Cranberry Defeated; '81 Prospects Mixed.

By Stark Biddle

Despite last-minute efforts, a West Virginia wilderness bill which sailed unopposed through the House on Nov. 28 was bottled up in committee in the Senate and died upon adjournment of the Congress.

The bill would have added the Cranberry as well as three other areas—a total of 79,000 acres—to the National Wilderness System.

Support and Disappointment

The bill had strong support from conservationists and was the result of months of careful negotiations between the government and the coal-use Corporation which owns the mineral rights in the Cranberry.

Support came from David Rockefeller's last-minute telegram and a telegraph campaign plus personal intervention from Conservationists was not enough to convince the Senate to forge a stabilized referral and hearing procedures.

While defeat of the bill was a bitter disappointment to those who have supported Cranberry wilderness for over ten years, the victory in the House coupled with indications of cooperation and support from Senators Robert Byrd and Jennings Randolph augured well for positive action next session.

The Staggers Plan

Cranberry legislation was introduced in the House last spring by Congressman Harley Staggers and hearings were held before the Public Lands Subcommittee on May 16. The original Staggers version dealt only with the Cranberry and would have split that area into a 10,000-acre wilderness and a 25,000-acre backcountry. Mining, timbering and multiple recreational use would have been allowed in the backcountry.

Both conservationists and the U. S. Forest Service opposed the Staggers plan for the Cranberry on the basis that the entire area should be designated as wilderness. In addition, the Forest Service stated that they could not support a direct $10 million cash payment to the owners of the coal rights, although Forest Service chief Max Peterson indicated that it might be possible to negotiate a swap of federally-owned coal for Cranberry coal.

During the summer, at the insistence of the Public Lands Subcommittee, the Forest Service and the Chesapeake Corporation engaged in a discussion to locate a federally-owned coal deposit that could be swapped for coal in the Cranberry. For a variety of technical reasons, it became clear that an exchange could not be negotiated prior to adjournment of the Congress.

Attention then turned to drafting legislation that would establish a Cranberry Wilderness Area in the Cranberry as well as three other areas—a total of 79,000 acres—to the National Wilderness System.

Conservation, Management Could Forestall DPP

A member of the President's Council on Environmental Quality (CEQ), Dr. Robert H. Harris, will be the keynote speaker at the annual Mid-Winter Workshop of the W. Va. Highlands Conservancy set for Jan. 23-25 at Jackson's Mill Retreat near Weston.

The program will feature both a national perspective as well as a more local one. In addition to Dr. Harris' perspective as one of the three members of the CEQ which functions as an environmental policies advisory board to the President, the workshop will also feature Ralph Mummee, the supervisor of the Monongahela National Forest.

Dr. Harris is expected outline his view of the environmental challenges facing the nation and the world in the 1980's, while Mummee will share his views on subjects ranging from the Shavers Fork river, the Highland Scenic Highway and the Cranberry and other wilderness areas.

Dr. Harris, a 39-year-old native of Fairmont, has a career in environmental affairs dating back to his 1961 graduation from W. Va. University. He has served for more than a year on the CEQ with major areas of responsibility in environmental health and toxic chemicals, economics and pollution control and environmental data and monitoring.

Before his appointment to CEQ, Harris was the associate director of the Toxic Chemicals Program for the Environmental Defense Fund. He was responsible for EDF's work on toxic chemicals in water, consumer products and in the workplace. In 1975, his articles on the safety of drinking water published in "Consumer Reports" magazine during the previous year won both the George Polk Memorial Award for Outstanding Magazine Reporting and the American Society of Magazine Editors' National Magazine Award. In 1973, he was named "Man of the Year" by the National Water Supply Improve-

Dr. Robert H. Harris

(please turn to page 7)
Conservation, Load Management Could Forestall Davis Power Project to Beyond the Turn of the Century

(Continued from page 1)

Another paragraph of the study lays responsibility for the development of pumped storage projects in West Virginia on the National Audubon Society, the U.S. Fish and Wildlife Service, and the State Department of Commerce and Labor. The study states that "irrespective of whether APS does or does not sell power, the project is an environmental detriment to the state and county pumped storage facility. The amount of additional pumped storage which is non-alienable from the amount of achieved conservation and load management increases." Emphasis added.

Environmentalists and both federal and state governments have proposed plans for the 10-kilowatt pumped-storage project on the Blackwater River for the past decade. The study of alternatives was ordered in June of 1979 by President Carter.

After the report was to press, the only response from the Allegheny Power System came from Monongahela Power's Nancy Crow who warned that the kind of predictions contained in the report are "susceptible to so many variables," ranging from weather to the control of oil supplies by the Arabs. But environmentalists hailed the report as an affirmation of what they had been saying all along.

Elizabeth Kellington of the W.V. Conservation League hailed the report as a " Isn't it about time?" he said. "The public knows that this is not true."

Second-class postage paid at Fairmont, W.V. 26534, and at additional mailing offices under the Postal Act of Aug. 24, 1927. Return mail at sender's request and will postpaid the need for additional pumped storage capacity until the 1980s. That estimate is fully a decade beyond the estimates offered by Monongahela Power Company officials at the time of the order. The Department of Commerce and Labor for the state, however, has been held as a "job-killer" by the U.S. Army Corps of Engineers. A permit has not been obtained in time to make the 1980 deadline.

Ruling shortly before Christmas, the judge addressed his decision to just one company's " It's not the issue of environmental and outdoor groups who have been pushing for the transfer of pumped storage capacity to the state's first and only national wildlife refuge, a goal which the report predicts will be achieved by 1980."

Nearly concomitant with the release of the draft DOE report was the decision of the U.S. Army Corps of Engineers to withdraw from the project. The Corps has not been able to secure funding from the Environmental Protection Agency, the National Audubon Society, the U.S. Fish and Wildlife Service, and the State Department of Commerce and Labor for the state, however, has been held as a "job-killer" by the U.S. Army Corps of Engineers. A permit has not been obtained in time to make the 1980 deadline.

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The Highlands Voice - January, 1981

Petras, Warrick Head List of Candidates for Election
To Conservancy Posts at Mid-Winter Workshop

More Nominations Possible Up to 24 Hours
Before Balloting

by Geoff Green

For those of you who haven't had enough electoral intrigue in the last few months, the election of officers for the Highlands Conservancy is coming up at this month's Mid-Winter Workshop.

This election should be much more satisfying than the November elections we'll undoubtedly have on the agenda. The board of directors is a stepping stone to the presidency in the following nominations. These candidates have accepted invitations by the nominating committee to be placed on the ballot for the respective vacancies.

For president: Tippy Petras.
For vice-president: Highlands: George Warrick Pittsburgh: Jean Rodman (incumbent) Charleston: Perry Bryant Washington: Stark Biddle (incumbent)
For secretary: no nominees
For treasurer: Dave Elkinton
For directors-at-large (five, two-year terms): Larry George (incumbent) Kate Long Steve Bradley (incumbent) Jim McNeely Bill McNeel (incumbent)

Additional nominations from other sources are acceptable — and this year necessary — to fill out the slate. They must be submitted to the president at least 24 hours before the election with assurance that the nominating committee would accept the candidates.

Any Conservancy member can nominate up to one candidate per year. Because the election will be held Sunday during the Workshop, nominations can be made at the Workshop on Saturday morning at the latest.

Each Conservancy member present at the election is entitled to one vote for each candidate. You must be present to vote, but need not be present to win.

TIPPI PETRAS
nominee for president

"I have been a member of the W. Va. Highlands Conservancy and board of directors for approximately five years, beginning as a board member then serving as a representative for the Mountain Community Unit. In addition to seemingly endless letter writing and telephoning on various issues, I have chaired and sat on several full review committee/Workshop committees. Apart from the Conservancy, but certainly interest-related, I served as the coordinator of the 1979 W. Va. Clean Air Workshop held at Fairmont State College and funded by the EPA.

"As far as my ambitions for the Conservancy if I were president, presently, the matter foremost in my mind is our membership. I would hope we could try to seduce as well as recruit new members. However, I am fairly certain that we are good to have many challenges before us in the next four years and were I president, I would try my best to get the Conservancy meet them.

"I have lived in Marion County for the last nine years, having moved from southeastern Pennsylvania where I grew up and was educated. I have an associate degree from the University of Pittsburgh and have been slowly but continuously gaining credits at Fairmont State College toward a bachelor of science in graphic and fine arts. I am married and have a three-and-a-half-year-old daughter, two dogs and one cat.

"(Our beloved nanny-gold passed on last winter.)"

GEORGE WARRICK
nominee for vice-president

"Warrick has been active in environmental affairs as a member of the Conservancy's board of directors, as coordinator of the W. Va. Mountain Stream Monitors, its headquarters chapter of the Woods Bird Club, the Weithsburg Kiwanis Club and the Brooke-Hancock Mountain Stream Monitors for Rural Progress. He has also been active in the Boy Scouts of America for more than 20 years.

"As a member of the northern West Virginia permit review team for the environmental division of the W. Va. Department of Natural Resources, he travels through the highland region while reviewing the technical aspects of mine permit applications, including those for surface, deep and quarry mining. He has been employed by the state's natural resources department for more than nine years.

"He holds a degree in anthropology from Bethany College and has done research at the Universities of West Virginia, Washington and Jefferson and the Institute of Technology. His studies have ranged from public administration to geology.

"Warrick is a resident of 1709 South Davis Avenue in Elkins (phone 304-636-3695) and says he enjoys all types of outdoor activities.

Opposition to DLM Coal Suit Broadens As Hearing Date Nears

The following article is reprinted and expanded from an article which appeared in the Braxton Democrat-nepaper published at Sutton.

The W. Va. Wildlife Federation is the latest of several groups which have come to the assistance of the Mountain Stream Monitors, its coordinator Nick Webb and the Braxton Environmental Action Program in the suit being brought against them by the DLM Corporation, a coal company operating in Upshur County.

The state wildlife group, along with the National Wildlife Federation, is compiling a "friend of the court" brief on behalf of Webb and the two environmental organizations.

Others who have offered help include the Appalachian Citizen's League, a recently created environmental organization, the Natural Resources Defense Council and the Center for Law and Social Policy, Rockville, Md.

A hearing on the DLM suit and a petition for its dismissal is slated for Jan. 12 before the W. Va. Supreme Court of Appeals. The two environmental groups and Webb brought a motion for dismissal of the DLM suit.

The suit arose after Webb, the Mountain Stream Monitors and the Braxton Environmental Action Program filed a complaint with the Office of Surface Mining in the fall of 1979 charging DLM with pollution caused by the discharge of waste water. Concurrently, the two groups contended that the Environmental Protection Agency had wrongfully issued a permit to DLM, and, in a May newsletter, accused DLM of destruction of fish along some seven miles of the Buckhannon River.

According to Webb, the basis for the motion to dismiss is that a citizen has the right to file a complaint with a regulatory agency without being subject to a suit. Webb said he is currently compiling a document detailing the situation centering around DLM's operation in Upshur County.

The two environmental groups are alone in research in order to prepare a countersuit in case the motion for dismissal is denied by the State Supreme Court.

The resolution of support from the W. Va. Wildlife Federation emerged from their November annual meeting. State Federation president James Westfall said the organization would ask for dismissal of the suit before it goes to trial on the grounds that the suit charges are "patently wrong and that the case impinges on citizens' rights to speak out on issues affecting the quality of their lives."

The Federation's resolution notes that the case may set a precedent which would "discourage conservation groups from speaking out on issues affecting environmental quality" and notes that the Federation itself is among those which "publish information about industrial pollution."

MINES PUBLICATION

"Surface Mines in West Virginia," a quarterly publication, has been released.

The publication is available for $1.50 postpaid plus three cent sales tax when mailed to an in-state address from the W. Va. Geological and Economic Survey's Publication Sales Office at the Mont Chateau Research Center, P.O. Box 879, Morgantown, W.Va. 26505.

Seneca Rocks Center Open

On Saturday and Sunday, the Center will be open to the public from 9 a.m. to 4 p.m.

To Convey Tracts To Forest Service

The W. Va. field office of The Nature Conservancy recently announced the acquisition of two tracts of land totaling 476 acres in Pendleton and Grant counties.

Consisting principally of undisturbed woodlands, the parcels will ultimately be sold to the U. S. Forest Service for inclusion in the Spruce Knob-Seneca Rocks National Recreation Area within the Monongahela National Forest.
An archeological survey of portions of the proposed extension of the Highland Scenic Highway north along the mountaintops of Pocahontas and Randolph counties has uncovered at least two historically significant sites, including an old logging town and a nearby "commuting logging camp" on railroad cars which is rapidly falling apart.

"The old town of Spruce really is an area I found intriguing," commented Robert Williams, the project manager with the Harrisburg, Pa., engineering and planning firm of Gannett Fleming Corddry and Carpenter, Inc. That firm was hired by the U.S. Forest Service to prepare an environmental impact statement (EIS) which is now about half done. The first draft of the EIS is scheduled for release by the end of February, Williams said.

He also indicated his belief that other governmental — or even private — agencies operating in the state might be interested in exploring the history of the Spruce and commuter logging sites.

"I found the whole history of the area intriguing," Williams added. He noted that while it was certainly not unique, the area was only accessible by railroad and certainly "warrants a more thorough look before it's gone."

The archeological work in the area was done by an investigative team from James Madison University's archeological research center in Harrisonburg, Va., a search made under contract to Gannett Fleming.

One area in which the entire archeological survey of the possible routes for the Highland Scenic Highway has been criticized stems from the fact that not all the area of all the routes has been surveyed.

Instead, as the report itself admits, actual field work was directed at about one-quarter of the total area which might be affected. "Contract requests specifically called for acknowledge of impact on existing cultural resources," the study noted.

"Accordingly, strategy and the
Highway Archeological Survey

selection of terrain areas for survey were biased toward those areas which current knowledge would identify as being of highest site probability. Typically, the actual areas chosen for the real spadework which archeology involves avoided such unlikely spots as 70 per cent slopes and concentrated on likely terrain features such as mountain gaps. "No intense use of the high mountain slopes or Shavers Fork Valley appears to have taken place until the late 19th century and then, it is believed, timber sales declined, slopes and concentrated on likely areas chosen for the real spadework associated with the lumbering activity has focused on tourism (exemplified by Snowshoe resort and the towns of Bartow and Cass) as well as strip mining of the upper Shavers Fork. The James Madison archeological report indicates that the town of Spruce and the rapidly deteriorating commuter lumber camp were the only historic finds uncovered during the survey. There were a number of pre-historic sites discovered, however, most of them small with scattered remnants of an aboriginal civilization as far back as 10,000 years, and "use of the area appears to have been irregular, fluctuating, and of marginal importance to the development of aboriginal societies. There is no evidence of any settlement type including villages or seasonally significant base camps," the report says.

The two historic finds are each described in both text and pictures.

Six photos of Spruce show the standing walls and crumbling foundations of the community's old lumber camp. Skirted by the Western Maryland Railway tracks, the grass-covered site lies in the middle of the mountains with only old logging roads leading in and out.

The town was established in 1904 by the W. Va. Pulp and Paper Co. due to an increased demand for pulpwood. The mill began operating the following year and, within 15 years, the population had risen to about 300 persons and included a company store, hotel, post office and school. Five years later, in 1919, the community became a railroad terminal and acquired a large livery. The town of Spruce was abandoned in 1931 and the only remaining structures are the pulp mill foundations.

In its recommendation, the James Madison team suggests that "the site should be subjected to a thorough archeological and architectural examination. Efforts should be directed to completely and accurately map all remaining structures. The town should be completely photo documented. If possible, a sub-surface search should be conducted to locate non-visible structural features. A document search of archives and historical societies should be made to reconstruct the past history and events associated with the town. It is not certain to what extent the town will be impacted by the proposed construction (of the Highland Scenic Highway). But even if it is not impacted, efforts should be made to preserve this cultural resource before it is completely destroyed."

The commuter logging camp included five, poorly-preserved railroad cars. "The cars," the report says, "were used during the 1940's as a commuting logging camp or 'camp on wheels.' As areas needed to be logged, the camp was transported by rail. When the operation was completed, the camp was moved to another area. With this system, make-shift temporary housing was avoided. Identified cars were a kitchen car on the south end and a sleeping or bunk car on the north end. The car behind the kitchen may have been a dining car. There are two cars in between the dining and bunk cars that are completely dilapidated; their function remains to be determined."

Recommendations of the university team include a thorough investigation and documentation "in the near future before it completely collapses."

"Such structures played a key role in the lumbering activity of the area and are extremely uncommon in a preserved status. They are architecturally valuable and should undergo a through architectural evaluation for the purpose of graphically reproducing them."
The national issue of freedom of communication as being played out in the Rick Webb-DLM Coal issue (see article, page three) is just one of the reasons cited by the W. Va. Citizens Action Group (WV-CAG) as a good reason for Conservancy members' financial support of their current "retainer" program.

"Your contribution of $15, $25, $50 or whatever you can afford is the all-important first step toward ensuring that large companies cannot "bully" citizens and citizen groups into silence," wrote CAG in an appeal letter that is being mailed to environmental as well as other "grass-roots" groups around the state.

WV-CAG, currently in its seventh year, cites an achievement record that includes:
- A full-time staff;
- Research and release of 21 "citizen reports" on everything from stripping to rate reform;
- And a "citizens lobby" which includes an annual legislative scorecard.

Cited among the group's recent gains are:
- The "Friends of the Little Kanawha" suit which, for the first time ever, forced the preparation of an environmental impact statement prior to the issuance of a federal water quality permit;
- The revision of the Public Service Commission's policy on utility cut-offs;
- And the establishment of an advocacy network for institutionalized individuals.

For the future, WV-CAG expects major gains, including:
- Advocacy of conservation-oriented utility rate structures;
- A hazardous wastes project;
- Research into coal companies operations without federal water quality discharge permits;
- And an analysis of the relationship between surface mining and deep-mine job losses.

"Please don't lay this letter aside with the intention of answering it later," the appeal concludes.
"We desperately need your support today." A contribution form (below, right) is enclosed.

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**WV-CAG Retainer Program**

**REPLY FORM**

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Prospects for Passage of Cranberry Bill in 1981 ‘Mixed’

By Stark Biddle

The bill designates four areas within West Virginia as wilderness and as components of the National Wilderness Preservation System. They include the Cranberry’s 35.600 acres; Seneca Creek’s 21,800 acres; Laurel Fork North’s 6,100 acres; Laurel Fork South’s 6,100 acres. These are the established boundaries of the Cranberry, largely different audience, and this is important.

The only detail really misleading in the account was that the winds mostly from the West that cross the state originate in Texas, but they pick up much of their sulfur dioxide in the Midwest and may carry it all the way and generally two to five days earlier.

The Voice was the first publication in West Virginia to carry notice of the “acid rain” threat, — in the articles of Gordon T. Harwick over five years ago ("Acid Precipitation: How Serious A Problem?", “Acid Precipitation: Some Effects”, and “Acid Precipitation: Further Evaluation”). As the details of the subject developed, our last editor, who was at that time not a member of that group, was always ready to help, and I am sure we will hear more about this unresolved issue in the Voice.

What the Bill Says

The bill designates areas of the state as wilderness within the Cranberry plus the mineral rights adjacent to the Cranberry that cannot be exploited since they are not cogent “economically inaccessible.”

As a first step, the Department of Interior will attempt to swap Cranberry coal for coal currently owned by the government. In this respect, Interior is obligated to evaluate no more than four alternative coal properties. The swap is to be for “fair market value” and a cash settlement payment is permitted in order to achieve exact dollar-for-dollar equality. This payment cannot exceed 25 per cent of the value of the exchanged coal. Should the parties fail to agree on a swap, Interior is authorized to acquire the mineral rights at “fair market value” by direct cash payment. Funds for this eventual authority are authorized by the bill. In regard to determining the “fair market value,” the bill lays out a competitive bidding process first. Interior and the owners will attempt to reach an agreement; if that fails, both sides will agree to designate an “independent, nationally-recognized authority” to determine the coal value. If the parties fail to agree on the choice of an evaluator, the matter would go to court and the court would choose an independent third party. Payment for the mineral evaluation would be split equally between the government and the owner of the coal.

As a final alternative, if the parties cannot agree on a swap and if the owners refuse the cash purchase offered by the government, the government will acquire the mineral rights through standard condemnation proceedings. The bill also authorizes exploratory drilling on the Cranberry in order to determine the value of the coal. This activity is subject to regulation and procedures imposed by the Forest Service.

Finally, the bill contains a standard release provision which provides that no additional wilderness areas can be proposed for Cranberry until the revision of the National Forest Land Management Plan sometime in the 1980s. The Cheat Study Area is excepted from this provision.

In Elkins who was considerably less enthused about the find. I doubt if even a written report was recorded. While 1 year for the day this natural animal's existence in West Virginia is verified, I cringe at the thought of someone shooting such a noble beast to prove the myth; as has sadly been the case in documenting the recent influx of cougars into the state. Perhaps this great symbol of untethered wilderness will remain a refuge from his banisher — man.
The sky's the limit!

GETTING there isn't half the fun. It's all of it as far as A. James Sheridan, '74, MC's director of campus security and the adviser to the Mountaineers club, is concerned.

"Novice and folks who haven't been rock climbing ask how long it takes to get to a summit, or how high it is. As far as most of us are concerned, it's the climb itself that counts. If there's a summit involved, fine, but that's not necessarily our goal."

Strange thing to hear from a mountaineer? Then consider why Sheridan and some 34 students have become such avid fans of wilderness sports.

"There's a balance involved in rock climbing over and above that associated with equilibrium," Sheridan says. "On the one side is the sheer challenge of the climb—seeing how far you can push yourself and control your fears. On the other is the utter peacefulness and beauty of the setting and, of course, the intense satisfaction that comes with achieving your goal."

Mike Pontoni, a senior from Painesville, O., takes a lighter view of it all: "If you find you get a good feeling for what Spiderman must go through."

The Mountaineers have been pursuing a variety of goals since 1971, when Sheridan joined with other students to form the club. Not devoted simply to rock climbing, the Mountaineers enjoy backpacking, cross-country skiing, spelunking (caving) and canoeing. Being unable to do all of these things as part of their standard weekend trips is one of Sheridan's frustrations.

"The club 'piecemeals' the mountaineering concept. When we take a trip, usually we'll split up between those who want to climb and those who want to back pack," he says. "Ideally, you do both, but that's a little hard to manage in this area.

To satisfy their need for the total experience, Sheridan and his wife, Vickie, also a '74 MC graduate, head for the Rockies or the Presidential Range in New Hampshire on their vacations.

The club itself usually settles for the rocky challenges of Seneca Rocks and the trails of Dolly Sods, Otter Creek and Spruce Knob, all in the Monongahela National Forest in eastern West Virginia. Four to six weekend trips are organized in the fall and four in the spring.

Safety is inculcated in new club members from the start, although Sheridan says that "once students are exposed to a big wall, they suddenly acquire a very definite interest in safety. There's always a risk involved, but we believe we've got it down to a minimal level."

Being well equipped helps. The club receives an annual allocation from student government, and raises money for additional equipment by selling t-shirts at Marietta's spring Do Dah Day, where it offers a rapturous demonstration from a campus building. What the club lacks in gear, members usually provide on their own.