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ARE RECREATION FEES COMING TO THE MON?

By Helen McGinnis* with Much Help from Bryan Faehner**

Although recreation fees on federal lands were implemented in 1997 in selected national forests, they have had little effect in the East except in the White Mountains National Forest in New Hampshire. So easterners may have difficulty understanding why westerners are so upset. I first learned about the Recreation Fee Demonstration Program (Fee-Demo) from my friend Henry, who lived in California near the Los Padres National

Editor's Note: The question of user fees on public land has been a matter of some controversy in recent years. This is the first of two stories on the issue; it offers some personal experiences wth user fees as well as a brief political history of those fees. Next month's story will further explore the issue, including the pros and cons of such fees. While the WVHC has never taken a position on this issue, the *Voice* has published letters and commentary on the issue.

Forest, one of those selected forests. As long as you keep driving through the Los Padres, Henry told me, it is free. But if you park, and certainly if you step out of your car for a hike or just to enjoy the view, you need a \$5.00-perday Adventure Pass (or \$30.00 per year). Henry had spent many hours helping maintain trails as a volunteer, but even volunteers must pay. He was outraged.

My personal experience with trail fees came when I parked off State Hwy 88, ready for an overnight backpack trip to Showers Lake, which is along the Pacific Crest Trail in the El Dorado NF in the Sierra Nevada. At one time, the trail probably just crossed the highway, with graveled parking areas alongside. But then a visitor center with restrooms was built, flanked by paved parking areas. Across the road the state Parks and Recreation department created Meiss Sno Park, a place for snowmobilers to park in the winter. As I recall, there was a chemical toilet in the sno park and a fee box. Overnight parking was \$2.50/day. Just as in campgrounds, hikers were instructed to put cash or a check into an envelope and put it in

a slot in the fee box, keeping the stub for display in the car. Fee collection and enforce-



ment was the responsibility of a private company.

Well!! I thought. I didn't ask for the paved parking lot! I can do just fine without the toilets and the visitor center! I didn't ask for the sno park and will never use it! How much

(Continued on p. 18)

What's Inside: Thoughts from President Hugh 2 7 Baseball commentary 15 Sludge news 2 Roster of officers Visit to Ramseys Draft 8 Whitewater fun coming up 16 PSC on wind power 3 Why do we need more Wilderness? Seedlings available 10 16 Developers punt at New River Gorge 3 Speakers available Snowshoe excursion—Not 10 17 Couple of hard workers 3 Bumper stickers available 10 Semi-complete line of casual clothing 17 Commentary on energy policy 4 Spring Review 11 Book notes and comment 19 New version of Hiking Guide 5 Mountain top removal Brochures Manganese standards rising? 11 19 How to join 6 Memories of WVHC's founding 12 Outings scheduled 20 Working on a mine pool 6 E-Day at the Legislature 14

The Highlands Voice,

by Hugh Rogers

The Men From W.A.I.V.E.R.

From the Heart of the Highlands

If you wonder how the Department of Environmental Protection got so many nicknames with the opposite meaning, here's an example. It concerns a quarry, not a coal mine, but the difference is insignificant. Like coal mining, quarrying is subject to a buffer zone rule. Our state code directs the DEP director not to approve quarrying within 100 feet of a stream. "The one hundred foot limitation may be waived," of course, but "only when the director, upon consideration of local land uses, finds that the land use of and near the permitted area will be significantly enhanced by an alteration of the topography within the one hundred foot barrier."

On this permit, the local engineer recommended a waiver because burying the stream would enhance use of the land, "First by allowing the efficient operation of the quarry during mining." This amounts to saying you can't quarry there unless quarrying there allows you to quarry there. The waiver was approved.

"We are destroying our country," wrote Wendell Berry in a recent issue of *Orion* magazine. As one example, he cited what was happening in his native Kentucky, in Virginia, and in West Virginia:

[S]trip mining has become steadily more destructive of the land and the land's future. We are now permitting the destruction of entire mountains and entire watersheds. No war, so far, has done such extensive or such permanent damage. If we know that coal is an exhaustible resource, whereas the forests over it are with proper use inexhaustible, and that strip mining destroys the forest virtually forever, how can we permit this destruction?

The literal answer is that we encourage it on the highest levels and we execute it in the dreariest particulars. Ever since the effort to control strip mining in the 60's and 70's finally achieved passage of the federal Surface Mining Control and Reclamation Act (SMCRA), our governors have announced their fealty to the coal industry and ignored or facilitated every subterfuge by which the waivers ate up the law.

In his inaugural address in 1977, the same year SMCRA went into effect, then- Governor Rockefeller said, "The long disparity between the richness of our land and the unsteadiness of our economy is about to end. This administration will make sure that West Virginia coal is used to the maximum in meeting America's energy needs."

Four years later, he added, "During a long and hard-fought campaign to keep this office, one columnist referred to me as the man from C.O.A.L. . . . I welcomed the label then and I welcome that label now. For truly, all West Virginians are men and women from coal."

And so it has continued, the long impoverishment of our land and our people by coal. In 2001, then-Governor Wise, in his State of the State address, said, "It was the prevailing wisdom . . .in previous generations, that economic growth carried the price of environmental sacrifice. We in West Virginia often divided ourselves into two camps—energy on one side, environment on the other. . . . It is my goal to put behind us the era of divisiveness on the issue of West Virginia's environment."

The governor's recommendation to carry out this goal was a Cabinet Secretary for the DEP. And so it was done, and so under a Secretary in addition to a Director the DEP continued with business as usual.

Now it's Governor Manchin's turn. But wait: In his inaugural address on January 17, he said a surprising thing: "Well, I can tell you this much, business as usual just won't cut it any more—we must pursue a new and different course. The days of giving in to those who would take advantage of our state and our system of government are over."

Perhaps it's too early in his term to say what he meant or to see if he meant what he said. Interesting, though, that unlike his predecessors he didn't once mention coal or "energy," the preferred euphemism. Well-worn skeptics will insist he didn't have to, everyone knows he's the current man from C.O.A.L. If so, the devil will be found in the waivers.

(Wendell Berry, the Kentucky farmer, poet, novelist, and essayist, published the article quoted above in the November-December 2004 issue of Orion magazine.)

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PUBLIC SERVICE COMMISSION REJECTS REQUEST FOR WIND FARM MORITORIUM

The West Virginia Public Service Commission has rejected a request by Citizens for Responsible Wind Power for a moratorium on all wind farm development pending a study of the impact that their development will have upon West Virginia.

In making its decision, the Public Service Commission emphasized two factors. First, it said that each request for a certificate of convenience and necessity to construct a wind farm provides "the opportunity for opponents and proponents of the proposed project to present their respective positions. All existing and pertinent evidence should come to the Commission's attention during the course of the proceeding." The Commission was reluctant to grant a blanket moratorium when such applications should, in its view, be considered individually.

As a part of its ruling, the Commission noted that "a blanket moratorium would deem all wind power projects as contrary to the public interest before the facts on each are fully known."

Second, the PSC expressed some concern over the property rights of those companies who already held certificates. It held that it could not deprive those companies of their property rights by granting a moratorium unless it gave the holders of those certificates an opportunity for a hearing on the issue as it applied to their specific projects.

The Public Service Commission noted that the West Virginia Legislature had given it the authority to develop siting criteria for wind farms and to approve or reject siting proposals as being either contrary to or consistent with the public interest. Had the Legislature wanted a moratorium, the Commission reasoned, it could have so instructed the Commission. The Commission considered it unlikely that the Legislature would have authorized it to make site specific decisions had it intended it to impose a blanket moratorium.

Congressmen Nick Joe Rahall, II, and Alan B. Mollohan had both supported a moratorium "on all wind farm development (including currently permitted projects) in West Virginia pending further study on the impacts these massive developments will have on our state."

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The West Virginia Highlands Conservancy web page is www.wvhighlands.org.

DEVELOPER ALONG NEW RIVER GORGE DROPS BACK TO REGROUP

Land Resource Companies, a real estate development firm based in Atlanta, has withdrawn its request for a zoning change of land located along the New River Gorge. It had proposed a 2,200-home development along ten miles on the rim of the New River Gorge in Fayette County.

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

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

A public hearing was scheduled by the Fayette Co. Planning and Zoning Commission for February 22 at 3:00 pm. The morning of the meeting, Land Resources Companies delivered a letter withdrawing its request for a zoning change. In doing so, it announced that it would be revising its application for submission at a later date.

The rezoning application had generated substantial local controversy; a full house was expected for the hearing.



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.

Energy: A Matter of Public Policy Priorities

Commentary by Frank Young

The past several years have seen the inevitable beginnings of a renewable energy source development industry in West Virginia, and in other states in the eastern U.S.

A 44 turbine wind farm is up and running on Backbone Mountain in Tucker County. Other wind farms have either been permitted or are still on the "drawing board". And there is increasing interest in energy produced from light from the sun-solar energy.

Those who support the newer alternative technologies, this writer among them, often compare (or contrast) coal fired combustion power generation to wind and solar energy sources, the latter of which are relatively clean and without the need to burn "fuel" to create electrical energy. And without the need for "fuel", there is no need for the massive devastation to the human and natural worlds.

As so we say that every kilowatt hour of energy (electricity) produced by wind power is a kilowatt hour not produced by the mining and burning of coal. But that's only a partial truth; it does not tell the whole story.

In the long run, under current public energy policies, the net offset effect of generating electricity by wind power instead of by mining and burning coal will likely be zero. "How so?", we might ask.

Well, there is only a finite amount of coal (and other fossil fuels) available for human use. Estimates vary, but for purposes of this article let's say that, at current use rates, the inventory of coal in West Virginia will last another hundred years. And since coal enjoys many public subsidies, some described further below, coal will very likely continue to be mined and burned at current or greater rates, **unless** there is a change in public policy on energy production.

Even the most optimistic estimates of potential wind energy production capacity in West Virginia show us that, at most, perhaps five percent of West Virginia energy production can be met by wind power. This means that, were five percent of coal consumption displaced by wind power, that the current coal inventory would last one hundred five years, instead of one hundred years.

So, in the long run, does wind power actually significantly affect how much coal will be mined and burned? Under **current** public energy policy, I submit that little or no significant change in coal mining and burning will occur in the foreseeable future.

Under **current** public policy virtually all energy sources receive various public subsidies- some overt and spelled out in law. Examples of overt public energy subsidies include special highway use permits for transporting gargantuan loads of coal, special tax exemption for "thin seam" coal, special depreciation for underground coal deposits, specific exemptions of the coal industry from the Groundwater Protection Act and other basic environmental laws, and large tax credits against other taxable income to certain coal processors for only slightly

altering the composition of coal fuel with petroleum additives.

Other more numerous and more costly energy subsidies are less obvious; they are more "passive" in that they are defacto subsidies, not "promoted" as public policy- indeed often denied by the parties who benefit from them; but they are subsidies none-the-less.

These include increased flooding from forest destruction and from disturbed ground surfaces,

acid rain from sulfurous power plant emissions, coal dust laden communities where coal is mined and through which coal is transported, increased asthma and other respiratory diseases from breathing coal dust and from breathing coal fired power plant pollution, untold nervous system and learning impairment costs from exposure to mercury, loss of property values in and near coal mining communities, and mining induced loss of ecological capital and ecosystem services such as clean air and water and intact foreststhe list goes on and on.

Even though we don't assign dollar values to these costs, they are none-the-less subsidies to the coal industry.

The wind power industry is subsidized, as well-by production tax credits against other taxable income, by state and local property tax favors written into public law, and by esthetic costs such as miles and miles of industrialized mountain ridges in otherwise nearly pristine viewsheds.

But by no measure can we show that the subsidized costs of wind power even potentially rival the im-

mensely subsidized costs of coal. Were the subsidized costs of coal fueled power either abated or added to the "metered and billed" costs of coal power, and the same abatement or added costs applied to wind power, coal power costs on our electric bills would immediately jump several fold. But wind energy costs would jump only modestly; and wind (and other renewable sources) would immediately become the power source of choice. **Economic** "free market" dynamics would assure it.

What, then, can we do to actually help wind and other alternative power to compete with coal's artificially low "metered and billed" costs? Conceptually, it is simple; but in today's political world, it is nigh impossible. Taking a public posture, through public policy, that coal's public subsidies must be either abated or rolled into the metered cost of coal fueled power would "level the playing field" of the energy game- allowing cleaner and greener energy sources their rightfully honest priority in the energy markets.

This would mean that real, honest-to-good-

ness "clean coal" technologies, which would be costly, would be implemented, with the costs thereof being metered and billed to the power consumer. It would mean that coal mining practices (i.e. strip mining, mountain top removal, high sulfur coal mining, mining in subsidence prone regions and by subsidence producing methods) would be curtailed or eliminated. It would mean that thin seam coal would be taxed at the same rates as other coal, that coal would be transported other than on monster trucks



over publicly financed highways while sharing road space with family automobiles and school buses.

All this and other methods to bring the costs of the electricity generated and consumed in line with the costs of mining and burning the coal fuel would bring the price of coal up to where it would not be as attractive as a fuel, and alternative energy sources would compete with some measure of equality and fairness.

In short, then, we must decide, through public policy, if we want to continue paying the horrendous costs of subsidizing coal, or whether we want to have coal compete with less costly fuels.

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NORTH FORK PROJECT WORKS ON COKETON/KEMPTON MINE POOL

By Judy Rodd

A network of 100-year-old abandoned and collapsed coal mining tunnels honeycombs the hills to the north and east of the Blackwater Canyon. This underground network of rubble-filled tunnels, now saturated with groundwater, is known as the "Kempton/Coketon Mine Pool."

Dissolved minerals and acidity from the Kempton/Coketon Mine Pool affects local springs, wells, streams, and rivers – including the North Fork of the Blackwater River below Thomas. Ongoing mine pool subsidence also injures dwellings, roads, and farmland.

Friends of Blackwater has been working, through our North Fork Watershed Project, to assess this mine pool problem and to work for its remediation. Near-term remediation efforts and longer-term diversion programs can restore this watershed to full health. Remediation strategies include drain-

age and groundwater diversion; *in situ* groundwater treatment; mine backfilling with alkaline grout, passive stream treatment; constructed wetlands; anoxic limestone drains; injection of ammonia gas into collection ponds; and streambed grouting.

Abandoned Mine Land funding should be available for this work, if a political consensus on the issue is developed. To help achieve this consensus, over the past two years the North Fork Project has held educational workshops in the schools and in the community: done research and publish reports on water quality in the North Fork Watershed; organized tours of the North Fork pollution sites with the help of the West Virginia Department of Environmental Protection; written articles for the local paper; created a website (www.northforkwatershed.org); and developed a local advisory board.

Friends of Blackwater is planning messages for the media on this issue, and to train young local OSM/Vista volunteers. It is also planning to bring together citizens, political and community leaders, regulators, and scientists to work on solutions. Seminars and strategic planning sessions will facilitate partnerships between citizens and Maryland and West Virginia state regulators, to pool knowledge, experience and funds to tackle these cross-border groundwater pollution problems.

Friends of Blackwater and our North Fork Watershed Project are working to enhance West Virginia's "Crown Jewel" – the Blackwater Canyon and environs! Your support is making this work possible. Visit the Friends of Blackwater at www.saveblackwater.org.

Toxic Lakes of Goo and You

By Vivian Stockman and Mary Wildfire

Members of Coal River Mountain Watch, concerned Mingo County residents and the Ohio Valley Environmental Coalition are working together on a "Sludge Safety Project," www.sludgesafety.org. The Mary Reynolds Babcock Foundation is funding the initiative.

The project's goals are to seek state policy changes that will better protect coalfield residents and people living further downstream from coal sludge impoundments—there are hundreds of the sludge "ponds" in Appalachia.



Near their mining operations, often at the heads of hollows, coal companies construct dams from mine refuse. Behind the dam, they create slurry or sludge lakes, which store the liquid waste left-over from washing and processing coal. The companies say the slurry contains mostly water, rocks and mud.

But what exactly is in that black gunk oozing down stream to drinking water intakes? We need to know. We assume that the heavy metals naturally present in coal end up in the impoundments. It's also likely that the chemicals used in coal preparation plants are in the slurry pumped to coal sludge ponds. Several coal prep plants workers are suing manufactures of the processing chemicals because they believe the chemicals have made them very ill. (We've listed some of the chemicals used in these plants on the Ohio Valley Environmental Coalition website.)

Last month marked a grim anniversary. On February 26, 1972, a coal waste dam, of much shod-

dier construction than present day impoundments, failed at Buffalo Creek. A 30-feet high wall of water surged down the creek, killing 125 people, destroying over 1,000 homes and leaving 4,000 people homeless. This avoidable disaster prompted the passage of the 1977 Surface Mining Control and Reclamation Act.

Across the coalfields, smaller "blackwater" spills occur frequently (see the recent news on the OVEC website), fouling both streams and groundwater, and larger disasters still happen. It was miraculous that no human life was lost in Oct. 2000 when over 300 million gallons of sludge spewed out of a crack in the bottom of a Massey Energy coal sludge impoundment in Kentucky. If the entire 309 million gallons had surged down one creek instead of two, the concentrated volume and greater force might have had tragic consequences. We may not be so lucky next time.

Yes, we believe that due to violations of design and construction requirements, there could well be a next time—unless we act now by banning new sludge impoundments and moving to shut down the most dangerous existing impoundments. As long as impoundments loom over the coalfields, people are needlessly in harm's way. Many counties still do not have adequate evacuation plans, and instead rely on the evacuation plans provided by coal companies as part of the permitting process. These plans are poor at best and sometimes even have communities evacuate upstream towards the breaking impoundment, or have an emergency meeting place in the inundation area.

After the Martin County disaster in Kentucky, Senator Byrd decided something needed to be done. He secured funding for a 2001 study by the National Research Council (NRC), which issued a report a year later called Coal Waste Impoundments: Risks, Responsibilities and Alternatives. One thing the committee asked for was that "research be performed to identify the chemical constituents contained in the liquid and solid fractions of coal waste, and to characterize the hydrogeological conditions around impoundments."

This is an excellent point. When a spill occurs, what happens to the fish and other creatures that live in a creek? What health effects do the people who live in the communities surrounding coal processing plants, or those downstream, suffer as a result? (Anecdotal evidence suggests a high cancer rate.) How long do the effects last? Again, what exactly is in that stuff? These are questions that need to be addressed.

Coal sludge impoundments are not necessary—the National Research Council study offered up alternatives to coal sludge impoundments. Some coal companies are already using alternative, dry methods to dispose of coal waste. These methods are currently more expensive than sludge "ponds." However, if you live in the shadows of these massive impoundments or if you drink water, the extra cost is more than worth it when compared to the costs of water contamination and potential disasters.

Please let your legislators know that you want to know, and you are in good company—the National Academy of Science National Research Council wants to know too! Please call or e-mail your West Virginia state legislators to tell them you are worried about coal sludge impoundments. Visit www.sludgesafety.org or call 304-522-0246 to find out more ways you can help.

Some of the chemicals found in coal:

Aluminum; Antimony; Arsenic; Barium; Beryllium; Cadmium; Calcium; Chromium; Cobalt; Copper; Iron; Lead; Magnesium; Manganese; Mercury; Molybdenum; Nickel; Potassium; Selenium; Silver; Sodium; Strontium; Tin; Vanadium; Zinc



Some of the chemicals used to wash coal (and therefore likely in coal sludge impoundments):

Aniline; Acenaphthene; Aenapthylene; Anthracene; Benzo(a)anthracene; Benzo(a)pyrene; Benzo(b)fluoranthene; Benzo(ghi)perylene; Benzo(k)fluoroanthene; Benzyl alcohol; bis(2-ethylhexyl)phthalate; bis(2-chloroethoxy)-methane; bis(2-hloroethyl)ether; bis(2-chloroisopropyl)ether; Butyl benzyl phthalate; Chrysene; Dibenzo(a,h)anthracene; Dibenzofuran; Dibutyl phtalate; Diethyl phthalate; Dimethyl phthalate; Dioctylphthalate; Fluoranthene; Fluorene; Hexachlorobenzene; Hexachloroethane; Indeno(1,2,3-c,d)pyrene; Isophorone; N-Nitrosodi-n-propylamine; N-Nitrosodiphenylamine; Naphthalene; Nitrobenzene; Phenanthrene; Pyrene; Suspended Solids; Acrilamide; Hexachloro-1,3-Butadiene; Hexa-Cl-1,3-Cyclopentadiene; 1,2,4-trichlorobenzene; 1,2-Dichlorobenzene; 1,3-Dichlorobenzene; 1,4-Dichlorobenzene; 2,4-Dinitrotoluene; 2,6-Dinitrotoluene; 2-Chloronaphtalene; 2-Methylnapthalene; 2-Nitroaniline; 3-3'-Dichlorobenzidine; 3-Nitroaniline;

WALKING AND THINKING IN RAMSEY'S DRAFT

By Robert Stough

Ramsey's Draft is just east of Allegheny Mountain, barely in Virginia, on Highway 220. It had received a rain storm of over 10" in 24 hours 4 or 5 years ago, and was badly "washed out". Don Gasper lead a West Virginia Highlands Conservancy hike upstream last summer, and noted channel changes, loose gravel and rubble bars and many huge white pine and hemlock downed by bank erosion. Though now an undisturbed congressionally protected Wilderness Area, even this stream was not unaffected by great storms. Those who know the stream well said it had changed greatly.

I happened to be driving through the West Virginia highlands on the morning of April 16th, just a couple of hours after some huge thunderstorms had deluged the mountains with several inches of rain in a short time. The storm front roared through all the central Appalachians that day, particularly the mountains and valleys of West Virginia and Virginia before being blown out to sea by a cold boreal wind. I was coming from western Maryland, over the Allegheny Front east of Mt. Storm,



down through the Petersburg valley and up the South Fork of the Potomac all the way to Monterey, Virginia. From there I turned east, winding up and down the ridges until I got to the Ramsey's Draft Wilderness in the beautiful Shenendoah Mountains of Virginia.

All along the way the streams and creeks and rivers were surging over their banks and flooding the roadways. U.S. 220 north of Franklin was completely flooded in places by the raging brown Potomac. Every major stream that I passed for all of those miles was choked with frothing mud.

When I got to the Ramsey's Draft, however, that creek was running almost crystalclear. A friend that I was meeting who had come from Washington reported driving through massive thunderstorms in the Shenendoah valley, so obviously the deluge had not spared the Draft. And yet it was delightfully clear, and although fairly high could be crossed on foot with no greater danger than the usual stubbed toes, in marked contrast to many smaller streams which were unfordable by man or beast.

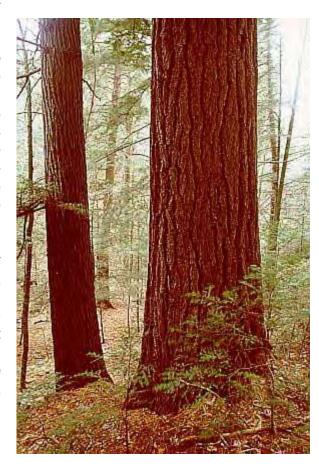
The difference was that Ramsey's Draft is one of the very few whole watersheds in the whole Appalachian range that is a virtually intact old growth ecosystem. A large majority of the forest cover in this 6,000+ acre drainage is uncut virgin forest, with only a little nibbling around the edges by selective cutting many years ago.

The topography of the Draft clearly helped to save it, with very steep ridges and a narrow rocky valley making any kind of logging operation very difficult and expensive. It certainly had no special topographic qualities that might render it less vulnerable to big storms. On the contrary, it is actually more vulnerable than most watersheds in the West Virginia Alleghenies, which often have the mitigating effect of broad, gently rolling uplands.

Yet on April 16th the Draft was flowing clear while other streams were raging brown torrents. It was a classic example of the absorptive and purifying capacity of a true old-growth forest. In spite of the extremely steep and rocky mountainsides, in spite of being already quite wet from the recently melted snow of the blizzard of '93, the unbroken earth and ancient trees took in all that rainfall and slowly, gradually released it, clear and sparkling in the afternoon sun.

The forest of Ramsey's Draft is highly diverse, the ridge tops and uplands being dominated by various oaks and pines, with large hemlocks and white pines down in the valleys. There is substantially greater percentage of conifers in the Shenendoah range than in the Alleghenies, mainly because of less precipitation and generally thinner soil on the steep slopes. Those same conditions also produce a thinner understory than the often jungle-like heath thickets of the West Virginia highlands, with fetterbush and mountain laurel the main

constituents. The forest floor, however is quite distinct from most present Appalachian forests, in that there is a large amount of old-growth deadfall in all states of decay and transformation. Best of all there is no management plan to enslave it, only the living Forest rooted in



the old mountains, by its simple existence producing clean air and pure water and a balance and harmony that goes far beyond human understanding.

If homo sapiens were truly the superior species we fantasize ourselves to be we would need no other reasons to preserve and cherish the Appalachian forests, indeed, we would not have destroyed them in the first place. But that, alas, is now besides the point, which is still a clear running stream when everywhere else the waters are muddy.

I encountered two of the major reasons why the waters are choking with sediment on my way back home a few days later. This time instead of going north at Monterey I continued west over the ridges and on up Allegheny Mountain. Near the top of the mountain I turned off onto the Elleber Sods road which leads to a large block of the Monongahela Forest. The road is finally gated at the bottom of an exten-

More About Ramsey's Draft (Continured from p. 8)

sive pasture.

This rangeland proved to be extremely overgrazed, with cow pies practically everywhere, very hard compacted soil and a virtual monoculture of sparse grass. The top of Elleber knob now provides an expansive vista, and from there I could see massive clearcuts in the steep upper drainage of the Tacker Fork to the south, all part of the

Ramsey's Draft in Ramsey's Draft Wilderness Area. Photo © Jonathan Jessup



Monongahela Forest, and a lot more rangeland at the higher elevations both in public and private domain. It was, again, a classic example of the multiple abuses humans subject the mountains to, with seemingly precious little understanding of the full consequences of such exploitation, which include not only water quality degradation but extensive soil erosion and fragmentation of wild forest habitat with all the resultant loss of biodiversity.

There is probably nothing else that could be done to the forest much worse than grazing and logging especially at the higher elevations, except the related industries of strip mining and real estate development.

Allegheny Mountain is yet another example of the 'multiple-use' philosophy that has driven forest management policies ever since the lands were originally acquired. Although now treated as gospel, we need to remember that 'multiple-use' was developed during the most ecologically disastrous period in all of human history, the first century or so of the industrial revolution, when the burning of fossil fuels gave rise to the technology of mass environmental destruction, which in turn encouraged the human population explosion.

Multiple-use is really nothing more than an egregious excuse for the myopic view that all land must be made to serve a human need. That would be bad enough even if it included every human's need for clean water, pure air and genetic diversity. But of course it is not, as the pitifully small protected areas attest to. What multiple-use has been in reality is the virtual giving away of public lands to business

interests for their own private profit.

Not surprisingly, the Forest Service often goes to elaborate lengths to justify multiple-use, especially the benefits to local economies, but the fact is that such uses almost always amount to government subsidies, or more properly called welfare payments, since there is no obligation attached to them.

Although it is understandable that local Forest residents generally support these policies (while often decrying urban welfare) there is an unnatural dependency on the machinations of government and industry. Instead of economies based on true market-value resource use they are now controlled mainly by political largesse, which virtually

guarantees a degradation not only of natural but human cultural integrity as well.

Sooner of later we are going to have to acknowledge all those muddy streams, both in the mountains and our institutions, even if it is only out of self-preservation instead of care and consideration for the Forest. While there may not be a great deal that can be done to influence private land use for the present, the Monongahela National Forest, as well as all national forests, belongs to everyone, and I would assert that that should not mean not only U.S. taxpayers but ALL beings who call the forest home, all the fungi, lichens and moss, all the wildflowers, shrubs and trees, all the bugs, birds and mammals, but certainly not to any

one specie such as humans or bovines. Accordingly national forests ought to be just that, Forests. A clearcut laced with truck roads is not a Forest. A pasture for beef cattle is not a Forest.

Our public domain, at the very least, should not exist as monoculture wastelands for chainsaws and hamburgers. There is more than enough private timber and pasture land in the Appalachians to satisfy any reasonable current or future need. What there is a terrible shortage of, as the angry rivers show, is truly healthy forest, old-growth wilderness free from human domination, where the ancient and evernew cycles of Forest life are woven together in a seamless tapestry of remarkable strength and diversity.

The health and diversity of Ramsey's Draft or the relative waste and squalor of Allegheny Mountain are the choices now before us, clear streams or muddy sewers. The only economic sacrifice people would have to make to free the Appalachian Forest is to pay a little more for the wood and paper they use and cattle flesh they consume, both of which could be more than offset by subsidizing renewable energy, recycling and truly sustainable food production. For some, though, there will be required what is to them a greater sacrifice: the surrender of their imagined control over the mountain wilderness and giving to the Forest the space and time to grow in whatever ways it please, for the benefit of everyone and of no one at all.

This is a re-print of Robert Stough's 1993 article in *The Highlands Voice*.

WHY MORE WILDERNESS ON THE MON?

By Matt Keller

Like many National Forests across the country, wild areas on the Monongahela National Forest face a number of threats. Protections that wild areas used to have can no longer be relied upon. Special areas currently managed as 'backcountry areas' (6.2 areas) will no longer be protected from logging and road building if proposed changes to the Forest Management Plan take place. It is also possible that a management plan will be adopted that nearly eliminates backcountry areas altogether. Many wild areas were formerly protected under the Clinton era Roadless Rule. The current administration has refused to uphold that rule. changes in management now open up wild places the Mon to:

- Logging
- · Oil and Gas drilling
- Pipelines
- Inappropriately sited industrial wind facilities
- Mining
- Road Building

Management of Wilderness areas is defined by Congress and remains constant. It is the strongest protection we can grant special places on federal public land. Wilderness designation is the only way we can assure these special places are protected for future generations to enjoy and for our state's environmental health.

People Love Wilderness!

Designated Wilderness areas are ideal spots for a wide variety of outdoor pursuits including hunting, hiking, fishing, paddling, sking and photography. A 2003 study done by the Outdoor Industry Foundation found that 26,182,484 people in West Virginia and our surrounding states participate in Wilderness activities.

A current Trout Unlimited bumper sticker

Speakers Available!!!!!

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

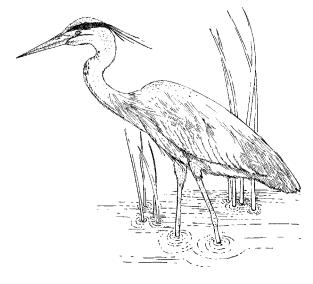
reads, 'Wilderness: A Great Place to Hunt and Fish'. TU has identified one of the most important reasons to protect wilderness: So West Virginians will always have high quality places to angle for Brook Trout or pursue an elusive Whitetail in an undisturbed setting similar to what their ancestors might have enjoyed.

Wilderness recreation on the Monongahela National Forest continues to grow every year. Natural resource tourism and recreation throughout the Mon is one of the biggest parts of our state's economy and continues to grow. As the demand for wilderness recreation grows, we must make sure that West Virginia has an adequate, permanently protected supply.

Existing wilderness areas in West Virginia are extremely popular and well used. Creating new areas would help relieve some of the pressure on those areas and help enhance the Wilderness experience for visitors.

Wilderness is valuable beyond tourism and recreation

Beyond tourism, Wilderness provides the people of West Virginia with a highly sought after and valuable quality-of-life. Wilderness provides priceless clean water, clean air and



BUMPER STICKERS

To get a free I (heart) Mountains bumper sticker(s), send a self-addressed, stamped envelope to Julian Martin, 1525 Hampton Rd., Charleston, WV 25314 a healthy environment for neighboring West Virginian communities.

Watershed protection results in protection of clean drinking water as well as a decreased potential for flooding downstream.

A 2000 survey done by the US Forest Service showed that the most important things about Wilderness areas to the majority of the American public have nothing to do with setting a single boot into an area. The highest ranking values were:

- o Protecting water quality
- o Protecting air quality
- Protecting wildlife habitat
- Legacy: Knowing future generations will have wilderness
- Protecting rare and endangered species
- Providing scenic beauty
- Existence: Knowing wilderness areas exist
- o Protecting water quality

A rare thing in the East & West Virginia

Eastern Wilderness is rare, only about 4% of the National Wilderness Preservation System lies east of the Mississippi River where over 60% of the U.S. population resides. Furthermore, less than ½ of 1% of West Virginia's land base is in the NWPS. Currently, less than 9% of the Mon NF is Wilderness, significantly less than the National Forest System average.

Unlike many of our neighboring states West Virginia's Mon National Forest still has lands left that are suitable for Wilderness designation, and is centrally positioned in the East to provide more Wilderness recreation for much of the U.S. population.

Over the years we have developed and forever changed so much of West Virginia. Some of these changes are good, some are not good at all. The small remnants of wilderness we in this generation choose to preserve will be all we can be sure will ever be protected. So all the generations of West Virginians of the future should also be heard in these decisions, yet they will remain voiceless unless you and I speak for them.

WV Highlands Conservancy's annual Spring Review weekend!

April 22nd, 23rd & 24th- at Elk River Touring Center

Rt. 219, just south of Slatyfork, in beautiful Pocahontas County WV

Weekend Theme: IN OUR BACKYARD- A series of outings and small workshops that integrate the reality that the Monongahela National Forest and our beautiful wilderness areas ARE OUR BACKYARDS, to know, love, cherish, nurture, respect, enjoy, explore.

Friday evening, 4:00 PM - 10:00 PM: Arrival & Welcome: our hosts: Mary and Gil Willis, WVHC President, Hugh Rogers; Pizza and snacks, including cheese and beverage- all "on the house"; If weather co-operates: outdoor bonfire, poetry reading with Irene McKinney and Doug Van Gundy. Drumming circle. Getting comfortable.

For Saturday and Sunday:

7:30 - 8:30 AM- Breakfast; 9:00 AM – 4:00 PM- Outings & other fun: (most events <u>tentative</u>- exact time to be announced, depending on weather, and finding event leaders): Early bird walk, Wildflower walk, Mushroom walk? Easy bike ride, More challenging mountain bike ride, geology field trip of the Elk carst topography and the Dream cave, Walk in the Cranberry Glades, Children's Stream exploration workshop? (in planning), the Hopi Scroll painting/story, Nature journal workshop, Nature print workshop (making tee shirts with found things from the woods and fields), A guide to using Topographic maps and Trail guides to explore the Mon, Maybe a little late afternoon workshop on Taking care of your feet after a long day (like foot massages!), Children's Puppet show (handmade puppets, professional puppeteer),

Saturday Evening:

6:00 PM: Delicious dinner- meat dish, veggie lasagna, salad, veggie, bread & drink; Issues Update presentation (short pieces on the Mon Forest Plan, Wilderness issues, Wind Power, Mountaintop Removal); Music by Doug Van Gundy; Mountain music jam on the back porch (pending weather)

Sunday:

7:30 - 9:00 AM- Breakfast; Board of Director's Meeting- 9:30 AM; maybe hiking and biking & other outings, if Saturday weather caused them to be "scrubbed".

Lodging (includes breakfast): \$35 to \$45 per night, per person, tent camping free

Breakfast- \$7.00 (free with lodging); Saturday bag lunch (sandwich, fruit, nutrigrain bar & water)- \$5.00; Saturday evening dinner (meat, veggie lasagna, salad, veggie, bread & drink)- \$15.00

For reservations, lodging, meal, "low income" rates & other information contact: Frank Young fyoung@wvhighlands.org, or by phone at: 304-372-3945, or cut and mail this section with form below to: Attn. Frank Young; WVHC Spring Review; Rt. 1 Box 108, Ripley WV 25271

es, I/we need lodging and meals for WVHC's Spring Review, as follows:
codging Friday night for people; codging Saturday night for people Saturday bag lunch for people; Saturday evening dinner: # regular; # vegetarian Sunday morning breakfast for those not having lodging on site for people
lame:Contact info



MINING 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.

Present at the Creation: Notes on the Founding of the West Virginia Highlands Conservancy

By Rupert Cutler

It began with Wilderness Society Executive Director Stewart Brandborg dividing the United States into two parts and assigning wilderness field work in "the West" (west of Minnesota and the Mississippi River) to Clifton Merritt and everything having to do with the advancement of wilderness-classification opportunities in "the East" to me

My challenge was to overcome skepticism on the part of leaders of the US Forest Service and even some in the wilderness-advocacy organizations—particularly those from the Northern Rockies who consciously or unconsciously had in mind the million-acre Bob Marshall Wilderness as their model—that relatively small, second-growth roadless areas in the eastern National Forests qualified for inclusion in the new National Wilderness Preservation System. Thankfully, the Wilderness Act of 1964 included among its 9.2 million acres of "instant" wilderness three small areas in the East, in national forests in New Hampshire and North Carolina, setting a precedent for more of the same.

(In my view, eastern wilderness areas should be accorded a higher value per acre than many remote western wilderness areas simply because they are accessible to and serve so many more people. If the Realtor's adage, "Location, lo-

cation, location," applies to wilderness, the most valuable wilderness areas are those that, while large enough to retain a true wilderness character, are close enough to centers of population to be enjoyed by many users. The fact that they have a "checkered" land use history only adds to their interest. One can learn about human history as well as natural history in our eastern wilderness areas, and evidence of human farming, logging and mining activity should be protected for study just as the native plants and animals are protected.)

My "mission" as a Wilderness Society staffer in the 1965-69 time frame was to carry the word to West Virginians—as well as to conservationists in Virginia (Shenandoah National Park, Rich Hole), North Carolina and Tennessee (Great Smokey Mountains National Park), New Jersey (Great Swamp), Michigan (Isle Royale, Seney Refuge), Georgia (Okefenokee Refuge, Cumberland Island), and elsewhere—that:

- 1. through strong, well-organized local grassroots political activism, their beloved backcountry hunting, fishing and hiking retreats could be protected from development by Acts of Congress making them statutory wilderness areas, and
- 2. technical help from The Wilderness Society was available to help them succeed at this complicated process.

Wilderness Society Executive Director Stewart Brandborg designed the organizing approach we used. Clif Merritt and I created, from temporary combinations of local Wilderness Society members and members of local chapters of other national and state conserva-



tion groups, fired-up local wilderness committees with only one goal: to win Congressional passage of legislation to add qualified areas in the committees' "backyards" to the federal wilderness system. These informal but dedicated committees did their own field surveys of candidate areas, drew their own maps and wrote their own descriptions of their versions of the potential new wilderness area, and lobbied their

Congressional delegations and House and Senate committee chairmen both at home and in Washington until their goals were achieved. Wilderness Society staff met with these volunteers in the field and conducted lobbying training workshops for them in Washington to hone their skills and give them confidence that they could succeed, which most of them eventually did.

West Virginia was handy. Based in Washington, Clif Merritt and I backpacked in nearby Shenandoah National Park and the George Washington National Forest in Virginia and in adjoining West Virginia backcountry on our own time as well as on official business. White water canoeists Bob and Lucille Harrigan of Glen Echo, Maryland, invited me to join them on floats in northeastern West Virginia that led to friendships with Lou Greathouse and Lee Maynard of Charleston, Bob Broughton of Pittsburgh, and like-minded folk from other parts of the

region.

Overnight hikes with these good buddies into Dolly Sods, Otter Creek, and Cranberry Backcountry, along Seneca Creek to the top of Spruce Knob, and along the Shavers Fork of the Cheat (as well as a memorable rock-hopping trip down the dewatered Gauley River when Summersville Dam was under construction) convinced me that the Monongahela National Forest contained several viable wilderness system candidate areas. All it would take to win their statutory classification was a supportive congressional delegation. That's when the idea of creating the West Virginia Highlands Conservancy and organizing the first annual "review" on Spruce Knob began to take shape.

Precisely how, when, and who made the decisions to form a new organization and celebrate its creation with a big rally on the top of West Virginia's highest peak are details I can't remember now. Any written notes I may have made at the time are in the Jimmy Carter Presidential Library archives with the rest of my papers and not within reach as I write this. But what I can remember with clarity is the first of the West Virginia Highlands Conservancy's annual reviews, because I was involved as one of its planners and as one of the speakers, and because it was a truly memorable occasion.

After a day of rock climbing, canoeing, and hiking, several hundred enthusiastic conservationists assembled on Spruce Knob for a

(Continued on p. 13)

MORE ON THE CREATION (Continued from p. 12)

chicken barbecue picnic supper and then jammed into a huge tent borrowed from an evangelistic church for a true "come to Jesus"-type wilderness rally the likes of which I have never seen since. As a hard rain pelted down on the canvas overhead, distinguished guests including US Senator Robert Byrd, US Secretary of the Interior Stewart Udall and Monongahela National Forest Supervisor Eaphe Oliver took their seats on the makeshift stage, together with a set of conservationist speakers representing the diverse constituency of the wild Highlands.

I found myself in the role of the "anchor man" of that team of speakers addressing their concerns regarding threats to the Highlands. In the "call and response" speaking style of the late US Senator Hubert Humphrey I did my best to rouse the audience roughly as follows: "Do we want a Royal Gorge Dam? (Nooooo!) Do we want an Appalachian Regional Commission Corridor H highway? (Nooooo!) Do we want a Highland Scenic Highway? (Nooooo!)" and so forth. We were rocking and rolling, and fervently hoping that our policy-making guests from Washington and Elkins got the message. Following that emotional evening, the organizers concluded they had gotten their new group off to a good start.

After I left the Wilderness Society in 1969 to pursue university graduate studies, other TWS staff members including Ernie Dickerman and Doug Scott assisted the West Virginia wilderness classification campaign that contributed to the passage of the Eastern Wilderness Areas Act and other legislation giving West Virginia its initial set of National Wilderness Preservation System units. The lawsuit brought about that time by the West Virginia Division of the Izaak Walton League of America to halt clearcutting on the Monongahela National Forest was so successful that it led to the introduction (initially by West Virginia's US Senator Jennings Randolph) and passage of the National Forest Management Act of 1976 that mandates protection of biological diversity on national forests and set the stage of a new national forest-by-national forest planning process that identifies potential wilderness tracts.

Capping off this story for me personally was my appointment by President Jimmy Carter in 1977 to be the US Department of Agriculture assistant secretary in charge of the US Forest Service. With this leverage I was able to direct that a thorough review be made of all 191 million acres of the National Forest System to create an inventory of roadless areas suitable for consideration as wilderness by the US Congress (RARE II) and to oversee the drafting of regulations interpreting the National Forest Management Act to be sure its

ecosystem management thrust and its wildlife habitat-protecting provisions were well fleshed out in the "regs".

It was a pleasure to be involved in these events and to push at every opportunity for maximum protection of the natural environment. Thousands of people ranging from supportive and helpful Forest Service staff though tough back country sportsmen and rock climbers to "arm chair conservationists" who wrote supportive letters to their congressmen have contributed to the success of the West Virginia Highlands Conservancy and its wilderness-protection objectives. More work along these lines remains to be done, but much has been accomplished.

Mr. Cutler was Assistant Executive Director, The Wilderness Society, 1965-69; Assistant Secretary for Conservation, Research and Education, US Department of Agriculture, 1977-80; and is currently a Member, Roanoke City Council, Roanoke, VA, where he has served since 2002. Contact information: 2865 S. Jefferson Street, Roanoke, VA 24014; mrcutler@aol.com; (540) 345-7653.

Swept Trees Amongst Rocks

These mountaintop spruce trees are often hit with fierce winds. Their shape has been severely altered as a result. Photo © Jonathan Jessup



Annual E-Day! At the Capitol – Wednesday, March 30, 2005

The Displays

The West Virginia Environmental Council's annual E-Day! At the Capitol will be held on Wednesday, March 30, 2005 from 10:00 am until 3:00 pm. All displays will be in the Senate & House halls located on the first floor (appears to be the second) area this year. The halls are located on either side of the "well" beside the house and senate chambers.

WVEC is encouraging organizations and sustainable businesses to participate. Informative displays, demonstrations, and items for sale are permitted. If you have other activities related to your issues or business, please let us know so we can better organize our event.

Set up time: From 8:00 am until 9:45

- Enter through the loading dock door, located on the California Street side of the capitol off Kanawha Blvd.
- There will be WVEC folks on hand to help unload and take your items to the lower rotunda area.

Displays: Please be set up, and remain in place from 10:00 am until 3:00 pm

• We are unable to tape anything to the walls. All displays must be free standing, or on tables.

Fee: There is a requested donation of \$15.00 - \$20.00 to help WVEC augment expenses.

For more information, contact: Denise Poole, WVEC E-Day! Organizer – (304) 346-5905 or deniseap@earthlink.net



The Benefit

"Kick Off Blast" Benefit !!!

Music provided by local fabulous favorites ...
The Voo Doo Katz
Opening act by the exciting new band...
The Black Eyed Susans

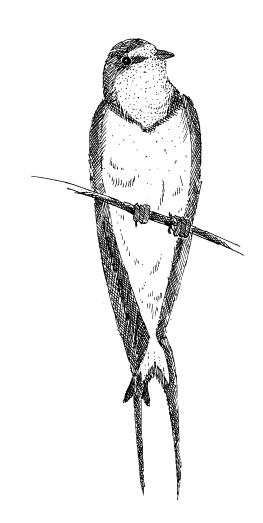
Great food from the Sahara Restaurant and other refreshments & beverages to please the palate and quench your thirst......

Come on out and support the WVEC lobby team! Great way to kick off the session!

Where and when:

Perfater Law Office Building 1311 Virginia Street East, Charleston 6:30 pm ~ 10:30 pm

Suggested donation: \$15.00



Come on Julian, Tell Us What You Really Think

AMERICA'S PASTIME MEETS WEST VIRGINIA'S BURDEN

Commentary by Julian Martin

A few years ago the Gazette reported that the coal company's decided to ratchet up their public relations. They were alarmed by industry polls showing 80% of West Virginians opposed to mountain top removal. They came up with such deceptions as the absurd billboard that calls coal a "cleaner, greener" energy and a program that takes their brainwashing into classrooms, even kindergarten classes. West Virginia Power looks like the newest partner in the coal company's public relation scams.

West Virginia Power is the new name for the Charleston class A baseball team. The name was inspired by the energy production in West Virginia and the fact that the power of West Virginia Government is in Charleston. Their logo is the capitol with POWER written beneath. By all indications the naming of the team is a way of promoting big coal in West Virginia and that means promoting mountain top removal strip mining.

The owners of West Virginia Power must be frustrated that the mountain top removal pending on the edge of Charleston (just 300 feet from Kanawha State Forest) isn't ready for "reclamation". What a coup it would have been to build a baseball park on a decapitated mountain. This would add to the illusion that "reclaimed" mountain top removal sites are loaded with economic development. In reality only 5% of the over 400,000 West Virginia acres, ruined by mountain top removal, has any economic development.

Friends of Coal (FOC) and the West Virginia Coal Association got into the bidding for the naming rights for the new baseball park. FOC and the Coal Association are essentially the same thing. FOC is a coal company creation disguised as a grassroots organization. What grassroots organization has the money to even consider buying the naming "rights" to a baseball park? FOC is a descendent of the company town with its company store, company union and company preacher. I guess they figured that FOC West Virginia would not be a good name for the new venue.

Appalachian Power, a consumer of mountains through their use of mountain top removal coal, is naming the park after themselves for \$125,000 a year. The public is putting about \$20 million into the team and park but we were not asked to name the team nor the ballpark.

There are plans for a cute little coal train inside our new park to represent, I suppose, the hauling away of our mountains. And how about gagging on your hot dog at the "Coal Car Café" and "Mine Shaft" concession stands. Won't it be cute if they accept scrip?

Professional baseball in Charleston has always been a marginal operation. To save face the coal companies will have to keep The Power afloat when the inevitable decline in attendance follows the initial novelty. And AEP sure doesn't want The

Power turned off so they are probably going to subsidize it even more—heck everyone might get in free to keep The Power on. Now there is a socialist concept! Free baseball!

The Power will no doubt have events like Massey Energy Night and Arch Coal Night. Considering the coal companies history here are some special evenings that would be more appropriate: Buffalo Creek Night in honor of the 125 killed; Black Lung Night with free oxygen hookups; Take a Moun-



tain Home Night, the first one thousand fans would get a miniature baseball bat made of coal from their favorite destroyed mountain.

For the nature lovers there could be The Old Swimming Hole Night or Dead Fish Night in remembrance of the over 1000 miles of streams (longer than the Ohio River) covered with mountain top removal waste. Fisherman's Night would celebrate the fish contaminated with mercury from Appalachian Power's smokestacks.

For the children, struggling to breath and competing with Appalachian Power for air, there could be Asthma Night. Sludge Night would help us keep in mind the Marsh Fork Elementary School children who learn at the base of a huge sludge. A second sludge night would be for the giant Massey sludge pond failure into the Tug River. A follow up could be Sludge Wrestling Night. On Overloaded Coal Truck Night, fans could dodge them as they speed around the parking lots. Flood Night would honor the people killed and homes destroyed by mountain top removal induced floods.

There could be a Scab Night for those who

have ever crossed a UMWA picket line. On Workers Comp Night crippled coal miners would pay extra to get in. And during the seventh inning stretch on UMWA Night—Don Blankenship would be stretched in effigy.

The Power intends to honor towns with community nights. Sylvester Night would be a good community to show how big coal treats its neighbors. Fans would have their seats and faces covered with coal dust. Of course the power in the luxury boxes would look down on the game in clean air conditioned comfort. Ghost Town Night would recall all the towns boarded up by the replacement of 100,000 miners by continuous miners, long wall machines and mountain top removal. Jumping around and threatening people on all these nights will be Axe, the violent and destructive looking coal mascot.

To close out the season how about Coal Sucks Night, inviting all the politicians who grovel before big coal. Every living past and present governor would be guests of honor. Remember when Jay Rockefeller changed his mind about strip mining and became an advocate of mountain top removal to get elected and Arch Moore took payoffs from coal companies? New governor Joe Manchin has promised big coal he will speed up the decapitation of our mountains. And don't forget the most recently disgraced Governor Bob Wise's devotion to the coal companies.

I figured The Power people might name our new publicly funded ballpark Massey Energy Field or Don Blankenship Park to rub West Virginia's nose in the dog poop left over from the rubbing of noses in the last election. Remember what's his name, that Supreme Court justice the Don bought?

Appalachian Power would gain far more in public respect if they named our new park the Miner's Memorial Park to honor the over 100,000 West Virginia coal miners killed and the untold thousands, like my dad, who were maimed and blinded for life. The miners are the real producers of the energy, not the power company and not the coal companies—they are nothing without the miners.

Appalachian Power could honor the memory of perhaps the youngest victim ever of big coal by naming the new park the Jeremy Davidson Baseball Field. Jeremy was the three-year-old boy crushed to death, while asleep in his bed, by a boulder from a mountain top removal strip mine.

Webster Wildwater Weekend

By Dave Saville

Join us again this year for the first official whitewater paddling event of the season. Last year, Highlands Conservancy members made a great showing in the winner's circle, (I took first place in the solo canoe class. ©, consider that a challenge folks!) and lots of fun was had by all!

This year's Webster Wildwater Weekend River Festival will take place April 2 & 3, 2005. Events include a downriver race and slalom race on Saturday and fun floats on various area rivers on Sunday. Camp Caesar will again be the site of the after-race party Saturday evening. where paddlers and friends can enjoy live music, race videos and more; while telling tales of river feats around the blazing indoor bonfire.

The downriver race features plenty of whitewater action on the class II-III Elk River. This fun river with almost continuous rapids is a great run for experienced paddlers, but with plenty of safety boaters on hand, novices will enjoy competing as well. Trophies are awarded in several categories and dozens of prizes are given away. For any additional information you may call 304 847-2145 (day) or 304 847-5449 or 304 847-7653 (evenings) or send an e-mail at wcda@websterwv.com.

Shredder Challenge!

This year for the first time, we are calling all Shredder paddlers! There will be a special class, with special prizes, for Shredder paddlers!

The Williams, Cranberry, Gauley, Elk and Back Fork of Elk Rivers provide whitewater enthusiasts challenging water for a variety of skill levels. Winter and spring typically provide healthy flows. It is rare for Webster County streams to be unrunnable during these months. Heavy summer rains can bring local streams up to runnable levels during the drier summer months. Charlie Walbridge's book "Wildwater West Virginia" describes various area river sections as follows:

- · "A thrilling run through first class scenery."
- · "...the best intermediate run in central West Virginia."
- · "...interesting run possibly has more variety than any other in the state."
- · "...rivers of incomparable action and...unparalleled beauty."

Downriver Race Divisions:

1.Inflatables

a) raft b) duckie/kayak c) Shredder Challenge

2. Canoes

a) solo-male solo-female b) tandem-male tandem-female c) co-ed tandem d) parent-child

3. C-1

4.Kayak -under 3 meters in length Male/Female Age a) under 18 b) 18-29 c) 30-39 d) 40-55 e) 56+

5. Kayak-3 meters and over in length Male/Female Age a) under 18 b) 18-29 c) 30-39 d) 40-55 e) 56+



Prizes: 1st place plaque for each category in each division. 2nd & 3rd place finishers in larger categories also receive award. \$200 cash prize for setting new course record time. Custom T-shirt for each participant. Prizes awarded for Best Overall Elapsed Time (male & female). Other prizes awarded by special category and by random drawing.

Schedule Of Events

Saturday April 2

8:00 am - 5:00 pm at Baker's Island (Webster Springs) Vendors, music, race headquarters & various madness

8:00 am - 11:00 am at Baker's Island Race registration (all race entrants must register)

12:00 noon Location to be announced on race day Downriver Race begins-Elk River or Back Fork of Elk

2:00 pm at Baker's Island River slalom race - Elk River

8:00 pm at Camp Caesar Party, awards, prizes, live music & race videos

Sunday April 3

10:00 am at Public river access area-Baker's Island, Webster Springs

<u>Fun floats</u>...gather at Baker's Island for trips on local rivers. Planned trips include Back Fork of Elk River & Elk downriver from Webster Springs... additional trips may also be available.

<u>Hike</u>...For those not inclined to paddle, a guided nature hike to the Big Sycamore & the 3 falls of Back fork will be offered

Red Spruce and Canaan Fir Seedlings Available

We will have a limited number of "plugs" available of West Virginia seed source red spruce and Canaan balsam fir in April this year. Plugs are small container grown seedlings 6-12 inches tall.

\$10 for 10 plugs, \$20 for 25. Please add \$2.00 for shipping.

We will also have a few larger container-grown Canaan fir trees available, 12-18 inches, for \$2.00 each. Contact Dave Saville for more details. daves@labyrinth.net or 304-284-9548.

Send your orders to WVHC PO Box 306 Charleston, WV 25321

No Snow Turns Snowshoe Outing Into Hike

THE SNOWSHOE HIKE THAT WASN'T

By Susan Bly

This is the story of the snowshoe trip that was not.... Due to lack of effort on the part of the snow fairies this winter, we were not able to whisk across glades of purest snow. Unusual for this part of the country, which in the past couple of years has had up to 3 feet of snow lying about.

Jason, Judy, Stacy, Idris, Tom, Gordon, Doug, Marcy and I decided to take the card given to us by nature and proceed with a winter hike. Thanks to the previous evening's snowfall, we had about an inch of snow on the ground and in the trees, enough to create a wintry aspect.

We carpooled to a parking area next to the abandoned railroad tracks leaving Thomas and heading towards Hendricks, and hoofed it up the road to Douglas. Passing through Douglas, we kept on ascending the mountain on Forest Road 18

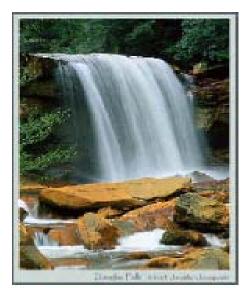
We took our time, gazing into the valley below when the tree cover was sparse, spotting Lindy Point a couple of times through some openings in the trees. We stopped for lunch at a sunny, windless spot at Tub Run. While at lunch, we changed plans about our hike. Why not take the jeep road behind us and join the Boundary Trail?

The original plan had been to follow FR 18 just past Big Run Overlook to the western end of

the Boundary Trail TR116. From there, we would follow the Boundary Trail to the Forest road again and back into Douglas.

Now for Plan B: take the jeep road beside Tub Run and intersect the Boundary Trail. Those wishing a shorter hike could take the trail back to Douglas. Those who wanted a longer trip could follow me to the overlook and back on the trail. With capable and seasoned hikers in both groups, we split and set off looking for the trail.

My group sort of found the trail, a bit overgrown in the section between the jeep trail and Tub Run. Once at Tub Run, we ran into a small problem ... crossing it. The rocks that were above water had a coating of snow and ice which is a bit precarious for crossing. There wasn't a handy fallen log in sight. Tom and Gordon crossed anyhow on some slippery stones, their feet sinking below the surface a time or two.



Douglast Falls Photo City Jonathan Jessey

Doug, Marcy, Judy and I shuddered at the thought of wet and cold feet and so searched up and down the stream for a safer crossing. Zilch. "Okay, you guys over there search for the trail; we will take the jeep road back down to the forest road and bushwhack back up to meet you on your side of the stream."

Plans laid, we nonwet folks went back down to the road and started up the other side of the stream. This inviting flat area lured us into its clutches ... and down we went into a vat of rotting stench below the snow. We backed up slowly from the jaws of the sphagnum moss monster and tried circumventing it to the left. On we went for a hundred feet before Tom and Gordon yelled from the forest road for us to return. They had had little success on their end and had faced the clutches of sphagnum moss monster's child on their side of the stream. Back across the stream they had gone, down the jeep road to the forest road.

What to do? What else but to face defeat and join the others who had tried the other end of the Boundary Trail. Back up the jeep trail again and who do we see? Our fellow hikers who had faced defeat in their direction as well. The trail just petered out and back they came. Facing a double defeat, we simply retraced our steps on the forest

road, back to Douglas. You win some, you lose some.

On the way back, we stopped at an overlook just off the road. This overlook has a 300 degree view into Blackwater Canyon, directly across from Lindy Point. The gorgeous cloudless day gave us great views, even over to Bald Knob, or so it appeared.

Pulling ourselves away from the fabulous view, we continued down the road to Douglas Falls for another spectacular winter scene. The mist from the falls had created a fairy tale winter wonderland of frozen ice trees. Consuming our fill of winter's free buffet of delights, we proceeded back to our cars and to Blackwater Falls Lodge for dinner.

TSHIRTS

White, heavy cotton T-Shirts with the I [heart] Mountains slogan on the front. The lettering is blue and the heart is red. Sizes S, M, L, XL, XXL, and XXXL. \$10 total by mail. Send sizes wanted and check made out to West Virginia Highlands Conservancy to: Julian Martin, WVHC, Box 306, Charleston, WV 25321-0306

HATS FOR SALE

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

SHIRTS NOW AVAILABLE IN LONG SLEEVE MODEL

We now have I [heart] Mountains long sleeve shirts in sizes M,L, XL. The shirt is heavy cotton and white with blue lettering. The heart is red. \$15 total by mail. Send sizes wanted and check made out to West Virginia Highlands Conservancy to: Julian Martin, WVHC, Box 306, Charleston, WV 25321-0306

USER FEES ON PUBLIC LAND (Continued from p. 1)

money does the Forest Service need to maintain a simple trail? If they are going to spend that much money on it, I probably won't approve of whatever "improvements." they have in mind.

So I drove up and down the highway looking for a nearby spot where I could park and avoid the fee. But big rocks had been placed in every possible parking spot, forcing me to park in the paved area. So I did what many other hikers have been doing—I risked getting fined. I wrote OPPOSED TO TRAIL FEES!!! across one of the envelopes, put it in the slot, and went on my trip with no further incident.

People are accustomed to paying to enter national parks, which are service-oriented, and almost no one objects to paying fees for developed campgrounds. But what has made hikers, hunters, anglers, AVTers, mountain bikers and other recreation seekers angry is that they now must pay to simply to access and enjoy their public lands.

Last November 21st Congress passed its giant Omnibus Appropriations bill, stuffed with hundreds of "pork" projects that were never considered on the floor of the House or Senate on their own merits. One of these was HR 3283, the Federal Lands Recreation Enhancement Act, which is referred to as RAT (Recreation Access Tax) by its opponents. RAT extends Fee-Demo for ten years and institutes harsh penalties for non-compliance.

RAT creates an annual "America the Beautiful Pass" that will be secure admission to for all public lands. It will likely cost \$85 to \$100. It also allows agencies to charge a "special recreation permit fee" for specialized recreation uses, which can include backcountry camping, climbing, floating popular rivers, and the use of popular trails. Enforcement officers can fine recreationists up to \$5,000 and put them in jail for up to 6 months for noncompliance. Revenues from fees must be used for facility enhancements and maintenance, visitor services, law enforcement, and direct operating expenses associated with recreation fees. They cannot be used to monitor lands and waters for listed endangered species or species which are candidates for listing as endangered.

RAT calls for regional recreation resource advisory committees (RACs) in each state or region with Forest Service (USFS) or Bureau of Land Management (BLM) lands. Members of the Resource Advisory Committees will be appointed by the Secretaries of Interior and Agriculture to represent the public interest by making recommendations on how the new fee system should be implemented. Resource Advisory Committees (RACs) are to be composed of eleven members who equally represent motorized and non-motorized interests. However, since members will be selected by political appointees, there is concern that many of the committees will be biased toward motors. Also, RACs do not have to be set up in a state if the Secretary and state governor determine "that sufficient interest does not exist to ensure that participation on the Committee is balanced in terms of the points of view represented and the functions to be performed."

Fee opponents and proponents alike agree that the manner in which the new recreation fee law was passed is ethically questionable, having passed neither the Senate nor the House. The Senate, in fact, had already passed a competing bill that was sponsored by Senator Thomas of Wyoming, which limited recreation fees solely to national parks. It would have ended the Fee-Demo program, which was begun to test the public's receptiveness to having to pay new fees.

The major proponent of recreation fees is Representative Ralph Regula (R-Ohio), who interestingly enough, has no public lands in his district. He was responsible in 1996 for beginning the Fee-Demo program by rider and was the key player in the passage of the recent law.

Reportedly, Senators Thomas (WY), Domenici (NM), Craig (ID), and Burns (MT), who voted to end recreation fees for non-park lands, had convinced Regula to detach his rider from the must-pass Omnibus Spending Bill. But Regula went back on his agreement and struck a deal with Senator Stevens (AK), the powerful Chair of Senate Appropriations, who went ahead and reattached it. It is believed that Stevens acted in exchange for Regula's support in obtaining funding in the House for a new road leading to a remote community in Alaska.

According to Scott Silver of Wild Wilderness, Congress has been progressively cutting back funding for recreation on federal lands. In fact, the gradual cutting of funding for recreation, outsourcing of agency personnel, increased private-public partnerships and new concept of pay-to-play recreation almost seem like part of a brilliant conspiracy to gradually privatize public lands.

The major political player in this "conspiracy" is ARC, the American Recreation Council. ARC has advocated recreation fees, assisted in their implementation, and may have even written the Fee-Demo and RAT bills. ARC is a coalition of commercial campground chains, snow-mobile groups, motorcyclists, power boaters, and recreation giants such as the Disney Corporation. It's their goal is to have recreation on federal lands managed for profit—their profit. Unfortunately, hikers, backpackers, bird watchers, mountain bikers, and other low impact users don't spend much money. Revenue is raised by high impact activities such as downhill ski facilities, ATV and snowmobile trails, highly developed campgrounds with electric hookups and hot and cold showers, marinas and resorts.

Affluent people in urban areas have no difficulty paying fees, but fees can inhibit or even prevent low-income people from enjoying their federal lands. Among these are rural residents, who in the future could include many who live in and near the Mon, and young people, who have the time and physical ability to engage in low impact, physically demanding outdoor activities. The adverse impact on low-income users and the pressure to "industrialize" recreation on public lands led the national Sierra Club to go on record in opposition to Fee-Demo in 1998 and to specifically oppose RAT last November.

Next month—Part II: The pros and cons of recreation fees and how citizens, counties, and states across the country are reacting to them.

For further information:

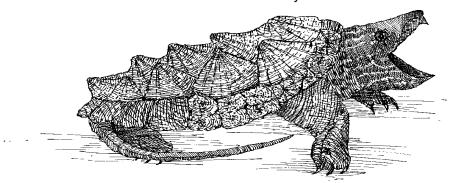
www.aznofee.org for basic facts on recreation fees and the text of HR 3283

www.wildwildness.org for even more facts and much more related to recreation fees and other public lands issues.

www.funoutdoors.com is the website of ARC, the American Recreation Council

*Helen is a member of the WVHC Board of Directors and a native of California.

**Bryan is completing a Master's thesis on public land recreation fees and commercialization efforts at the University of Montana.



A RE-READING OF PAUL HAWKEN'S BOOK, THE ECOLOGY OF COMMERCE (HARPER, 1993)

Comment by Don Gasper

Seldom has anyone so starkly described the life on our planet, and our role in its abuse - and a hope for us all, after all. These are things not taught in college for our universities are so much a part of the system that is destroying our biosphere. Their graduates then are largely trained to perpetuate its destruction.

The biosphere is the source and nurturer of all life. It is where we and all other creatures live. It is a spherical shell that is 8,000 miles in diameter (the diameter of Earth) and only about 10 miles thick — extending about five miles downward from sea level into the depth of the oceans, and about five miles upward into the troposphere. On a basketball-size Earth it is tissue paper thin yet this spherical shell contains and nurtures all life.

Today every life support system and all the living systems that together comprise the biosphere are stressed, its redundancy and back-up systems reduced or anemic, and in long-term decline - and the rate of decline is accelerating.

I'll not list again the long list of ecological troubles we find ourselves in. I will mention however as an up-date, that Global Warming was addressed recently by Newsweek and Time and that National Geographic presented 70 some pages on it. Russia has now joined enough other countries in approving the Kyoto Air Quality Treaty that it will go forward - without the United States' ratification of it. The scientific debate is over - now it is political, economic, and social denial.

I must however also mention the present species extinction rate. It rivals the dinosaur age 65 million years ago. We are simply "fouling our own nest". I want to make the point we cannot live without the planet's life support systems any more than the other species can. Though in our denial and arrogance we think we can. We are a part of nature, not above it. Our finite Earth cannot meet the wants or needs of our exploding population.

One other point must be made on this book and this comment. It is on economics and the environment. Hawkens would have us understand that two-thirds of humanity is left out of today's economic system - except to be exploited. Social equity (attention to human capital) like the environment (natural capital) is left out, lost in our myopic focus on financial capital. We must rid ourselves of perverse subsidies, shift taxes to harmful things (waste and pollution), and add the environmental and social costs to make prices ecologically and socially honest. Beyond this, many industries (and customers) are thinking greener. "Pollution is bad business" (meaning it is bad for business). Profiting from "doing well by doing good"is emerging as a viable paradigm.

Business success, bigger and better profits must also be more honorable profits, and must be the way of the future - beyond profits to purpose, beyond success to significance. Most know, "The economy is the wholly owned subsidiary of the environment". All economies are based on the "free services" of a healthy environment.

This brings us to Hawkens' main point - that "only business and industry, the major culprit, is large enough, powerful enough, pervasive enough, and wealthy enough to lead humankind away from the abyss." "Business as usual" is propelling us, unexamined toward the wall of unsustainability.

As to sustainability, what C.E.O. would hold on to a company that required a continual infusion of capital just to keep going? None. This is exactly what we are doing with our planet, expending our natural capital.

That we do not have much time is best seen in the 1992 statement of the Union of Concerned Scientists in their "Urgent Warning to Humanity." "No more than one or a few decades remain before the chance to avert the threats we now confront will be lost and the prospects for humanity immeasurable diminishes." Note the date was 1992.

ENVIRONMENTAL QUALITY BOARD CONSIDERS RELAXING STANDARDS FOR MANGANESE

The West Virginia Environmental Quality Board is considering changing the standard so as to allow more manganese in most streams in West Virginia. The West Virginia Highlands Conservancy will be filing comments on the proposed change. If you wish to file your own comments, you must do so by **March 24.**

For more information about the standards and the proposed change, contact the West Virginia Rivers Coalition at (304) 637-7201 or wvrivers@wvrivers.org.



Sunset on Dolly Sods

Photo by George Beetham

West Virginia Mountain Odyssey



Outings, Education and Beyond 🖈

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

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

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

June 25th-27th: Seneca Shadows Car Camping/Rohrbaugh Plains day hike, MNF, WV: Camp at modern Seneca Shadows with all facilities. Day 1: Set up camp and hike to the top of Seneca Rocks. Day 2: Moderate 10 mile shuttle hike in Dolly Sods featuring a spectacular vista, views, waterfalls and a few challenging creek crossings. Day 3: Break camp and head home. Reservations recommended. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

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

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

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

September 3rd - 5th: Roaring Plains, Hidden Passage, Canyon, Rim 2 night Backpack, MNF, WV: 13+ miles with packs plus an optional side trip w/o packs along Long Run Canyon Rim. Night # 2 may be dry. Loads of fantastic views! Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

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

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

October 8-9, and October 15 & 16: Red Spruce cone collecting volunteer opportunity. (two weekends!) As part of the Highlands Conservancy's Red Spruce Restoration efforts, we will be collecting cones form various areas in the Highlands including Snowshoe Mountain Resort, Monongahela National Forest, Canaan Valley National Wildlife Refuge and Blackwater Falls and Canaan Valley State Parks. Contact Dave Saville 304-284-9548 daves@labyrinth.net.

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