Don't forget the

Mindwinter Workshop

The Annual Midwinter Workshop, to be held January 15-16 at Jacksons Mill near Weston WV will feature presentations from many of the groups and organizations affiliated with the West Virginia Highlands Conservancy.

Organizations that have already confirmed their attendance include Mountain Stream Monitors, Trout Unlimited, National Speleological Society, WV Scenic Trails Association, and Potomac Appalachian Trail Club. Others are expected as well. In addition a Morgantown outdoor store, Pathfinder, has been invited to demonstrate some of their newest equipment.

A speaker from the West Virginia Geological and Economic Survey has also been asked to discuss recent completed study of West Virginia's water supply and use. Water is believed by many to be among the most critical problems facing us in the next decade. The potential water crisis has been compared to the oil crisis of the 1970's.

The Annual Meeting of the membership of the Highlands Conservancy, including the election of officers and members of the Board of Directors, will occur at 3:00 p.m. The Board of Directors will meet in the usual open session on Sunday morning, with all members invited to participate.

Since the last issue of the Voice, Jacksons Mill has announced their 1983 prices. Meals are $3.25 for breakfast, $4.00 for lunch, and $5.00 for supper. Sunday lunch is a dinner, and is also $5.00. Anyone who has eaten at Jacksons Mill will attest to the fine food.

Lodging rates range from $10.00 per person per night for dormitory space to $27.00 for a single in a deluxe lodge room. In between are economy guest rooms and standard motel rooms. All rates are less per person per night for double occupancy, except the dormitory.

Reservations for lodging and meals should be made directly with Jacksons Mill State 4-H Camp, Weston WV 26452 (304) 269-5158. Program information or questions should be addressed to George Rosier, 533 West Virginia Ave., Morgantown, WV 26505 (304) 269-5158.

Ted Fearnow, distinguished conservationist dies

Theodore C. "Ted" Fearnow, 76, native of Morgan County WV, died November 14, 1982 after a long and distinguished career spanning many facets of conservation. Many will remember him for his informative and entertaining articles in Wonderful West Virginia magazine in which he often drew upon earlier experiences of his as a young professional with federal and state conservation agencies.

Fearnow began his career as a wildlife and aquatic biologist with the U.S. Bureau of Fisheries in the early 1920's. In 1927 he was named to the West Virginia Game, Fish, and Forestry Commission to establish and manage the first state fish hatchery system in West Virginia. Returning to the federal government in the mid-1930's, he held many posts until his retirement in 1965, at which time he was Chief of the Division of Information and Regional Forester with the U.S. Forest Service, covering 14 eastern states. During his Forest Service tenure, he is credited with helping develop and implement the multiple-use/sustained yield concept, still a foundation of Forest Service philosophy.

Following his retirement, Fearnow served as a consultant to several industries, and became extremely active in a host of conservation and planning organizations. He served for many years in the leadership of the West Virginia Wildlife Federation, the Middle Atlantic Environmental Council, and the Potomac River Basin Advisory Committee, among others. Highlands Conservancy members from the early days may also remember him as co-founder of the annual Spring Ramp Festival held each year at Spruce Knob. In 1975, he was named West Virginia Conservationist of the Year by the National Wildlife Federation.

Cranberry bill passes congress

At 2:00 a.m. Dec. 21, the Cranberry Wilderness Bill passed the U.S. Senate for the second time in two days, and went to the White House for President Reagan's signature. The bill, which the Highlands Conservancy has been pushing all year, would establish a 36,000 acre Cranberry Wilderness Area in Randolph County, WV. The bill had been running a gauntlet between the two houses of Congress in an effort to shed a crippling amendment attached to it when it passed the Senate Dec. 19.

While the hearings from the lame duck session of Congress were reporting on MX missiles, federal agency close-downs, jobs bills, and a 5 cent per gallon highway tax, behind the scenes a careful and delicate effort by Senator Robert C. Byrd had been going on to pass the wilderness bill, and accommodate local politicians in Webster and Pocahontas counties who feared loss of tax revenues. In the early morning hours of Sunday, Dec. 19, Senator Byrd, the Minority Leader, assisted by Senator Howard Baker, the Majority Leader, was able to interrupt a filibuster that was underway and achieve quick passage of Byrd's wilderness bill.

During the period immediately following the Thanksgiving Recess, Byrd and Senator Jennings Randolph had fashioned an amendment to the House-passed bill that provided $2.2 million in compensation to Pocahontas and Webster counties, to make up for the losses in tax revenue that would occur due to the mineral ownership moving from private to public ownership. In a prepared statement, Byrd said that he had "favored this legislation in concept, but I always felt that it was only fair that the counties involved receive just compensation."

Although the surface of the proposed wilderness areas is owned by the U.S. Forest Service, the mineral rights under the Cranberry Wilderness are owned by the CSX Corp. In Byrd's bill, CSX will receive a voucher of credit that can be used to purchase federally-owned mineral rights elsewhere in exchange for the Cranberry minerals.

Following initial passage in the Senate, it was discovered that a crippling amendment had been added by Sen. McClure, R-Idaho, Chairman of the Senate Energy and Natural Resources Committee. Since the Senate version already differed from the bill passed in the House last summer, the Senate bill was sent back to the House for approval. The House passed the Senate version, minus the McClure Amendment, late in the afternoon Dec. 20. The Senate then passed the new House version in the early hours of Dec. 21.

Larry George, Chairman of the Highlands Conservancy's Cranberry Wilderness Committee, praised the efforts of Senators Byrd and Randolph in shepherding the bill through the channels required. "Senator Byrd personally saved this bill so many times, I lost track," he said. The CSX Corporation representatives also played a crucial role in passage of the bill according to George. The sole remaining potential barrier to permanent statutory protection for these wilderness areas is the President's signature. George indicated that he was hopeful that Reagan would sign the bill before the first day of 1983, giving its supporters a long-awaited New Year's present.
Dear Editor:

After reading Rick Webb’s interview with Dr. Brannon in the October/November issue of the Highlands Voice, we feel that the views expressed are of concern to those who have been familiar with Dr. Brannon and Dr. Fred Officer, and those who have been familiar with the case and the facts. We would like to present our perspective on the issue.

We are concerned about the interpretation of the facts presented in the article. Dr. Brannon mentioned that he was aware of the problems and the significant progress made in the area. However, we feel that the portrayal of the case as a failure does not do justice to the efforts made by everyone involved.

The Department of Natural Resources and the Division of Water Resources are proud of their accomplishments and enforcement actions. We should point out the importance of the work done by the Natural Resources Police, who are responsible for enforcing the rules and regulations. The Department and Division of Water Resources are proud of their accomplishments and enforcement actions.

We would appreciate the opportunity to address the concerns raised in the article. We are committed to addressing the issues and ensuring that the water resources are protected.

Sincerely,

David C. Callaghan, Director
David W. Robinson, Chief

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The Highlands Voice

Tippy Petras steps down as president

The next two years promise to be exciting and challenging for the Conservancy! With a possibility of strong, motivational leadership, I feel we can look forward to a great 1982-83 term.

Of course, it’s hard to look ahead without reflecting back on the immediate past. The last two years have afforded me tremendous personal growth, and hopefully a few steps forward for the Conservancy. We have seen some changes: some large, some small, some good, some not-so-good; we’ve ridden the tides of a few battles, we’ve fed the uneventful waters of others, and we’ve embarked upon several new strategies. If I were to be magically transplanted once again to 1981, there are numerous things I would do differently and perhaps better, but little I could change if I would not have had the opportunity to grow from this experience.

As I glance back, I naturally choose to ponder the positive happenings of my term as president. Maybe the best thoughts come from moments watching the Cranberry Wilderness Committee’s hard work and creativity in dealing with the still unanswered question of West Virginia’s wilderness bill... an introduction of Congressman Cleve Benedict’s bill in late 1981, this committee revitalized and geared up for a tenacious fight. Our efforts were represented by the committee chairman, Larry George, and the now familiar face, Leslee McCarty. Leslee was hired as a part-time coordinator in the Cranberry effort in the fall of ‘81. Needless to say, Larry, Leslee, the committee, and all the people called upon who love the area have done one heck of a job! They left no stone unturned. As I write this, word is still pending on the vote of the House as to the status of the bill. Let’s keep our fingers crossed. In any event, hats off to the committee and Cranberry lovers throughout the land.

“Ding-Dong...Corridor H bites the dust!” You may remember that catchy headline from the February, 1982 issue of the Voice as to the status of the Corridor H bill. An old and trusted enemy of the Conservancy and more particularly committee chairman, Geoff Green, that struggle with high priority, is still with us. Corridor H, a cold death last winter. The battlefront was long and tedious, but anyone knowing Geoff can attest to the fact that he kept his wits about him right up to the end.

Have you seen the new Monongahela Hiking Guide? Hot off the press, and what a beauty it is! We owe a big dose of gratitude to Bruce Sundequist for editing and publishing it. When thinking of the guides I can’t forget to mention and thank Bob Rosier, WVHC secretary, who faithfully and punctually keeps up with changing conditions.

During the spring and summer of 1981 we had the good fortune to have a WVU intern of the Parks and Recreation Program assigned to us. Susan Kell helped with various projects, including putting together an index of Voice articles, starting with the conception of the organization. Copies of this are still available upon request for a small fee to cover cost of reproduction and handling. It would be mighty helpful to us if we could establish a fund to order more copies of the University to take advantage of the energetic man/woman-power available.

One victory that environmentalists across the nation joined in celebrating was the decision of the Virginia Senate to continue the Cranberry effort. Voting Rick Webb’s right to free speech. Webb, Conservancy member and Mountain Stream Monitor Coordinator, was caught in the卡拉维亚 error in the Cranberry effort, and his son George Harrison, author of The Petserson Guide to Birds’ Nest, and his son George Harrison, author of The Backyard Birdwatcher and Roger Tory Peterson’s own The Peterson Field Guide to the Eastern Birds.

A special part of the program, put on Saturday morning by the Oglebay Institute A.B. Brooks Memorial Committee featured a 50 cent breakfast at Camp Russell followed by a nature walk led by Hal O’Leary, who impersonated A.B. Brooks. An A.B. Brooks memorial program on the Brooks Trail followed. The 50 cent breakfast and the nature walk were regular Sunday programs in Oglebay Park when A.B. Brooks was in residence. He inspired a group of young Wheeling residents to join him in nature study. Chuck Conrad, his future sister-in-law and Carolyn, political growth, and a gymnasium for the Cranberry Wilderness.

Highlands Conservancy member Tod J. Kaufman, Charleston lawyer and son of the late State Senator Paul J. Kaufman, was sworn in as a member of the West Virginia State Senate on Friday December 17, 1982. Kaufman was appointed by Governor Jay Rockefeller to fill the vacancy created by the resignation of Bob Wise, who was elected to the U.S. House of Representatives in the November elections (see Voice, Dec. 82). Rockefeller selected Kaufman from a list of three submitted by the Senatorial District Executive Committee. There was widespread interest in this vacancy by a number of politicians and would-be politicians, many better known than Kaufman.

State Senator Si Galperin characterized Kaufman as “people-oriented” and said that he was acceptable to the same groups credited with electing Wise, including environmentalists, labor, teachers, senior citizens, consumers, and women.

Kaufman, 30, joined the firm of Kaufman and Ratliff, started by his father following graduation from the West Virginia University School of Law several years ago. His partner Ray Ratliff, Jr., has represented the Highlands Conservancy in important cases over the years, including the Davis Power Project and the Cranberry Wilderness.

Sulfur pollution may have caused the deaths of 51,000 people in Canada and the U.S. during 1980, a preliminary congressional report due late next month also said if sulfur dioxide emissions, which cause acid rain, remain constant, the number of deaths could rise.

The Brooks Bird club is 50 years old

(Reprinted from the Sutton Scrunch)


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Kaufman becomes state senator

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The Nominating Committee offers the following names as officers and members of the Board of Directors for the next two years. The Election Meeting will be held at the Annual Meeting, a part of the Midwinter Workshop, January 15, 1983 at Jacksons Mill 4-H Camp, near Weaverville, WV.

President, Larry W. George; Secretary, Lois Rosier; Treasurer, Dave Elkinston; Membership Secretary, Linda Cooper; Past President, Jeannetta Petras; Highlands Vice President, Joe Reifleniger; Charleston VP, Perry Bookman; Huntington VP, John Bebout; Washington D.C. VP, still open; Directors-at-large (terms end Jan 1985) Glenn Davis, Larry George, William P. McNeel, Jim McNeely, Frank Pelurie.

The bylaws provide an opportunity for those nominated to submit statements of candidacy to be circulated in advance of the annual meeting, the following statements have been submitted for publication. Statements of candidacy were not sought, could not confirm their willingness to serve, in sufficient time for publication in this Voice. A lack of a statement should be viewed as a negative reflection upon the candidate.

LARRY W. GEORGE

QUALIFICATIONS: I have served on the Conservancy Board of Directors since 1977 and have chaired the Cranberry Wilderness Committee for the past four years. My education includes a B.S. in Civil Engineering (1979) from Virginia Polytechnic Institute & State University and a law degree (1982) from West Virginia University. I am a native of the area, having practiced law in Morgantown with the firm of Baer & Colburn, L.C. I am presently serving on the National Task Committee on Environmental Enforcement to the Natural Resources Policymaking and Administration Enforce the Natural Resources Policies of the States has greatly increased their importance in these fields. For this reason, the Conservancy will have to continue to work with state and federal officials. The Reagan Administration’s policy of delegating natural resources policymaking and enforcement to state and federal officials has greatly increased their importance in these fields. For this reason, the Conservancy should expand its role in working with state and federal officials.

STATEMENT: During the coming two years I believe the Conservancy should expand its work in working with state and federal officials. The Reagan Administration’s policy of delegating natural resources policymaking and enforcement to state and federal officials has greatly increased their importance in these fields. For this reason, the Conservancy should expand its role in working with state and federal officials.

LOIS ROSIER

STATEMENT: I am currently a member of the West Virginia Highlands Conservancy and the West Virginia Scenic Trails Association. I was elected Secretary of the Conservancy two years ago, at which time I also agreed to handle the mail orders of WVHC. I have been active in the Voice, on the Cranberry Wilderness Committee and designed and printed the first Cranberry T-shirts. I am interested in support of enforcement, and especially in West Virginia, as we have spent many hours hiking in this state. If elected, I am willing to continue serving as Secretary and handling the hiking guides.

DAVE ELKINSTON


STATEMENT: Since first becoming active in the Highlands Conservancy things have happened in the state that would have been hard to imagine. It is all to the credit of the organization’s ability to achieve results based on solid policies, hard work by volunteers, and a continued need for the organization. The performance of the Conservancy has emerged as a respected voice representing the public in environmental issues. During the past two years that I have served as Treasurer, we have been able to plan our income and expenditures through a budget process. Careful investments of funds have resulted in our being able to meet substantial interest on money not needed for day-to-day accounts. Accurate bookkeeping and financial reporting is a major task of the Board of Directors. It has enabled us to understand our financial position at the end of each quarter. If reelected, I would try to improve on these activities to the extent possible.

JEAN RODMAN

STATEMENT: I have been involved in outdoor activities in West Virginia since 1949. These include such diverse things as photography, hiking, backpacking, whitewater rafting, skiing (downhill and cross country), and caving. Sayre (my husband) and I have had part interest in renting weekend places since the 1950’s. We have both been involved with WVHC since its early years. Frankly, I haven’t kept track of whom I’ve served on committees, but mainly I’ve concentrated on wilderness and rivers. West Virginia is one of the fine places in the world to enjoy, but we need to continue serving as Director-at-large to serve in.

FRANK PELURIE

QUALIFICATIONS: B.S. in Forestry, currently employed by the Dept. of Natural Resources, Division of Water Resources as a Planner.

Sandy Creek members file gas drilling lawsuit

Repeated incidents of water pollution by oil and gas well drillers on Sandy Creek, in Preston and Barbour Counties, have led to the filing of a lawsuit by the Highlands Conservancy. The suit was filed by Conservancy members Tom and Judy Rodd, who live along the creek and filed suit in the Circuit Court of Preston County. The suit seeks treble damages of $10,000,000 in compensatory and punitive damages.

The complaint charges that the Rodds are “one of the few unspoiled streams in the area.” The Rodds are a director of the West Virginia Highlands Conservancy and the West Virginia Conservancy, and the Rodds are represented by the Rodds. On October 12, 1982, Michael petitioned the court for a temporary injunction ordering the drilling company, which holds a mineral lease on the property, to stop the drilling in the Sandy Creek watershed, to refrain from future pollution. Michael presented the court with copies of numerous DNR citations and reports of pollution at other J & W Wells in West Virginia. These reports, said Michael, showed that the Rodds has been a good neighbor. The Rodds is a director of the West Virginia Highlands Conservancy, and the Rodds is represented by the Rodds. The court ruled that because no further wells were being drilled, the companies were not in violation of any laws, that an injunction would not be appropriate at that time. However, the court did retain jurisdiction, and indicated that if further drilling were to occur, then the court might act.

“We were able, with just photos and reports, to put a powerful showing of our misbehavior,” said Tom Rodd. “We have lots more evidence to come. We were pleased with the hearing.” The Rodds’ legal case rests on two principal points. First, riparian owners, (owning the stream bed or banks) gives them the right to object to, stop, or be compensated for, contamination of the water in the stream. “Water rights are property rights,” says Tom Rodd. “A person who wrongfully dumps junk into your stream violates your rights just as if they dump it on your front porch.”

The second part of the Rodds’ case is the “wrongful” aspect of the pollution. Because the drillers do not have permits to discharge into the steam, their spills are are unlawful and are being prosecuted. A trial in the lawsuit may not be for some time.

Tom Rodd reports that Sandy Creek continues to live, despite the pollution incidents—beavers are building a dam across from his house. “A lot of our friends, as co-plaintiffs in the lawsuit,” says Rodd. “The only problem is getting the beavers to take time off to go fishing. We have a lot of complaints. They say they want to, but they’re always too busy.” The Rodds are contacted at Rt. 1, Box 78, Moatsville WV 26405, 265-016.