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# The Highlands Voice

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October 2002 Volume 35 Number 10

## BETWEEN A ROCK AND A HARD PLACE?

By John McFerrin

For as long as there has been a West Virginia Highlands Conservancy we have been concerned about coal mining. At the first meeting, "strip mining" was listed as an area of concern. Our bylaws describe our general purpose as "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..." In West Virginia, those "natural resources" must include coal.



Our more recent activities have continued that tradition. We now have a national reputation as one of the groups that has been most active in opposing mountaintop removal. People who had never heard of the West Virginia Highlands Conservancy now know us as the group that filed suit to stop that practice.

Our focus on coal has shifted and broadened over the years. When we began, strip mining was largely unregulated. A state law controlling the practice had become effective three months before. The more stringent federal law would not come along for another ten years. There was no Clean Water Act. The damage from coal mining was more localized. Nobody talked about global warming.

Now the mines are bigger; the localized destruction is on a much larger scale. The evidence of global climate change is overwhelming. The London magazine, The Economist recently labeled the coal "Environmental Enemy No. 1." While our focus on coal is still almost entirely concerned with local destruction, we now do it against the background of coal's role in international environmental problems.

Intertwined with the battles over coal were battles over energy policy. The coal industry would routinely say that the nation need coal to produce electricity, occasionally pointing out the "irony" of our using typewriters, computers, light bulbs, etc. to fight the very industry that made electricity possible. Our response was always that electricity could come from some place other than coal. There was wind power, solar power, etc. We could conserve our way out of dependence upon coal produced electricity.

Now wind power is here. Why aren't we beside ourselves with delight?

Our enthusiasm is tempered by the location of the wind power. Although the proposed wind power projects are not yet under construction, they are all proposed for the "Highlands Region of West Virginia" that our corporate purpose says we are supposed to preserve.

The September issue of the Voice had articles on some specific projects. Our new Wind Power Committee has been active. There are proceedings before the Public Service Commission concerning approval of these projects. The Committee has been seeking information and is considering recommending that the Conservancy intervene in those proceedings.



Without debating the merits of any specific project, this issue carries forward the discussion in a more general way. For the second month in a row, President Frank Young devotes his column to the topic. We have a letter from a member recommending that we support wind power. We have an essay on the atrocities of mountaintop removal mining from a visitor's perspective. We have a book review which quotes Julian Martin extensively on the destruction that a strip mine can bring to a community. We have a history of the effort to preserve Canaan Valley, one of the Conservancy's most longstanding interests. Finally, we have a reprint of a news story about the founding of the Conservancy. To the extent that present actions should be guided by past discussions, that story is helpful as a reflection of some of those discussions.

While this issue of the Voice does not present a debate on the merits of wind power in the Highlands of West Virginia, it does provide some information about our history. That history may be helpful as we try to figure out how we balance the renewable energy supply that we have always wanted with our historic interest in preserving the Highlands of West Virginia.

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From the Western Slope of the Mountains

by Frank Young

Answering My Own Questions About Windmills

In last month's space here I asked a lot of questions about where the WV Highlands Conservancy maybe should go in relating to the several current and expected future wind turbine (windmill) project proposals in the West Virginia highlands. Herein I will try to answer some of my own questions. This is not a scientific assessment. It is not the Conservancy's official position. It is my self-educated opinion for today. Tomorrow or next year I may think differently about some of it.

The WV Highlands Conservancy's by-laws say that our GENERAL PURPOSES "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."

In keeping with those general purposes we haven't had much reluctance to oppose strip mining of coal because strip mining is so anti-social, anti-environment, anti-democratic in practice and so contrary to concepts of good stewardship of the earth that there is no doubt in most of our minds about needing to oppose it.

But I am increasingly troubled that this same "agin' it" attitude on the minds of some good and decent people relating to wind power. And it is especially disturbing that folks are suggesting that these wind projects should be opposed for virtually any reason—that if one route of opposition does not work that we should work another route of opposition. Where is our objectivity? If an issue specific, scientifically and legally rational case against windmills can't be made, then why go on interminably trying to litigate against or otherwise oppose them, as has been suggested?

For years, decades really, there has been a strong sentiment from our members and our Board for "renewable" energy sources to replace the coal fired electrical power sources we so despise. More recently, as the prospect of actually having wind electrical generation facilities on WV hilltops becomes reality, we find ourselves in sort of a love-hate position with the developers of wind generated electricity.

From both within and outside the Conservancy I see an effort to discredit wind power with mostly a "not in my back yard" mindset. But if we can't vigorously support wind power then I wonder why we individually even bother to collectively travel thousands of miles to meetings and if we've honestly been "Working since 1967 for the conservation and wise management of West Virginia's natural resources", as our letterhead tag line says.

**(Continued on p. 8)**

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## CONSERVANCY RESEARCH SHOWS TIMBERING CONTRIBUTED TO FLOODING

By Sandy Fisher, John Brown, and Valerie Little

West Virginia Governor Bob Wise will soon take action on rules proposed by the State Department of Environmental Protection (DEP) to reduce runoff from logging and mining jobs. A new study by the Highlands Conservancy's Timber Reform Research Project shows that the tougher regulations developed by DEP are badly needed. To contact Wise and support the proposed rules, e-mail: [governor@wv.gov](mailto:governor@wv.gov); phone 304-558-2000 and ask for constituent services; call 1-888-438-2731; send a letter to 1900 Kanawha Blvd. E. Charleston, WV 25305; or fax a letter to 304-558-2722.

The West Virginia Highlands Conservancy, with support from the W. Alton Jones Foundation, has been studying timbering in West Virginia since 2000. The devastating floods in southern West Virginia in 2001 happened during this research project. The Conservancy's Timber Reform Research Project decided to look at the intersect between timbering and flooded areas in Fayette County.



This report, representing many hours of work by researchers and technical workers, contains maps of timber jobs taken from timber notifications filed with the Division of Forestry from 1993 to July 2001. The study is limited to eight areas of Fayette County most severely impacted by flooding, as identified by Steve Cruikshank, Fayette County Director of Emergency Services. Many other areas of the county were also affected by flooding. With limited resources, we decided to do a small pilot project, in part to demonstrate how to carry out such a study.

The Fayette County Flooding Report includes a list of all timber jobs in the flooded areas and the number of acres logged at each job. The maps show that flooding was not caused by large rivers rising up and out, but by water running off steep slopes and ravines below cleared logging and mining sites. We have included quotes from citizens who lived through the floods, confirming that the destructive flows came from above and contained debris from logging sites. The report also contains photos of flood damage in the areas below timber jobs. Our research supports the findings of the DEP Flooding Study — that timbering did contribute to flood

damage of downslope residents.

We hope that the Division of Forestry will continue this work, and look at the cumulative impacts of timbering on down-slope communities. A more comprehensive study should also be done by the Department of Environmental Protection, adding mining and construction projects to the mapping, to identify and understand all cumulative impacts.

To order the full color report, send \$5.00 plus \$1.50 for postage and handling to WVHC Timber Research, 501 Elizabeth St., Charleston, WV 25311 or download it from the WVHC website at [www.wvhighlands.org](http://www.wvhighlands.org).

### CONCLUSION:

While flooding in the steep terrain of West Virginia is not uncommon, the floods of 2001 were of an unusual character. Gushing water came down timber skid roads, carrying dangerous loads of debris.

Houses, cars, roads, sewage systems were washed away in areas that had never flooded before.

This flooding was a wake-up call. Manmade disturbance of steep forested slopes in Fayette County (and other counties in southern West Virginia) contributed to the deadly force of recent flooding. Such threats to life, limb and property are illegal and must be stopped. Stricter timber laws must be enacted — and better law enforcement by the Division of Forestry must begin — or we will see a repeat of this type of severe flooding, with more lives and property lost.

Citizens will not be satisfied with a flood damage prevention program that relies solely on expanded flood plains and dams. This would be a cover-up. The causes of the flooding must be exposed and fixed. The DEP Study and Report was a good start, because it was based on sound science. It must not be swept under the rug.

## FOR MOTE INFO ON FLOODING.....

By Julian Martin

If you would like to learn more about how mining and timbering contributed to the floods, as well as read all the Department of Environmental Protection recommendations, you can go to <http://www.wvcoalfield.com/flooding.htm>. This site is produced by Penny Loeb and chronicles the months of investigation of the floods by her and board member Bob Gates. There are many photos of the valley fills and timbering sites and how they related to specific flooded areas.

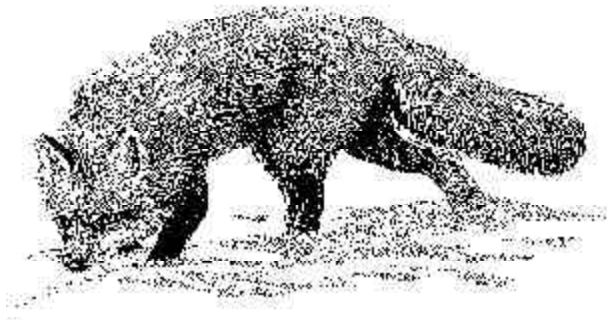
By last November, Bob and Penny had obtained the true rainfall measurements from the National Weather Service office in Charleston and posted them on the site. The site also had a story about all the studies underway as of the end of last year.

Now there are also stories about the Flood Recovery Task Force, which made a presentation of far-reaching recommendations to the Legislature, as well as the Disaster Recovery Board's plan to rebuild much of Wyoming and McDowell Counties on mined land between Welch and Pineville. The complete recommendations from the Flood Recovery Task Force are on the site and well-

worth reading. Comments on those are being taken until Sept. 5.

There are links for making comments on the DEP recommendations to DEP, Gov. Wise and legislators.

As of press time, Gov. Wise has made no decision about the sweeping flood controls on mining and timbering, which came out of the Department of Environmental Protection study.



## Documents Show Company's Plan to Use Entire Blackwater Canyon Hiking Trail as Logging Road.

By Judy Rodd, Director, Friends of Blackwater

The group Friends of Blackwater has released copies of previously confidential documents showing detailed plans by the timber company Allegheny Wood Products (AWP) to turn the Blackwater Canyon Trail, a scenic historic hiking and biking trail located on National Forest Land, into a commercial road.

Friends of Blackwater obtained the documents, including a survey and engineering map of AWP's proposed road, after making a Freedom of Information request to the United States Forest Service. The documents show that AWP has asked the Forest Service for permission to build a commercial roadway on Monongahela National Forest property in the Canyon, to serve AWP's timber and other businesses (including planned condominiums) on AWP's adjacent private land.

Documents obtained by Friends of Blackwater show that AWP's road would run for nearly ten miles, from the town of Hendricks at the bottom of the Canyon to the head of the Canyon in the town of Coketon, which is currently being restored as a tourism attraction. The Forest Service must evaluate AWP's request, but need not

grant it, according to Friends of Blackwater Director Judy Rodd.

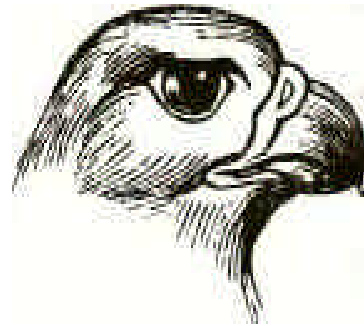
Rodd said, "AWP spokespeople have been falsely claiming that the timber company is not asking to use the Blackwater Canyon Trail. But these detailed maps, prepared by AWP, show that AWP indeed wants to turn the most stunning hiking and biking trail in West Virginia into a logging road."

Rodd said, "The frightening detail of these plans makes it even more important for people to contact Senators Byrd and Rockefeller NOW, and ask them to tell the Forest Service to say NO to AWP's request. People can do that through Friends of Blackwater's website, [www.saveblackwater.org](http://www.saveblackwater.org); or call us at 1-877-WVA-Land or e-mail at [outreach@saveblackwater.org](mailto:outreach@saveblackwater.org).

"Public pressure saved Lindy Point, and public pressure helped Governor Wise decide to add five hundred acres to Blackwater Falls State Park," said Rodd. "If people will speak out, public pressure will protect the Canyon Trail. One thing is sure — if by some crazy chance this road request

were granted by the Forest Service, no road will ever be built. There will be students, grandmothers, and ministers out blocking the bulldozers," Rodd said.

Rodd added, "The Blackwater Canyon Trail is a historic, world-class, recreational trail. It goes through ten miles of some of the most pristine, stunning scenery in the East. Senator Robert C. Byrd called the Blackwater Canyon a 'natural treasure.' The Senator was right. This is a time to move forward on protecting the entire Canyon, not on trashing its extraordinary natural and recreational values."



## NOW IS THE TIME FOR A BOTTLE BILL

By Linda Mallett, West Virginia Citizens Action Group

Last year in this country we could have built 33,764 Boeing 737 jets with the 759,625 tons of aluminum we threw away. We throw out over half of the aluminum cans we purchase. In fact, West Virginians used over 1 billion containers in 1999. Where do all these containers go? With a national recycling rate of only 38%, most of them end up in landfills or littering our neighborhoods and highways. We need a West Virginia bottle bill — a 10-cent incentive to recycle.

Annually, if we recycled just 50% of our containers (bottle bill states enjoy a rate of 85% and higher), we would save 365 billions BTUs of energy annually (62,979 barrels of oil). We would also save about 77,000 cubic yards of landfill space. Our greenhouse gas emissions would be reduced by at least 11,600 tons. We would also drastically reduce litter on our highways and in our neighborhoods.

Bottle bills are popular with the public. Eleven states have container laws and, once a bottle bill has become state law, it has never been repealed.

What can you do? West Virginia Citizen Action Group is forming a coalition to work toward the passage of a West Virginia Bottle Bill. To find out more, please con-

tact us at 346-5891 or visit our website at [www.wvcag.org](http://www.wvcag.org). You can e-mail us at [linda@wvcag.org](mailto:linda@wvcag.org).

A simple action you can do today is to sign our on-line petition. It takes just a minute. While you're at it, why not send out our website to the names in YOUR address book and get your friends to sign on, too? Prefer paper? Call me and I'll send you info on our paper petition drive.

Working together we can make a West Virginia bottle bill a reality!

## Wild Utah: America's Redrock Wilderness

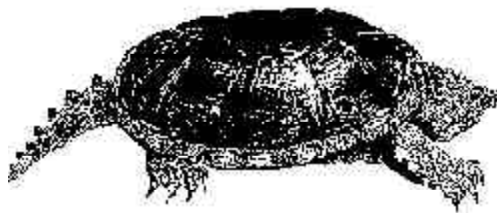
What: A multi-media program documenting citizen efforts to protect wilderness areas in Utah and on public lands across the country.

When: Thursday, November 7, from 7:00 to 9:00 p.m.

Where: Carnegie Lecture Hall, Oakland, Pittsburgh (The entrance is on the side of the building farthest away from Forbes Avenue.)

Who: Dave Pacheco, National Outreach Director of the Southern Utah Wilderness Society

Why: To show off Utah's incomparable desert and canyon wilderness areas, and to encourage citizen support for efforts to protect wilderness areas across the country. Free and open to the public!



## OUR READERS WRITE

### MORE THOUGHTS ABOUT WINDMILLS

Can we tolerate windmills in West Virginia? I think the last Highlands Voice was asking that question. Here is my response: Given that we all continue to want energy; Given that a view shed with a windmill is probably better than a dug up, buried or smogged in view shed; Given that windmills don't add particulates to the air or increase global warming; Given that windmills do not threaten stream health or increase flooding; Given that windmills cannot go critical or generate radioactive waste; Given that windmills have been substantially improved regarding bird safety; Given that windmills don't use imported oil or mined coal— To me the answer is a resounding "YES". The Conservancy may want to participate to optimize the siting of windmills, but if the Conservancy does the NIMBY routine regarding all windmills, it will consign itself to irrelevancy in the debate. The best way to preserve the mountains and the mountain way of life is to provide alternative better energy resources than coal.

In fact the Conservancy may want to broaden its horizons to have at least one committee responsible for investigating and promoting other alternative conservation or energy resources. Our state government could (and should) mandate that all new public buildings are as energy efficient

as possible and that old buildings need to be retrofitted in a given time period (think of the small businesses that would support). Solar panels feeding into the power grid should be on all public buildings. How about if we all got to designate that we want a green power source as folks can do in other states? It can be legislated.

The above is just the beginning of what we (in conjunction with other environmental groups) could do that would seriously save mountains and get us out of the pockets of Big Coal—but please: Let's not fight windmills.

Hedda L. Haning  
Charleston, WV 25314



### BIGGER WILDERNESS, PLEASE

I'm pleased that the Conservancy is taking up the cause of wilderness in opportunities provided in the Monongahela Forest Plan Revision as indicated the August, 2002 issue of The Highlands Voice. West Virginians can point with pride to their 35,000 acre Cranberry and other wildernesses that exceed the mean size for eastern national forest wilderness areas. Those who originally proposed these areas clearly recognized that in wilderness bigger is truly better.

Yet a lot has transpired since then in our knowledge of the role of wilderness in our most pressing ecological issues. Advances in conservation ecology have shown with an abundance of field data (Harris, The Fragmented Forest, 1984) that even our largest preserves and national parks are too small to retain all their species. In the eastern US this particularly apparent. The crash of forest interior neotropical migrant bird populations as a result at least in part of forest fragmentation is well known. The light pollution that occurs almost everywhere is another problem, in particular for large moths such as the Great Silkworms, and may be reflected in the recent decline of the Whip Poor Will, which feeds on these moths. In the Monongahela there is a particular problem in the loss of forest interior plants, as typified by the Canada Yew (*Taxus canadensis*), that beautiful evergreen shrub that gave its name to the "Yew Mountains" and "Yew Creek", but which has been seen by few recent visitors to the Mon. After years of surveys in our Forests of the Central Appalachians Project, I estimate that only a tiny fraction of one percent of the original Yew population still exists, and that in a highly degraded state as a result of Deer browsing. This browsing could be greatly reduced in the large tracts of unfragmented forest interior habitat represented by Big wilderness. This habitat would encourage the return of predators such as the Cougar, Bobcat and Fisher, which would reduce the faun population in the

less dense cover provided by such forests.

This would of course still leave plenty of Deer for hunters in the vast peripheral areas of managed forest. Big wilderness would also encourage the return of rare raptors such as the Northern Goshawk, which has recently been documented in the Mon. It might even aid the heroic efforts of Dave Saville and others to save the similarly plagued Balsam Fir in potential wilderness in which this tree occurs or once occurred.

Since the designation of the Mon's original wilderness, it has not lacked advocates of Big wilderness. In 1990 Conservancy stalwart and wilderness poet Robert Stough wrote "A Wilderness Manifesto" (The Highlands Voice 23 (1) 3 6) and in 1991 passionate hiker and endangered species advocate Ed Lytwak "The Monongahela Forest, An Alternative Vision" (Preserve Appalachian Wilderness pp 39 42 53). Inspired by these visionaries, I published "Central Appalachian Wilderness in Perspective, The Monongahela National Forest" in Wild Earth, and this was kindly republished in the Voice (26 (5) 1993). Viewed as a guide rather than as a blueprint, this article outlines some long as well as short term objectives for bigger and more eco friendly wilderness than any in existence today in eastern national forests. It also contains suggestions for buffer zones and communication corridors between separate wilderness areas. The centerpiece is a Cranberry Wilderness more than double its present size, an objective attainable in the short run, if enough advocates can be found. Also proposed are greatly expanded Otter Creek and Dolly Sods Wilderness Areas. I'm pleased that others have also proposed expansions for these areas

I hope Conservancy members will extend their wilderness advocacy beyond the Monongahela. Large areas of potential wilderness lie in the nearby George Washington National Forest, both in Virginia and West Virginia.

The best example is the Virginians for Wilderness proposal for a 65,000 acre Ernie Dickerman Wilderness, which is named in honor of one of the most prominent and effective wilderness proponents in the East. First proposed by us in the mid 1980s as the "Shenandoah Wilderness", it was the subject of an article by Rick Steelhammer, and this was republished in the Voice (34 (9) 2001).

The foregoing doesn't exhaust the advantages of Big wilderness. These extensive preserves provide a multitude of scientific services now scarcely available, particularly in the East. Of increasing importance in our human degraded world will be areas large enough to exclude the many minor perturbations of nature, so that the larger ones, such as global warming, can be assessed. Others that come to mind are the impacts of forest pathogens and introduced species and monitoring forest recovery. Although not common in West Virginia now, natural areas located in wilderness areas, as some are in Virginia, are important sites for such baseline studies. Other wilderness amenities, such as providing clean air and water, are almost too obvious, and there is also a problem we should almost be ashamed to mention! This is the great recreational deficit of Big wilderness in the East as compared to the West, despite the large nearby population centers that create a far greater need. We shouldn't insult these city dwellers by assuming that their tastes only run to intensive recreation.

Finally, I have to make one tired old point again, namely that the Monongahela uniquely provides the opportunity for the largest national forest wilderness in the eastern U.S. I leave it at that.

Hopefully yours,  
Bob Mueller  
Virginians for Wilderness  
Staunton, Va. 24401



# IN THE BEGINNING...

By Max Smith

Reprinted from The Highlands Voice, September, 1977

As far as I can determine there are no written records of the founding of the Highlands Conservancy prior to the mid-Winter Meeting of January 1967, so this article is a trip down Memory Lane. Special thanks are due to Dr. Thomas King of Bridgeport, for without his help this could not have been written.

The Canoe Cruisers Association of Washington held their First Annual Whitewater Weekend on the North Fork of the South Branch of the Potomac River between the Mouth of Seneca and Petersburg on April 3 - 5, 1964. At this time some members of the Association were disturbed by reports that a scenic (?) highway was to be built across Dolly Sods.

In the spring of 1965 a meeting was held at Bob Harrigan's Camp near Yokum's Motel at the Mouth of Seneca. This was the first meeting for the people who would eventually become the West Virginia Highlands Conservancy. The various threats to Seneca Rocks - Spruce Knob - Dolly Sods were discussed and it was decided to organize and try to keep these areas in their natural state. A review was planned for that Fall in order to publicize the necessity of saving these natural areas. Bob Harrigan acted as Chairman. Here is the roster of that meeting (from memory): Bob Harrigan-Canoe Cruisers, Washington; Dr. Thomas King-Canoe Cruisers, Bridgeport; Rupert Cutler-The Wilderness Society, Washington; Bob and Sue Broughton-Pittsburgh Climbers; Jim Wolfe, Pittsburgh; Bob Burrell, Morgantown; Joe Rieffenberger, Dept. of Natural Resources; Jim Johnston-Canoe Cruisers, Washington; Max Smith-West Virginia Wildlife Federation-, Sona Smith-West Virginia Garden Clubs; Bob Waldrop-Sierra Club, Washington; Carl Walker; Lou Greathouse- West Virginia Recreation Society; Joe Hutchinson and Bob Maynard. If any have been missed please let me know.

There were more meetings that summer at Bob Harrigan's Camp, mainly to set up the Fall Review. Through the efforts of Rupert Cutler, The Wilderness Society not only bore the full cost of printing our brochure but also mailed it to their full membership.

The First Review was held on Spruce Mountain on a Saturday in late October 1965. It was a cold, wet, miserable day; however, the attendance of 350 to 400 persons far exceeded our hopes. After the day's activities there was an evening meeting at Gatewood Management Area on Spruce Mountain. Bob Harrigan had arranged for the meal, and tent and the generator for lights. The meal was an excellent barbecued chicken dinner, which was cooked and eaten in the rain, but enjoyed by all. The meeting later in the Revivalist's Tent was well attended, with Secretary of the Interior Stewart Udall and U.S. Senator Robert Byrd as the main speakers. During Senator Byrd's speech the generator stopped, and had to be restarted. The Senator remarked that was the first time he had ever had the lights turned out while talking. The meeting was a definite success.

More meetings were held through 1966 at Hanigan's Camp, and it was decided to organize and become a permanent, on-going, organization to act as a watchdog for the wilderness areas of West Virginia and to be an activist organization rather than just try to coordinate activities of other outdoor groups. Committees were appointed to write the constitution and By-Laws, to select a name and to plan for the future. The Fall Review for 1966 was held at Shot Cherry Cabin on Spruce Mountain, and while this was not as large as the 1965 Review there was a good attendance and much was accomplished. I will never forget driving off Spruce Mountain about midnight through the snow!!

The First Mid-Winter Meeting was held at Blackwater Falls Lodge on the last weekend of January 1967. At this meeting we adopted the Constitution and By-Laws, and also accepted the name proposed by Bob Broughton "The West Virginia Highlands Conservancy." Dr.

Thomas E. King was elected President, Sona Smith as Secretary-Treasurer, and Maxwell Smith as Corresponding Secretary.

More meetings were held during the summer of 1967, and much was accomplished. Many activities were carried on at all of our meetings - from the first one in 1965 - and much work done by members between the meetings. With the help of many dedicated people, we kept in close touch with all developments and had much input into the planning for these areas. The meetings were long and exhausting, but those taking part thought the objectives worth the effort.

The Conservancy's four main objectives were: to protect and preserve important natural areas for present and future citizens; to aid in the designation by law of certain protected wild areas; to conduct land use studies and formulate management recommendations; and to serve in general as a means to acquaint the public with the superlative natural attributes of the Highlands Area.

From the very first this group was involved in: scenic roads and parkways; dam construction; unplanned real estate development; strip mining; water pollution; regional management plan for the Highlands; acquisition of inholdings within the national forest; preservation of wild lands and rivers; and any other matters that affected the Highland Natural Areas.

The 1967 Review was held October 7-8, 1967, and based at the Mouth of Seneca. It was the first Review under our present name. Co-sponsoring groups were: The Audubon Society of Western Pennsylvania; Brooks Bird Club, Canoe Cruisers of Washington; Explorers Club of Pittsburgh; Tucker County Chapter of the Izaak Walton League; Kanawha Trail Club; Nittany and Pittsburgh Grottoes of the National Speleological Society; West Virginia Chapter of the Nature Conservancy; Pittsburgh Climbers; Potomac Appalachian Trail Club; West Virginia Recreation Society; Atlantic Chapter of the Sierra Club; West Virginia Garden Club; West Virginia Wild Water Association; and The Wilderness Society

Saturday's activities were: bird-banding at Red Creek Campground; nine-mile hike on Dolly Sods; float trip through the "Trough;" hawk-watching at Bear Rocks; cave trip into the Sinks of Gandy; and a climbing demonstration on the faces of Seneca Rocks. An evening chicken Barbecue Dinner at the Mouth of Seneca Pavilion was followed by the Program "A Plan For the Highlands." Among the speakers were Epehe Olliver, Supervisor of the Monongahela National Forest and United States Senator Jennings Randolph.

This was a very successful Review which attracted more than 300 people. THE WEST VIRGINIA HIGHLANDS CONSERVANCY WAS OFF AND RUNNING!!!



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## MOUNTAIN ODYSSEY BACKPACKS AT BEAR ROCKS

By Peter Shoenfeld

Dolly Sods North Backpack Trip

A small group met at Bear Rocks Saturday Morning, Sept. 21. We walked down the Bear Rocks Trail to the Dobbin Grade and checked out the trail junction across the creek where you go up to Raven Ridge. Headed North on the Dobbin Grade and wound up on Cabin Mountain, where we checked out the trails going down to Sand Run. It rained a little, then it stopped. We went out along Raven Ridge and eventually descended to our campsite along the upper Left Fork of Red Creek. Along the way, we met Mountain Odyssey's major COMPETITION.

We went to take a look at "The Cabin." This is an "emergency" facility, stocked with food and blankets, and open to all. Its exact location will not be divulged for fear of starting a tourist rush. The Cabin's developers were in residence and we chatted with

*(Wisdom from Frank, continued from p. 2)*

Since my column and other wind articles appeared in last month's Highlands Voice I have had several contacts from Voice readers- people who appreciate our efforts, but who do not usually attend meetings and who are not on our Board of Directors.

One member, after considering the amounts of electricity a wind farm might produce, told me, "I'd opt for saving that many kilowatts by everyone cutting down on highway lights and clothes dryers. Then I'd tell myself we don't have to have the windmills after all. I suppose everyone could just move away from an ugly sight if they wanted to, but I think about NIMBY, and I guess I come down on the side against them."

Another told me, "At this time, however, I must say that I think the emphasis is in the wrong place. Our society will want energy. What is the least obnoxious way to get it? Is it better to have a windmill (rather pretty, though non natural in my view) in a viewshed or not to have a view shed at all because it is dug up or smogged over? By all means find the best sighting for views, for birds, for ecology in general, but do not get in the way of windmills

them a while. They are a group of local young folks who "adopted" the Cabin by informal agreement with the Forest Service. We asked the name of their group. They said they hadn't originally thought they needed one, but that they had named themselves in response to earlier inquiries--- THE POTOMAC HIGHLANDS NUDE WINTER BACKPACKING SOCIETY.

We made camp late and went to bed early. Overnight, it rained a lot more. Sunday we hiked down to the Blackbird Knob, taking the connector south from the Dobbin Grade. The weather got hot and I took a dip in the main fork of Red Creek. We exited at the campground and shuttled back to Bear Rocks.

if you are serious about defeating mountain top removal mining."

In have contemplated the pros and cons of the several West Virginia windmill proposals that have been advanced over the past two years. I have come to believe that vigorously supporting wind power is a logical position for the WV Highlands Conservancy. Any opposition we'd generate should be for specific reasons, scientifically and legally defensible, and directly relating to the preservation and protection of particular scenic, geologic, biologic, historic, wilderness, and/or recreational importance in West Virginia, as our SPECIFIC PURPOSES direct.

I have considered some of our history of fighting against strip mining, acid mine drainage from coal mines, acid rain, coal fired power plant siting and the air pollution and stream pollution attendant to mining and burning coal to produce electricity. These are good fights, and I am proud to have been associated with these battles.

But I am not happy with the prospect of the WV Highlands Conservancy needlessly squandering its good name by being 'agin' everything- even progressive energy technologies. What can we be for? If not wind power, then what? If not now, then when?



# FUN ON NORTHFORK MOUNTAIN

By Bruce Sundquist

The Labor Day weekend backpack trip on the southern half of North Fork Mountain went with 7 people. Saturday was cloudy, so the views rarely let us see past the first row of ForeKnobs, although the sunset was great. On Sunday the top of North Fork Mountain was inside of a cloud, with very light rain and no views. Fog-shrouded woods of North Fork Mountain tend to provide a feeling of enchantment that few other areas in the Highlands can offer. The 2001 trip had all the valleys, east and west, immersed in seas of fog, while all the mountaintops were under crystal-clear skies—the exact opposite of this year's trip.

Half way down off the mountain on the pipeline swath leading to Seneca Rocks, everything turned sunny and clear, but all the mountaintops (Spruce Knob, Roaring Plains, Dolly Sods) remained inside of big dark clouds. So the weather conditions varied with altitude to a greater degree that most of us had ever seen. Since Dolly Sods was obviously getting rain, we decided to end the trip on Sunday. On the drive home we could see that the top of Allegheny Front was inside of a huge dark cloud all the way up into Pennsylvania, while everything else was under bright blue skies.

One of our trippers, Jeff Schryer, is organizing a backpacking trip to some of the wilds of Alaska for next summer. For more information, call him at 304-227-4257. There are grizzlies, so the trip is for "non-wimps".



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## DEVELOPMENT

According to present plans ... blueprints virtually postulate lifting the face of nature. New dams proposed ... many with accompanying roads would invade wild areas. Never before has there been a greater threat to what remains of primeval America.

Claus Murie. *The Living Wilderness* 10 (14-15) 1945

There is just one hope of repulsing the tyrannical ambition of civilization to conquer every niche on the whole earth. That hope is the organization of spirited people who will fight for the freedom of the wilderness.

Bob Marshall 1930  
*The Scientific Monthly* : 148

This country has been swinging the hammer of development so long and so hard that it has forgotten the anvil of wilderness which gave value and significance to its labors. The momentum of our blows is so unprecedented that the remaining remnant of wilderness will be pounded into road-dust long before we find out its values.

Leopold 1935

FOREST DEVELOPMENT .. has already gone far enough to raise the question of whether the policy of development...should continue to govern in absolutely every instance, or whether the principle of the highest use does not itself demand that representative portions of some forests be preserved as wilderness.

Leopold 1921  
*Journal of Forestry*

**Quotations submitted by Don Gasper**

# A VISITOR LOOKS AT MOUNTAINTOP REMOVAL

By Scott Stouder

While driving from the east across the Appalachian Mountains two weeks ago West Virginia stretched across the horizon like an ocean of hazy blue ridges and forgotten hardwood hollows. But once we dropped off the "eastern" continental divide that view dissolved into narrow valleys at the bottom of steep tree-covered slopes. In West Virginia the people live in the valleys. Mountain tops are above their normal view.

A few days after arriving in Charleston, West Virginia to attend the 75<sup>th</sup> annual Outdoor Writers Association of America's conference I took a plane ride to see those mountain tops. I was shocked by the view. Twenty five miles south of Charleston's Yeager Airport, Hume Davenport, founder of SouthWings – a volunteer group of pilot/conservationists who give journalist and others a birds-eye look at the world – eased the throttle back and banked the 210 Cessna slightly. "This is mountain top removal coal mining," he said as a swath of eviscerated earth the locals call Kayford Mountain zig-zagged through the green mountains like an open wound.

I'd heard of this type of mining, but hadn't thought much about it. Mostly my thoughts of West Virginia revolved around images of heavily forested hills harboring black bear, wild turkeys and deer. But that wasn't the image coming into focus from the airplane window as a decapitated mountain range materialized from the muggy summer haze.

Thousands of acres in ragged lines along the top of the range had been stripped of trees, scalped of top soil and hundreds of feet of rock beneath was being systematically blasted away to expose giant black strips of coal. Huge cranes over 20 stories high, flanked by platoons of bulldozers and earth movers were dragging "shovels" as big as stadiums through the rubble. Graders and other machinery maintained a maze of roads, while cavernous trucks filled with stumps, dirt and rocks rumbled to the edge of the mountain and dumped the "overburden" into canyons cleared by fire.

Welcome to 21st Century West Virginia coal mining. For over a century miners have removed coal from the mountains, but now, because it's cheaper and faster, the mountains are being removed from the coal. And the damage doesn't stop with coal extraction. Once the raw slate is scraped from the ground it's hauled off the mountain and dumped near a rail line where it's pressure washed with water so it will burn cleaner.

"That pit is a toxic brew of heavy metals from mercury to lead and arsenic all mixed with water and coal dust," Davenport said, pointing to a reservoir as big as several football fields filled with thick, black fluid behind an earthen impoundment at the head of a steep canyon. Several thousand feet of two-foot diameter pipe snaked up the canyon from an industrial complex next to a mountainous pile of glittering, black rock. Davenport explained that the slurry resulting from the coal "washing" is pumped up the canyon and stored in the "holding" pond at the head of the canyon.

"They pump it back up these canyons so it's out of sight," he said. "These pits are just toxic time-bombs waiting to explode." Indeed, one of the estimated 600 slurry ponds in the Appalachian Mountains did explode last fall in Kentucky when the earthen impoundments burst during a flood and sent 250 million gallons of black slurry into the Ohio River system killing trout, polluting water, shutting down schools, businesses and power generation for nearly 100 miles downstream.

After several years of mining, Kayford Mountain, like most Appalachian mountain top removal mining sites, is in varying stages of destruction. One end lays denuded and smoldering waiting for the Armada of machinery slowly chewing its way toward it. Beyond the miles of scraping, blasting, dumping and open pits of coal lies the "reclaimed" part of the mountain – a flat, artificial moonscape several hundred feet lower than the original mountain. A loosely adhered to federal law, the Surface Mining Control and Reclamation Act, requires that sites be restored to

their "approximate original contour" after the coal is removed. But how do you put a mountain back together? What's left is simply flattened and the hardrock soil is planted with a few spindly trees and a thin, non-native grass.

And what happens to the streams that once meandered down the hollows where the mountain tops are dumped? They now run down the steep, terraced "valley fills" in arrow-straight, rock-lined gutters. Kayford Mountain is just one of dozens of large-scale, mountain top removal sites in West Virginia.

Cindy Rank of the West Virginia Highlands Conservancy says nobody knows how many mountains this mega-mining has leveled because a clear delineation between strip-mining (scouring off topsoil to expose shallow coal deposits) and mountain top removal doesn't exist.

"The entire area affected—including eastern Kentucky - is estimated to be around 400 to 500 square miles," she says.

As the plane passed over mile after mile of bare flattop, rock-rubble and filled-in valleys - mountains that had once cradled one of the world's most diverse hardwood forests growing in some of the richest top soil on earth, I thought: This makes the mega-clearcutting of northwest forests in the 1960's and 70's look like child's play.

Actually there is close similarity between the Northwest's history of logging and West Virginia coal mining. Northwest logging started small, but as equipment and techniques grew during the last century, so did operations. Finally, by the 1970s, clearcutting was denuding entire mountain ranges. Similarly, coal mining, and its equipment, evolved from shaft mines to strip mining to today's operations of lopping off the tops of mountains.

And, in both industries, as equipment and operations grew, so did small town dependency.

However, that dependency – and the similarity with mining - ended a decade ago in the Northwest when the spotted owl dethroned King Timber. Since then northwest timber towns have been forced to diversify. But because coal-fired electric plants still generate over half of the power on America's east coast, that scenario has not been repeated in West Virginia.

"King Coal still rules West Virginia," says Rank. "Coal money buys the politicians and pays for advertising that convinces people they would be destitute without jobs created by mountain top removal mining."

But even with coal, West Virginia has always been destitute. And today, nothing's changed. West Virginia is ranked 40th of the 50 states in household income, and the poorest counties are the ones with coal mines.

Thick black clouds were rolling west across the Appalachians as Davenport turned the Cessna back toward Charleston. I looked out at the approaching storm and thought about this land, and the people tied to it. And I thought about western Oregon where I had been raised in a logging community. We're all connected to our past. It defines who we've been. But sometimes we need to be shown another perspective to learn who we can be. I leaned back from the window and thought how closely our lives are tied to our views of the world.



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## Book Notes

### SUSTAINABLE FORESTRY IN APPALACHIA

a rEVIEW BY pAUL sALSTROM

HANDS-ON SUSTAINABLE FORESTRY IN APPALACHIA

A Review by Paul Salstrom

*Chris Bolgiano, Living in the Appalachian Forest: True Tales of Sustainable Forestry Mechanicsburg, PA: Stackpole Books, 2002. Illustrated, 200 pages. Paperbound \$18.95.*

Chris Bolgiano's writing gets finer with each of her books. Her writing style shares more with Wendell Berry's concision than with Annie Dillard's meandering. Here she helps a vivid bevy of Appalachia's alternative foresters and loggers (including some horse loggers) share their lives, dreams, and frustrations. She shares her own here too. She's not a logger but she owns forest tracts in both Virginia and West Virginia and she knows the ins and outs of private-forest preservation.

Some of Bolgiano's most personal writing here is about her Randolph County, West Virginia land—land that she and Ralph (her husband) couldn't bear to sell after their romantic back-to-the-land fling in the 1970s. They visit it often and try to keep the off-road-vehicles at bay. One year a lady called them over in Virginia and offered \$1,000 an acre for that land, allegedly so her son could hunt there. But they didn't think twice.

But Bolgiano isn't just a raconteur. She's an incisive investigative reporter. Most of her new book recounts her adventures on the road visiting alternative foresters, loggers, ginsengers, preservation advocates, and mountaintop removers. She's good at letting these folks speak for themselves and some of them I found myself really drawn to—no, not the mountaintop remover (the more he spoke for himself, the more he put his foot in his mouth, till finally he was calling stripped land "beautiful"). But especially the horse logger Jason Rutledge and his troubled apprentice Todd Buchanan come across deeply here.

I think Bolgiano is right that it's going to take a change of heart to save Appalachia's forest and its diversity. During her mountaintop-removal reclamation-site visit—which took her to the so-called Elk Refuge in southwestern Virginia—she counted on-site species and estimated that that denuded land is supporting 99.9 percent fewer species than it used to. But those aren't the numbers the mountaintop removers are counting (they don't have \$ in front of them).

It will take a change of heart, Bolgiano thinks, and that change of heart will have to happen one by one. Way back in 1988 when Julian Martin testified at a public strip-mine hearing in Lincoln County, that hit me too. So

I got copies of that tape from the state "regulators" so I'd remember what Julian had said. (Pardon the long quote from Julian, but Bolgiano deals with a lot of these same issues, including the outsider/insider issue):

"It seems real important in Lincoln County to



establish where you're from and who you are. A lot of people laugh at you if they think you're from New York or someplace. I've been a citizen of this state for 52 years. I've lived in this county for 13 years. And I've taught at Duval High School for 12 years... My daddy was a coal miner—lost his eyes in the mines. He wasn't a communist. He wasn't an outsider. And he didn't deal in drugs—though he did drink a lot of coffee. It amazes me at times that we can be so up-tight about 'outsiders.' And what we have here is a case of a man from Montana threatening to bulldoze—to personally bulldoze—another man's fence down if he finds out the property is on his side of the line. And a man from Kentucky who threatened to kill the same man. And we have a woman from Indianapolis who says we're a bunch of drug dealers and communists. Now, all three of these people qualify to me as outsiders. I've lived here 52 years. I've got the accent, you know. I can speak the language, okay? I'm not a foreigner, okay? All my life I've watched the destruction of my native state. When I was a little boy 40 years ago, I used to walk up Bull Creek over on Coal River. Bull Creek's not there anymore. It's gone. My Uncle Ken used to work timber up in the head of that hollow with a mule, and he did the least amount of destruction you possibly could do. That place was beautiful. It's not there anymore. It's just simply gone. It's been destroyed by a strip mine. My home place over on Coal River—coal companies offered us \$250,000 for thirty-

two acres. And we turned them down, okay? We don't need the money—by golly—not that bad. With me this is a spiritual thing. I've always loved the land. I've always loved to walk in the mountains. And the first time I saw a strip mine it absolutely stunned me into silence. I was sad and I was sick. I couldn't believe what people could do with a bulldozer to land that used to be beautiful. If it's wrong to love beauty, if it's wrong to love nature, if it's wrong to say that we have only one earth and it will never be reclaimed—you can't reclaim a destroyed mountain—you can put something back there but you can't put that topsoil back on—just try it. You never, never can walk through that little glade where the ferns are growing. And enjoy those cliffs the way they were—the way they were meant to be. All I see happening is greed. It's money, and where's it going to end? When they get to your back door? They're already at some people's back doors right now. Can you strip mine right up to the edge of City Hall? Do the people who own strip mines have strip mines in their back yards? Do they want dynamiting going on where they live? I don't think they do. I think they're going to retreat to their air-conditioned apartments. And I think they're going to send their kids to fine schools out-of-state. And if you think strip mining is going to bring jobs, look where they've got strip mining in West Virginia and look where they've got the most unemployment. Mingo County. McDowell County. You go to the counties where they have strip mining—that's where they have the worst of everything. They've got the worst roads, they've got the worst schools, they've got the highest unemployment rate. Everything is wrong with those counties. Is that what you want this beautiful place to become? My daddy was a coal miner, and I understand being out of work, okay? I've been down that road myself. And I know you've got to provide for your family. But I'm saying they're only giving us two options. They're saying, 'Either starve—or destroy West Virginia.' And surely to God there must be another option."

Chris Bolgiano's new book *Living in the Appalachian Forest: True Tales of Sustainable Forestry* is about other options and about interesting, committed people who are actualizing them.

[Salstrom is author of *Appalachia's Path to Dependency* (1994).]



# CANAAN VALLEY--A HISTORY OF ACTIVISM

By Linda Cooper

There had been rumors for decades. First, the power company was going to dam the Blackwater Canyon for cooling water for a hydroelectric plant. Local officials reveled in the idea, so very excited about having immense new and continuous revenue for county coffers. Business interests as well were convinced that such a development would bring riches galore, - somehow. Why, the power company itself had told them time and time again.

While not for lack of hoping, planning, dreaming, that dam never happened. However, the pump was primed for some kind of dream-come-true for Tucker County from the Monongahela Power Company (then a subsidiary of Allegheny Power System (APS), now just AP).

West Virginia Power and Transmission (another wholly-owned APS subsidiary that actually owned the Canyon) also purchased a large tract in the southern Canaan Valley and for more decades there were rumors of a power project there. They made it known that they would need more land in the Valley for their plans and local officials and land developers continued to dream of the sheer paradise that would result. In the meanwhile, the Canaan Valley State Park was authorized and many Canaan landowners lost their treasured lands to condemnation for this State-commissioned dream. So, with all local and most state and federal government officials having been heavily lobbied and in full agreement when Mon Power begin to contact local landowners about their need for more land for their project, that they would take by condemnation if necessary, local landowners knew of what they spoke. Many tracts changed hands and in July, 1970, official announcement of the Davis Power Project (DPP) was published in the Parsons Advocate. Utilizing a technology little known at the time (a pumped storage power facility), the DPP would require 7,000 acres on the valley floor and another 500 acres on Dolly Sods' Dobbin Slashings.

Landowners reluctant to sell were accused of trying to hold up progress and being selfish, unworthy citizens. They were publicly ostracized for not joining the movement and doing what was necessary to allow Tucker County to, at long last, realize this magnificent dream. In addition to a huge lake that could be surrounded with intensive businesses opportunities and both home and extensive industrial developments, the power company would construct recreational facilities, and the county would prosper far beyond what

local officials could ever possibly dream. They knew this was true. Mon Power officials had told them, time and time again.

Besides not being particularly excited about losing our own homelands and having the lands around us so drastically converted for power production to light, warm, and cool the houses of distant metropolitan areas, a couple of us landowners in the Valley had had experience with the tactics and activities of such large out-of-state corporate project developers (APS was headquartered in NYC), and



we had questions for which no answers were forthcoming. Chief among them was how a company could go about terrorizing Valley landowners with threats of land condemnation when they did not yet have a licensed project; why was no consideration being given to the special climatic and geological conditions of the Valley that could greatly increase the project's projected costs (costs that would be passed on to ratepayers); and couldn't the need for additional electrical power be more cost-effectively addressed

with conservation measures in the far-away big cities without visiting such destruction on remote rural areas with few resources to ensure against needless sacrifices?

Independently, two parties (Linda Cooper and David P. Elkinton and The Canaan Valley Association) initially responded to the public notice and filed petitions to intervene/letters of protest with the Federal Power Commission raising some of these unanswered questions and asking that a number of matters be considered before the required permit was granted. The action launched us all into endless processes and the consumption of untold physical and emotional turmoil. At every step, and there were so many, in the process, we would look at ourselves and ask, "Do I really want to do this?" "Do I really want to spend my time and energy fighting the well-constructed powers-that-be to try to get all this to make some kind of logical sense?" In the end, meeting after meeting, we persisted, and found that every time we raised one question, it spawned ten more! Some things were not right and, like responding to an unknown source of mystical power, we persevered.

So, what was involved? The records involved in the 20-30 years of struggle are available for public review, but the brief outline on the following page will give readers the gist of the effort.

## HOW LONG DID THE FIGHT LAST?

It depends upon what we count as the beginning and ending points. The earliest candidate for a starting point is the 1960's when officials with the West Virginia Department of Natural Resources raised many questions and began to seek alternative protection for the Valley's resources. Another possible starting point was the formal announcement in 1970 of the Davis Power Project. Possible ending points are 1994 when the Canaan Valley National Wildlife Refuge was established, 2000 when Appalachia Power surrendered its contested licenses for the Davis Power Project of 2002 when the power company's lands were added to the Wildlife Refuge.

## WHERE ARE THE RECORDS OF THE FIGHT?

The most obvious sources—those of APS's major project proponent, Walter Gumbel, to the library of Davis and Elkins College, and those of Linda Cooper to the West Virginia Collection at West Virginia University as well as in the records of the various public agencies involved: FPC/FERC, Justice Department, Corps of Engineers, EPA, Dept of Interior, District, Federal Circuit, and Supreme Courts; the state offices of the Governor, DEP/DNR, and Attorney General), and back issues of the Parsons Advocate, West Virginia Highlands Conservancy's Highlands Voice, the Intermountain, the Charleston Gazette, and other newspapers of the state.

CRONOLOGY of EVENTS

DAVIS POWER PROJECT—CANAAN VALLEY NATIONAL WILDLIFE REFUGE

July, 1970 -Allegheny Power System (APS) applied for license for Davis Power Project (DPP) to the Federal Power Commission (FPC)

July, 1971 -APS issued an environmental assessment of DPP (later deemed insufficient)

February, 1974 -FPC Staff issued Final Environmental impact- Statement on DPP.

Fall, 1974 -Hearings on DPP before FPC administrative Hearing Judge. 10 full weeks of hearings including one in Parsons, WV and a tour of the Valley.

May, 1975 -Canaan Valley designated National Natural Landmark.

June, 1976 -FPC Administrative Hearing Judge recommends against licensure of the DPP as proposed concluding: "The specific adverse environmental consequences resulting from the construction of the Davis Power Project will not be overcome by the benefits which may be derived from the lake, from the recreational areas and from the wildlife preserve proposed by Applicants, with or without any or all of the further suggestions put forward by those essentially favoring the proposed project."  
-The FPC Staff also recommended against construction of the DPP. The Hearing Judge recommended that the Glade Run Alternative be licensed rather than the original DPP.

March, 1977 -USF&WS announced it was considering a Canaan Valley National Wildlife Refuge (CVNWR).

March, 1977 WV asks for reopening of FPC proceedings to hear new evidence.

April, 1977 -The FPC issued an order licensing the DPP as originally proposed.

May, 1977 - Department of Interior (DOI) petitions to intervene.

August, 1977 -Federal Energy Regulatory Commission (FERC) (formerly FPC) taken to court by West Virginia Highlands Conservancy and others in suit asking that FERC license be remanded or set aside because of violations of federal and FERC statutes.

March, 1978 -The USF&WS submitted their draft Environmental Impact Statement on the CVNWR.  
-APS applied to Corps of Engineers for 404 wetlands Permit.

May, 1978 -USF&WS held hearings on their proposed CVNWR (in Charleston, Morgantown and Parsons).

July, 1978 -U.S. Army Corps of Engineers held hearings on APS application for a 404 Wetlands Permit for construction of the DPP and flooding of over 6,000 acres of wetlands in Canaan Valley.

-U.S. Army Corps of Engineers denied APS's 404 Permit for construction of the DPP after extensive review of significance of wetlands to be destroyed. Their report found the wetlands of Canaan Valley to be unique and the only wetland of its type and size in the Eastern US.

August, 1978 -APS sued US Army Corps of Engineers for denying their 404 Wetlands Permit alleging that they acted arbitrarily and capriciously and that they do not have authority in the case.

October, 1978 -U.S. Circuit Court of Appeals heard oral arguments in the FERC suit brought by the Highlands Conservancy and others. The court decided to delay its final decision in this case until after the U.S. District Court ruling in the 404 case since regardless of the outcome of that case, it would likely be appealed to this Court where they would combine the two cases and make one decision.

February, 1979 -National alliance to see the Canaan Valley protected as a National Wildlife Refuge formed the Canaan Valley Alliance.

March, 1979 -Governor Rockefeller changed his mind— now supports DPP

January, 1979 -APS requests two year extension for the beginning of construction of DPP (License issued in April, 1977, by FPC required that construction begin within two years of that date. Construction delayed by law suits and denial of 404 Wetlands Permit)

February, 1979 -President Carter ordered special DOI Task Force study of DPP alternatives

Spring, 1979 -FERC issued stay on all construction on DPP since they can consider no extensions due to litigation.

June, 1979 -U.S. Fish and Wildlife Service submitted its Final Environmental Impact Statement on the CVNWR.

Spring, 1980 -Task Force report due out (US.FWS agreed to await this report before making final decision on CVNWR)

Summer, 1980 -District Court 404 case scheduled for hearing.

October, 1980 -FERC moves that the D.C. Appeals Court remand Davis license case for reconsideration of water-based recreation need/benefits and further consideration of Glade Run alternative.

November, 1980-Ronald Reagan elected President, Secretary Andrus leaving — Major effort launched encouraging him to made decision on CVNWR.

December, 1980-D.C. District Court rules in favor of APS in 404 appeal case claiming that a 404 permit is not needed for FERC licensed projects.

-After repeated delay, DOE study of DPP alternatives draft released to public outlining numerous viable alternatives and questioning APS's need for additional power generation.

January, 1981 —DOE final report delayed so new Administration officials can review.

February, 1981 -Appeals filed in 404 Case.



*(More of the Canaan Valley Chronology)*

March, 1981 -Project Director for DOE report states that basis for report no longer valid and report likely will be halted. Consultants completed study but no public review planned.

-West Virginia's new 2nd District Congressman lobbies for DPP and Interior Secretary Watt, who as an FPC Commissioner previously wrote DPP license, asks for review of Refuge.

February, 1984 Canaan Valley Authority Act was introduced in the State Legislature which would develop a comprehensive land-use plan for Canaan Valley.

October, 1986 Governor Arch Moore pulls WV out of legal challenge to DPP.

February, 1987 US Court of Appeals upholds the need for a 404 Wetlands Permit from the Corps of Engineers to construct DPP. APS appeals decision.

July, 1990 Canaan Valley Task Force established to protect the unique ecosystem and natural resources of Canaan Valley while considering local needs.

July, 1991 The Izaak Walton League joins the Highlands Conservancy's coalition of organizations urging protection

**of Canaan Valley as a National Wildlife Refuge.**

Summer, 1992 **Canaan Task Force receives Certificate of Environmental Achievement for its success in protecting Canaan Valley.**

August 4, 1994 **-Lawsuit blocking the purchase of land for the CVNWR was dismissed.**

August 11, 1994 **-Canaan Valley officially established as the Nation's 500th National Wildlife Refuge!!  
-First 86 acres of land purchased for CVNWR.**

February, 2002 **Canaan Valley National Wildlife Refuge acquires 11,900 acres from Allegheny Power bringing the refuge total acreage to 15,245.**

October, 2002 **Canaan Valley Institute and the West Virginia Highlands Conservancy Celebrate Canaan Valley and how far we have come.**

*Selected headlines from past issues of the Highlands Voice announcing highlights in the struggle are reproduced on page 15.*

## **PUBLIC DEMANDS MORE WILDERNESS IN MONONGAHELA NATIONAL FOREST**

By Dave Saville

On May 3, 2002, the Monongahela National Forest began the revision process for its management plan. This date began the 90-day initial comment period. This beginning round of public participation was designed to solicit from the public how they want to see the plan changed from the current plan which was developed in 1985. The new plan will guide management of the forest for the next 10-15 years. As part of the 90 day scoping period, the Forest Service held 6 public meetings and accepted written comments.

The West Virginia Highlands Conservancy has a long history of involvement with the "Mon." Since its formation in the mid 1960s, a primary concern of the organization has been with this most important piece of the public's lands. Continuing this tradition, we have been working very hard to inform the public about the importance of the Plan revision, and to encourage the public to comment to the Forest Service about how they would like to see the Forest managed. Many thanks to all of you who took the time to put your thoughts in writing or attend a meeting to let your feelings and

thoughts be heard.

As of the end of August, 688 comments have been received by the Forest Service regarding the Plan revision. Even though the official comment period ended on August 1, Forest Planner Doug Adamo has decided to include all comments, even those received after the deadline. While it is impossible to summarize all the comments, it is possible to fit most of them into broad categories. The Highlands Conservancy has taken a general position that there should be a greater emphasis on ecological health, greater protection of surface waters, less emphasis on resource extraction, a greater emphasis on non-motorized recreation, an accelerated land acquisition program, and an increase in lands protected as Wilderness.

In reviewing the comments, it was fairly easy to separate them into different camps: those comments which were consistent with our position (630), those favoring opening up the Forest to motorized off-road vehicles (8), those favoring an increased emphasis in logging (8) and others (42). Many of the "other" comments were

very specific in nature, and not necessarily consistent or inconsistent with the position of the Highlands Conservancy. Many of them were opposed to the use of dogs to hunt bears, several were favoring better trails and facilities for horse use, etc. Well over 500 of the comments favored increased Wilderness designation.

Now the Forest Service must take the advice of the public and develop alternatives in an Environmental Impact Statement that reflect these values. It will be a long process. The Planning team is still being assembled. Doug Adamo is receiving resumes and interviewing folks for the various positions on the team. We look forward to this important opportunity to re-shape the vision for the Mon's future. With well over 90% of the input the Forest Service has received favoring a kinder gentler approach to managing the Mon, we are certainly on the cusp of a new era in the management of this natural wonder we call the "Mon."



## RETURN OF THE MOUNTAINEER

By Michael D. O'Kelly

Come, listen to these hills, O Mountaineer.  
Appalachia's calling you to hear  
the valley's windsong clear as mountain dew,  
the wide forest rustling where streams run true.  
So, ride the country road that calls you home.  
Bringing you home, O Mountaineer.  
Bringing you home.

Return to the deep woods, O Mountaineer.  
Hike the ridge-trail of the turkey and deer,  
go where rascal coon and the possum run,  
where rabbit, skunk and chipmunk share the sun  
and wildflowers chant to your deep heart's tune.  
Singing you home, O Mountaineer.  
Singing you home.

Come to the wild hills of the Mountaineer.  
They're calling you home to the hawk and bear,  
to the honking geese and the leaping deer,  
where the rivers run fresh with fish all the year  
and cardinals sing their proud lover's song  
within the blossoming rhododendron.  
Calling you home, O Mountaineer.  
Calling you home, O Mountaineer.

Still these highlands are ravaged for plunder  
and poisons still darken streams of wonder.  
Once too poor to fight for nature's glory;  
Hillbillies, now, write a different story.  
So, hear these wild West Virginia hills cheer.  
Cheering you home, O Mountaineer.  
Cheering you home.

So, shake from your boots the urban squalor.  
Go free, again, up a dogwood holler;  
thrill to the squirrels currying-up hickory,  
the roadsides bright with fireflies and chicory.  
Listen in the woods where woodpeckers spear.  
Time to come home, O Mountaineer.  
Time to come home.

Come to the wild hills of the Mountaineer.  
They're calling you home to the hawk and bear,  
to the honking geese and the leaping deer,  
where river's run fresh with fish all the year  
and cardinals sing their proud lover's song  
within the blossoming rhododendron.  
Calling you home, O Mountaineer.  
Calling you home, O Mountaineer.

## Water Trick Stone

by Duane Short

Lichen part, line hero's path, as crowd bow low, defy powrs' wrath  
Glisten, listen, babble not ~ hardened sandstone ~ all for naught  
Indi-go tree so high ~ flutters, shutters limb on sky  
Black an' blue beak an' wing never knew so great a thing  
Tree where perched silent sway, wave g'bye... 'nother day  
Leaf to root and back again, more than thirst, soil so thin  
Droplet born trickle grow ~ pure an' healthy water flow  
Stubborn, gritty, harsh and hard, easy, fluid, gentle, soft ~ wisdom  
time, waits aloft  
Moon, sun an' stars oversee peculiar journey ta yon sea  
Tick o'day an' tock o'night ~ pow'r o'rock an' peace o'flight  
Up ta down the excess flows ~ straight an' narrow, crooked rows  
Days of dry an' nights of wet ~ flow continues broken yet  
Weeks an' years of battle wage ~ stone and water slowly age  
Blister sun an' biting frost ~ battle won and battle lost  
Cedar tree where indi-go ~ taller now but, oh, so slow  
Decades gone and scent-trees two ~ hard an' soft both old, yet new  
Stubborn stone by day by night ~ resists water's gentle flight  
Day by day an' year by year ~ stone so strong thinks, "still here"  
Water gentle day an' night ~ touch so soft, so smooth, so light  
Which will give as eons age ~ make indi-go and cedar wage  
Who will have its way today? Who will leave its mark..... to stay?  
Cedar old and indi-go ~ cycle come and cycle go  
Pass their being ring to ring, song ta song an' song ta sing  
Root grow deep into stone ~ feather float to seas unknown  
Timeless process beyond man ~ beyond his will to understand  
Law of Nature will not break, nor bend, nor melt, nor one bit shake  
Laws of Nature man seeks to break ~ though never, ever exception  
she make  
Law of Nature will endure ~ outlast human thought... for sure  
Mankind honors pow'r an' might ~ wages war an' loves the fight  
Nature honors peace and calm ~ in depth, in space, no hint of  
qualm  
Nature seeks out entropy ~ divides herself so selflessly  
Nature shares her space an' time ~ altruism most sublime  
Millennia now in their genes ~ Indi-go and cedar gleans  
Knowledge now in core an' marrow ~ tree and bird opinions narrow  
Which will win is now quite clear ~ though human heart an' mind  
find queer  
Stone so rigid, harsh an' hard ~ so powerful, so strong..... so scarred  
Does not win as man does bet ~ not then, not now, not ever..... yet  
Water gentle, soft an' light ~ victory's mark a gorgeous sight  
Channels cut so deep an' smooth ~ victor's badge, a sandstone  
groove  
Water gentle, battle won ~ but won in peace under sun  
Carried gently one by one stonesand free on beaches run  
Run on surf an' run on wind ~ grain o'sand... now water's friend  
Gentle battle but a myth ~ when sand did water carry with  
Stubborn pow'r cannot win ~ gentle wars that never en.....  
Tree an' indi-go together ~ learn the lesson even weather  
Even weather man does not ~ respect Her Laws..... Laws Nature  
wrought.

