedicated volunteer, and **not available anywhere else:**

- All pages and maps, or even a single page can easily be printed and carried along with you on your hike
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Special Features not found in the printed version of the Hiking Guide:

- Interactive pdf format allows you to click on a map reference in the text, and that map centered on that reference comes up
- Trail mileages between waypoints have been added to the maps
- Printable, full color, 24K scale topographic maps of the entire Allegheny Trail In the Monongahela National Forest
- Printable, full color, 24K scale topographic maps of many of the popular hiking areas, including Cranberry, Dolly Sods, Otter Creek and many more

Introductory free shipping & postage offer:

All this is available to *Highlands Voice* readers for only \$20.00, including postage. To receive the latest in printable hiking trail descriptions and printable topographic trail maps send \$20.00 to:

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West Virginia Highlands Conservancy
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Charleston WV 25321



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Mountain Odyssey - Outings, Education and Beyond

If you'd like to join us for an outing, please sign up with the hike leader, who can give you more information on where to meet and what to bring. Their initials appear after each listing; contact information is at the bottom of the listings. If you'd like to lead an outing, please send an e-mail with description to: dee.quaranto@gmail.com. We may update our outings list before your next issue of the *Highlands Voice* arrives, so be sure to see www.friendsofthemon.org for up-to-the-minute information.

Open Dates: Visit Kayford Mountain South of Charleston

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 lunch for a picnic on Larry's mountain. Call ahead to schedule. JM, LG

June 17: Trail Maintenance in Cranberry Wilderness

Meet at Gauley Ranger Station (1 mile east of Richwood on Rt. 39/55) at 9 AM. We'll be working with Forest Service personnel, including Wilderness Rangers, who will show us how it's done in the Cranberry Wilderness. If you have suitable hand tools, please bring them, as we may need them. DQ

June 18: Proposed Big Draft Wilderness Area Relatively easy 2+ mile hike south on Gun Powder Ridge from road crossing (leave car 1) to Lower Anthony Creek. Possible swimming in the beautiful Blue Hole - then down creek and up Greenbrier River to car 2 at the bridge. Short steep climb near the beginning, then a long easy bushwhack down the ridge and a long downhill to the creek through open woods. BH

June 24-25: Spruce Knob Backpack Explore abandoned Spruce Mountain trail and railroad grades, encountering vistas of the Seneca Creek backcountry. Basecamp in Camp 4 Low Place. Approximately 700 foot elevation gain/loss with 12-17 moderate miles. SB

June 24-26: Cranberry Wilderness Backpack Day 1: Backpack in about 7 miles on Big Beechy Trail; set up a base camp on. Day 2: A 10+ mile slackpack through the Wilderness. Day 3: Hike out about 8 miles along scenic Middle Fork of the Williams River. MJ



Dolly Sods Open Country in May © 2002 Jonathan Jessup www.jonathanjessup.com

July 8: Stocking Fingerling Trout Meet at Bergoo on the Elk River 5 miles above Webster Springs at 11 AM. Hike up along the beautiful Right Fork of Leatherwood for 1&1/2 miles and return. Out at 5 PM. Bring lunch. Fairly easy. DG

July 8: Trail Work on Seneca Creek Trail In the mid-1990s, the Forest Service completed a major upgrade of the Seneca Creek Trail down to Judy Springs.

Culverts were removed and dozens of water bars created to better drain the trail and restore disrupted hydrology. We'll spend the day doing much-needed maintenance to repair these important trail structures, thus reducing trail erosion and stream sedimentation. DS

July 9: Mount Porte Crayon Day Hike Celebrate the 65th anniversary of the dedication of this mountain in honor of David Hunter Strouther, who, under the pen name Porte Crayon, was one of the earliest explorers to write about his adventures in the West Virginia Highlands. A long, strenuous hike including considerable bushwhacking. DS



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July 22: Day Hike in Dolly Sods Easy to moderate loop hike, to include several stops for conversation, observation and cooling dips in the streams. Meet hike leader Mary Wimmer at Red Creek Trailhead in Laneville at 9:30 AM. Hike approx. 1.5 miles into Dolly Sods Wilderness; turn onto Big Stonecoal Trail, cross Red Creek, uphill approx. 2 miles to Dunkenberg Trail, then 1.7 miles to Little Stonecoal Trail; 1.5 miles back downhill to Red Creek Trail for an easy hike back to our cars. End in early evening with optional supper at Sirianni's Pizza in Davis. KC

July 30: Sinks of Gandy Caving Trip A beginners spelunking trip where Gandy Creek plunges for a mile-long meander beneath Yokum Knob. We'll also visit nearby Stillhouse Cave. Helmets and 3 light sources required. DS

August 5: Flatwater Float on 6-Mile Pool in Buckhannon River Bring canoe, life jacket and lunch. Meet at Sheetz in Buckhannon at 11 AM, take out at 4 PM. Just show up, or call if you wish. DG

August 19-20: Big Run Waterfall Hike/Bushwhack, MNF Olson Tower Area Explore a stream closeup and personal: hike and "stream-whack" along Big Run's waterfalls, cascades and dunking holes. Moderate/strenuous: 7 miles Saturday, 5 miles Sunday. Previous bushwhacking experience a must. Basecamp in MNF. SB

August 26: Canaan Valley National Wildlife Refuge, Brown Mountain Overlook Hike Experience seldom-seen northern portions of the Refuge on a fairly easy 7 mile hike. The West Virginia Highlands Conservancy has adopted part of this route; we may do some light trail maintenance as we hike. DS

August 26-28: Otter Creek Wilderness, MNF Backpack Moderate. Day 1: Backpack in on Otter Creek, Yellow Creek, McGowan Mt and Moore's Run Trails, visiting bogs before descending to camp. Day 2: Slack pack on Possession Camp, Green Mt. and Otter Creek Trails, exploring falls and pools on return. Day 3: An easy 5 miles out. MJ

September 16 & 17: Roaring Plains, MNF Backpack Tour one of the most spectacular areas of the Mon, the proposed Roaring Plains Wilderness area. A serious overnight trip covering many miles. DS

September 16-18: Dolly Sods North and Dolly Sods Wilderness, MNF Backpack Approximately 30 miles of hiking through Dolly Sods: Raven Ridge, Cabin Mountain, The Falls of Red Creek, Big and Little Stonecoal, The Lion's Head, The Forks and Dobbin Grade. MJ

September 29-October 1: Seneca Creek Backcountry, MNF Backpack Day 1: Arrive early if you like and car camp at primitive Spruce Knob Lake Campground. Day 2: Explore seldom-mentioned trails on the western flank of Allegheny Mountain before descending to camp below Seneca Falls. Day 3: Backpack up Seneca Creek. MJ



Sunset at The Mountain Institute. Photo courtesy of Jen Schmidt

September (dates to be announced): Tree Planting in Canaan Valley We'll be planting Red Spruce on the Wildlife Refuge. DS

October 7-9: Cranberry Backcountry, MNF Backpack Hike approximately 30 miles through this scenic area. MJ

October 14 & 15: Red Spruce Cone Collecting Volunteers needed to collect red spruce cones for our red spruce ecosystem restoration project. DS

October 19-26: Highlands Conservancy's 41st Annual Fall Review We'll be at the historic Cheat Mountain Club for a whole week! Outings, workshops, music, special speakers, and more. Stay tuned!

Hike Leaders:

BH: Bob Handley (304) 497-2276; gbrbat@ntelos.net

DG: Don Gasper (304) 472-3704

DQ: Dee Quaranto (304) 296-3196; dee.quaranto@gmail.com

DS: Dave Saville (304) 284-9548; daves@labyrinth.net

JM: Julian Martin (304) 342-8989; imaginemew@aol.com

KC: Kristin Cummings kristinperu@hotmail.com

LG: Larry Gibson (304) 586-3287; (304) 549-3287

MJ: Mike Juskelis (410) 439-4964; mjuskelis@cablespeed.com; see www.midatlantichikes.com for details and VA hikes not listed here

SB: Susan Bly (304) 876-5177 (day); (304) 258-3319 (7 - 9 PM); sbly@shepherd.edu



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GET TO KNOW: East Fork of Greenbrier Proposed Wilderness Area



Photo © Jonathan Jessup www.jonathanjessup.com

The proposed East Fork Greenbrier Wilderness Area lies in the upper reaches of the Greenbrier watershed within the 'birthplace of rivers,' Pocahontas County. There, the East Fork of the Greenbrier River twists and turns through the shoulders of gentle mountains in a subtle transition zone between the northern and southern regions of the Monongahela National Forest. The area is bounded on the south and east by WV-28 and FS 112, on the west by FS 14, and on the north by FS 430, 254, County Road 250/4 and private land. The proposed area is just over 10,000 acres, the majority of which has been managed as semi-primitive/non-motorized by the U.S. Forest Service for the past 18 years.

The East Fork Greenbrier area is covered mostly with second growth sugar maple and other hardwoods, with interspersed stands of red spruce. It provides habitat for the federally endangered WV Northern Flying Squirrel, and the Candy Darter, a U.S. Fish and Wildlife species of concern, as well as other rare species. The area is known for its excellent trout fishing and contains four Tier 2.5 streams. These streams, East Fork of Greenbrier, Poca Run, Mullenax Run and Abes Run, received the 2.5 classification because of their ability to support native trout populations. Large Brook Trout have been caught in this area, and if protected, these streams could become a headwaters stronghold for them in the Greenbrier. Other wildlife species flourish here as well, providing excellent opportunities for hunting and wildlife viewing.

The area is underlain primarily by shale formed during the Devonian period and to a lesser extent, sandstone formed during the

Mississippian period. It lies within the Ridge and Valley physiographic province of West Virginia, near the Allegheny Front.

Remote and wild in character, the proposed East Fork Greenbrier Wilderness Area is a quiet, peaceful place, with excellent opportunities for primitive and unconfined recreation. The central East Fork Trail follows the East Fork of Greenbrier River from Island Campground to Pigs Ear Road, providing the hiker with especially scenic views along this pristine stream. Small waterfalls abound with many gentle pools to cool off in on a hot summer day as the kids chase crayfish. The trail is exceptional when Serviceberries are in bloom or fruit, joining a wealth of other wildflowers. Wild Strawberries can also be found. Active or past beaver activity may be evident as one travels along the river. The only other system trail in the area is the Poca Run Trail which provides an opportunity for a shorter day hike near the headwaters of Poca Run. Forest vegetation along this trail includes Red Cedar, Black Cherry, Basswood, Sweet Cicely, ferns and Blue Cohosh. Other remote hiking opportunities are available on the long-since closed and largely overgrown logging roads within the area. This area is a great place for fishing, hunting, backpacking and day-hiking.

If you would like to see this wonderful area designated as Wilderness, call the offices of Senators Byrd and Rockefeller as well as Congressman Rahall. They have the power to make it happen but need to hear from YOU!





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Fight for the Forest in Your Community

By Harrison Paul Case

Do you enjoy holding your representatives accountable? Making the government work for you and the people in your community?

How about mobilizing your neighbors? Uniting friends around a cause that impacts your city, county or state directly?

If you're the sort of person who likes to take action, and you'd like to take real steps to protect the wonderful Monongahela National Forest, our local Wilderness groups are a great place to start. In communities across the state, Highlands Conservancy members and others are coming together to ask our Congressional delegation for a strong West Virginia Wilderness bill, which would forever protect places like Dolly Sods North, Seneca Creek and Spice Run from logging, road-building, development, and transfers to private companies.

Local Wilderness groups focus on organizing the support for conservation of these public lands in their communities. This means writing letters to the editor, distributing literature at public venues and events, and building political support from the ground up - signing up mayors, county officials, state legislators and others as supporters of Wilderness.

In Greenbrier County, for example, the mayors and councils of White Sulphur Springs and Lewisburg, and the tourism authority all sent representatives to talk with Forest Service personnel on the issue of protecting wild places in their area.

In the Eastern Panhandle, residents are working to meet with Congresswoman Shelley Moore Capito to ensure we have a delegation united in support of Wilderness for West Virginia.

In Morgantown, volunteers are signing up local businesses to support forest protection - valuable allies as we ask Congress for Wilderness legislation.

In Elkins, people from around the area are working with the recreation, ecology and tourism sectors to ensure that the popular Seneca Creek, Roaring Plains and Cheat Mountain areas are properly reserved for their traditional uses.

If you live in or near any of these communities, look for updated meeting times and events on the Wilderness Coalition website: www.wvwild.org, or contact the Wilderness Coalition by phone (304-906-9317) or email (harrison_case@wvwild.org).

If you're not in one of these areas, but would like to get involved in starting a local Wilderness group, let us know. Anywhere a handful of supporters can get together can become a focal point for activism in your backyard.

Volunteer for West Virginia Wilderness Campaign

YES! Count on my support and assistance for the West Virginia Highlands Conservancy's efforts through the West Virginia Wilderness Coalition to achieve wilderness designation for unprotected wild places on the federal, public lands of West Virginia.

Name: _____ Today's Date: _____

Address: _____ City: _____

State: _____ Zip Code: _____

Phone: (H) _____ (O) _____ Email: _____

I prefer to be contacted via: mail email phone

I can help protect Wilderness by (check one or more):

- Hosting a 'Wild Mon' party at my house or local public gathering spot (We'll send you our video and other helpful materials)
- Distributing literature at public events
- Writing letters to the editor or opinion editorials for my local newspaper
- Coordinating a letter writing campaign in my community
- Phone calling to involve citizens in Coalition action
- Attending events/press conferences
- Leading Mountain Odyssey outing to proposed Wilderness areas
- Involving my organization in the campaign to protect wilderness
- Other (please describe): _____

I am interested in attending or learning more about:

- West Virginia Wilderness Workshop, June 2-4, 2006 at the Mountain Institute: a weekend workshop where you will learn skills to be an effective advocate for protecting National Forest land.
- West Virginia Lobby Week in Washington DC, late summer 2006: an opportunity to travel to DC to learn lobbying skills and then meet with West Virginia's Congressional Delegation about Wilderness legislation

Thank you for your support of Wilderness! Please mail this form back to:
Attn: Harrison Case, West Virginia Wilderness Coalition Outreach Coordinator, 635 Afton Street, Morgantown, WV 26505 Phone: 304-906-9317 Email: harrison_case@wvwild.org <http://www.wvwild.org>

WEST VIRGINIA PROPOSES PROTECTING FEWER STREAMS FROM DEGRADATION

The West Virginia Department of Environmental Protection has submitted 303 high quality streams to the Legislature for consideration for special protection.

Widely known as the Tier 2.5 list, it was first introduced in 2001 and represents naturally reproducing trout streams identified by the Division of Natural Resources, and streams with a high biological score on public lands, all which indicate high water quality. The 303 streams in the current proposal is 141 fewer streams than were proposed when the process began.

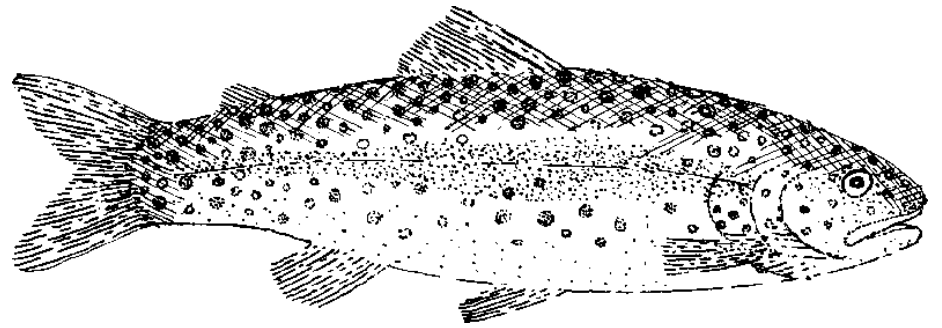
Tier 2.5 is part of West Virginia's compliance with the Clean Water Act. A comment period on the presumptive list of streams ended December 31.

The Clean Water Act, in effect since 1972, told states to deal with water pollution in two ways: clean up dirty streams, and don't let clean streams get dirty. "Antidegradation" is the regulatory label for the latter job. Tiering is how we rank our streams' cleanliness. Tier 1 streams are in a bad way, Tier 2 streams are better off, and Tier 2.5—not quite all the way to Tier 3, which are wilderness streams—are worthy of special protection because of their water quality.

West Virginia started off with 444 streams on its Tier 2.5 list. Through a series of public comment periods, it has whittled the list down to the 303 it is currently proposing. It is likely that the streams were taken off the list in response to comments of the West Virginia Farm Bureau as well as timber interests. It is likely that these groups will insist upon a further reduction of the list while environmental and conservation groups will favor protecting at least the 303 streams which re-

main on the list.

A final public comment period on the rule will begin Friday, June 2, 2006, with a public hearing to be held July 10 from 6 p.m. to 8 p.m. in the Coopers Rock Training Room at Department of Environmental Protection's Charleston headquarters at 601 57th Street, Charleston.



The proposed list, along with DEP's response to previous comments, is available at www.wvdep.org/antideg, or by calling (800) 654-5227.

Written comments should be submitted by mail to the West Virginia Department of Environmental Protection, Division of Water and Waste Management, Lisa McClung, director, Attn: Tier 2.5, 601 57th Street S.E., Charleston, WV 25304, or by e-mail to antideg@wvdep.org.

Our Readers Write:

Dear Editor:

With reference to the article in May 2006 *The Highlands Voice*, Page 4, by John McFerrin entitled *The State Won't Do Anything But a Jury Will*, I say don't vote for the incumbents. Vote for some new blood. Maybe some, at least, of the new ones will do something for the people of W.Va.

Anyway we wouldn't be any worse off and it would be worth a try. Out with the old and in with the new.

Past and present membership count should have been in Elkinton article.

John Kosticky
Wheeling, WV



Former Congressman and WV Secretary of State Ken Hechler and Clean Elections campaigner Granny D were two of the keynote speakers at the Healing Mountains gathering in Ripley over Memorial Day weekend.

Join Now !!!

Name _____
 Address _____
 City _____ State _____ Zip _____
 Phone _____ E-Mail _____

Membership categories (circle one)

	<u>Individual</u>	<u>Family</u>	<u>Org</u>
Senior	\$15		
Student/	\$15		
Introductory/ Other	\$15		
Regular	\$25	\$35	\$50
Associate	\$50	\$75	\$100
Sustaining	\$100	\$150	\$200
Patron	\$250	\$250	\$500
Mountaineer	\$500	\$750	\$1,000

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

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

Keep our Trails and Vistas Beautiful

Friends of Beautiful Pendleton County, Inc.

needs volunteer help in developing and presenting detailed information on the visual impact of the proposed Liberty Gap Jack Mountain Industrial Wind Energy Facility on public trails and other similar locations.



Contact: Larry Thomas, (304)567 2602, LarryVThomas@aol.com

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, 1525 Hampton Road, Charleston, WV 25314.

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

OUT OF THE FRYING PAN AND INTO THE FIRE

By Cindy Rank

It's difficult to tell just which regulatory agency is doing the least to minimize the damage from mountaintop removal mining these days.

A settlement agreement in our 1998 *Bragg v Robertson* lawsuit initiated the multi-year Environmental Impact Statement (EIS) that produced scientific studies documenting the intensive, extensive harm that mountaintop removal and valley fills are doing to forest, stream and human communities throughout the region.

The response to these EIS studies and ensuing court challenges has been under-whelming and contrary to all reason.

All agencies reneged on the original intent of the settlement agreement to recommend ways to reduce the impact of mountaintop removal mining and valley fills. The Final Environmental Impact Statement instead recommended that the agencies join hands in streamlining the permitting process to allow more permits to flow more freely. — Go figure.

For its part the **Office of Surface Mining** proposes to "clarify" the decades old buffer zone rule that prohibits mining within 100 feet of intermittent or perennial streams, by saying the rule was never meant to prevent dumping mining waste into miles of high quality headwater streams. — Go figure.

By administrative fiat, **Environmental Protection Agency** redefined what is meant by "fill" under Section 404 of the Clean Water Act. Declaring that waste from coal mining is not 'waste' after all, but indeed acceptable fill material, the change legalizes the Army Corps of Engineers' practice of permitting stream valleys to be filled with waste. — Go figure.

For its part, the **Army Corps of Engineers** has responded to challenges to its nationwide general permitting of massive and numerous valley fills, by relying on vapid Findings of No Significant Impact and inadequate and erroneous EIS's to support individual permits that approve the same destructive practice. A Finding of No Significant Impact is the agency equivalent of a Get Out of Jail Free card and results in a lesser degree of environmental scrutiny and fewer opportunities for public comment.

The Highlands Conservancy will join OVEC (the Ohio Valley Environmental Coalition) and CRMW (Coal River Mountain Watch) in court the latter part of June to challenge four of the most egregious Corps permits issued based on Findings of No Significant Impact.

Draft Environmental Impact Statement for Spruce No 1 Mine

In addition to challenges to the Corps widespread practice of issuing Findings of No Significant Impact, the Conservancy, Ohio Valley Environmental Coalition, and Coal River Mountain Watch have commented extensively on the Spruce No. 1 Mine in Logan County. Here is some background and a summary of the comments.

Originally proposed for 3,000 acres, this is the same permit that became the focus of the Bragg litigation in 1998. Nearly ten years after Judge Haden ruled that this and other similar permits were granted in violation of the law, the state has issued the mining permit and the Corps is poised to follow suit.

With deep and abiding gratitude to the Appalachian Center for the Economy and the Environment, Trial Lawyers for Public Justice and the national group Earthjustice for scrutinizing this and other issues in the DEIS, I offer the following highlights from comments on the DEIS that were submitted on behalf of WVHC, OVEC and CRMW.

The DEIS for the Mingo Logan, Spruce No. 1 Mine 404 draft permit authorizes the permanent discharge of fill material into approximately 31,678 linear feet or nearly 6 miles of jurisdictional streams and .12 acres of wetlands. The project will also have terrestrial impacts of 2,278 acres or 3.55 square miles. The proposed project is located in the Spruce Fork watershed of the Little Coal River in Logan County, West Virginia.

The comments quite aptly restate what we have come to know about the extensive impact of mountaintop removal mining and valley fills. "The Corps is currently overseeing the thoughtless and unlawful destruction of much of the oldest mountain chain in the world with little understanding of what it is doing or of the future implications of its actions. The central Appalachian forests are the most productive and diverse temperate hardwood

forests in the world and are criss-crossed with irreplaceable mountain streams. The Corps, by casually permitting a dizzying number of strip mines in this region, has authorized, in just a few years, the destruction of mountains, forests and streams that Nature took millions of years to create. The scale of destruction is unprecedented in this country."

The comments continue. "In preparing the DEIS the Army Corps of Engineers has failed to consider cumulative impacts from large scale strip mining across central Appalachia or to use sound science in evaluating more local impacts. It has also ignored the conclusions and studies contained in the mountaintop removal programmatic environmental impact statement (MTRPEIS)."

"The DEIS' limitation of the analysis to the Spruce Fork watershed is arbitrary, lacks scientific basis, and ignores the unavoidable fact that the effects of the Spruce No. 1 project contribute to the cumulative effects of surface mining throughout the central Appalachian region." Moreover, "the DEIS fails to even quantify the extent of cumulative impacts to waters of the U.S. within the Spruce Fork watershed activities."

Mitigation

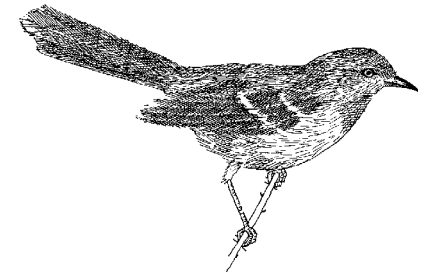
By law the Corps must assure adequate "mitigation" will be undertaken to offset harm caused by the activity it is permitting. "...In the DEIS the Army Corps of Engineers must also claim that mitigation and reclamation eliminate to insignificance the harm from valley fills and other project activities, or risk undermining the very 404 permit they intend to issue." Hence, comments on the DEIS pay particular attention to this issue and are unequivocal in their assessment.

"The widespread devastation documented in the MTRPEIS is clear proof that the mitigation prescribed by the Army Corps of Engineers to offset these harms is a complete failure. Without effective mitigation valley fills at mountaintop removal sites cannot legally be permitted. " More specifically, "the mitigation proposed for Spruce No 1 is scientifically unjustified and will fail to offset harms caused by the operation."

The comments also emphasize the following.

- Environmental risks must be considered and quantified related to toxic selenium discharges
- The DEIS Relies on a Flawed SWROA [Storm Water Runoff Assessment] to Assess Project Impacts on Run-off and Flooding
- The Army Corps of Engineers Inappropriately Claims that Topsoil Substitutes Will Adequately Replace Native Soils
- The Army Corps of Engineers Does Not Consider or Compensate for the Time for Reforestation to Occur or its impacts on hydrological reclamation
- Issues impacting the citizens in the region that must be considered by the Army Corps of Engineers.

The comments close with these remarks. "The Army Corps of Engineers's DEIS on the Mingo Logan Spruce No. 1 Mine does not comply with NEPA. Over and over again the Army Corps of Engineers has made empty unsubstantiated claims both minimizing the individual and cumulative damages from MTR and also exaggerating even fantasizing the benefits of the planned mitigation. NEPA clearly requires "scientific integrity," in the studies and evaluations contained in an EIS. 40 C. F. R. § 1502.24. The Army Corps of Engineers has simply failed to deliver. Clearly, if the Corps had thoughtfully used prevailing science to evaluate the project, the conclusions in the DEIS would be far different, that substantial harm to the environment and communities will occur. Thus, because the DEIS is fatally flawed the only alternative is for the Army Corps of Engineers to either deny the permit or to extensively re-evaluate both the DEIS, the project, and the mitigation plan."





WHAT IS IT ABOUT THOSE INITIALS: B.B.?

By Dave Elkinton

Three different men with initials B.B. played pivotal roles in the early history of the West Virginia Highlands Conservancy. Was it a coincidence, or was there something magical about those initials?

Bob Broughton was an outdoorsman from Pittsburgh, and member of the Pittsburgh Climbers. Bringing his family into the West Virginia highlands, he and his fellow climbers explored all facets of Seneca Rocks. Soon he met and became involved with a group of like-minded folks that became the core founders of the West Virginia Highlands Conservancy. Since Bob's "day job" was working as a law school professor, his legal expertise was quickly harnessed to help the new organization get organized properly. It was Bob Broughton who drafted the statement of purposes, articles of incorporation and first set of by-laws. Even the name, the West Virginia Highlands Conservancy, was his suggestion.

In a tribute to Broughton published in the August 1977 edition of *the Highlands Voice*, Sayre Rodman and Bob Burrell wrote:

We all sensed his competence, but few knew the professional caliber of this man who always appeared when we needed him. He was a professor of environmental law at Duquesne University. He was the first chairman of the Allegheny County Air Pollution Variance Board, meaning that the well-deserved uproar over U.S. Steel's giant Clairton Coke Works dropped squarely in his lap. Somehow he managed to write the original opinion in the case without alienating either side. He'd been chairman of the statewide Pennsylvania Environmental Hearing Board, which hears appeals from decisions of that state's equivalent of the Department of Natural Resources. He was on local committees on matters like zoning and urban renewal, active in local citizens' environmental groups, wrote a widely adopted ordinance on erosion control, and has received impressive awards for his work

Tragically Bob lost his life in Pakistan in July 1977. Quoting again, "he had taken off for an adventure of a lifetime for which few could re-

motely hope to qualify – a serious try on one of the handful of peaks over 8,000 meters in the world, one of the most famous names in mountaineering, Nanga Parbat. At the end of July an unpredictable avalanche buried the entire advance camp, Bob and a companion."

Bob Burrell is a more familiar name to Conservancy members. Not quite present at the founding, he attended his first, and the organization's third, annual Highlands Weekend Review, held at Mouth of Seneca in October 1967. As an avid canoe paddler, he soon found himself on the Scenic Rivers Subcommittee. Almost as quickly that committee's co-chairman, Lou Greathouse, moved to Georgia, and Bob was drafted by Tom King to serve. Bob began publishing a simple committee newsletter to keep the committee members, living in several states, up to date on issues and pending legislation. (This was before the days of email, I point out to those under 40.) During the period March – December 1968, Bob published seven issues in purple (the ditto process).

It is not surprising that Tom King turned to Bob as the first Editor of *the Highlands Voice*, whose vol. 1, number 1 appeared in March 1969. In essence its purpose was to do for all the Conservancy's members what the rivers newsletter had done for its committee: namely, keep everyone abreast of issues, pending legislation, announcements of upcoming activities, even the occasional opinion piece. Apparently the concept was appreciated, since Burrell produced the template that survives all these years later. (See last month's *Voice* for a discussion of *the Voice* as a publication.)

Bob Burrell reports he eventually burned out after composing a bi-monthly, then in 1974, monthly, column for *the Voice* for every issue in its first decade. When he eventually retired as a microbiologist at West Virginia University, he and his wife Elaine retired to the Outer Banks of North Carolina. Bob soon became a wildlife volunteer, leading weekly bird walks for Pea Island National Wildlife Preserve. Never far from a canoe, he also maintained their canoe fleet and made weekly patrols during the summer along the seashore of the refuge looking for sea turtle nests, which would then be protected.

As I planned my research on the Conservancy's history, I visualized a trip to interview Bob on the Outer Banks, but, alas, he returned to

(Continued from previous page)

Morgantown, where we have become frequent correspondents, which leads us to the third B.B.

When I asked Bob what articles he might have written if he had kept going, he mentioned a tribute to Bob Broughton and Bill Bristor, among others, which is where this article's genesis began.

I asked Bob Burrell to describe **Bill Bristor**. Here's some of his answer:

Good Lord, what a character! WWII bombardier, shot down over Germany, spent rest of war as a P.O.W. Worked as personnel chief for Ma Bell in Baltimore. I guess he called me about Shavers Fork after having seen something in the Voice. Since he got free phoning privileges with the phone company, I heard from him several times a week. He and wife Alice were consummate fly fisherfolk. Somehow he discovered the "Fish for Fun" section of Shavers Fork and thought he had stumbled on to the lost graveyard of the elephants! He traveled to SF many times a year always staying at Dabney Kisner's restaurant and motel nearby. We eventually met and were drawn to each other by a mutual sense of rowdy humor. Later I would travel to Baltimore to visit them and we would get up early to drive to the Blackwater NWR on the eastern shore to bird watch and eat crabs. Bill would invite big city sports page editors, outdoor writers, and even book authors (Lefty Crays comes to mind) to see the wonderful asset of Shavers Fork and its attributes as well as those of WV appeared in many an eastern newspaper as a result. Bill never killed a fish and returned many HUGE rainbows and goldens to the river that other fishermen would kill for.

His home was the same way. He refused to kill spiders that set up shop in his home. When he encountered a turtle trying to cross a highway, he always stopped, holding up traffic if necessary, and shepherded the creature safely to the side. Every time he and Alice made some guacamole, they would try to germinate the seed. If it did, they planted it. Each seedling was lovingly cared

for and each grew and grew, some 6, 7, 8' or more high. Fall and spring were big deals in their households. It was a labor of love to carry all of these potted trees from their backyard to their basement in the fall and vice versa in the spring (complete with spider webs)! They called it the Bristor National Forest and clear-cutting was forbidden! As you approached their house driving down the street, it was easy to pick out their house. It was the one in which the unpruned shrubbery hung over onto the sidewalk, forcing pedestrians to take to the street for a detour ☺. Their living room was exciting. No flat surface was empty, each being covered with stacks of magazines, newspapers, letters, photo albums, etc. The walls were covered with photos of exotic memorabilia such as photos of well-known people holding up great fish before returning to the river, Bill's WW II silk scarf, a piece of fuselage with bullet holes in it, and various other equally conversation-generating esoterica. Once, Alice was taking groceries into the house from her car and noticed some things moved around and even missing, so she called the police. When the cop came he said, "They sure made a mess, didn't they?" Alice did not want to tell him that this was the way the place looked like ALL the time. Bill had some health problems even as early as the late 80's. I lost track of him when I moved to NC and I googled him last summer to discover we had lost him a few years ago. I don't know where Alice is.

Bob added that "Bill died December 7, 1999 (I think he would have liked the coincidence) and is buried in the Baltimore National Cemetery.

For my part I remembered Bill Bristor from articles in *the Voice*. In the April 1971 issue a verbatim dialogue was printed of his testimony in support of the denial of a permit for a controversial deep mine on Shavers Fork. He recounted reading about Shavers Fork in *Life magazine* in 1967, and his visit from Baltimore in 1968. "It was unbelievable. I had been looking for something like this for 25 years. I found a true wilderness area, good fishing, along the fish-for-fun line, super-good fishing, a balanced

wildlife, wild flowers, birds, everything you look for if you are a wilderness lover and a fisherman... I think it is unique. I have been places where the fishing was as good and I have been places that are almost as beautiful, but I have never in the east found a place that combined the wilderness beauty with excellent fishing."

Both Bob and Bill joined then-Congressman Ken Hechler in presenting testimony to the U.S. House of Representatives on including the Shavers Fork in the National Wild and Scenic River System in June 1973. They were three of the Conservancy's most vocal, active and persistent advocates for the protection of Shavers Fork. In a front page story in the June 1976 *Highlands Voice*, it was reported that Bristor's river conservation efforts had earned him one of the ten American Motors Conservation Awards for 1976. Tom Cofield, a well-known outdoor editor of *the Baltimore News-American*, made the primary nomination, stating, "Bill's work constitutes the most significant conservation progress seen in the writer's 35 year experience!"

Thanks for Bob Burrell's suggestion that the other Bob and Bill deserved a tribute in *the Voice*. I expanded the idea to include Bob as well. All three will be represented in more detail in the history of the Conservancy. Stay tuned.

Note: Dave Elkinton can be reached at daveelkinton@hotmail.com, and welcomes comments and information as he continues his research and writing on the Conservancy's first forty years.

Editor's Note: In spite of the prominence of BB in the Conservancy's history, there is no record whatsoever of either B.B. King or Bebe Rebozo ever having had any role in the West Virginia Highlands Conservancy.



ACCEPTING IS POWER

An Essay by Jonathan Jessup

I've seen it many times. People hold hatred and inner resistance within. We reduce others to a mental concept with a label. "Environmentalism" or "Capitalism." There are seemingly countless ones used today. These are ways to dehumanize another human being. When a person is reduced to a mental concept, all sorts of things can be justified which normally would not be, because that person isn't really a person any longer, just a limited mental concept. In the mind of the one who labels, these acts are justified, of course. "Americans" or "terrorist" are the labels used in the international arena these days. Just look at what sorts of violence and paranoia (and who knows what else) those labels have created.

I write these words as a plea. Try looking at our situation without using labels. Of course, labels may arise in your mind. Just don't accept the label as the all-encompassing truth. A label is a limited perspective: your perspective. Remember that reality-as-a-whole encompasses all perspectives. You see a mountain forest ecosystem; industry sees a natural resource: both are valid perspectives. Your perspective, of course, acknowledges the mountain more for what it is. The company primarily sees only what it cares about – money which brings continued existence to the company.

Of course, we could hate the company for being what it is. This is where labels come in like "Evil Corporation." Does holding hatred or resentment improve the situation? Is the hatred absolutely necessary in order to take steps for change? Does the hatred possibly make the situation worse? Does not hatred add fuel to the cycle of perpetration and retribution? Hatred is more contagious than almost any disease. It is a disease.

Do a scientific experiment to move a cup. Put a cup of water on your table in front of you. First try to move the cup with as much anger, hatred and resentment as possible. Then calmly do what you can with no anger, hatred or resentment: pick up the cup and move it. Which was easier?

If you are feeling adventurous, try a similar experiment on a stranger and see what happens. "Please excuse me." or "Get the bleep outa' my way you bleeping bleep." Which method is more effective? I'm not saying that you need to like our environmental situation. I can hear some minds ask rhetorically, "But my anger helps me continue the fight! My hatred and personal long standing resentment of our situation is my real power. I unconsciously covet my hatred and I wouldn't be my self without it. I am right and they are wrong! How dare you even imply otherwise."

Notice the offended 'little me' there. It is often in great fear. Ask yourself "Is hatred real power?" Hatred is weakness disguised as strength. If hatred isn't real power, then what is? If we don't hate and resent our situation how can

we change things?

Acceptance is true power. I'm not talking about accepting it forever or for a few years. I'm saying that accepting things as they are only at this very moment is how we can hold great power. We accept the situation and, just as importantly, we accept that we don't like the situation and take steps for positive change. No hatred is needed here, just being totally honest with ourselves. We accept, for example, that the company wants to explode the mountain to kingdom come. It's true, they do. Don't they? I've seen it for myself what we humans do to destroy and/or degrade our



Douglas Falls. Photo by Jonathan Jessup.

mountains, forests, rivers and air. Notice how I don't create a "me" and "them" in that last sentence. *We* humans do it. It's true.

So I'm saying to see reality as it is, without labels. In our accepting reality as it is, we see it more clearly, more objectively. There is no need to create personal offense to 'me' that can alter or distort our perceptions. Objective perception of reality is critical to taking appropriate steps to change it and do effective work within it. Passively saying "Oh I accept that I hate it." isn't acceptance, either. The hatred is a form of inner resistance, or non-acceptance.

Acceptance also means to accept that our actions (and non action) have consequences. If our actions create drama (outrage, violence, civil unrest) or any type of non-acceptance in others then our actions based on non-acceptance may have created that. Through acceptance, we take responsibility for our actions.

Haven't you seen someone with their upset attitude make a situation much worse? Their own negative reaction (non-acceptance) to the situation amplified it. Their own negativity that they radiate profusely created or activated negativity in

other(s). This is someone who is not taking responsibility for his/her actions. They may also refuse to stop creating the negativity within themselves and so they consistently get the same response back from other people. Some people are almost continually unhappy and certainly there is little or no joy or ease in *how* they do what they do.

I know true acceptance is easier said than practiced. Many fail trying to do it. Good intentions are not enough to guarantee success. Take religious history as an example. All sorts of positive love sounding words were chanted by well intended people who at the same time killed and/or massacred millions. There are many lesser extreme examples of course. There is a way to accept reality, though.

It starts with ceasing to think, except when it is absolutely necessary to deal with practical matters. "What?" you ask, "How can I stop thinking? Is it even possible?"

Yes. There are ways to do it and it is a very enjoyable thing to do. Many people already do it without even knowing it. Some people engage in dangerous activities, including dangerous sports. They put themselves in situations where if they aren't paying complete attention (and not thinking), they may be injured or worse such as downhill skiing, whitewater rafting, mountain climbing, race car driving, sky diving, etc etc.. Other people take drugs and alcohol to slow or stop thinking. These are temporary and often dangerous ways to do it and they aren't very liberating because once the activity (or drug) is finished, the thinking mind (the personality) returns. Also people come to depend on the particular activity to enter this state of limited or no mind. There is a huge commercial industry based on temporary relief from our obsessive and compulsive thinking.

There are ways to consciously not think that are much more liberating and much cheaper too. One is to focus on your inner state. How do you feel right now? Is there tension within you? Do you feel excited, sad or uneasy? Focus on the feeling. Totally 'accept' that the feeling is there. Allow it to be there because it IS already there. It is part of your reality already. Don't fight your reality, align yourself with it. If you are at least somewhat aware of your feelings, this may work with practice. If not, then focus on your breathing.

Your breathing does not rely on thinking. Your liver doesn't function from thinking, etc. There is life in your body that functions from powers outside human thought. There is a lot of literature on breathing meditation so I won't go into it further here.

Another way to stop thinking is to just focus on the present moment, without interpreting or labeling it. Don't include time in your percep-

Continued on the next page

More by Jonathan Jessup

tions. Just look at that beautiful tree! Wow! Appreciate the splendor of every moment of your life. Don't take it for granted. Get out in nature. Notice how all plants and almost all animals are in the present moment, not thinking. They exude a deep peace that we humans find relaxing and inspiring.

If you practice effective methods to cease excessive and compulsive thinking, over time gaining control over your mind will become easier and easier. You'll discover how often your mind starts running away with thoughts but you won't energize them through identification.

The human mind is a wonderful tool, if used properly. If used improperly, the tool uses us and quickly becomes dysfunctional and destructive. This is the root cause of almost all of human caused environmental degradation. We identify ourselves with our thoughts.

There is a definite psychological process at work here. Instead of saying we feel unhappy, we say we *are* unhappy (or happy, it doesn't matter which). This identification process amplifies the thoughts. The body then reacts to the amplified thoughts with amplified emotions. It doesn't know the difference between a thought and reality. Our mammalian bodies evolved long before human thought did and don't know well how to distinguish between the thought and reality. If the thought is "I'm in danger!" then the body reacts accordingly. Modern medicine has documented how our bodies react to thoughts (red face, tense muscles, raised blood pressure, etc etc)

Of course, very often, our thoughts are unhappy because the thinking mind is a survival machine, always trying to survive in a perceived hostile world, a world of perceived separation from everything else. The human mind in the egoic state is almost always in a state of want (the source of greed), because it lives in fear of death which is always just around the corner. It says "When this, that or the other happens, I'm going to be okay, happy, at peace." But nothing ever satisfies it for long because it itself is the problem.*

For example, people with a compulsive shopping habit only ever get temporary relief from their mind created state of wanting, through the shop-

ping. They may even know on a deeper level that whatever they are buying won't truly give them relief, but they know no other way out. They are imprisoned within their wanting minds, totally identified within their ever craving thoughts for more.

Our reality is far beyond thought. Your breathing, the sun rising above the forest, the mountains, morning fog, birds chirping and all of Mother Nature all arose from beyond human thought. YOU are an integral and inseparable part of Mother Nature! She does not need thought, but our thinking minds could not exist without her! You are vastly more Mother Nature, than human thought.

So by connecting with Mother Nature, our home, through cessation of compulsive thinking, we the Human Race can arise above our current situation of perpetual violence, greed, stress and environmental degradation. She holds the key and she is the door to our continued survival.

I'm not saying that we need to stop what we are doing externally. Quite the contrary. It's the *how* that we need to change. There is one question that we can sincerely ask and honestly answer to ourselves, to measure if we are succeeding in focusing on our *how* we do what we do. "Is there ease, joy, or lightness in what I'm doing?" * If not, then I'm not going to succeed. If I'm not at ease or joy then I will eventually unconsciously sabotage my own efforts. This is because I'm so identified with my anger and resentment, my mental position, that I don't want it to end. This is because I would then cease to have my (mind created) identity as the one who has been treated unfairly, oppressed, the one who is "right", smarter and more educated, etc etc...

If I have piqued your interest and/or you have questions about what I've said here, I highly recommend Eckhart Tolle's book titled "The Power Of Now." Any of your questions about this essay will probably be answered there. Read it and you will gain many insights into what I'm aiming at here and why we are in the situation we are in, as a species. Please read it.

Mr. Jessup may be reached at jonathanjessup@gmail.com

West Virginia State Agency Issues Searing Criticism of Logging Road Plan for the Blackwater Canyon Trail

Submitted by Friends of Blackwater

The US Forest Service's proposal to turn the Blackwater Canyon Rail Trail into a logging haul road is "dead on arrival" – at least that's what the experts say!

More than 5,000 public commenters – that's us, folks - told the Forest Service to redo its Draft Environmental Impact Statement (DEIS), and protect the Canyon Trail.

And the experts agree with us!

In April of 2006, the United State Environmental Protection Agency (EPA) said that *the Forest Service had not complied with applicable federal law.*

And the EPA is not alone. **Every single expert and official evaluation** of the Forest Service's DEIS on the logging road proposal for the Canyon Trail has noted serious deficiencies.

Now Friends of Blackwater has learned that the West Virginia State Historic Preservation Office (SHPO) issued a scathing letter on February 10, 2006, noting serious defects in the Forest Service process.

The SHPO letter says: "*There is insufficient evidence in this current draft for the public to comment . . . We request further analysis of the structural tolerance of culverts and arches . . . Suggestions of mitigative measures at this time are premature . . . the Forest Service [must] avoid the idea that there is a minimal level of effort necessary to satisfy Section 106 [historic review] requirements.*"

According to an article in the *Parsons Advocate* dated May 17, 2006, the Forest Service is delaying any further public action on the DEIS until at least July. Meanwhile, thousands of Friends of Blackwater are putting the pressure on, saying: "Forest Service, Don't Give Away Our Public Trail!"

YOU CAN HELP!

SEND JOE MANCHIN A MESSAGE FOR BLACKWATER!

Sign the Save the Blackwater Trail Petition.

Tell West Virginia Governor Joe Manchin to "Speak Out" — to protect our public land in the Blackwater Canyon.

Friends of Blackwater's latest petition (you can sign it at www.saveblackwater.org) asks West Virginia Governor Joe Manchin to "speak out" for everyone who rock climbs, hunts, hikes, bikes, boats, botanizes, bird watches, picnics, takes photos, and fishes in the Blackwater Canyon.

The first round of petitions are due on National Trail Day, June 3, and will be delivered to the Governor the following week! A second round will be delivered in July. Take the petition to your club, local fair, bike race, and family reunion. Petitions and Save the Trail posters can be printed out from www.saveblackwater.org.

To get a petition packet from Friends of Blackwater, call 1-877-WVA –LAND or e-mail us at: outreach@saveblackwater.org. Governor Manchin can be reached by mail at 1900 Kanawha Boulevard E., Charleston, WV 25305, and by phone toll-free at: 1-888-438-2731, and by email at: Governor@WVGov.org.