Reflections on Spring Review

By Frank Young

At coordinator for WVHC Spring Review 1991, I have a few reflections to comment on, some pleasant, some not so.

The barking dog during the Bob Gates film "In Memory of the Land and People" and the evening Corridor H discussion was a terrible distraction. Although it wasn't my dog, I apologize.

The outings were apparently successful, exciting and satisfying. My group's climb of Seneca Rocks (including two-year-old baby Maier) was accomplished with some puffing and puffing and much exhilaration upon finally reaching the top (actually reaching only the overlook some 200 feet from the top, for me, the wimp). The top of Seneca Creek was dank and all, was exciting and relaxing. It is vital that Seneca Creek be protected from private development.

As usual, the canoers were late returning Saturday evening; but ever later that usual time this Frankly, I had become worried that they'd encountered serious misfortune and was quite relieved when Sayre and Jeann Rodman showed up about 8:30 p.m., all are our opinion. We'll be easier. It's sort of like having a baby — the first one is most difficult after that you learn they don't break.

After 9 a.m. Sunday, it all fell on Cindy's and the board's shoulders. That's where she took over. For me, it was down hill from there.

But the most important accomplishment of the weekend was the easiest. About noon Saturday I became concerned about the threatening clouds drifting over Seneca Rocks. I became concerned that rain, thunderstorms, or whatever could play havoc with canoeists, hikers, and the evening revelers at the campground pavilion.

If the weather turned bad, then I was sure I'd be cited as the one responsible for a generally lousy weekend. If the weather remained grand, I might be credited with having helped accomplish a successful Spring Review.

In a private moment, I raised my hands skyward and proclaimed divisively: "Mother Nature and Father of all that's ours, hold off the rain for 24 hours." That was at noon Saturday. The ride held up until Sunday afternoon. But really, the power wasn't mine. I simply purchased it from a gypsy at a fair market for $51 several years ago. I always had doubts about her genuineness, I hadn't really put much faith in the purchased power. But it worked!

But don't ask me to do that trick again. The power was only for 24 hours and I used it all on May 4 and 5. And I haven't seen that old gypsy since. Word has it she's gone to that great gypsy gathering in the sky; something about being struck by lightning on a sunny afternoon...

Seriously, thanks to all of you —

Summer meeting to look at environment in coming decade

Tom Rodd and Norm Steenstra are cooking up another extravaganza to help us focus on long-range (well, sort of long-range — guess it depends on how you define the terms — sometimes thinking about the day after tomorrow seems like long-range planning) goals for the environment and the future of West Virginia.

"1992 - 2002," a summertime discussion on the Environmental Movement in West Virginia — What now? is set for Saturday, July 20, 9:30 a.m. to 7 p.m. at the State 4-H Camp at Jackson's Mill, near Weston. The day is sponsored by the W.Va. Environmental Policy Institute, a newly formed "think tank" in Morgantown.

Panels, small groups, and a plenary session will focus on where we want to be in 1992 and what we can do to get there, plus where we want to be in 2002 and what we can do to get there.

Questions posed for the day include:

Where will W.Va. be in 1992? In 2002? What are the economic trends? Political trends? Demographics? What are our options? What will our friends and opponents be up to? What can we do now, and over the next decade, to get where we want to go? What can we learn from other states? How do we build for the long haul? What are we going to do in the 1992 elections?

For more information contact: Tom Rodd, Mountainaire Policy Institute, 304-296-8611; or Norm Steenstra, W.Va. Environmental Council, 304-346-3891.

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June 5

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Starting off the climb at Seneca Rocks.
A New Language

Putting together remarks for an earth day symposium this year, I realized that we’ve reached a plateau in our attempts to clean up the earth. We’ve come a long way over the past two decades, but we seem to be stuck on a level far short of where we need to be.

It’s true that public awareness of environmental problems in the 1970’s was nowhere near what it is today. And everyone now acknowledges (at least publicly) the need to do what is right for the environment. Newspaper articles, academic studies, political campaigns, advertisements of all kinds, and even job titles these days remind us all of how concerned we are, how aware we are of the environment, and how intent we are about doing the right thing.

No, today the question is not whether or not there are problems, or whether or not we have to do something to correct them. The dilemma we now face is one of evaluating those problems, defining our responsibilities and choosing the most appropriate solutions.

And yet, as good as it was to hide the problems in the first place, it’s even more difficult to deal with the solutions. We seem to have reached a point in time where our technical, legal and political skills have advanced light years beyond our ability and willingness to fully develop our moral and ethical responsibilities to ourselves, to the earth we live in, and to future generations who will depend upon the earth’s resources.

We can hardly speak about these responsibilities without sounding too pious, naive or unrealistic. And that, I believe, is the heart of the problem. The language of moral and ethical responsibility is too fuzzy, too vague, not defined or specific enough to be considered valid or practical in our advanced and specialized society.

And yet, we need to take and speak this language seriously. Our incredible and ever-increasing power to influence and affect the world around us demands that we basen an honest accounting of our actions, goals and beliefs.

On the one hand, we talk as though the earth, air, and water are basic to survival, as though they are a vital life support system.

On the other hand, we often act as though the earth, air and water are only temporary resources available to us as tools in the process of our evolution toward an existence that is no longer dependent upon the earth.

We have any number of reasons for doing less than what is required to protect this life-support system. The most convincing ones usually center on money and cost.

The crass use of threats of job loss and economic collapse are economic blackmail, pure and simple, but I believe our problems run deeper than that. I think even the most honest representatives of business and industry are ill equipped to assess the true value of the resources we’re dealing with. I think we all are only beginning to learn that the true cost of doing business, or even of just existing in today’s world, goes far beyond any monetary measures.

We’ve been following the wrong path so long we’ve lost our way. We’ve let ourselves be trapped into using inappropriate tools to measure values. While it’s true that there have been valiant efforts over the past several years to evaluate the value of a lost or damaged resource in terms of money, this is a dangerous trend that will only lead us deeper into that trap.

What is needed is a fundamental change in the way we think. We can no longer think of the earth, air and water primarily in terms of money, and we can’t be embarrassed or ashamed to say so. Economic arguments will never fully or adequately argue the case for the environment. The sooner we realize and accept a new language of values, the better off we’ll be.

The health and well-being of the global ecosystem is itself at risk, and each time we allow our activities to weaken that support system, we lessen our chances of long-term survival.

If all this sounds fuzzy, vague and unrealistic, it may be because we have yet to allow ourselves to think and measure in terms of anything higher, deeper, or more long-term than economics and money.

The human race may be thousands of years old, and we may have developed our technical skills light years beyond what anyone could imagine even fifty years ago, but we still act like little kids when it comes to pollution. We may think it takes far too much time and energy to clean up our rooms, but what an amazing amount of imagination and brainpower we’re willing to expend on devising ways to hide the mess under the bed, or explain why the mess is there, or reason our way out of cleaning it up today.

It’s impossible to ignore how preposterous and inexcusable it is that a society with motivation, imagination and money enough to create that technical wonderland of weapons used during the recent war in the Persian Gulf is unwilling to put an equal amount of effort into preserving the life of the earth through conservation, cutting back on consumption, limiting our own greed.

I believe in the old adage, “Where there’s a will, there’s a way.” I just don’t believe that we’ve yet found the will to accept all that is necessary to spare that space ship earth the disastrous results of our myopic shortsightedness.
Dear editor:

Not only is West Virginia targeted for new prisons in order to house Virginia and D.C. criminals, but now it has come to my attention the Lorton, Va. dump is soon to be closed and I'll give you three guesses, the first two don't count of where all the METRO trash is going to.

That's right, you guessed it, Berkeley County, Va. If LCS/CHAMBERS DEV. CORP. has any say in it. In other words, "THE GARBAGE STOPS HERE."

My association with the citizens group, the Eastern Panhandle Citizens Against Over-Sea Waste Inc. has been the most enjoyable, if not frustrating, time in my life, as we struggle with the battle of corruption, and public apathy.

Recently, I learned from our members throughout the region, and as it was reported in the Fairfair Journal (Va.), the LCS/CHAMBERS dump in Hedgesville is high on the list to receive the trash generated by millions of folk in the D.C. METRO area, (including many congressmen who reside there).

We have written Senator Moony S. Senteal to thank him for being the first to sell out to the garbage barons, for he has since become popular for east coast municipalities to send their garbage via 18-wheel trucks to dump on a very environmentally sensitive area, North Mountain, and it's inhabited.

The LCS/CHAMBERS dump has witnessed total community opposition, unsafe roads, and obvious enviro-hazards to install a state-of-the-art MONEY MACHINE, just pay for your tonnage, dump your garbage, and don't worry if the locals don't like it. Don't worry about the pollution, just the fact of peddling to the Potomac River, Chesapeake Bay, and residents' drinking water. Wrong again Mr. Snyder and Mr. Rangos, we will not get over it and we won't forgive you for doing it.

We, the citizens of the Eastern Panhandle, have strongly opposed this project from the first day we heard of it (five years ago), only to have it forced down our collective throats by a state water resources board in Charleston who failed to do the necessary groundwork and ignored citizen input in granting a permit that wasn't even applied for.

(Your see, LCS applied for a Class B permit which limits refuse tonnage to less than 10,000 per month back in Sept., '89, but was mysteriously granted an unlimited tonnage permit, also called a Class A, without even a local public hearing on the issue.)

Our group will continue to report, monitor and videotape, and strongly oppose this quasi-legislative dump until it's operation is halted. We will continue to support DNR director Ed Flamrick for his continued efforts to have the Berkeley County Solid Waste Authority do what the state of WV has done a Mega-dump in their own county.

We believe the good people of Berkeley County and the citizens of West Virginia do not deserve to be dumped on by out-of-state executives.\n
Our SECOND ANNUAL EARTH DAY RALLY is set for Sunday, April 21 from 2-6 p.m. at the Hedgesville High School, please plan to attend and join us in celebrating environmental awareness for the eastern panhandle and the state of West Virginia.

Very truly yours,
John B. Christiansen 2601 East Main Street Martinsburg, WV 25401 304-754-8505

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Underlying values are the same

Editor:

In the heat of an environmental battle, it is often easy to forget the underlying reasons why an environmental group is formed. The battle takes on a dimension of its own and the group's purpose becomes hazy to many people. Perhaps now is the perfect time to clearly delineate the reasons why environmental groups were formed and to relate these groups to their surroundings.

Throughout West Virginia's history, we have been exploited by out of state lumber companies, coal operators, and oil industries. These companies did not care about the desecration of the land, the contamination of the water, or the ruination of the air.

Most environmental groups were formed to give input to the common, everyday working man who put clean, air, water, land, and the protection of our mountains over the dollar in the short term, reduced.

The environmental groups are much like a union — a forum for a discussion of what is good for the environment as well as the group itself. The environmental groups and the unions have much in common: both were formed by people who were forced to deal with working man's problems; both must deal on a day to day basis with those people who don't really care about the protection of our living environment of the people.

As the unions work for safer, cleaner conditions within the work place, the environmental groups work for cleaner, safer environmental conditions within the community.

Again, if we look at the history of West Virginia, and in particular the struggle of the miners at Matewan to establish their union, a common bond between the environmental groups and the unions can be established.

Mother Jones traveled throughout the state of West Virginia working for the union movement. Today we have many people who also travel the state working for the environmental movement. The West Virginia Environmental Council recently awarded by Mother Jones Award to the person who most typifies the Mother Jones spirit is what links the environmental groups to the unions: the spirit of untiringly work toward cleaner, safer conditions for the people of our state.

As long as we live in a democracy, the struggle of the union movement will never end. The union and its battles with Pitston Coal, Du Pont, Pocohontas, Marshall University's football stadium, and RAC must remain up in our minds.

As the RAC struggle continues, so does the struggle to protect our environment. Our groundwather is in danger from pollution, our streams are in danger from sedimentation, our national forests are in danger from indiscriminate timbering, our air in danger from incinerator pollutants, and our soil in danger from erosion.

We must have clean, safe places to work. We must also have clean, safe place to live. Just as the unions have become the guardians of our personal liberties within the work place, the environmental groups have become the guardians of our personal resources within our communities. It has never been more evident that we must work together, to protect our destiny.

William S. Doyle
Vice President
LCSA Local 5646
Ravenswood, WV
273-9319

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Irish Mountain appeal heard

The West Virginia Highlands Conservancy and Save Our Mountain have asked for amended curian at the federal Court of Appeals for the Fourth Circuit before the West Virginia Supreme Court in the controversy surrounding the proposed landfill for Irish Mountain in Summers County. This will enable the Conservancy and Save Our Mountains to present the West Virginia Supreme Court with their views on important legal issues raised by that case. The Conservancy and Save Our Mountains are being represented by Conservancy member John McFerrin.

The controversy concerns a landfill proposed for Irish Mountain. A group of area citizens, the Tri-County Citizens for Irish Mountain, opposed the landfill. The Department of Natural Resources denied the application for permit. McFerrin was granted, status as amicus curiae in order to support the position of the Tri-County Citizens for Irish Mountain in the controversy and address what the Conservancy and Save Our Mountains believe are serious deficiencies in the procedures which the Water Resources Board followed in reaching its decisions.

A decision by the Supreme Court is expected in late summer 1991.

ER0 Landfill trial set

The legal case which the West Virginia Highlands Conservancy filed against the ERO Landfill in Mason County has been scheduled for trial in June 1991.

The Conservancy originally sued under the federal Clean Water Act in 1990. The Clean Water Act prohibits discharge of water into any stream unless the landfill holds a permit for the discharge and the water meets certain standards of cleanliness. The ERO landfill does not have the required permit and the water it discharges is far from clean.

Even though the Conservancy's original action, the West Virginia Department of Natural Resources and the Pennsylvania Department of Environmental Protection intervened in the case.

The report on the local government violation of the state Solid Waste Management Act and the state Waters Pollution Control Act which is appointed under a permit taking garbage although the site has not been cleaned up and remains a source of pollution.
## WV-CAG's 1991 Environmental Scorecard

### House of Delegates

#### Enviro-Scorecard

**Vote Key:**

1. **Solid waste** (Committee substitute for H.B. 2802): Environmentally damaging amendment by Delegate Louixis and others to allow open burning of paper. Passed 50-49-1 (March 1, 1991). No vote is right.

2. **Solid waste** (Committee substitute for H.B. 2802): Weakening amendment by Delegate Rigg to increase from 6,000 to 10,000 the population level at which comprehensive recycling programs would be required in WV’s municipalities. Defeated 22-76-2 (March 1, 1991). No vote is right.

3. **Solid waste** (Committee substitute for H.B. 2802): Weakening amendment by Delegate Bill Carmichael to extend closure dates for environmentally unsound landfills by two years. Defeated 34-65-1 (March 1, 1991). No vote is right.

4. **Solid waste** (Committee substitute for H.B. 2802): Crucial Judiciary Committee vote on an amendment by Delegate Moore exempting McDowell County from mandatory local referendum requirements prior to siting and permitting of mega-landfills. Passed 16-8-1 (February 27, 1991). No vote is right.


6. **Solid waste** (Committee substitute for H.B. 2802): Weakening amendment by Delegate Fullen in the Judiciary Committee eliminating the one year moratorium on siting new solid waste facilities. Passed 13-3-4 (February 27, 1991). No vote is right.


10. **Timbering** (Committee substitute for H.B. 2341): Motion to suspend the rules for the purpose of conducting a public hearing on the legislation (the effect of which would be to delay passage and likely kill the bill). Defeated 7-13-3 (February 25, 1991). No vote is right.

### Delegate Voting Records

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**Delegate Programs**

- Enacting amendment by Delegate Bill Carmichael to extend closure dates for environmentally unsound landfills by two years. Defeated 34-65-1 (March 1, 1991). No vote is right.
- Strengthening amendment by Delegate Fullen in the Judiciary Committee eliminating the one year moratorium on siting new solid waste facilities. Passed 13-3-4 (February 27, 1991). No vote is right.
- Strengthening amendment by Delegate D. B. Moore exempting McDowell County from mandatory local referendum requirements prior to siting and permitting of mega-landfills. Passed 16-8-1 (February 27, 1991). No vote is right.
- Passed 11-10-4 (February 27, 1991). Yes vote is right.
- Defeated 7-13-3 (February 25, 1991). No vote is right.
In conjunction with the West Virginia Environmental Council

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**The Senate's Septic 6**

- William Anderson
- Donna Boley
- J.D. Brackenridge
- Sammy Dalton
- Walt Helmick
- Joe Minard

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By Mary Pat Peek

Three choices for Frank Young and a great Spring Review. Add some more for Carroll Jeff, who seems as always to be there giving Frank, and lots of others, the moral support they need.

I have only hours before this heads off to the printer, so this is less a coherent, by-the-numbers report. I'd like to add a few notes to Mary Wimmer's Corridor H info on page 8. At the Sunday board meeting, the board reaffirmed a preference for the "no build" option for Corridor H, with improvement of existing roads and upgrading to three-lanes. Also reaffirmed was the Conservancy's STONG AND VIGOROUS opposition to the southern route.

It was clear during the panel discussion Saturday that advocates for the southern route are alive and well and writing to DOH and congressional delegations.

Despite the obvious logic of the northern route if the road is built and the serious, unavoidable problems with passing the southern route, advocates of the southern route are gearing up to push that through. Ten years ago, cost estimates for the northern route were less than those for the southern route. Mary reminded us at the meeting. Those costs did not include the costs of "mitigation" of environmental damage, which was not required at that time.

Building any road will be more expensive now than it would have been 10 years ago, but because of the sensitivity of areas along the southern route, the increased cost of going south will be astronomical.

Unfortunately we cannot take comfort in that logic, or in the many other factors that favor the northern route. As we've all found, logic is simply the driving force in formulaitng public policy.

Here in Upshur County the prevailing view is that our economic future is dependent on construction of Corridor H. Coming out a county commission meeting last week, someone announced that the W.Va. Rivers Coalition (see page 7), which was just opened an office across from the courthouse, was organized to stop Corridor H. The commissioners had had a call to that effect from the Chamber of Commerce or similar group in Randolph County.

Public perceptions continue to be very important, and it is up to all of us to explain our own positions and to not let lies stand just because they seem so ridiculous.

Upshur County is, I think, the center of the "I don't care where they build it, just so they build it" sentiment for Corridor H. I'll be encouraging those folks to make good on their assertions and get behind the northern route, since there are many people who do care where it is built—or at least where it must not be built.

Other support for the northern route is coming from development groups in the eastern panhandle.

Larry Miller from the Eastern Panhandle Coalition for Corridor H added his thoughts to the discussion. "If we're going to build a road in West Virginia it should serve the most numbers of West Virginians," Miller said. A northern route that would connect with I-81 at Martinsburg would be less disruptive of sensitive ecosystems and be cheaper to build because of fewer cuts and fills. The road would also add to the growth and development in Morgan and Hampshire counties he said.

"If the southern route is chosen, you can forget about West Virginia," Miller said. Tom Rodd raised questions about the actual effect of highways on rural communities. Do highways bring business to a rural community, or simply provide a fast way for residents of rural communities to shop at the closest large city or shopping center? Does the crime rate for drugs and theft increase in a rural community, while the resources to combat it are drained because day to day business is shifted to a larger area?

On another issue, Norm Ranch from DOH suggested use of a different name than "parkway" for proposals to build the road in ways that shielded surroundings from the road, but also highlighted the beauty of the countryside.

In highway parlance "parkway" means a road that is restricted to trucks, Rauch said. If that is not the intention, some problems might be avoided by finding a different term to describe the concept, he said.

Other items on the board meeting included approval for a one-time use of mailing list by the West Virginia Rivers Coalition. A mailing would be sent to WVHC members, said Skip Deegan, in an attempt to identify people in the state interested in rivers and willing to pick up some of the work load on the wildscenic/recreational designations.

* Describing the situation at the West Virginia Division of Energy, John McFerrin said, "Everything you see in the Gazette is true, but much worse." (See reprint of Paul Norden article on page 7.) OSM (Federal Office of Surface Mining) is doing an appraisal of DOH, John said, and the federal agency has committed itself to taking over the program if some

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See Notes, page 8
Discarding the throwaway society


Today’s industrial economies were founded on the use of vast quantities of materials and energy, and the economic health of nations has often been equated with the amount they consumed.

But prosperity need not be linked so closely to consumption. A kilogram of steel may be used in a building that lasts hundreds of years or in several cases that end up in a dump after one use. A few hundred grams of glass may be fashioned into a bottle reused 50 times or one immediately discarded.

The amount of material that originally enters an economy tells us nothing about the material’s eventual fate or its contribution to human well-being. It tells a good deal, however, about the damage the economy inflicts upon the environment. The devastation wrought by economic production is closely related to the amount of materials consumed.

Extracting and processing raw materials—minerals, wood, and so on—are among the most destructive of human activities. Logging, paper and other wood products involves several highly polluting processes. Mining regularly obliterates whatever ecosystems or human settlements sit atop ore deposits.

Making metals from ores takes great quantities of energy and produces large amounts of pollution and waste. Unfortunately, much of the damage from producing raw materials occurs in remote areas, so most people know little about it.

The other end of the cycle is more familiar. Industries are traditionally associated with waste, and most of the raw materials they devour. This refuse presents a massive challenge to human health—It can kill or disable entire populations.

When wood is cut, it is transferred into the atmosphere via the fires that consume it, and then reemerges some 400 years later as dust or peat. The atmosphere is our global biological ‘waste’ disposal system; it pays for services such as climate control with the risk of extreme damages to the environment. If a recycling society is ever to be established, the atmosphere will have to be involved.

The disease: a global beforetheenvironmentalcostofitsuse-inthe

Garbage output continues to grow of solid waste. It also presents a massive

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Discarding the throwaway society

many industrial nations share a common official approach to garage the waste management hierarchy.

The U.N. Environment Program endorses this hierarchy, as do citizen groups, many environmental groups, and government officials from Europe/North America, and Japan. And it has been endorsed in U.S. law since the passage of the Resource Conservation and Recovery Act in 1976.

Unfortunately, practice has run directly counter to principle. Most governments continue to focus on managing rather than reducing waste. When faced with disposal crises, they tend to fund waste management options in inverse proportion to their position on the hierarchy, usually moving one notch up the ladder, from landfilling to incineration. Unfortunately, incinerators throughout Europe and Japan are the product of such decisions.

In the United States, the states—which have almost total responsibility for waste management—have focused heavily on building incineration plants rather than on reducing waste. According to a recent survey conducted by the New York newspaper "Newsday" found that state government had spent $30 billion on one-off solutions such as on recycling programs. Since 1970, Massachusetts has arranged for over a half-billion dollars in as exempted financing for incinerators, yet it did not fund a state recycling plan until 1987.

Similarly, New York's 1972 Environmental Quality Bond budgeted $215 million for incinerators and only $1 million for recycling; although regulations stipulating the eighties provided only $31 million more for recycling. Although state governments are increasingly planning and budgeting for recycling, according to a recent survey, 18 in the Northeast and Mid West still expect to spend 8 to 10 times more on incineration than on recycling over the next five years.

Major misconceptions persist about the nature of incinerations. It is commonly referred to as a form of recycling and an alternative to landfilling. Strictly speaking, it is neither. It can reduce the amount of materials requiring final disposal and recover some energy in the process, but it doesn't eliminate new materials or eliminate the need for landfills.

Burning garbage is not a clean process. It produces air and water pollution and tons of toxic ash. High-temperature combustion breaks chemical compounds (such as lead, cadmium, mercury) into highly toxic substances, some (extremely toxic substances suspected of causing cancer and genetic defects), and 28 different types of heavy metals, including lead, cadmium, and mercury.

Filtering devices can trap some of these substances, but incinerators still release other toxic substances, especially dioxins and furans (extremely toxic substances suspected of causing cancer and genetic defects), and 28 different types of heavy metals, including lead, cadmium, and mercury.

Another form of pollution is created by using water to quench hot ash; the water inevitably becomes contaminated with chemicals, and poses a disposal problem on a scale not yet explored.

Incinerators are extremely expensive. They usually receive a variety of overt government subsidies, plus hidden ones such as higher-than-normal rates for the energy they produce. Although day-to-day operating costs of incinerators may be lower than those of recycling and composting programs, such savings are far outweighed by the extremely high capital cost of incineration.

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West Virginia Trail Alert from Greenbrier River Trail Association

How long is long enough? After many months of waiting for the flood damage to be repaired on the state’s oldest and the East’s longest rail trail, the Greenbrier River Trail Association has finally decided to call for help. Evidently, it’s not enough to have just one representative call the Department of Commerce every week to check on the status of trail repairs. We need lots of calls and letters to get this project off the ground.

Commerce has had lots of good excuses for not getting the trail fixed. First it was federal funding, then it was incomplete engineering studies—and now— it’s the Corps of Engineers and the Fish and Wildlife Service. The Corps is saying that there has to be a 404 permit for the work now, since it has been so long since the flood!! This could take another year!! The bottom line is that every day the trail is not repaired is a day we lose recreational and economic opportunities along the trail. So—we need your help as a person interested in this and other trails in West Virginia to let our Congressional delegation and our Governor know that the trail must be fixed, and that they should do everything they can to cut through bureaucratic red tape and any other resistance to giving this premier trail trail priority status both in the Department of Commerce and at the Corps of Engineers.

Tell Governor Caperton and our Senators that we not only want the Greenbrier River Trail repaired and turned into a real showcase for West Virginia, but we want the State to implement a statewide system of high quality rail trails which will attract thousands of visitors each year, and be a real cornerstone of economic development for the state.

Even a phonecall will help us to get our point across that we are a force to be reckoned with and that we are a united constituency for this type of recreation in the state. We really should have done this years ago, but it’s never too late to find out how successful we can be NOW!!!

West Virginia: Representatives from several organizations interested in rail trails in the state met in Charleston May 1 to talk about problems and opportunities facing trails all over the state. These representatives decided it would be a good idea to meet again and invite more people to a statewide meeting to be held in September. Leslee McCarty of the Greenbrier River Trail Assn. agreed to coordinate the meeting, so if you and your group wants to attend or help in the planning, please let her know (Greenbrier River Trail Association, H.C. 64, Box 135, Hillsboro, WV 24946 (304) 653-4722). Contact: Leslee Shadrer, American Legion Post 14, WV, P.O. Box 7980, Charleston, 25319, for a list of all current and proposed rail trails in the state.

National Conference: The third annual National Trails Conference will be June 19-22 in Baltimore, Crown Mariott Fowler at RT 1400 16th St. NW, Suite 300, Washington, DC 20036, (202) 797-5400 for more information.

State and national meetings focus on trails

W.Va. Rivers Coalition opens office in Buckhannon

The Highlands Voice, May 1991 - Page 7

OSM still doubtful state DOE can adequately inspect mines

Caperton’s pledges not enough

By Paul Nyden
Staff Writer

Harry M. Snyder, director of the U.S. Office of Surface Mining, again warned state officials to give the Division of Energy more resources. Snyder was responding to new Caperton administration proposals to prevent a federal takeover of environmental enforcement in the coalfields.

"We are unable at this time to conclude from your response that resources will be available to remediate deficiencies with respect to staffing and technical resources," Snyder wrote on April 24 to gov. In an April 24 letter to Caperton, Snyder said OSM officials "believe the issue of funding must be presented to the West Virginia Legislature." Snyder again set Caperton’s promises as too vague. He refused to sign an April 19 letter to Snyder.

Earlier this month, Caperton promised Snyder he would seek additional funding from the Legislature "to the extent that additional funding is needed.”

Snyder felt Caperton’s promise was too vague and rejected the request with a deadline of Sept. 30 for legislative action.

Earlier this month, Snyder dispatched seven members of a special task force to Charleston to document problems with inspection and enforcement. In a letter to Ransome, Snyder summarized results of their research and previous federal oversight reports:

* DOE met the required inspection frequency at only 170 of 237 randomly chosen mines between July 1, 1990, and March 1, 1991.
* Since West Virginia inspectors are assigned at least twice the number of inspectable units as their counterparts in other states in the Appalachian region, it appears that this problem is primarily a product of inadequate staffing,” Snyder wrote.
* A lack of technical experts, in areas such as hydrology and engineering, prevents DOE from reviewing permit applications adequately.
* The state’s Special Reclamation Fund has a $8.7 million deficit. This figure does not include costs of treating acid drainage, which would increase the deficit dramatically.
* The Legislature increased a special reclamation tax from 1 cent to 3 cents in 1990. Snyder said the increase is inadequate.
* The DOE has not maintained accurate and complete ownership and control and bond forfeiture records, thus compromising the accuracy and completeness of information entered into the national Appliance Violator System database.

In a related action, Snyder transferred oversight of the enforcement program in Maryland from Charleston to Harrisburg, PA.

"This will allow OSM’s Charleston field office to focus all of its oversight and assistance on West Virginia,” Snyder wrote to Ranson.

During the legislative session Wayland requested another $2.6 million for environmental enforcement. Legislators gave Wayland $1 million from the Special Reclamation Fund and $1.5 million from surplus general revenue funds—if there is a surplus.

Snyder said the Special Reclamation Fund may be used only for mine reclamation, leaving DOE with $1.5 million in temporary and questionable funding.

Ironically, the state is not applying for money already available. Three months ago, OSM signed a memorandum of understanding with DOE promising $500,000 in federal funds for DOE computers. OSM officials have not yet requested the money.

W.Va. Rivers Coalition opens office in Buckhannon

The fifth edition is 320 pages and includes:

- classic West Virginia hiking areas like the Allegheny Trail, Oster Creek, Spruce Knob, Blue Bend, Dolly Sods and more;
- detailed descriptions of 164 hiking trails covering 780 miles;
- 60 maps;
- 59 black and white scenic photos;
- hiking and safety tips;
- conservation concerns.

To order your copy of the Monongahela National Forest Hiking Guide send $9.95 to:

The West Virginia Highlands Conservancy
P.O. Box 306
Charleston, WV 25321

Please include $1.50 for shipping and handling. West Virginia residents include $6.60 sales tax. ($11.45, or $12.05 in W.Va.)

I have included a ______ check or ______ money order for the amount of $__________ to the WVHC for ______ copies of the Monongahela National Forest Hiking Guide.

Name: __________________________
Address: _______________________
City: ____________________________
State: __________________________


by Bruce Sundquist and Allen de Hart

with the cooperation of the Monongahela National Forest staff and numerous hikers

The Highlands Voice, May 1991 - Page 7

W.Va. Rivers Coalition opens office in Buckhannon

Thirteen rivers in the Monongahela National Forest are candidates for Wild, Scenic, or Recreational designation under federal law. Pursuing study toward those designations will be the West Virginia Rivers Coalition, formerly known as the Monongahela Rivers Coalition. Skip Deegan told those who attended the Sunday morning board meeting at Spring Review, WV, HRW is one of the funding organizations for the coalition, which brings together 22 organizations. Roger Harrison is the staff for the Rivers Coalition and he will be working out of an office in downtown Buckhannon.

Rivers and river segments recommended for study under the federal law include Williams River, Cranberry River, and North Fork Cherry River, all of the Gauley River system; Shavers Fork, Oster Creek, Blackwater, Gladys Fork, Laurel Fork, Dry Fork, and Red Creek, all of the Cheat River system; and Seneca Creek and South Branch of the Potomac, both of the Potomac River system.

In many cases, only segments of the rivers are suggested for designation. Roger is just getting settled in the new office. More information and a map of the river/river segments will be available in the June Voice.
Corridor H: Elkins East

Environmental Considerations

presented by Mary Wimmer, Public Lands Chair
West Virginia Sierra Club

1. The southern route would seriously impact the northern half of the Monongahela National Forest where some of the best remote wildlife, pristine waters, and primitive outdoor recreational lands remaining in the eastern U.S. are located. The wilds of Dolly Sods, Oster Creek and Laurel Fork Wilderness areas, as well as a number of scenic/primitive "G.2" areas designated in the 1986 Forest Plan, would be threatened by this incompatible development. The southern route would have the least damaging impact on public recreational lands which provide the basis for the travel and tourism industry of the area.

2. The northern route would avoid major negative impacts (especially situation, pollution from road runoff, noise and aesthetics) on a large number of the most significant streams and rivers of the Monongahela National Forest, several of which are candidates for Wild and Scenic River designation. The southern route would slice directly across or along them, and fishing, boating, hiking, and hiking activities would be impacted.

3. The northern route would have no impact on the north spring groundwater aquifer that supplies pure water to the Bowdon Fish Hatchery where trout for stocking purposes are grown. The southern route would directly cut into the aquifer, which is complex in its geology, potentially causing off or polluting the hatchery water supply.

4. The northern route would meet the requirements of "Section 4" of the Federal Highway Administration (FHWA) Regulations (23 CFR 771.135) which prohibit use of land from public parks and recreation areas, wildlife refuges, or significant historic sites for federal highway construction if there is a "feasible" alternative. Areas of concern are the Spruce Knob-Seneca Rocks National Recreation Area, Cassin Valley, Blackwater Falls and Canaan Valley State Parks, and the rest of the Monongahela National Forest.

5. The idea of a "Potomac Highlands Parkway" for this Corridor H route probably can be screened through the process when input is needed. Mary Wimmer talks about impacts of various Corridor H proposals on the Monongahela National Forest and other critical areas.

section of Corridor H may serve as a draw for tourists as well as result in careful design in and along the road to minimize and screen the environmental impacts of such a highway. Tunnels should be considered.

6. Payback of rights-of-way purchased to Wymer along Route 33 as well as to Bowdon WOULD NOT BE REQUIRED because so much time has passed.

Join the West Virginia Highlands Conservancy

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Membership Benefits

* 1-year subscription to The Highlands Voice.
* Special meetings with workshops and speakers.
* Representation through WVHC efforts to monitor legislative activity.

The West Virginia Highlands Conservancy is a non-profit organization. Your contribution is tax deductible. Please keep this for your records.

Date: ______________________
Amount: ____________________
Check number: ______________

A new draft environmental impact statement (EIS) is being prepared on Corridor H east of Elkins. Express your opinion about the routing of Corridor H from Elkins east to Route 81.

Send a letter to:
Mr. Fred VanKirk
WV Division of Highways
Building #5, State Capitol Complex
Charleston, WV 25305
or call 304-348-3505

Send copies to:
Governor Gaston Caperton
State Capitol
Charleston, WV 25305
304-348-1600

Senators Robert Byrd and Jay Rockefeller
U.S. Senate
Washington, D.C. 20510
202-224-3954 (Sen. Byrd)
202-224-6472 (Sen. Rockefeller)

Representative Harley O. Staggers Jr.
U.S. House of Representatives
Washington, D.C. 20510
202-225-4331

Sierra Club is putting together a computer data base of those who oppose the southern route along Route 33 to keep them informed about key points in the process when input is needed. If you are interested in being placed on our list, contact Mary Wimmer, WV Sierra Club, P.O. Box 4142, Morgantown, WV 26504 or Tom Prall, Rt. 3, Box 146, Apt. 6, Buckhannon, WV 26201.

George joins Perry & Haid as firm's general counsel

CHARESTON—Larry W. George, former president of the West Virginia Highlands Conservancy and former Commissioner of the West Virginia Division of Energy, has joined The Perry & Haid Group as the firm's General Council.

The move was announced April 8 by firm partner Willis J. Perry, George, 36, an attorney and civil engineer, will provide consulting services in environmental management, land use, and other public policy matters.

The Perry & Haid Group, based in Charleston, is a consulting firm providing services in management, environment and land use, public policy analysis, and governmental relations in West Virginia and the Mid-Atlantic region.

George was deputy director of the West Virginia Division of Natural Resources (DNR) from January 1989 to June 1990, when he was appointed Energy Commissioner. Prior to joining DNR he was in private practice law. He also served on the Grover C. Hill, Jr. Council of the West Virginia Senate (1984-85 session) and Staff Council to the House of Delegates (1988 session).

George served as a member of the West Virginia State Water Resources Board from 1978-82. He was a member of the National Coal Council 1985-86 and the Energy and Environment Council of the National Governors Association (1989-90). From 1983 to 1986 he was president of the West Virginia Highlands Conservancy.

George holds a B.S. in Civil Engineering (1979) from Virginia Polytechnic Institute & State University, and a Doctor of Jurisprudence (1982) from West Virginia University College of Law. He is a native of Huntington.

Notes ——— from page five requirements are not met.

* Membership secretary Pat Riffe announced that her husband has been notified of a transfer out of state and they expect to move in August. Cindy is looking for a new membership secretary.

* My thanks to Tom Michael, Perry Bryant, all of the board (and, I suspect to Cindy Rank for suggesting it to Tom) for an increase in the Voice editor stipend, since the present system includes doing all the typesetting and printing costs are down.

I recently upgraded for a used computer so I could do much of the work at home, since even on a day off, if I go the office I get sucked into doing Second-Delta business. The increase relieved some of my panic about how I was going to pay for it. Thanks.