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WVHC Board Meets in Webster

President Charles Carlson called to order the spring board meeting of the West Virginia Highlands Conservancy at 1:00 p.m., April 10, 1976 at Webster County High School, Upper Glade, West Virginia.

The secretary read the minutes of the last board meeting and they were approved. A membership report was given; present membership is 630, which is down from one year ago. A treasurer's report also was given.

Fred Kyle made a motion that the WVHC support legal procedures intended to deny permit for Strip Mine Application (SMA) number 1833 in the Duo area, in that Nick Zvegintzov has investigated the matter closely and feels that legal precedents can be implemented so as to give test case status to the legal actions. The motion additionally authorized \$500.00 expenditure to be used for legal expenses in the case, and a committee of Nick Zvegintzov, chairman, Ron Hardway, Sayre Rodman, and Ellen Snyder to work on the matter. The motion passed. viz. that the committee is not under any compulsion to spend the money. The motion passed.

A vote of support was made for the Citizen Action Group plan to sue coal mines and the Environmental Protection Agency (see article in the Voice, March 1976, for information pertaining to this). Implicit within this vote of support was the feeling that the West Virginia Highlands Conservancy was willing to assist the Citizens Action Group if they ask us for support and we learn what it is they might want us to do.

Linda Elkinton gave a short report

HIGHLAND VOICE DEADLINE

April 1976

All material submitted for publication in The Highlands Voice must be in the Editor's hands no later than the 15th of the month for that month's issue. No manuscripts, photographs or announcements can be accepted for a particular month's edition after the 15th of that month.

> Submit all material to: Ron Hardway, Editor The Highlands Voice Webster Springs, WV 26288

The next board meeting will be held on July 17, 1976 at the DNR Operations Center in Elkins.

Nick Lozano reported that all three

Fred Kyle also made a motion that expenditure of the authorized money be left up to the discretion of the committee, from the special budget committee which was formed at the last meeting. Jeanette Fitzwilliams suggested that a copy of the committee's report be made available to members of the board as soon as possible so that it might be intelligently and thoroughly discussed at the next board meeting.

Fred Kyle made a report on the plans for the Fall Review Weekend. It will be held at Camp Anthony in Greenbrier County on October 15-16-17, 1976. Work is proceeding on schedule for the weekend.

1976 Cheat Valley Float Trip

Join us the weekend of May 15-16 for the 7th annual canoe trip on the Cheat River. The trip is sponsored jointly by the West Virginia Highlands Conservancy and the Cheat Valley Conservancy. We plan to canoe from Parsons to Hannahville with overnight camping near Saint George.

SCHEDULE OF EVENTS

9 A.M., Saturday, May 15- Meet at the Saint George Bridge for the car shuttle to the put-in point at Parsons. Bring a sack lunch.

Saturday evening, May 15- Primitive camping near Saint George. Pot-luck supper; campers plan to contribute food to the pot.

9 A.M., Sunday, May 16-

Reconvene at Saint George Bridge for the remainder of the trip from Saint George to Hannahville.

The canoeing is easy and suitable for beginners. Do not forget to bring and wear life vests.

For further information please contact Bruce Jarvis, 24 Bates Road, Morgantown, WV 26505, or phone 304-599-4223. National Forest supervisors have ratified plans for the Allegheny Trail to pass through their forests. Furthermore, the supervisors seem to be very enthusiastic about the trail. It is hoped that work can soon begin on the Huntersville to Cass portion.

There was considerable discussion as to the disposition of the property of the late Pete Hauer. The property involved is 28 acres near Lobelia in Pocahontas County. In a written record made by Mr. Hauer prior to his death, he requested that the property be willed to the "Conservancy." However, there is confusion as to whether this meant the Highlands Conservancy or the Nature Conservancy. Nick Lozano made a motion that if indeed the executors of the property do give the property to the West Virginia Highlands Conservancy, that the Highlands Conservancy deed the land over to the Nature Conservancy. The motion passed.

Max Smith made a motion that the amount of money not to exceed \$100.00 monthly be authorized to the membership chairman (Ron Hardway) to be used in secretarial assistance for membership activities. The motion passed. The meeting adjourned.

Those attending were: Charles Carlson, Ellen Snyder, Jerry Kyle, Max Smith, Stauffer Miller, Fred Kyle, David Elkinton, Ron Hardway, Karen Bird, Sayre Rodman, Nick Lozano, Jeanette Fitzwilliams, and Linda Elkinton.

Gubernatorial Candidates Speak Out on Environmental Issues

This month THE HIGHLANDS VOICE concludes its survey of leading gubernatorial candidates. In April we presented the views of John Hutchinson, John Rogers and James Sprouse on critical environmental issues facing West Virginians in 1976. For May we present the opinions and plans of Ken Hechler and Jay Rockefeller.

Strip-mining is generally considered the greatest threat to the environment of all conservation problems in West Virginia. Do you favor greater restrictions on strip-mining or do you believe our present controls are sufficient?

1.90

Hechler I favor abolition of strip mining.

Rockefeller What we most need at present is a strict reclamation law passed by Congress and signed by a President willing to give high priority to environmental problems. Such a uniform national policy would include a commitment of resources and funds to improve reclamation technology. Our present energy situation requires this approach, one that will improve coal as an attractive, environmentally sound fuel source.

Pollution from acid mine drainage from deep mines poses a severe problem for many West Virginia rivers and streams. What steps do you propose to eliminate this problem? **Rockefeller** To date, the APCC has proved quite effective in setting state standards for improving air quality. Over the long run, I believe it would serve both in the interests of environmental protection and government efficiency to work toward consolidation of all environmental control agencies at the state level. In West Virginia, environmental concerns deserve the highest priority, and as Governor, I intend to see that happens.

Recently the U.S. Bureau of Outdoor Recreation has recommended that the New River Gorge area be included in the Wild and Scenic Rivers System. Do you favor this proposal, or do you favor the plan to establish this area as a National Park?

Hechler The first aim must be to block the building of the Blue Ridge Project. This can best be accomplished by inclusion of the New River in the Wild and Scenic Rivers System. A tandem effort to establish the gorge area as a national park also has merit and can be pursued providing it does not interfere with the first priority of supply in the area and that the environment as a whole will be adequately protected.

The proposed Davis Power Project, which would flood 7,200 acres of the Canaan Valley for hydroelectric power, is currently before the Federal Power Commission for a license, and the State of West Virginia is a party to the proceeding. Do you favor the development of this \$141,000,000 project or the preservation of this unique valley in its natural state?

Hechler I oppose the Davis Power Project, and favor preservation of the Canaan Valley in its natural state.

Rockefeller I am firmly opposed to the construction of the dam in the Canaan Valley. In 1975, the staff counsel of the Federal Power Commission recommended against construction of the Davis Project in order to preserve the unique ecological system of the Canaan Valley. In 1974, the U.S. Dept. of Interior made a similar recommendation against the dam. Clearly, there is no convincing case for the FPC to award a license for the dam, especially since there are alternate sites that are much more suitable.

Hechler (1) Back stowing of all mine wastes into deep mines, accompanied by (2) bulk-head seals, constructed with concrete and limestone to block mine entrances and inner tunnels. The seals are designed to prevent oxygen from entering the mine and to retain drainage behind the seal, and (3) an aggressive effort to stop underground mining close to rivers and streams.

Rockefeller Pilot projects such as the one that cleaned up Dent's Run in Monongalia County have proved both effective and workable. Thus, a total effort to eliminate acid mine drainage could be successful by involving both coal companies and state government in setting priorities, committing the necessary financial resources, and establishing an administrative arrangement. Before proposing such a program, it would be necessary to study the best methods to insure success.

As Governor, would you favor a strong, independent Air Pollution Control Commission, or should this agency be brought under a single umbrella organization consisting of all departments and agencies dealing with environmental problems?

Hechler Strong and independent Air Pollution Control Commission. blocking the dams.

Rockefeller In 1975, the U.S. Bureau of Outdoor Recreation recommended against establishment of a new national park in the New River area despite considerable support for the idea by Senator Randolph. In the long run, I hope the proposal can be argued again and seriously reconsidered. For the immediate future, however, I believe designation of the New River as part of the Federal Wild and Scenic River System would do most to protect environmental concerns in the area.

The West Virginia Department of Highways has proceeded with the construction of Appalachian Corridor H east from Elkins against overwhelming advice that severe environmental hazards would result. If you were Governor, would you favor an alternative routing, or continuation of construction as presently proposed?

Hechler I favor the alternative routing north to Parsons.

Rockefeller I favor no further construction of Corridor "H" in the vicinity of the Bowden Fish Hatchery until a full evaluation of all alternate routes can be completed. Before construction can proceed, we must make sure that there will be no further adverse effects on the water Under state law, many of the appeals boards that review decisions relating to environmental issues are composed of industry representatives. Do you favor changing the law so that environmentalists, consumers, or the general public at large are represented?

Hechler It is outrageous that the appeals boards are dominated by industry representatives, and I certainly favor representation of environmentalists, and consumers - plus the "general public" if that does not mean industrialists.

Rockefeller I oppose the appointment of any individual to an environmental control agency whose personal record or financial dealings suggest any possible conflict of interest. Such individuals must be of the highest integrity and willing to pledge themselves to giving first consideration to the need for environmental protection. As Governor, I will make it my official policy to appoint only those individuals who can meet those standards of integrity and commitment.

In the past several years, electric utilities and other utilities have come under increasing scrutiny for their callous

and unfair pricing practices, such as the fuel cost adjustment. How would you propose to regulate these monopolies to better serve the public interest?

Hechler Complete re-structuring of Public Service Commission to place primary emphasis on consumer orientation, public counsel's office, ombudsman, research to serve consumers - and if these don't work, then public ownership of utilities. Peak-load pricing, lifeline utility rates, rates adjusted to encourage conservation and lower rates per unit for smaller consumers.

Rockefeller As Governor, I will implement a program that will:

(1) Restructure the Utility rate system so that the first unit of energy usage is priced the lowest;

(2) Seek legislation to raise the interest rate on all utility rate refunds to 12%;

(3) Place on the Public Service Commission in March, 1977, an average wage-earner who will be able to best represent the residential utility customer.

What basic changes if any would you make in the administrative arrangements of the Executive Branch to better protect the environment? Would you strengthen the Departments of Natural Resources, Health, Attorney General's Office, or other agencies in specific ways?



No Treaty of Paris for Saint George

Quietly trying to celebrate its own bicentennial amidst the hype and hokum desecrating the celebration of America's 200th birthday, is a quiet little village nestled along side the majestic Cheat River in Tucker County, Saint George. It is a miracle that this tiny village even exists today - Indian raids, changing transportation patterns, partisan county politics, Civil War skirmishes, and modern day port barrel graft have all had a turn at trying to demolish Saint George. From such continuous adversity, only the incredible pluck of its inhabitants has kept the village alive this long.

Deep cut North-South etchings in the earth crust **Freely flows water** The Cheat. Through tumbling torrents crash and churn north to Follow drops below Rowlesburg. Upstream midst placid pools lies Cheat Valley And fertile farms at Saint George. Morning mists enshroud the mystery of The historic town. Saint George. No longer awed with recollection of Its fine heritage, Saint George. Settled with purpose for eight thousand years To be forgotten Submerged.

A haiku by Clish McCleaver

Born in the conflict of the Revolution in the same year our Declaration of Independence was being penned, it is Tucker County's oldest settlement and certainly one of the oldest and most historic communities in the Mountain State. Founded in 1776 by John Minear who constructed the first cabins and a fort in a valley well populated with buffalo and black bear, the town, then known as Fort Minear, witnessed many Indian conflicts. In fact this early settler was killed by an Indian raiding party in 1781. In addition to Minear, two of Tucker County's five Revolutionary War veterans. David Minear and Salathiel Goff, are buried in the town's historic cemetery. The next several decades were peaceful and witnessed many important events that influenced the destiny of the community, soon to be called Westernford. The Northwestern Turnpike was constructed from 1831-1838 from Winchester to Parkersburg and passed by a few miles north of Saint George while the B and O Railroad came into nearby Rowlesburg in 1850-52. Due to its location near these major sources of transportation and the leadership of its people, the community became Tucker County's first seat in 1856. Many more peaceful firsts were seen prior to the outbreak of the Civil War. Tucker's first school house was constructed near here in 1859 and the first circuit court met under a huge oak tree there in 1856. The name William Ewin was prominent in the community at the time and is referred by some as the father of Tucker County in that he worked and fought so hard to bring county status to this beautiful land. His burial place is nearby. Then came the Civil War and more turmoil for Saint George. Saint George was under the Confederate flag just after the time of secession, but changed hands at least ten times and witnessed many conflicts. Saint George was also the site of Tucker County's first endeavor at higher learning, the ill-fated Saint George Academy. Built in 1886 for a sum that would scarcely buy a few desks today, the Academy operated for eight years and was then turned over to the Board of Education. It has been used as a grade school ever since and appears

FIRST COUNTY SEAT Here stood Tucker's first courthouse. Confederate flag raised over it. May. 1861. The town changed sides ten times during the Civil War. "County Seat War" ended Aug. 1, 1893, when records were removed by armed men.

today to be in sound shape, a tribute to the craftsmanship of its early builders.

The year of the demise of the Academy was also the year of the strangest chapter in the periodic turmoil that Saint George suffered for almost two centuries. Changing patterns of transportation and commerce as well as pure and simple politics decreed that the County Seat should be moved to Parsons. After several legal maneuvers and counter maneuvers, many impatient and over eager Parsons adherents formed an army of 200 armed and rowdy men on August 1, 1893 and decided to march on Saint George and forcibly steal the court and county records and remove them to Parsons. The dirty deed was accomplished and in the brief skirmish that took place, the main bodily injury that occurred seemed to be at the hands of a formidable Saint George matron, a Mrs. Ashby, who raised not a few bruises and bumps on the heads of the Parsons troops with a generous-sized board. The outlaw army carted the county records, sheriff's safe, and the bell from the court house tower back to Parsons and it was said that the bell

Hechler Appoint real fighters for the public interest to head these departments and enforce the laws. Clean out the public relations people, the industrial hangers-on, and the polluters and exploiters and bring in the public to share in the administration through public hearings, briefings-on-the-spot, and throw sunlight on the entire operation.

Rockefeller The most specific and realizable goal for strengthening the State's role in protecting all aspects of the environment is to consolidate all environmental control agencies under one administrative authority. As Governor, I intend to seek legislation which will accomplish that. At the same time, I will appoint a Director of the Dept. of Natural Resources who has impressive credentials as a conservationist and a fighter for environmental protection.

Finally, please add any other comments you wish to make concerning your plans to protect West Virginia's environment if elected.

Hechler The governor will visit these areas nearly every weekend, holding meetings with the people, order all books and records in all departments open to public inspection, actively participate with groups like the Highlands Conservancy in fighting to protect West Virginia's rugged natural resources. sounded all the way back over the rough roads as a funeral dirge for Saint George.

Now the army is back at Saint George and the town faces turmoil again. Faced with the prospect of seeing their entire community and livelihoods flooded by the proposed Corps of Engineers dam at Rowlesburg, the community has banded together to form the Cheat River Valley Conservancy and is prepared to square off against the entire U.S. Army Corps of Engineers as well as the West Virginia Congressional delegation. Although the original Mrs. Ashby, bless her heart, is no longer in this world, there is another Mrs. Ashby in today's group and is no less determined. A word to the wise...

The Corps has plans to put in a huge dam at Rowlesburg in Preston County just north of U.S. Route 50. The resulting reservoir, when full, will reach to Parsons some 36 river miles away. In addition to the present Route 50, the reservoir

(Continued on page 7)



The Saint George Academy, built in 1886.



HE CAT'S

FALE

OFFICE OF THE GOVERNOR CHARLESTON 25305

May 30, 1972

ARCH A. MOORE, JR.

Mr. Ronald V. Hardway 533 South Main Street Webster Springs, West Virginia 26288

Dear Mr. Hardway:

Thank you for your letter and for taking the time to correspond with me concerning the presence of a cougar in the area of Webster, Pocahontas and Nicholas Counties.

In order that your suggestion for prohibition against the killing or capturing of wild cougars may be brought to the attention of the proper officials. I am forwarding a copy of your letter to Mr. Ira S. Latimer, Jr., Director of the Department of Natural Resources. Please be assured that Director Latimer will give this matter every consideration.

I appreciate your bringing this to my attention, and if I can be of further assistance to you, please let me know.

Sincerely yours,

Arch A. Moore, Of Governor

AAMJR: sm

cc: Ira S. Latimer, Jr., Director Department of Natural Resources

than ours for their existence have decided they should prepare for the off-chance, and cougars were protected before they were added to the Endangered Species Act. New Hampshire, North Carolina and New York come to mind as examples of cougar protecting states.

Some people in the Game Commission that I have talked to say there would be no use in informing the public of the animal's legal status because it would be impossible to enforce the law. If anything, they seem to imply it would encourage people to go out and purposely hunt down cougars. With that kind of reasoning, we would never have adopted any game laws in Pennsylvania. I understand that the public in general ignored the first game laws passed in the state. Nevertheless, you have to make a start somewhere.

JWT

The Eastern Panther

by John Taylor, Virginia Wildlife, December 1974

It will surprise many to find the Eastern panther on Virginia's list of endangered species. It was generally thought to be extinct, until a few years ago, except in the Florida portion of its range. The last authenticated occurrence of the animal within Virginia was nearly 100 years ago.

But recent sighting by reliable observers have stirred new interest in the "panther mystery." Malcolm Edwards, a Jefferson National Forest biologist, Harold Trumbo, a biologist with the Virginia Game Commission, and Ronald Warfield, a ranger on the Blue Ridge Parkway have logged reports of panthers. In August 1971 they listed twenty records for the previous twelve months. Most of them came from the Potts Mountain area in Craig County and from the territory around the Peaks of Otter. In 1950 a panther was closely observed on Shenandoah Mountain near Harrisonburg, and there have been more recent sighting in Hihgland County along the West Virginia line.

Buttressing this evidence are indications that the panther is making a comeback elsewhere in the East. Intense investigations in Eastern Canada revealed a population of 25 to 50 animals, where its presence was doubted before. And there is now panther talk around campfires in the Adirondacks and in northern Maine. Skeptics question that an animal so large could escape detection, but naturalists hold that it it quite possible. It is largely nocturnal and lives in the roughest of terrain. It is extraordinarily keen of sight, scent and hearing, and disappears at the mere hint of man's presence. Even in the West, where panthers are still present in number, it takes the use of trained dogs to find them, and many ranchers live out their lives in panther county without ever seeing one. If panthers do exist in Virginia, they are obviously on the brink of extinction, and every effort should be made to prevent killing them, accidentally or purposely. The Virginia Game Commission has given them complete protection, and important and necessary step, but also necessary is an education program to bolster public awareness of their possible presence. Public education is the most certain way to reinforce the role of the panther in nature's scheme, and help insure that these splendid creatures are not slain through ignorance.

Panther Power

June 13, 1975

The northeastern subspecies of cougar, Felix concolor cougar, is already protected by the 1973 Endangered Species Act. The U.S. Department of Interior added it to the list in 1974. The Florida panther, F. c. coryi, has been on the list a long time. Therefore, it is a federal offense to kill a cougar anywhere in the eastern United States. Unfortunately, the general public, at least in West Virginia and Pennsylvania, are ill-informed about this law.

- Helen McGinnis

Has Anyone Here Seen a Cougar? April 22, 1975

What bugs me about the Game Commission (PA) is that they claim that since there are no cougars in Pennsylvania, that there is no reason to inform hunters of its protected status. One was shot here (Pennsylvania) in 1967. It may have escaped from a menagerie, but nothing I have read so far proves that. Even if an armed man had no hostility toward predators, he still might shoot a cougar if he saw one just to prove he did see one. Almost certainly his verbal account would be dismissed unless he could take a good photo or locate tracks. Probably he would not know that he was committing a federal offense if he shot the cougar. Who would have told him? Not the Game Commission.

I think the basic issue is not if there are cougars presently in Pennsylvania, but if there should ever be. Some other eastern states with no better evidence -Helen McGinnis to Charles Fergus, Pennsylvania Game Commission.

Origin of Cougar Subject of Probe by Skip Johnson, the Charleston Gazette April 12, 1976

ELKINS - Department of Natural Resources personnel here were attempting to determine Monday (April 12) the origin of a mountain lion that was killed Sunday in Pocahontas County.

The 100 pound male lion was shot at 2:15 P.M. Sunday (April 11) by Kessler Pritt, a farmer who lives near Lobelia. Pritt shot the animal after he saw it attacking his sheep.

It was believed to be the first mountain lion, or Eastern cougar, to be killed in West Virginia in at least 50 years. Eastern cougars are on the federal endangered species list, and it is against the law to kill them in West Virginia and several other states.

Several sightings of mountain lions or their tracks have been reported in West Virginia in recent years. Paul Hill of Richwood, resident wildlife manager on the Cranberry Wildlife Area, saw what he believed to be a mountain lion last week on Cranberry River at Forks of Dogwood, a little more than 10 miles from where the cougar was killed Sunday.

Larry Guthrie, DNR conservation officer in Pocahontas County, received a call Sunday from Pritt and picked up the animal that afternoon. He took it to the DNR's operation center in Elkins Monday, where an autopsy was to be performed to determine what the animal had been eating.

"We're looking into all the possibilities as to where the lion might have come from," Guthrie said. "It could have been released or it could have escaped from somewhere. We just don't know at this time."

Guthrie said the cougar measured 5 feet 9 inches from the tip of its tail to the tip of its nose. He said it appeared to be in excellent condition. "It apparently had been eating well lately," he added.

Guthrie said he wouldn't comment, pending further investigation, on whether the DNR might seek legal action for the killing of an animal that is on the state protected animals list.

Capt. Ray Shamblin of DNR's law enforcement division said state penalties pertaining to the killing of the lion fall into the same category as penalties for

slaying deer or other game out of season or by illegal means. Possible fines could range from \$20 to \$300, with possible jail terms of 10 to 100 days, he said.

Federal penalties could also result from killing the lion, since it is on the endangered species list. A spokesman for the U.S. Fish and Wildlife Service in Washington, D.C., said that criminal penalties for killing an Eastern cougar could result in a maximum \$20,000 fine and one year in jail. Civil charges could result in a maximum \$10,000 fine, the spokesman said.

The Fish and Wildlife officer said it was doubtful that a severe fine would be levied, since the animal had been attacking sheep. He added that his department would check into the West Virginia killing.

Guthrie said that it was essentially up to Pocahontas County Prosecuting Attorney Eugene Simmons to decide whether any charges would be filed against Pritt. A spokesman in Simmons' office said the prosecutor was out of town, and would not return until Wednesday. There is no assistant prosecuting attorney in Pocahontas County.

Guthrie said the farmer told him he saw the Mountain lion chasing his sheep and that it caught a lamb and carried it into a hollow. Pritt told Guthrie he walked to within about 100 feet of the animal and shot it in the chest.

The DNR officer said he considered it unusual that a wild animal would not run away under such circumstances. Guthrie pointed out that the lion seen on Cranberry last week displayed a similar lack of caution.

Pritt's farm is located between the rural communities of Lobelia and Jaycock, near Droop Mountain State Park. DNR wildlife biologists speculated that the animal could have come into the state from Virginia, where mountain lions have reportedly been seen on occasion in recent years. Pritt's farm is about 20 miles from the Virginia boundary.

Kermit Rinell, wildlife manager for the DNR on the southern end of the Monongahela National Forest, said wildlife biologists and conservation officers have received several reports in the past five or six years on mountain lions being seen in the mountains of eastern West Virginia. "Some of them have been quite reliable and some haven't," he stated.

A DNR spokesman said that the lion shot Sunday appears to be young. If the beast is determined to be a wild one, and not an escaped pet or recently transplanted animal, it would indicate that there are adult lions in the area, the spokesman said.

The last serious attempt to authenticate the presence of cougars in West Virginia took place in the early 1930's, under the direction of the Smithsonian Institution. Members of the Smithsonian expedition spotted fresh cougar tracks in the Cranberry Back Country, but failed to make visual contact of any mountain lions.

Backtracking the Cats

Following the killing of the cougar by Farmer Pritt on April 11, a second cougar was located on another Pocahontas County farm. This time, since the cougar was hiding instead of moving, Department of Natural Resources officers were called to the scene before anyone tried to kill the cat. The DNR personnel found it necessary to stand guard over the cat which had taken refuge under a fence. In the meantime the DNR got in touch with the Department of Interior and requested permission to shoot the cat with a tranquilizer gun. Permission was finally granted and the cat was knocked out.

Since then the DNR has maintained possession of the cat. Game biologists have concluded that the two cats, the one shot by Farmer Pritt and the one captured by the DNR, are probably escapees, or relatively tamed cats which had been released in the Pocahontas area by someone. The basis for the DNR's conclusion was the fact that the cat which was drugged allowed itself to be surrounded by men and offered no resistance when it was shot with the drug. If the cats were released in the area the DNR has no idea who released them or why.

Bobcat Successor to Cougar?

The following item appeared in the Webster Echo, October 1970. Money to pay the bounties was provided by the Webster County Court from surplus trapping funds, awarded to the county by the W. Va. Department of Natural Resources.

WILDCAT BOUNTY IN WEBSTER COUNTY

The wild or Bob Cat has increased in numbers in some sections of this country during the past three or four years and is becoming detrimental to wildlife and domestic animals as well. These cats will kill anything up to and including young deer.

Effective October 10, 1970, and until further notice in this paper, a bounty will be paid on wild "Bob Cats" in Webster County. (Ten dollars per head on adults and five on the cubs.)

You may take the cats to be checked by Rush Perrine, Erbacon; Earl Cool, Diana; Bob Fincham, Curtin; or Bob Gregory, Webster Springs. Cats will be marked and then disposed of by whoever brings them in.

Bounty will be paid by the Field Director, Robert B. Gregory. Note: No live ones, please.

The DNR and the Webster County Court later denied that DNR funds were used to pay the few bounties which were paid. The only wildcat turned in for a bounty which could be proven definitely to have been killed in Webster County was one which was hit and killed by a car on Rt. 20 four miles south of Webster Springs. The cat's carcass was shot, turned in for a bounty, and the ingenious hillbilly who conceived the trick collected his \$10.

Let Them Save New River

The Raleigh Register March 14, 1976

would be objectionable, indeed, if it w

The long and miserable fight over the Appalachian Power Company's effort to build two dams in Grayson County, Virginia, to generate "peaking power" electricity is, perhaps, building to a climax.

It has been a grueling, difficult fight for opponents of the dam who are interested in trying to keep this extraordinary river a little bit the way God and nature shaped it.

On Friday (March 12) Secretary of the Interior Thomas S. Kleppe designated 26.5 miles of the river in North Carolina as part of the National Wild and Scenic Rivers System. Ordinarily this would prevent the construction of dams on the river.

However, the Federal Power Commission has already licensed the dams and the only thing that prevents construction (except, maybe, guerrilla activity) is a court challenge in the U.S. Court of Appeals of the validity of the licensing.

There is some question as to how much courts of law are responsive to public opinion, how much they act on strictly legal grounds. Theoretically they are interpreters of law, but it is somewhat generally agreed that they do not operate completely in a vacuum.

Will they, in the instant case, take any account of the feelings of vast numbers of people as they assess the legal aspects of Appalachian Power Company's application for the construction permit?

THE REGISTER does not claim expertise in matters legal, but it does seem to us that it would be bad law that would ignore the feelings of thousands of people in three states who quite seriously object to the project on many grounds.

It seems to this newspaper that it is time, indeed, past time, for the courts to look more closely at the tradition whereby a private outfit may, in effect, appropriate a public treasure for its stockholders' private profit. It would be objectionable, indeed, if it were a public corporation, the government, which altered nature in rude and cavalier fashion. It is worse when it is a private outfit which means that the people must pay manyfold for the power company's privilege.

Let us count the ways that we would be forced to pay, it the dam were built.

At best, we would have to pay for all the planning and plotting, from engineering through public hearings, through company legal maneuverings and internal assessments.

Of all these expenses, consider the travel, meals, lodging of engineering teams living it up at customers' expense. There were probably company engineers and consulting engineers, all on expense accounts, not living frugally. Living high would actually benefit the company - will benefit the company because these expenses will go into the rate base by which Appalachian will justify another rate rise at the earliest opportunity.

These maneuverings have been going on more than fourteen years. Millions of dollars have been spent by the company and customers must pay plus a percentage for profit.

For those who oppose the dams, there have been the added expenses of organizing from scratch, as the saying has it. No Appalachian Power Company people helped out with any of the chores, either on their own or on company time.

The money had to be raised by people with other jobs who could only devote a portion of their spare time to the effort. (All the while they, like all customers hereabouts, inadvertently, unwilling, had to help finance the effort which they oppose.)

The people had to give of their own time and money. They had to travel about the country. Some had to engage in activities completely foreign to them, fund raising efforts, accounting for the money raised, hiring lawyers, learning how to mount a citizens' lobby, writing, speaking, neglecting their own private endeavors.

Now the matter lies with the lawyers and the consciences of the people who must make the decision.

Let them agonize over the legal aspects, the human, the ecological, the moral.

Let them come to the correct and proper decision.

Let them save New River!

Book Review

"Protecting Nature's Estate: Techniques for Saving Land," a 123-page handbook of technical information and case studies on methods of preserving outstanding natural and recreational resources, is available from the U.S. Government Printing Office.

John Crutcher, director of the Interior Department's Bureau of Outdoor Recreation, said the new, well-illustrated publication should help citizens, private organizations, and local and State governmental officials identify and protect valuable resource areas. The handbook was co-sponsored by the Bureau of Outdoor Recreation. The Nature Conservancy, and the New York State Office of Parks and Recreation.

"Protecting Nature's Estate" is divided into four sections. Text and corresponding case studies are intended to introduce the reader to: Methods of inventorying natural resources and identifying those which should be protected; government organization and procedures related to land use; methods for setting aside open space and preserving valuable natural areas, with emphasis on techniques other than outright purchase; and

(Continued on next page)

Support Needed Now for Timber Bill



At the heart of the timber bill controversy is who shall decide management policies on the National Forests - foresters, politicians, or people who use the forests for recreation?

Hearings were held last week before a joint session of the House Interior and Agriculture committees on the controversial bills to revise the U.S. Forest Service's Organic Act of 1897. The impetus for the hearings came as a result of recent legal decisions, including the famous Monongahela case, won by environmentalists, in which the courts held that the Organic Act prevented certain forms of clearcutting and other forest practices. The timber industry is making an all-out effort to reverse the decision and to let the Forest Service return to past practices, many of them extremely damaging to wildlife, recreation, and wilderness. Senator Hubert Humphrey (D-Minn.) is the lead sponsor of their bill S.3091, whose key section simply reverses the Monongahela decision. At the hearings, most industry witnesses and their allies supported the Humphrey bill. Environmentalists, also strongly represented at the hearings, favored S. 2926, the National Forest Reform Act, sponsored by Senator Jennings Randolph (D-WV), which sets minimum standards for certain practices. For example, it

forbids timber cutting where substantial erosion will result, or where trees will not grow back in commercial quantities. It also contains language designed to prevent overcutting and to keep forest harvests on a sustained-yield basis.

Brock Evans testified on behalf of the Sierra Club. He noted that, "It is high time for substantial reform of the manner in which the national forests are managed. It is time to require specific, yet reasonably flexible minimum standards for logging practices in order to protect those professional foresters who sincerely want to do a good job from political pressure." Evans noted that S. 3091, the Humphrey bill, is essentially a timber industry bill. "It's only real purpose is to give unlimited discretion to the Forest SErvice and the industry to do whatever they want and to permit the abuses of the past - the overcutting, the loss of wilderness - to continue. In spite of its language dealing with planning and procedures, it has no substance. There is no protection for environmental values; it

The Highlands Voice Page 6

takes away everything environmentalists have won and gives it back to the timber industry."

Many senators have apparently been fooled into thinking that the Humphrey bill is somehow a "compromise" and has provisions to protect the environment, when in fact it does not. Because of this, the timber industry strategy apparently is to force the Humphrey bill through the two committees as quickly as possible and onto the Senate floor before the public can react. It is possible that markups will begin by the last week in March in joint sessions of the two committees. An all-out industry effort to get the bill to the Senate floor can be expected soon thereafter.

We must not let the Humphrey bill get to the Senate floor without very strong and meaningful amendments. Everybody who cares about the national forests should immediately write to both of their Senators and to the following members of the Senate Agriculture and Interior committees who will be participating in the crucial markup sessions: Agriculture and Forestry Committee

Democrats: Herman Talmadge, Georgia, Chairman; James O. Eastland, Mississippi; George McGovern, South Dakota; James B. Allen, Alabama; Hubert Humphrey, Minnesota; Walter Huddleston, Kentucky; Dick Clark, Iowa; Richard Stone, Florida; Patrick Leahy, Vermont. Republicans: Robert Dole, Kansas; Milton Young, Nebraska; Henry Belmon, Oklahoma; Jesse A. Helms, North Dakota.

Interior and Insular Affairs Committee

Democrats: Henry Jackson, Washington, Chairman; Frank Church, Idaho; Lee Metcalf, Montana; J. Bennett Johnston, Louisiana; James Abourezk, South Dakota; Floyd Haskell, Colorado; John Glenn, Ohio; Richard Stone, Florida; Dale BUmpers, Arkansas. Republicans: Paul Fannin, Arizona; Clifford Hansen, Wyoming; Mark Hatfield, Oregon; James McClure, Idaho; Dewey Bartlett, Oklahoma.

Letters to these senators should stress the following: (1) There is an urgent need for meaningful reform of the national forest system and its management; (2) Non-timber resources, such as wildlife habitat, wilderness, watersheds, recreational sites, are fast vanishing from our national forests under intense pressure from the timber industry to step up logging; (3) Only S.2926, the Randolph bill, provides meaningful reform; (4) Only S.2926 can prevent further damaging increases in the allowable cuts and prevent the overcutting that is now going on; (5) the Humphrey bill, S.3091, is a giveaway of the national forests to the timber industry and is environmentally objectionable in every way. Each of these senators should be urged to support the Randolph bill and to oppose the Humphrey bill.

Book Review

(Continued from page 5)

ways of channeling growth and development for better land use.

The section entitled "Identifying Lands to be Protected" includes information on natural resource inventory techniques; The Nature Conservancy's State Natural Heritage Program that attempts to create within State governments a process by which ecologically significant land can be identified and protected; land capability analyses; and computer mapping fundamentals.

"The Politics of Land Protection," section two, focuses on the short-term economic argument for saving land, government procedures, the quest for a national public policy on land use, innovations in State and local land politics, and the private organizations involved with land protection.

Case studies of outright donations, testamentary gifts, restrictions, covenants, conservation easements, and bargain sales are included in section three, "Conservation Tactics." Basic procedures, such as ascertaining ownership, appraisals, and determining income tax effects of donations, are also discussed.

Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, under stock number 024-016-00082-0, "Protecting Nature's Estate: Techniques for Saving Land" costs \$3.25. Full payment by check or money order should accompany each order sent to the Government Printing Office.

Timber Industry Reacts to S. 2926

The American logging industry brought up its big guns during March to testify before Congress on the several bills now being considered by Congress to regulate forestry practices on the national forests. The following quotes are taken from testimony before the House Agriculture Committee's Forests Subcommittee. Most comments, however, were inspired by a bill which has been introduced in the Senate, S. 2926, Sen. Jennings Randolph's National Forest Reform Act. S. 2926 along with S. 3091, Sen. Humphrey's pro-logger bill, is now being considered by a joint committee.

"We are slowly dying an economic death due to insufficient timber supply. The Monongahela National Forest has the most and the best timber in our area. We desperately need this timber to sustain our plant and run our business."

> - John Crites, Allegheny Wood Products, Circleville, WV

"If our operation shuts down the ripple effect will begin. The dominos in a small area will begin to fall. Unfortunately, most of the people affected will not understand that this controversy over a bill passed by Congress in 1897 is costing them their jobs."

> - Donald Wehr, Hinchcliff Products Company, Hendricks, WV

"Preservationist groups have claimed that a shift of timber harvesting from National Forests to private lands would provide a modern bonanza for small private woodlot owners. At the very best, this is an erroneous and misleading statement. At the worst, it is a cruel stratagem designed only to fulfill the selfish purposes of the preservationist groups.

The truth is that these 4.5 million private owners simply do not have the timber to sustain the needs of industry in our provision of products for the American people."

> James Gundy, Appalachian Hardwood Manufacturers

"National Forests are the essential source of timber supply for thousands of small forest products companies across the nation. Removal of this supply will bring many of them to the brink of economic disaster.

In areas of Appalachia now affected by the court restrictions stumpage costs and log haul distances have doubled, and many mills are running out of backlogs of timber needed for efficient operation. Mills have lost their flexibility. Flexibility must be regained immediately if mills are to survive."

- John Veach, Whitewater, Inc., Asheville, NC

After the Monongahela Decision: What Next?

The major forestry topic in Washington these days is the so-called "Monongahela Decision" in which the Fourth Circuit Court of Appeals held that Forest Service timber sales policies on the Monongahela National Forest violated the provisions of the 1897 Organic Act, under which the national forest system is managed. The Forest Service has since decided against appealing the case to the Supreme Court (The Voice, December 1975.).

Naturally, the Monongahela Decision is viewed in different ways by different organizations. To the Forest Service, the decision was an attack on management of resources and questioned their professional competence and integrity. Thomas C. Nelson, Deputy Chief of the Forest Service, in the article, "The Monongahela Decision", (American Forests, January 1976), finds the decision consists of three basic points. First, under the decision, only dead, or physiologically mature or large trees may be sold. Second, timber that is sold must be both marked and designated. Third, each tree sold must be cut and removed.

Environmentalists, on the other hand, see the Monongahela Decision, not so much as a ban on clearcutting, as the first step toward a full-scale Congressional review of national forest management. The key issue is the question of timber production on the national forests. Should the public lands be managed toward a goal of maximum timber growth and production or should management be so organized as to harmonize with other forest values?

Russell W. Peterson, Chairman of the Council on Environmental Quality, in the January 1975 issue of American Forests, points out that the national forests belong to the American public - all 213 million of us - and that the public should have a say, through their representatives, on how the forests are to be managed. Peterson goes on to point out that it is relatively easy to place a monetary value

by Gordon T. Namrick

on wood and timber products, on total employment figures for the industry, and to point out the enormous economic value the forests contribute to the national economy. In a time of economic slump, it would seem desirable to boost timber production in every way possible. On the other hand, it is difficult to place a montary value on such values as recreation, protection of wildlife habitat, and aesthetics. Thus, it appears that the timber industry will have several powerful arguments to present to Congress during the current session, urging an increase in the allowable cut on the national forest lands on the grounds of employment and production.

West Virginia's Senator Jennings Randolph, a long-time critic of management practices on the Monongahela National Forest, is presently drafting a bill covering management practices on the national forests. This bill will be presented to the Senate at a later date. Randolph's bill, as drafted, would prohibit even-aged management within the National Forests east of the 100th meridian, except for such special purposes as timber salvage or wildlife habitat improvement. Other national forests clearcuts would be limited to a size not exceeding 25 acres.

The Randolph bill would also require the Secretary of Agriculture to make a multi-disciplinary environmental impact review of all proposed even-aged cuts and report the findings before taking action. The bill would also ban use of chlorinated hydrocarbons (including DDT) for forest pest control and would establish criteria under which timber sales could be made; would limit timber sales contracts to no more than three years; would require a multiple use-sustained yield plan for each national forest; would prohibit any administrative setting of an allowable-cut quota not sustained by such a plan; would require the marking or designating of all trees to be harvested; and would require the presence of Forest Service personnel during all timber harvesting operations.

The National Forest Products Association claims that the proposed Randolph bill would do nothing to modify the restrictions placed on the Forest Service timber sales authority by the Monongahela Decision. According to Industry spokesmen, the Randolph bill would reduce long-term timber sales by more than 60 percent, whereas, what is really needed is the application of more timber-intensive management practices to meet the growing demands for plywood and lumber.

Meantime, Representative Roy Taylor (D-N.C.) has introduced H.R. 10363 which would grant to the Secretary of Agriculture a two-year temporary authority to continue to sell national forest timber on the same basis as before the Fourth Circuit Court decision. Industry sees such a bill as providing interim relief while Congress works out a long-term solution to the problem. Environmentalists have already announced they will fight the Taylor Bill, since it would cancel any benefits gained by the Monongahela Decision.

High-yield forestry tends to favor monoculture to promote extensive stands of single species of trees, all of the same age. Ecology says that diverse ecosystems are much more resistant to insect and fungi attack than are systems devoted to monoculture. The earth has its own responses to our technological innovations and the best-laid plans of men often go astray. The work accomplished in the field of high-yield forestry is impressive, but we have not yet had sufficient long-term experience with it to appraise all the risks it entails. Industry is entitled to take risks with its own lands because risk is one of the elements of the capitalistic system. However, the public lands are a public trust and we cannot afford to subject them to unknown risks on the gamble of promising, but unproven, technology.

Overlook

(Continued from page 3)

would flood such scenic spots as Holly Meadows. Seven Islands, and Horseshoe Bend as well as the entire community of Saint George. The U.S. Corps of Engineers considers this beautiful river as a choice spot for a flood control dam, another monument in their magnificent graveyard of throttled rivers. The main reasons given for the building of the dam are for flood control for Pittsburgh and surrounding communities as well as low flow augmentation for the Monongahela River. Pittsburgh cannot forget the disastrous flood on Saint Patrick's day in 1936 and has been screaming for flood control ever since. The Monongahela has since been harnessed by taming the Tygart at Grafton and there is a magnificently huge dam on the Youghiogheny now, both large rivers whose water flows by Pittsburgh. The Mon-Yough Chamber of Commerce near Pittsburgh is one of the most vocal pressure groups for the Rowlesburg Dam. Yet there is occasionally flood damage in the Allegheny County waterfronts partly because industries continue to put in expensive installations into what are essentially flood plains. Flooding, when it occurs, does not necessarily come from the Cheat watershed anyway, but, among other places, right from the immediate area as in the late 50's when two feet of snow all over western Pennsylvania was quickly melted by a freak 48 hour warm rain. The Cheat rarely floods in West Virginia. Rowlesburg has long suffered some nuisance flooding and high water occasionally closes Route 72 below Rowlesburg, but only two huge memorable floods have occurred below Parsons, once in 1888 which was apparently a real lulu and the other caused by hurricane Hazel in 1954. Saint George could cope with these temporary floods, but can it cope with the next one which may be permanent? Another reason pressure groups are lobbying for the dam is for a seldom advertised fact that the dam would provide an additional six inches of water for the Monongahela River in summer months for the purpose of floating larger cargoes on the coal barges. The Corps has committed its resources and the public's money to building larger locks on the Monongahela which will accomodate, larger,

heavier, and more barges. It is well known that the barges cannot be fully loaded in the summer months due to low water, a circumstance the Rowlesburg dam is designed to correct. The use of the locks by such barges is free. Unlike the trucking industry which pays huge taxes for construction and maintenance of roads, the coal barge transportation business is essentially subsidized by the U.S. Army Corps of Engineers. The coal to be transported is not even West Virginia coal because the Monongahela would not be augmented above Point Marion, Pa., the Mouth of the Cheat. Well so it goes. You know the rest as well as I the powerful lobbying done by the Corps, the poor cooperation from both Senators and the Second District Congressman who long have championed this piece of pork barrel, and so on. You never win such a battle, only postpone the final outcome. Right now, the project is more or less in limbo, i.e., the Corps, the barge lobby, and the legislators are not actively pushing it. I mean who wants to be such as bastard as to wipe out a community during its bicentennial? But wait till next year. Local community people have been quite effective at getting this much of a stay of execution. If it were not for them, land acquisition in the valley would be complete by now and construction of the Rowlesburg dam would be well underway now. Unfortunately, when the pressure is off, people have other things to do than fight dams, so naturally they turn their attention to other matters. Then when they least expect it, BANG. The project is far from dead. Each year the Corps gets at least \$100,000 to continue to "study" the project. This outght to be the best "studied" dam ever. The barge people are not exactly lazy either. They keep going to Washington seeing that important Congressman or this key staff official. The Corps, always alert to feather their own nest and dream up ways to keep their megabureauocrats busy, always need projects to fuel their combustive drive. Only this past winter Pittsburgh District Engineer, Col. Max B. Janairo, Jr., in a response to me about the siltation problems on Shavers Fork and the life shortening effect this would have on the Rowlesburg Reservoir, replied to me: "The Reservoir storage was increased to compensate for the loss in volume due to sediment accumulation." In other words, the reason the Rowlesburg project

is so big is that it had to be to collect all of the silt coming down from J. Peter Grace's Mower Lumber Company projects which no one is willing to control.

Local legislators are no help. This year in the state legislature, only one river, the Cheat, was targeted for inclusion under the state's Natural Stream Preservation Act, a bill that protects rivers from dam construction. Tucker County's own Delegate, Guy R. Smith, was largely responsible for the death of this amendment because he was afraid someone would add the Blackwater to the Act and thus end the Davis Power Project debacle. (I still cannot understand why some people support Davis and oppose Rowlesburg, but at least Smith is consistent - he favors both). Such is the status of Saint George today on its 200th birthday. How many more birthdays will it see and who among us will work to see that it does? Happy Birthday, Saint George! May your spirit never fail.



The Saint George Cemetery where Revolutionary War Veterans David Minear and Salathiel Goff are buried.

SYLLABLES

On March 23 the House Rules Committee tabled H.R. 9725, the coal stripping regulations bill. The action is seen as a serious, but not total setback to the push for establishment of a set of national minimum environmental standards for coal stripping. Industry and Administration pressure is most often cited as the major reason for the reversal.

-National Wildlife Federation

The Federal Highway Administration has told the West Virginia Department of Highways to forget about planning Corridor H to go from Elkins to Parsons, the so-called "north route" of the controversial highway.

Merrill Nelson, division administrator of the Federal Highway Administration, has told William Ritchie, W. Va. Highway Commissioner, that the Parsons route would cost \$46-\$81 million more than any route east of Wymer to the Virginia border.

At the same time Nelson admitted that the FHA favored preparation of a single environmental impact statement for all of Corridor H east of Elkins, including that portion of it already under construction from Elkins to Bowden.

-Clarksburg Telegram

A North Carolina Congressman has expressed the opinion that if the New River in North Carolina comes under the full protection of the National Wild and Scenic Rivers Act the Federal government must reimburse North Carolinians who own land along the river. Sen. Robert Morgan, D-NC, has urged the Senate Interior Committee to amend proposed New River legislation to carry a guarantee that the Federal government will compensate riverside property owners if the state of North Carolina fails to do so. North Carolina has promised to allocate \$1 million to compensate property owners for the necessary half-mile corridor of riverside property required by the Wild and Scenic River designation. Morgan says the state cannot make good on its promise. "It's clear," said Morgan, "the state intends to deprive the owners of the use of their land through a zoning technique created for the purpose of controlling floods."

-Associated Press

DUO

Things are hot in Dynamic Duo.

The announced 30-day protest period for SMA-1833 ended on March 20 (though it had to be extended for one week because someone goofed on Westvaco's address). During this period I examined the file and found it contained the usual inadequate scraps - certainly not the items specified in 20-6-8, 20-6-9, and 20-6-16 of the law. Accordingly I have, along with my friend and neighbor, Sandy W. Lilly, hired James C. Blankenship, III of the Rainelle law firms of Hamilton, Mooney and Jackson to notify the DNR in a lawyer-like way that they must either deny the application or "cause to be published" a further legal advertisement if and when they receive the rest of it.

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The Nighlands Voice Page 8

Meanwhile two petitions have been circulated through the camp, which nearly everyone has signed. The accompanying story from the Meadow River Post seems to be accurate as to what people have said and signed their names to. What they meant to say or sign is harder to figure out.

-Nicholas Zvegintzov

CONSERVANCY PUBLICATIONS

1. Dolly Sods. Management Proposal and trail guide, includes areas adjacent to the Dolly Sods National Wilderness Area. 1973 edition, 75 pages, 4 maps, 8½ x 11. \$3.25

2. Hiking Guide to the Monongahela National Forest. A survey of hiking and backpacking trails in the Monongahela National Forest. Includes general information on use of the MNF and an essay on winter camping in the Monongahela. 1974 edition, 151 pages, 9 maps. \$3.25.

The Conservancy no longer publishes and no back copies are available of the Otter Creek Trail Guide. For information on use of Otter Creek National Wilderness Area contact the U.S. Forest Service, Cheat District Ranger, Parsons, WV 26287.

A new edition of the Cranberry Back Country trail guide and management proposal is now in preparation. Watch future issues of THE HIGHLANDS VOICE for publication date.

Copies of Dolly Sods and Hiking Guide to the Monongahela National Forest may be obtained at one-third discount to stores and clubs. Address inquiries concerning wholesale orders to Bruce Sundquist, 210 College Park Dr., Monroeville, Pa. 15146.

Address all other trail guide orders to the address below. Make checks and money orders payable to WVHC.

Trail Guides c/o West Virginia Highlands Conservancy Box 711 Webster Springs, WV 26288

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m. West Va. Scenic Trails Conference: Robert Tabor, 3007 Briarwood Rd., Culloden, W.Va. 25510

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We travel together, passengers on a little space ship, dependent on its vulnerable reserves of air and soil; all committed for our safety to its security and paece preserved from annihilation only by the care, the work, and, I will say, the love we give our fragile craft. -- Adlai Stevenson

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