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The Highlands Voice

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April, 2003 Volume 36 Number 4

LAND SALE THREATENS CHEAT RIVER

It is spring, and white water fed by melting snow races through Cheat River Canyon and Big Sandy Creek Gorge. Oak, beech and hemlock tower over the tumbling flows, and thickets of rhododendrons line them like a crowd at a parade. But there is fear in this almost heavenly part of the state. The whitewater boaters, cavers, hikers, birders, campers, hunters and fishers who love this region are worried that its pristine beauty will be spoiled because a power conglomerate, Allegheny Energy, is seeking public bids for 5,400 acres it owns along the waterways.

They fear that the strapped electric company's decision last week to end exclusive negotiations to sell the land to the state and instead put the properties up for public bid could open the ecologically fragile, steep-sloped canyon and gorge to timbering, mining and housing development.

"As landowners go, Allegheny Energy has been good. Its lands have always been open for public use and I'm sorry to see them go," said Charlie Walbridge, a kayaker and member of American Whitewater and Friends of the Cheat, two of the organizations fighting to preserve the canyon and gorge.

"We just want to make sure that this stays the kind of place where people want to come and visit, live and work. We think the best way to do that would be for the state to buy it."

Allegheny Energy acquired the properties along the Cheat River and Big Sandy Creek in Preston County, 100 miles south of Pittsburgh, in the 1920s for hydroelectric projects that were never built. It is selling them now because it is heavily in debt and needs

to raise cash.

The Maryland-based company, which sells electricity in Pennsylvania as West Penn Power, suffered financial losses when it expanded into wholesale energy trading shortly before the Enron Corp. collapse decimated that industry. The company has been hurt during the past year by lawsuits, credit downgrades and stock sell-offs.

To aid its recovery, Allegheny Energy has scaled back its energy trading, canceled power plant construction projects, suspended stock dividends and reduced its work force by 10 percent.

Last week, after negotiating with the state of West Virginia and its agent, the nonprofit Conservation Fund, for almost a year, Allegheny Energy, which has donated thousands of acres to West Virginia for state parks and other public lands over the years, announced it was soliciting bids on the properties.

"It's not that we reached an impasse, but we never got to the point where an acceptable offer was made," said Allen Staggers, a spokesman for the energy company. "A lot of parties have shown interest, and the state was one. As things developed it became clear we didn't know the real value of the properties, so we came to the conclusion to solicit bids."

Staggers would not say how much the company expects to get for the properties or whether it has received inquiries from private developers or mining and lumber companies. He said 30 bid



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From the Western Slope of the Mountains

by Frank Young

Promoting Economics is part of our Purpose

Recently, in the course of discussing environmental issues, one of our members said, "There is more than an undercurrent of sweeping anti-business or at least anti-industrial sentiment in our group."

And indeed there is. And this has disturbed me for several years. This sentiment is often expressed in our discussions, in our pleadings and in articles published in our newsletter.

I must admit that I have perhaps spouted a considerable amount of "anti-corporatism" here. In this space I have written extensively about the excesses, the lawlessness and the corruption of and surrounding activities of coal companies. And I make no apologies for this. If corporations are "evil", coal companies are demonstratively among the most evil.

But not all companies are coal companies. And not all companies and other businesses are evil- "evil" being a subjective term, of course.

We as a nation operate on an economy based on what's called the "free enterprise" system. Very, very few of us, if any at all, are truly self-sufficient – meaning that we are able to make, harvest, or otherwise independently procure all of our life's needs.

The United States model is that services are produced and products are mined, harvested, manufactured or otherwise produced for a consuming public. All this producer-consumer interaction is under an economic umbrella we call "business and industry".

Unless we are seriously preparing for a fully self-sufficient existence, I believe that it is foolish to avow that business and industry and the practitioners of economic enterprises are, by definition, evil or unworthy of our respect unless they show themselves to be so- as some have.

One common criticism of economic enterprises is that they strive to make a "profit" - with the implication that "profit" is bad. And while I have sometimes written about the unjustness of unfair and ill-gotten profits, it is the quest for profits that drives the economic machinery of the nation. So unless we are advocating an entirely different economic system than what this nation runs on, then the quest for profits, and the business and industry developed therefrom, are the economic base from which we must conduct our work for both preservation and wise use of the West Virginia highlands.

Indeed, the Conservancy's founders recognized the importance of economic activity. Our general purposes, written into our by-laws, encourage preservation and **wise use** of the resources of the highlands region of West Virginia for the "cultural, social, educational, physical, health, spiritual **and economic** benefit of present and future generations of West Virginians and Americans". (bold italics mine)

Volumes have been written about and wars have been fought over economics. I am not trying to start a war here. But I am trying to offer a recognition that the business and industrial activities we seek to bring to environmental responsibility through regulation, education or otherwise are not "greedy and evil" simply because they are "for profit" enterprises. They become "greedy and evil" only if they choose to operate greedily and evilly.

I believe in economic capitalism- albeit heavily regulated and fairly taxed capitalistic enterprises. Our documented organizational purposes recognize economic benefits to be derived through both preservation and wise use of the state's natural resources.

I respectfully suggest that those of us whose basic economic agenda is anti-business and/or anti-industrial are out of step with the purposes of and the practical usefulness of the West Virginia Highlands Conservancy.

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Some changes for mining; timbering dodges regulation again

NEW REGULATIONS ON FLOODING

By John McFerrin

The West Virginia Legislature has passed most, if not all, of the coal related recommendations of the Governor's Flooding Task Force. These new regulations were prepared by the Department of Environmental Protection based upon the studies and recommendations of the task force which Governor Wise appointed to study the July 2001 flooding in southern West Virginia.

The guidelines would require the coal industry to do runoff studies before they could obtain permits. They would have to show that their mining would not increase runoff during heavy rains. The new regulations would also require more rapid revegetation after mining so as to reduce the risk of erosion.

As first proposed, the guidelines would also have a required the coal industry to use "constructed valley fills." Instead of shoving or blasting the rock and dirt into the valley, the mine operators would have move the material to the bottom of the area to be filled, deposit it in layers, and compact each layer. Because each layer could have been revegetated soon after it was compacted, this would have resulted in less exposed area at any one time, leading to less erosion and better fill stability. While this would be a change from present practice, it would not represent a novel practice. In the past all valley fills were "constructed valley fills."

In response to objections from the coal industry, the proposal to require constructed valley fills was dropped. In its place was a requirement that companies create a broad, flatten area im-

mediately downstream from the fill. If the Department of Environmental Protection and the coal industry representatives are correct, then this would reduce the likelihood that a fill would cause or add to flooding. The practice would, however, probably result in more of the stream being filled as companies constructed the broad, flattened area.

The Task Force also recommended stricter oversight of logging operations. The Division of Environmental Protection had proposed that the Division of Forestry (which regulates logging) inspect all timber operations, not dispose of woody vegetation in stream channels, reseed logging roads when the logging ends, and limit logging in particular watersheds to limit runoff.

The recommendations by the Task Force concerning logging were not turned into law by the Legislature. They remain simply recommendations with no legally binding effect upon the logging industry.

There had been some controversy over the role of Governor Wise in these recommendations. While they had been the recommendations of the task force he appointed, he never took any public position in support of the recommendations and there is no indication that he did anything to persuade the Legislature to take action. He did sign the legislation as passed by the Legislature.

AMENDMENT PROPOSED TO CLEAN WATER ACT

By John McFerrin

United States Representatives Frank Pallone (D-NJ) and Christopher Shays have reintroduced legislation to amend the Federal Clean Water Act to clarify that fill material cannot be comprised of waste. The amendment would make clear that the dumping of mining waste and other pollutants into streams is prohibited.

The "Clean Water Protection Act" (HR 738) has 26 cosponsors, though none from Kentucky or West Virginia where the legislation would have the greatest impact.

The legality of dumping mining waste into streams has been controversial in recent years. The Clean Water Act prohibits the disposal of waste into streams. It has been the contention of environmental groups, including

the West Virginia Highlands Conservancy and the Kentuckians for the Commonwealth, that this prohibition makes valley fills that fill streams illegal. In a 2002 ruling, United States District Court Judge Charles Haden II agreed with this interpretation of the law, holding that the rock and dirt which covers coal seams is waste material and that it could not be disposed of in streams without violating the Clean Water Act. The United States Court of Appeals for the Fourth Circuit later reversed this interpretation.

While this litigation was pending, the Bush administration amended the regulations that are supposed to implement the Clean Water Act. The amended regulations would allow the filling of streams with mine waste.

This was done without consultation with Congress. In its decision the Court of Appeals relied upon the amended regulations.

The proposed legislation would clarify the law so that mine waste could no longer be used to fill streams.

"Our bipartisan legislation is needed to ensure our streams and waterways aren't buried under millions of tons of mining and other industrial wastes," Pallone said. "While the legal debate continues, it is critical that we support the true intentions of the Clean Water Act and oppose the continued efforts of the Bush administration to use our waterways as dumping grounds for industrial wastes."

The bill has been referred to the Subcommittee on Water Resources and Environment.

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The *Highlands Voice* is always printed on recycled paper. Our printer uses 100% post consumer recycled paper when available.

The West Virginia Highlands Conservancy web page is www.wvhighlands.org

The West Virginia Highlands Conservancy is a non-profit corporation which has been recognized as a tax exempt organization by the Internal Revenue Service. Its bylaws describe its purpose:

The purposes of the Conservancy shall be to promote, encourage, and work for the conservation- including both preservation and wise use- and appreciation of the natural resources of West Virginia and the Nation, and especially of the Highlands Region of West Virginia, for the cultural, social, educational, physical, health, spiritual and economic benefit of present and future generations of West Virginians and Americans.

(Continued from page 1)

packages were sent out.

Susan Small-Plante, a spokeswoman for West Virginia Gov. Bob Wise, said the Conservation Fund had offered \$700 an acre — \$3.78 million — for the properties and secured a \$1 million, no-interest, three-year loan from the Nature Conservancy.

The loan gives the state, which is facing a tight budget, time to raise additional money for the purchase from fees or Land and Water Conservation Program funds, Small-Plante said.

In past land sales, Allegheny Energy allowed the state to spread out payments over time, but that isn't an option now because of the company's financial troubles.

The decision to put the properties out for bid surprised and disappointed Wise, who in a letter to Jay Pifer, Allegheny Energy president, urged him to reconsider.

"The potential negative consequences of the sale of this property to private interests are many," the governor wrote, "including avoidable and unnecessary conflicts involving impacts on endangered species, the negative impact on various economic development efforts in the surrounding communities and the effect on traditional and future recreational access to this vital resource."

The region is home to more than 50 caves and 10 threatened or endangered

species, including the Indiana bat and the flat-spined three-toothed land snail.

The possible land sale has pushed local environmental groups into a frenzy of action.

Letter writing and e-mail campaigns were initiated by the Cheat Canyon Coalition, an umbrella organization for 13 conservation and outdoors groups. Ten state legislators in West Virginia also have signed a letter urging Allegheny Energy to sell the land to the state.

"Many people from the Pittsburgh area have enjoyed the caves down there," said Heather Houlahan, a Pittsburgh Grotto chapter member of the National Speleological Society from Cranberry. "It would be a terrible thing to see an area like that, a major wild area intact as it is, lost to development."

Houlahan said allowing limestone quarries to mine in the canyon or gorge would disrupt the normal flow of water into tributary streams and create major problems for the Cheat River.

Walbridge said studies done by the state showed that making the canyon and gorge areas public lands would increase recreation expenditures and economic benefits to the surrounding communities by \$575,000 a year. The amount of tax revenues lost by converting the Allegheny Energy land to public ownership would be \$6,200 a year.

He said Friends of the Cheat and other groups would help raise the money

necessary to buy the land, and Small-Plante said the governor's office had received offers of donations for the land, including one for \$50,000.

Staggers said it was still possible for the state to purchase the land, but said the company could begin evaluating bids as early as May. Small-Plante said the state had requested a bid package from the company and remained in the hunt.

"This is a significant piece of property, not only because of the endangered species. The tracts are tremendously important to the recreational economy of the area and state," she said. "This is not just another piece of land."

This article originally appeared in the Pittsburgh Post Gazette



Flat spired three toothed snail

GROUPS SUGGEST MCGINLEY TO HEAD DEPARTMENT OF ENVIRONMENTAL PROTECTION

Six of West Virginia's largest environmental groups have asked Gov. Bob Wise to appoint a West Virginia University law professor as secretary of the Department of Environmental Protection. The West Virginia Highlands Conservancy and five other groups urged Wise to appoint Patrick C. McGinley to the DEP post.

McGinley, a longtime lawyer for state citizen groups, "would bring unrivaled expertise" to the job, the organizations said in a letter to Wise. "Most importantly ... he would emphasize the 'protection' aspect of the Department of Environmental Protection's mission," the groups said in their letter.

Joe Lovett, executive director of the Appalachian Center for the Economy and the Environment, wrote the letter on behalf of the groups. Other organizations that signed it were the West Virginia Rivers Coalition, the Sierra Club, West Virginia-Citizen Action Group, the West Virginia Environmental Council and the Ohio Valley Environmental Coalition.

"Professor McGinley is the pre-eminent public interest lawyer in the state and one of the most respected environmental lawyers in the nation," Lovett wrote. "He has spent his career protecting the state's natural resources and the communities that depend

on those resources."

Earlier this year, DEP air quality director Stephanie Timmermeyer became acting agency secretary when Mike Callaghan resigned to become state Democratic Party chairman. Timmermeyer, 33, has said that she would like the job permanently. Timmermeyer, a May 2001 graduate of the WVU College of Law, joined DEP in December 2001. Between law school and DEP, Timmermeyer worked for the Charleston law firm Spilman Thomas & Battle. Before law school, she was a forester for American Electric Power and a consultant with Terradon Corp. and Potesta & Associates.

So is the Governor listening? Not on this issue. He appointed Stephanie Timmermeyer instead.

WHAT THE GOVERNOR IS DOING TO HELP

Mr. Jay Pifer
President
Allegheny Power
800 Cabin Hill Drive
Greensburg, PA 15601

Dear Mr. Pifer:

I must express my deep concern and disappointment regarding the sudden decision by Allegheny Power to place its Cheat Gorge/Big Sandy properties for sale on the open market. The potential negative consequences of the sale of this property to private interests are many, including avoidable and unnecessary conflicts involving impacts on endangered species, the negative impact on various economic development efforts in the surrounding communities and the effect on traditional and future recreational access to this vital resource.

Prior to this surprising news, it was my understanding discussions between Allegheny Power and The Conservation Fund, negotiating on behalf of the state at my request, had been fruitful. I understood these negotiations would lead in short order to the acquisition of these properties by the state and the natural resources would thus be preserved for public benefit.

I understand the fiscal demands placed upon Allegheny Power by its current situation. I also understand your responsibility to maximize shareholder value. I continue to assert, however, that state acquisition of the Cheat Gorge/Big Sandy properties represents the highest and best use of these properties for everyone.

As we have previously discussed, Allegheny Power's Cheat Gorge tracts are home to a number of rare, threatened, or endangered species. All tracts of land in the Cheat Gorge are home to the federally threatened flat-spined three-toothed land snail. Cornwall Cave, a three-mile complex deep in the Gorge, harbors a population of federally endangered Indiana bats. Lands throughout the Gorge are foraging habitat for this rare bat. Over 80 other caves, most of which have not been surveyed for biological resources, are documented on these tracts.

Allegheny's properties in the Gorge are also home to several other rare animal and plant species, including the green salamander and smooth rose. As you know, these species are not confined to a few specific areas, but dispersed throughout the Gorge. Any future development or resource extraction would face extraordinary challenges meeting federal requirements to protect these sensitive species.

The north central region of the state has been working dili-

gently over the past decade to attract high tech industry companies to the area. Corporate executives from these companies make their decisions on where to locate their businesses based on a variety of issues. Weighing heavily into these decisions are quality of life issues. Having the majestic Cheat Gorge with its breath taking vistas has long been a selling point to many of these executives.

Cheat Gorge's recreational assets are also well documented. The Cheat River is one of the region's best whitewater boating rivers. The Cheat and the Big Sandy are major tourism resources that support heavy commercial and private whitewater use. The Laurel Run of Big Sandy is a popular trout stream offering exciting opportunities for additional improvement. The Allegheny Trail runs the length of the Cheat Gorge properties and is a popular hiking area. Hunters and other recreational users have enjoyed and appreciated access to these lands for many years. They would be a magnificent addition to the Cooper's Rock and Snake Hill properties.

Considering the obvious conservation value of the Cheat Gorge/Big Sandy properties to the public, and the potential conflicts and development costs they would present to knowledgeable private buyers, I believe it is not only the public that would be well served by State acquisition, but Allegheny Power's shareholders as well. Through its relationship with The Conservation Fund, the State of West Virginia remains financially positioned and absolutely willing to deliver substantial value to its citizens and to your shareholders.

For many years Allegheny Power has been a responsible corporate partner with the State of West Virginia in our collective efforts to conserve the state's valuable natural resources. Your conservation actions in Canaan Valley, Blackwater State Park, Stone Coal Reservoir, Cheat Lake and other areas, as well as Allegheny Power's active participation in water pollutant trading, TMDL and other stakeholder processes bear witness to your long standing commitment to corporate citizenship.

I believe that state acquisition of the Cheat Gorge/Big Sandy properties is another great opportunity to demonstrate the public and private sector value of that partnership. I strongly urge you to reconsider your decision to place the Cheat Gorge/Big Sandy properties out for public bid.

I look forward to hearing from you.

Very truly yours,
Bob Wise
Governor

WHAT YOU CAN DO TO HELP

Letters are needed to Allegheny Energy president Jay Pifer. His address is as follows:

Mr. Jay Pifer, President
Allegheny Power
Hagerstown Corporate Headquarters
10435 Downsville Pike
Hagerstown, MD 21740-1766

Please copy your letter to:

Governor Bob Wise
1900 Kanawha Boulevard, East
Charleston, WV 25305

and

Congressman Allan B. Mollohan
2302 Rayburn House Office Building
Washington, DC 20515



Explore the CHEAT CANYON Get to Know Its Unique Features

These trips are sponsored by organizations in the Cheat Canyon Coalition.
Half of your trip fee goes to further the work of the sponsoring organizations
working to protect this unique area.

- Sat, May 3, 2002 THE FAMOUS CHEAT FESTIVAL Admission \$10.00
Music, Crafts, Exhibits, and Games from Noon To Midnight
Don't Miss it!
- Sat, May 17, 2003 CHEAT CANYON HIKE \$29.00
9.5 miles of the Allegheny Trail through the heart of the Cheat Canyon
A gentle walk following an old logging railroad grade that runs the length of the canyon
With naturalist and Cheat Canyon expert Ken Hotopp
Sponsored by West Virginia Scenic Trails Association
- Sun, May 18, 2003 CHEAT CANYON RAFTING \$79.00
Adventure Class Whitewater
The full day classic filled with challenging Class III-V drops
in the depths of the Cheat Canyon
Sponsored by Friends of the Cheat
In partnership with Mountain Streams and Trails and Precision Rafting
- Sat, May 31, 2003 CHEAT CANYON WILDFLOWER HIKE \$29.00
9.5 miles of the Allegheny Trail through the heart of the Cheat Canyon
This gentle walk follows an old logging railroad grade that runs the length of the canyon
With naturalist and historian Doug Wood
Sponsored by West Virginia Scenic Trails Association
- Sat, June 14, 2003 LOWER CHEAT CANYON RAFTING \$55.00
Family Class Whitewater
A unique combination of moderate Class III rapids and a pleasant float
past the Cooper's Rock overlook to Cheat Lake
This trip will be accompanied by a naturalist
Sponsored by Cooper's Rock Foundation (CRF) and
Cheat Lake Environmental and Recreational Association (CLEAR)
- Sun, June 22, 2003 CHEAT NARROWS \$55.00
Family Class Rafting
A half-day introduction to moderate Class II-III whitewater
in a beautiful roadside setting upstream of Albright, WV
Sponsored by Friends of Cheat in partnership with Wilderness Voyageurs Outfitters
- For reservations call Friends of the Cheat 304-329-3621
Mastercard and Visa Accepted
All trips meet at 9:30 a.m. at the Friends of Cheat River Access area near Albright, West Virginia
No refunds within 30 days of the scheduled trip



Spring Review 2003

April 25-27

Wind Farms come to the West Virginia Highlands



Friday evening social gathering at Shot Cherry Cabin near Spruce Knob.

Saturday Join us as we tour West Virginia's first wind farm on Backbone Mountain. Meet at Blackwater Falls State Park Lodge at 10AM.

We will also visit the sites of 3 proposed wind farms, including;

- the US Wind Force project near Mount Storm,
- the Allegheny Front to see the location of the largest proposed wind farm in the east, where as many as 200 turbines are planned by Ned Power,
- and Rich Mountain, where Guascor has proposed a wind farm to the north and south of US Rt. 33.

Saturday Evening Dinner and discussion about wind power generation in the West Virginia highlands at Shot Cherry Cabin.

Sunday Highlands Conservancy Board of Directors Meeting Field Trip to Spruce Knob/Seneca Creek Backcountry.

Lodging Bunk beds are available at Shot Cherry Cabin for \$15/night. Camping is available.

Meals We'll be serving up breakfast (\$5)on Saturday and Sunday, and Dinner (\$10) on Saturday. Lunch fixins will be available at the cabin.

Please RSVP with reservations or Questions:

Dave Saville
dave@wvhighlands.org
304-284-9548

Or send registration information by April 19, to:

West Virginia
Highlands Conservancy
PO Box 306
Charleston, WV 25321



Join Now and get a free gift!!



West
Virginia
Highlands
Conservancy
www.wvhighlands.org

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The Emerald Realm, Earth's Precious Rain Forests. Together, earth's tropical rain forests make up a globe girdling emerald realm that occupies just 5 percent of the world's land area-yet nurtures half its plant animal species. From this cornucopia pours an array of foods and herbs, medicines and chemicals, and a variety of construction materials. The magnificence, the fragility, the mystery of "the most diverse, the most complex, and the least understood ecosystem on earth" are yours to experience in this 200 page National Geographic book. A \$20.00 value free to new members. **Premium available to new members only.**

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BUMPER STICKERS BROCHURES

To get a free I [heart] Mountains bumper sticker, send a stamped, self addressed envelope to your school, church or civic group need a speaker or program presentation on a variety of environmental issues? Contact Julian Martin 1525 Hampton road, Charleston WV 25314 or imaginemew@aol.com or 304-342-8989.



The Sierra Club, Citizens Coal Council, Coal River Mountain Watch, Ohio Valley Environmental Coalition, West Virginia Rivers Coalition, Appalachian Focus(Kentucky), Big Sandy Environmental Coalition(Kentucky), Kentuckians For The Commonwealth and the West Virginia Highlands Conservancy have put together a new brochure entitled "Mountaintop Removal Destroys Our Homeplace STOP THE DEVASTATION!" For a copy send a self addressed stamped envelope to Julian Martin, 1525 Hampton Road, Charleston, WV 25314.

Quantities are available for teachers, civic and religious groups and anyone who can get them distributed.

SPEAKERS

Does your school, church or civic group need a speaker or program presentation on a variety of environmental issues? Contact Julian Martin 1525 Hampton road, Charleston WV 25314 or imaginemew@aol.com or 304-342-8989.

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Just in—White, heavy cotton(Fruit of The Loom) T-Shirts with the I [heart] MOUNTAINS slogan on the front. The lettering is blue and the heart is red. Sizes S, M, L, XL, XXL \$6 plus \$2 postage etc. \$8 total by mail. Send sizes wanted and check made out to Julian Martin to:

Julian Martin
1525 Hampton Road
Charleston, WV 25314

SIERRA CLUB HAS NEW ORGANIZER IN SOUTHERN WEST VIRGINIA

By Bill Price

More than two years ago Sierra Club volunteers and the organization Appalachian Focus conducted a Listening Project to meet with people in communities impacted by coal mining in West Virginia, Virginia, Tennessee, Kentucky, Ohio, and Pennsylvania. The purpose of that effort was to listen to and learn of the concerns of coalfield residents and how the Sierra Club might be of assistance. From that project came the recommendation that the Sierra Club hire an Environmental Justice Resource Coordinator to work in this six state area of central Appalachia. I work with residents of local communities, providing resources and assistance to deal with coal related environmental justice concerns.

The role of an Environmental Justice Resource Coordinator is somewhat different than the typical organizer in Sierra Club. I will be working directly with communities and residents who usually are not Sierra Club members. As such, I have a special obligation to respect the direction of the local people. Each community is unique, with its own set of challenges.

The Environmental Justice program will not attempt to convert the communities to Sierra Club issues, but instead is designed to support the communities as they work to solve issues the community has chosen to work on. I will keep Sierra Club chapters and groups informed and involved through a variety of means such as regular reports to Chapter Executive Committees and articles in newsletters.

Sierra Club volunteers and leaders will have the opportunity to become more involved in coal related issues. I believe that through a closer relationship between Sierra Club activists and grassroots organizations, we can have a great impact on the future of our area. Sierra Club members are some of the most energetic fighters for environmental rights that I have seen. People who live in the midst of the battle are tough and tenacious survivors. Combining those attributes creates a very powerful alliance.

All of our work in the communities will be fruitless if, when we leave, the community is not better prepared to meet the struggles ahead. Leadership development within the local groups has to be a primary goal of this program. We will always seek to foster community self-reliance.

The overriding theme of the Environmental Justice program is that communities should empower themselves to identify and solve their problems. I will work to help in their efforts and bring the resources of the Sierra Club to bear on the issues important to Appalachian communities.

As a resident of the southern West Virginia coalfields for over 30 years, I have personally experienced the feelings of powerlessness and anger that invariably occur in communities affected by social and environmental injustices. It is my desire to directly help people in Central Appalachia who recognize their rights to safe communities and a healthy environment. As a strong proponent of community empowerment, I believe that people are in a position to help ensure environmental responsibility in areas of Appalachia where industry often wields enormous political power and wealth.

Finally, let me say that I am very excited to be involved in this program. The struggles faced by communities in Central Appalachia are many. Irresponsible mining practices continue to cause devastation in many communities around the region. Coalfield communities that once thrived now find themselves drying up, with little hope of being reinvigorated by an industry that has proven to be driven purely by profit. Basic services, such as water, sewage, safe roads, recreational activities and others are totally lacking in many

areas. Coal companies continue to break the law on a daily basis as they overload trucks that travel the same roads as our children.

Too often, state officials ignore the will of the very people who elected them and instead bend to the wishes of those who contributed money to that election. The people of the region are often treated as if they are expendable, in the way of progress. Coal officials dream of how easy it would be if we would just relocate and let them have our home place. And perhaps that would be the easy way, but Appalachians have never taken the easy way. We are a strong and determined lot. There is an old hymn that says, "Like a tree that's planted by the water, I shall not be moved." They have destroyed our trees, they have polluted our waters, but Appalachia is our home place. And the people of Appalachia shall not be moved.

I am always interested in comments regarding this work and environmental issues in general. Your ideas and suggestions are welcome. You may contact me at the following:

Bill Price, Sierra Club Environmental Justice Resource Coordinator
137 Fulton Bottom Road
Dorothy, WV 25060
Phone 304-854-1179
E-mail Bill.Price@sierraclub.org

Editor's note: Bill Price has been hired by Sierra Club as the Environmental Justice Resource Coordinator for Central Appalachia. He will be working with grassroots community groups in the states of West Virginia, Kentucky, Pennsylvania, Tennessee, Ohio and Virginia to provide resources and assistance in addressing coal related environmental concerns.



OVEC SPONSORS MOUNTAINTOP REMOVAL PLAY

The Ohio Valley Environmental Coalition will present the mountaintop removal play Final Assault at 8 p.m. on April 18 at the West Virginia State College Capitol Theatre Center, 123 Summers Street, Charleston. Tickets are \$20 in advance. For tickets or more information contact vivian@ohvec.org.

Depending upon how the auditions turn out, the play may star (feature, allow to be in, tolerate, whatever) the West Virginia Highlands Conservancy's own Julian Martin.

If you live out of state or otherwise can't attend, please consider buying a "scholarship" ticket for a low-income coalfield resident who might not otherwise be able to attend on this special evening. Again, e-mail vivian@ohvec.org for details on how to get a ticket.

West Virginia Mountain Odyssey



Outings, Education and Beyond

April 9-10 Wed-Thur. Bushwack into a possible expansion of the **Cranberry Wilderness**. Serious bushwacking enthusiasts will enjoy this strenuous trip into some of West Virginia's most beautiful and remote wild country. We will start very early on the 9th and also do some exploring the morning of the 10th. Contact Matt Keller mattk@tws.org

April 12-13, Sat.-Sun. Otter Creek Spring Backpack Plan to hike over Shaver's Mountain, admire the big hemlocks and the views, and camp on Otter Creek. Contact Peter Shoenfeld, peter@mountain.net, (301)587-6197.

May 3, Sat. Canoe trip through Smoke Hole Canyon in the South Branch of the Potomac River. Class II water, some canoeing experience needed. This trip was a favorite the last two years. Contact Carter Zerbe, (410)345-2728 office, (304)343-3175 home.

May 4, Sun. Southern North Fork Mountain. Hike to majestic outcrops and beautiful high mountain pastures on the little-visited portion of North Fork Mountain south of US 33. Contact Peter Shoenfeld, peter@mountain.net, (301)587-6197.

May 14, Wed. Hike in **Big Schloss** Roadless Area in the George Washington National Forest. This gem straddles a high point on the West Virginia/Virginia border in Hardy County. Come out and experience one of the two states' shared treasures. Contact Matt Keller mattK@tws.org

May 17, Sat. Canaan Valley National Wildlife Refuge, Boardwalk/ bridge/trail construction. We will be helping the Friends of the 500th in providing an accessible trail to some wetlands and beaver ponds on the Freeland Tract. This is a volunteer work outing, come dressed for the weather, bring gloves tools etc. All welcome. For more information, contact Dave Saville 304-284-9548 dave@whighlands.org

May 31 - June 1, Sat.-Sun. Bushwhack Extreme On North Fork Mountain. Two day backpack trip up then down the steep west slope of North Fork Mountain. Enjoy thousands of vertical feet cascading streams and cliffs in very rugged and remote country. Spectacular views. This is a good chance to explore remote areas of a potential future Wilderness area. No trails. Experienced backpackers who are sure of foot and in good shape, only please. Hosted by Jonathan Jessup. (703)204-1372 jonathanjessup@hotmail.com

June 7, Sat. Ramsay's Draft, VA. Hike this unlogged stream from about noon to 4. About 6 mi., not steep. Meet at Marlinton's River Restaurant at the Bridge at 10 AM, Call Don Gasper, (304)472-3704.

June 7-10, Sat.-Tues. Backpacking, base-camping and hiking on Red Creek/ Roaring/ Flatrock Plains— one of the highest, most rugged, and most scenic parts of the West Va. Highlands and Monongahela National Forest. Near the peak of spring colors (azaleas, pink ladyslipper orchids). We will camp on, and explore, the rims of Allegheny Front and Long Run that offer some of the best views (and scenery) in the area - much of it rarely seen. Hopefully we will have time to visit Haystack Knob, Thunderstruck Rock, Mt. Porte Crayon and much of the north Rim of Long Run. Prior backpacking experience required. 16 miles of backpacking. Limit: 10. Contact Bruce Sundquist, 724-327-8737 or bsundquist1@juno.com

June 20-22, Fri-Mon. Spruce Knob Bushwacking/Backpack Trip. Ever wondered what lay beyond the trail's end? Or how about the "abandoned trail" listing on an older map? Come find out as we bushwack through spruce and laurel, trying to find our own hidden Shangri-La. Strenuous. Contact Susan Bly at sbly@shepherd.edu or 304-258-3319 between 7:00 and 9:00 pm.

June 21. Canoeing. A flat-water float trip through the 5 mi. long Buickhannon River pool. We may fish; we will paddle. Meet at 11 AM at Sheetz at Corridor H in Buckhannon. Call Don Gasper at (304)472-3704.

June 28-29, Sat.-Sun. - Mountain Laurels Bloom Hikes in Bear Rocks and Dolly Sods Scenic area. Join for one or both days (with camping) to hike in countless acres of open meadows full of flowering mountain laurels. Spectacular mountain views and cool temperatures make for a nice summer escape in West Virginia's best alpine-like country. Hosted by Jonathan Jessup. (703)204-1372 or jonathanjessup@hotmail.com

July 4-6, Fri.-Sun. - Roaring Plains - Canyons Rim Trail. Explore and witness spectacular, remote, rocky and rarely visited high elevation country. Many excellent views. Be prepared for cool temps and weather extremes. Despite high elevation, climbs are gradual. ~23 miles. Experienced backpackers only please. See photos at <http://www.jonathanjessup.com/rp-set1.html> Hosted by Jonathan Jessup. (703)204-1372 jonathanjessup@hotmail.com

July 12-13, Sat.-Sun. Two day backpack trip in Middle Mountain Roadless Area. Venture up into a very wild yet little know area of the Mon. We will set just above Anthony Creek and follow the Bear Branch up Middle Mountain and along its spine. Previous backpacking experience required. Contact Matt Keller mattk@tws.org

July 26-27, Sat.-Sun. Two day backpack trip to Seneca Creek Roadless Area Seneca Creek has very high Wilderness potential. Come out and see why! We'll hike the creek and up the flanks of Spruce Mountain for some spectacular views of the WV. Highlands. Prior backpacking experience required. Contact Matt Keller mattk@tws.org

July 27, Sun. Sinks of Gandy. Walk-crawl-wade-swim almost a mile underground following the Gandy Creek through the mountain. A unique opportunity for an unforgettable adventure. Led by professional geologist and naturalist Barnes Nugent. Suitable for caving novices. Contact Barnes Nugent, (304) 284-9548, barnes@geosrv.wvnet.edu.

August 8 - 10, Fri.-Sun. Dolly Sods Waterways. Looking for a way to cool off this summer? How about dowsing your head under a waterfall in one of WV's premier hiking destinations? Help find swimming holes in Red Creek as we backpack both in and out of the Creek. This trip is moderate to strenuous. Contact Susan Bly at sbly@shepherd.edu or 304-258-3319 between 7:00 and 9:00 pm.

October 4th, Sat. - Roaring Plains - Canyons Rim Trail Day Hike. Explore and witness spectacular, remote, rocky and rarely visited high elevation country. Many excellent views. Be prepared for cool temps and weather extremes. Only one 400ft climb. ~5 miles See photos at <http://www.jonathanjessup.com/rp-set1.html>. Hosted by Jonathan Jessup. (703)204-1372 jonathanjessup@hotmail.com.

Almost Anytime. Visit Kayford Mountain south of Charleston to see mountain top removal (MTR) up close and hear Larry Gibson's story about how he saved his mountain, now almost totally surrounded by MTR. Bring a lunch— there is a picnic area on Larry's mountain. Just call Larry or Julian Martin. Leaders: Julian Martin, (304)342-8989, imaginemew@aol.com and Larry Gibson, (304) 586-3287 or (304) 549-3287 cellular.

MISSION OF THE OUTINGS COMMITTEE

By Jonathan Jessup

The Highlands Conservancy Outings Committee encourages West Virginians as well as people from out of state to visit and appreciate our natural wonders in West Virginia. Enjoyment and appreciation of our natural environs is a very important part of what the Highlands Conservancy does. In visiting our great wild places you will feel a deeper connection to them. I urge you to participate in at least one Highlands Conservancy outing each year. In doing so your appreciation for what the conservancy does will grow and your personal connection to our special places will foster in you a greater awareness, interest and concern. The West Virginia Highlands can and will benefit from your awareness, interest, and concern in them and they need it very much.

Outings can take many forms including: canoeing, backpacking, interpretive educational walks, cross country skiing, spelunking, photography, leisurely walks, bushwhacking, and more. Difficulty in these outings is the full range from easy to very difficult and I'm sure there is an outing to fit your interest and ability.

If you feel a special connection to any wild place in West Virginia, I urge you to consider hosting one or more outings to show others what you appreciate. Appropriate places to host an outing are on public lands or even on private lands with formal permission. If you own land others would enjoy, please consider introducing others to your creek or mountain. Showing others that you care about your place in the world can spark the same feelings in others about their lands and community.

I write this article also to announce that I am the new chair for the Highlands Conservancy's Outings Committee as of March 2003, succeeding Jack Slocumb. My first task is to address any issues that are restricting the potential of the committee. I feel the greatest immediate challenge for the Outings Committee is increasing membership participation. We have plenty of outstanding places

to visit and appreciate, but too many outings suffer low turnout. Every outing I have participated in the past two years has been a wondrous and memorable experience that has added to my knowledge of our Wild West Virginian outdoors. For the most part, I believe the outings we have been offering are outstanding especially considering that they are free!

To assist in generating more interest in the Outings program, one idea I have is to develop a digital image sharing web interface on the highlands conservancy web site. If you have any ideas to help me in increasing outings turnout, please, don't hesitate to contact me.

To quote a wise friend of mine, "If everyone did one thing to help the environment, we would be much better off." Your participation in the West Virginia Highlands Conservancy Outings program is needed, welcome, and can help you to enjoy and enhance your life while expanding your knowledge of and personal connection to our incredible natural heritage. Our outings program is about more than visiting our outdoors. It is about making new friends, sharing outdoor experiences with your friends, and teaching each other what we know about our environs to foster greater appreciation for West Virginia's great wilds.

Thank you for your time and consideration,



CONSERVATION CAMP

Submitted by Don Gasper

On June 9 through 14, 2003, the West Virginia State Conservation Camp will allow about 200 girls and boys from 14-18 years of age to learn about our natural resources as well as have lots of fun. The camp will be held at Camp Caesar, the Webster County 4-H Camp.

The camp features six West Virginia Department of Natural Resources Conservation Officers who teach archery and gun safety and marksmanship. There are "classes" in the morning on Wildlife (Game) Management, Fish Management, Trapping, Forest Management, Law Enforcement, Nature, Forest Products, Youth Conservation, Water Conservation, Soil Conservation, Waste Management, Parks and Recreation, and Forest Protection. The afternoon and evening activities are Nature Trail, Outdoor Cooking, Fish and Game Demonstrations, Fire Suppression, Trap Shooting, Archery, Small Boat Handling, Marksmanship, Swimming, other sport contests, and great campfires - and great fun and an opportunity for great friendships.

This "State Conservation Camp" was started in 1941 and teaches nature study and a land ethic.

Each participant attends the Camp on a scholarship provided by one of several approved sponsoring organizations such as the Isaak Walton League, the WVU Extension Service, or West Virginia Garden Clubs. For more information, contact Richard Zimmerman, Chairman, West Virginia Conservation Camp, 40 State Street, Keyser, WV 26726 (304) 788-3118.

Monongahela National Forest Hiking Guide

by Allen deHart & Bruce Sundquist

Published by the

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The new 7th edition covers:

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SNOWSHOEING ON CABIN MOUNTAIN

By Susan Bly

Our dual exploration of Cabin Mountain was blessed the previous evening by a fresh coating of snow in Tucker County. This made a beautiful backdrop to a first attempt at snowshoeing by both Judy Smoot and I.

Our original plan of attack was to ascend Cabin Mountain via cross country trails, reach Dolly Sods, make a horseshoe through the wilderness and eventually arrive on Bald Knob. We consulted with one of the Whitegrass employees and he said that it would be a long day's hike. Since we did not get started until 10:00 that plan of action had to be shortened unfortunately. But this was for the good in that we were better able to enjoy the terrain without pushing hard to accomplish a higher goal.

We strapped on our MSR Denali snowshoes in the below freezing temps under a fabulously blue sky. Ahh, just perfect for a romp through a snow covered forest. The snow had settled in layers. Whitegrass itself had little to no snow on their trees while close to 4000 feet, ice had settled on some branches before turning to snow on top, creating a frosted cake look.

Making numerous visual reviews of the Whitegrass map, we headed up the trails in a northerly direction for the summit of Cabin Mountain. After following the cross-country trails for a while we noticed that they had the usual curves, which allow easier skiing and walking. Then the thought occurred to us; hey, we are not bound by the law of trails. We have snowshoes and can venture forth into unmarked territory, never

fearing the inevitable sink in snow to the hip as when wearing regular hiking boots. Embracing this revelation we started "bushwhacking" up the side of the mountain, keeping track of our progress on the map. A fact about the snowshoes that Judy enjoyed was the metal teeth that gripped the ice we had to traverse for the most part of our trip. A few days earlier the warming weather had caused melting, which in turn froze during the nights. Our trek was not a silent one through the trees with the usual pliff pliff of shoe on snow but rather the ratchety racket of plastic and metal hitting ice. Needless to say our wildlife sightings were nil.

As we crossed the magic line of the frosted level, we looked skyward and oohed and aahed at the sparkling bejeweled crystal trees. A few yards uphill the trees took on a snowier look. We eventually summited the mountain and stood beside a rock cairn, guessing it must be close to the true highest point. We didn't feel like digging through several feet of snow to find the USGS marker though.

We waddled through the trees following the ridgeline, heading in the general direction of Bald Knob. We found a wind-swept bare patch of rocks and proceeded to eat lunch under the brilliant sun, with our backs to the wind. Judy said that it felt like we were skipping school.

Lunch swiftly concluded, we looked around a bit for the Cabin Mountain trail. Not finding it we followed our instincts, compass and topo lines and eventually came across the Cabin Mountain road. From there we

did another direct ascent up to the ridge that would take us to Bald Knob.

We found beribboned trees marking the trails on the upper slopes and played chase with them through the snowy landscape. After awhile I stopped looking for ribbons as a primary sign of correct progress and instead looked for snapped off limbs and cleared areas using the ribbons as backup. We eventually exited the forest cover into another open area of snow covered spruce trees. Christmas in February! We felt like we were entering a snow globe world. The prevailing winds had plastered the wet snow to the western side of the trees, creating a 3-D effect. I touched the snowy side tenderly thinking that the snow would be fragile and delicate. Instead, it was hard and crusty to the touch. Looks can be deceiving. My philosophy is to incorporate your sense of touch to accompany the already present sight and sound, in order to create a multi-dimensional experience in nature.

The goal of Bald Knob was achieved shortly afterward. We watched the skiers at Canaan Valley and enjoyed the nonstop views to the west and south. After snapping a few "I was here" photos, we pried ourselves off the heights and meandered our way down to Whitegrass. We thoroughly enjoyed mugs of hot chocolate and hot food while basking in the warm sunshine passing through the windows, as we watched other winter adventurers ski by.

Train is rolling

MONONGOHELA NATIONAL FOREST PLAN

The Forest Service is moving ahead with the Plan Revision for the Monongahela National Forest. The result of this process will be a plan that will guide the Forest Service for the next ten to fifteen years in how it manages the forest.

A planning team is in place and a timeline has been established. Because the plan is so important, it is essential that citizens remain involved at all stages. Future issues of the Voice will contain more on the Plan Revision as it moves forward.



Judy happy to be on Cabin Mountain

Photo by Susan Bly

HOW LAND BECOMES A DESIGNATED WILDERNESS AREA

By Helen McGinnia

So you want to protect wild lands as wilderness. The fact that you are thinking along these lines means you suspect it is possible. As you work for wilderness designation, you will be learning much more about the Wilderness Act of 1964. You will find out that the Act is truly the People's Act. Although federal agencies can and do propose new wilderness areas, the majority of them are proposed by private individuals.

Step 1: The Wilderness Act applies only to federal lands managed by the Forest Service, National Park Service, the US Fish and Wildlife Service, and Bureau of Land Management. A key word in the Act is untrammeled, meaning that Nature is free to take its own course, not manipulated to produce desired commodities such as lumber or favored game species. Wilderness is a spiritual place where you can seek renewal—both physically and mentally, temporarily free of society's constraints and our increasingly mechanized, technical world. To maintain that primitive atmosphere, use of mechanized devices is not allowed. In the East, wilderness forests are generally second growth that are on their way to becoming old growth—forests where trees grow old and large, die and become snags, and then fall and decay, rotting back into the soil, as trees have for millions of years. Hunting and fishing are allowed in national forest wilderness.

Step 2: Identify Candidate Areas. Perhaps you have a favorite area in mind, or maybe you just want to untrammeled more lands. In West Virginia, candidate areas almost all in the national forests, so you will study Forest Service maps looking for relatively roadless areas. You will consult topographic maps and satellite photos. You will explore the area extensively on foot, getting an idea of its wild characteristics—old growth forest remnants, scenery, flora and fauna, geological features.

You will also be on the lookout for potential problems. Improved roads that are open to the public, corridors for pipelines and transmission lines, and gas wells will eliminate some candidate areas and trim acreage from others. Inholdings, private lands surrounded by public land, should be avoided as much as possible because those lands could be developed and would then degrade the surrounding wilderness. Some managed areas, such as wildlife plots, can be abandoned.

Step 3: Getting Public Support. While your inventory of candidate areas and exploration is underway, you will need to affiliate yourself with a group or a coalition or even form one yourself. This is not a job for a loner. The more people who are involved, the more public support you have for the potential new wilderness areas, and the better your chances of ultimate success.

The goal will be to persuade your state's two US senators and congressmen from your state's delegation to introduce the wilderness bill that you are helping to compose. The congressman whose district includes the potential new wilderness areas is especially important. If s/he opposes your proposal, its chances of being made into law are poor. Even if that legislator is personally in favor of wilderness, he will hesitate to introduce a bill if he thinks most of his constituents don't support the concept. He risks losing the next election if he's out of tune with his voters.

While some of you are approaching the legislators for the first time, others will be drumming up local support. Each proposed new wilderness needs a champion and also someone from

the local area to adopt that wilderness if the champion doesn't live nearby. Wilderness campaigners will

speak to local groups and elected officials, publish photos, brochures and guides, lead outings, and perhaps set up a wilderness web site. Virginia wilderness advocates found that informal gathering with good food facilitated friendly interactions between wilderness advocates and influential locals.

Step 4. Bills are introduced to both houses of Congress as a result of your enthusiasm and hard work. Celebration time! But then it's time to get back to work. Most bills introduced to Congress are never reported out of committee. You will keep up the publicity, encouraging people to write letters in support of the bills and speak personally to their senators and local congressmen.

Step 5. Testifying before committees. Your hard work has paid off. Hearings on the bills are scheduled in Washington. Some of you will be going to Washington to testify on behalf of the bills. But most of the actual persuasion will take place behind the scenes, in the offices of the legislators and in the corridors, and from back home with phone calls, faxes and emails.

Again your group is successful. Both the Senate and House committees have approved the bills, and they have been introduced for a vote by the full US Senate and House of Representatives.

Step 6. Testifying before full Senate and House of Representatives. Once again, members of your group will be testifying and lobbying behind the scenes. Now people who live outside the congressional districts containing the proposed new wilderness as well as those who live out of state can urge their own legislators to vote for the bills. If the bills are passed by both houses, the acts will go to a Conference Committee.

Step 7. Conference Committee. If the House and Senate have passed different versions of your bills, you will want to persuade them to adopt the version your group supports. Then the Act goes out of the conference committee to the White House.

Step 8. The Act is signed into law by the President! Big, big celebration!

Step 9. Looking after the new wilderness areas. Now that your areas have been formerly designated, can your group forget about them and go on to other issues? No way! The number of wilderness visitors is steadily increasing. The Forest Service will be tempted to take short cuts and allow developments that are detrimental to the wild qualities of the areas. We citizens must be ever watchful and make sure that the agencies are good stewards of these very special places.



WEST VIRGINIA WILDERNESS CAMPAIGN UPDATE

By Matt Keller

In the past month, the West Virginia Wilderness Coalition has made steady progress towards our goal of securing permanent protection for more of West Virginia's wild places. We are currently evaluating all potential Wilderness candidate areas of the Monongahela, and those portions of the George Washington and Jefferson National Forests that are within West Virginia, on a wide array of attributes. While some areas are already well known and have loyal supporters, there are other, lesser known places which we don't want to slip through the cracks. A Wilderness Matrix has been developed which lists the candidate areas and all the factors pertinent to Wilderness designation. Some of the more important factors are current and past management of the area, its size, major obstacles that will need to be overcome to achieve designation, and how well the area fits into the guidelines put in place by the 1964 Wilderness Act. Other factors, particularly ones of an ecological nature, will be considered as well. Presence of old growth forest, trout streams, headwaters protection and threatened and/or endangered species are all important things to consider. Some of the potential candidate areas need more data collection to determine their Wilderness suitability. What we know for certain is that

West Virginia still has many high quality wild areas that are highly worthy of inclusion in the National Wilderness Preservation System. To learn more about what this entails, refer to 'Wild Lands and the 1964 Wilderness Act' in this issue.

In addition to developing and reviewing the matrix mentioned above, we are cur-



rently drafting a campaign plan to help organize and evaluate our actions throughout the length of the campaign. We will be able to quantify our progress by accomplishing the short and long term goals we have defined in the plan and get there by sticking to an action timeline designed to lead to the achievement of those ends.

This month, we will begin collecting

on the ground data for our candidate areas, mainly to determine their Wilderness suitability and where potential boundaries will be drawn. If this is something you would be interested in helping with, contact the Coalition at mattk@twc.org or (304)296-4118 (phone number until the end of April only).

The Coalition has much to accomplish in the next few months to really get the Wilderness campaign flying high. Various events around the Mountain State will provide good opportunities to educate the public about Wilderness and build grassroots support for our candidate areas. We will be meeting with stakeholders and key players in West Virginia and Washington, D.C. to gain political support for our cause. The Coalition will be working hard towards harnessing the collective energy and resources of all those who care about wild places in West Virginia. If you fall into this category, there will be many ways to get involved in the campaign. We need all who care about our wild places to lend a hand if we are to be successful in protecting more of them. Look for our new website to be up and running towards the end of April: <http://www.wvwild.org>.

WILD LANDS AND THE 1964 WILDERNESS ACT

By Matt Keller

Given that we are in the midst of a new West Virginia Wilderness Campaign, it might be a good idea to discuss precisely what Wilderness and the Wilderness Act are and what they mean to us.

Roderick Nash, a wilderness historian, has illustrated that wilderness is difficult to define. The word itself acts like an adjective, while actually being a noun. Definitions are based largely on levels of personal and symbolic meaning which seems to shift among different people and time periods in our history. When the United States was first settled, "wilderness" was largely a thing to be overcome. It was a threat to settlers' survival and they were very frightened by its vastness. Nash further states that it was not until large parts of what is now the United States was settled that people began to see the intrinsic value of wilderness. It was a place very different and in contrast to the cramped cities our nation was developing. Aldo Leopold envisioned wilderness as "a continuous stretch of open country preserved in its natural state, open to lawful hunting and fishing, devoid of roads, artificial trails, cottages, or other works of man".¹

In the proceedings of the USDA Forest Service's 2000 Wilderness Science in a Time of Change Conference, Dave Foreman illustrates in his contribution, "The Real Wilderness Idea", how four definitions of Wilderness can be seen in the text of the Wilderness Act. The first definition is found in section 2(c) and states the

overall purpose of the Act. *"In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by Congress as "wilderness areas", and these shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness; and no Federal lands shall be designated as "wilderness areas" except as provided for in this chapter or by a subsequent Act."*

The second definition, found in section 2(c), states what Wilderness should be ideally. *"A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where the earth and its community of life are untrammelled by man, where man himself is a visitor*

(more about wilderness)

who does not remain.”

The third definition, also found in section 2(c), is a more practical definition of areas protected under the Act and what characteristics they need to have to be considered for designation. *“An area of wilderness is further defined to mean in this chapter an area of underdeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man’s work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.”*

The last definition in section 4(c) provides guidelines for how a designated Wilderness should be managed.

“Except as specifically provided for in this chapter, and subject to existing private rights, there shall be no commercial enterprise and no permanent road within any wilderness area designated by this chapter and, except as necessary to meet minimum requirements for the administration of the area for the purpose of this chapter (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanical transport, and no structure or installation within any such area.”

Foreman mentions that philosopher Jay Hansford Vest investigated the roots of the word wilderness and traced it beyond Old English to Old Gathonic. He interpreted wilderness as will of the land or self-willed-land. This interpretation of wilderness as a place where nature is in control fits well with the definition provided by the Wilderness Act.²

The 1964 Wilderness Act automatically put approximately 9 million acres of land into the National Wilderness Preservation System. The act also ordered the United States Forest Service (USFS) to immediately review 34 previously designated primitive areas and the National Park Service and Fish and Wildlife Service to review all roadless areas of 5,000 acres or more and all roadless islands for wilderness suitability within 10 years. This review process eventually increased the National Wilderness Preserva-

tion System from 9 million acres to 104 million acres. Between June and August of 1971, the Forest Service conducted the Roadless Area Review and Evaluation (RARE I). This was generally regarded as a less than adequate inventory of roadless areas. On January 3, 1975, President Ford signed what is now referred to as The Eastern Wilderness Act (PL 93-622). This piece of legislation dealt with the issue of Wilderness designation east of the 100th meridian.



Initially, the USFS held its position that any lands in the U.S. eligible for wilderness status must meet the same qualifications set forth in the 1964 Wilderness Act. Lands that could be considered for Wilderness in the east were generally small and marked by development. Essentially, the Eastern Wilderness Act was a revised system that allowed protection of these eastern areas through less stringent qualifications of purity.³

In 1978, the Endangered American Wilderness Act was passed. This came mainly out of many wilderness advocates’ concern that RARE I was not sufficiently comprehensive. RARE I inventory and evaluation led to a recommendation of only 274 wilderness study areas. This equated to 12 million out of a potential 56 million acres of inventoried roadless land identified in the inventory.³

RARE II, completed between 1976 and 1979, was considered to be a much more complete survey but still failed to please either conservationists or commodity and extractive industries. Consequently, RARE II did not succeed in bringing any resolution to the wilderness allocation issue. The USFS used a process called the Wilderness Attribute Rating System (WARS) which reviewed wilderness qualities of the RARE II areas. WARS focused on the attributes outlined in the 1964 Wilderness Act. It looked mainly at an area’s dimensions and the lay of the land as well as man-made intrusions. Many National Forests currently evaluate roadless areas for Wilderness potential through use of the Recreation Opportunity Spectrum and the class within the Spectrum that the area had previously been in. When

the Forest Plan is revised, these Management Prescriptions can change or stay the same.³

In the past several decades, the U.S. has experienced a growing interest in the preservation of natural, roadless areas, as well as the types of primitive and contemplative recreation that they provide. As a result of the moratorium on roadless area development imposed by the Clinton Administration in 1999, federal land administration agencies, and private citizens alike are taking steps to identify the remaining roadless areas and determine whether or not they are worthy of permanent protection under the 1964 Wilderness Act. Inclusion in the National Wilderness Preservation System is considered by many to be the strongest protection a parcel of federal land can receive. The protection is mainly from activities that are ecologically destructive such as logging, mining, livestock grazing and motorized recreation. The Bush Administration, after initially vowing to uphold the extremely popular Roadless Area Conservation Rule, has refused to defend it against legal challenge. While the latest ruling was in favor of protection, the issue is far from resolved.

Many National Forests throughout the nation, including the Monongahela, are currently working on their 10-15 year forest revision plan. These revisions require the USFS to take another look at roadless areas through inventory and assessment. Wilderness advocates also take great interest in the inventory and assessment process and private, non-profit environmental organizations often make their own Wilderness recommendations in the form of a citizens’ proposal. These proposals are generally included as one of the several alternatives in the forest revision plan. However, these proposals do not necessarily have to correspond with the forest planning process. Citizens and groups such as the WV Wilderness Coalition can work towards developing a Wilderness proposal completely independent from the Forest Service and its plan revision.

¹ Nash, Roderick; *Wilderness and the American Mind*; Yale University Press, New Haven, 1967

² Foreman, Dave; “The Real Wilderness Idea”; Wilderness Science in a Time of Change Conference; USDA Forest Service Proceedings; Rocky Mountain Research Station; Volume 1 2000

³ Hendee, J, Stankey, G, Lucas, R; *Wilderness Management*; North American Press, Golden, 1990

Conference on Free Trade Area of the Americas May 17, 2003

9:30 AM - 2:30 PM
John XXIII Pastoral Center
Charleston, West Virginia

Free Trade Area of the Americas: What Will it Mean?

This conference seeks to bring together persons from the labor, religious, and environmental communities to discuss the content and ramifications of the proposed Free Trade Area of the Americas (FTAA). There will also be an action component to facilitate our strategies for working together on our issues of common concern.

The FTAA is a pet proposal of the current Bush Administration, which seeks to extend a North American Free Trade Agreement (NAFTA) type structure to the countries of Central and South America, creating a hemispheric trade zone. The Administration promises the agreements will bring jobs and prosperity to all the countries. However, if NAFTA is any indication, millions of jobs will be lost instead, and wages in the United States will continue to be depressed by competition from low-wage developing countries.

Our neighbors to the South will not necessarily benefit, either. Attacks on their resources and environment are likely to escalate under the pressure of investment from multinational corporations given greater access by the agreements. "Chapter Eleven" provisions will undermine the work of grassroots organizations working for labor and environmental justice in both North and South, by allowing other countries to seek overturn of hard-won local regulations as "barriers to trade."

Tentative Conference Schedule May 17, 2003

9:30 -9:45 Registration
9:45 -10:00 Welcome and Introductions
10:00 - 10:45 FTAA Labor and Economics Bill Troy-Tennessee Industrial Renewal Network
10:45 -11:00 Break
11:00 - 11:45 FTAA - Environmental Concerns Dan Seligman, Sierra Club
12:00 - 1:00 Lunch
1:00 - 1:45 Breakout Discussion Sessions with Speakers - Questions/Reflections
1:45 - 2:30 Working Together - What Now? Vivian Stockman, Ohio Valley Environmental Coalition

TO REGISTER:

A \$15 registration fee covers lunch and materials. Send name and address with check payable to Justice and Life Office to:
Carol Warren, Justice & Life Office, Diocese of Wheeling-Charleston, 600 Shrewsbury St. #6, Charleston, WV 25301

Cooperating Organizations:

Affiliated Construction Trades Foundation
Justice & Peace Committee, Charleston Vicariate
Justice & Peace Program Unit, WV Council of Churches
Justice & Life Office, Diocese of Wheeling-Charleston
Ohio Valley Environmental Coalition
West Virginia Interfaith Climate Change Campaign

The Good, The Bad, The Ugly (and the Beautiful) Tour

A West Virginia Weekend of Contrasts - May 23-25, 2003
The Best and Worst of West Virginia
Mountain Arts & Crafts and Mountaintop Removal

Interested in the environment? Looking for something to do Memorial Day Weekend? Don't want to fly? Here is a special opportunity: The Good, The Bad, The Ugly and the Beautiful Tour sponsored by West Virginia Chapter of the Sierra Club and Ecotourism of Morgan County.

Beginning and ending in Berkeley Springs WV the tour will combine positive and negative elements, and some just plain fun activities. The objects are education and access. Many people have heard about mountaintop removal but have neither had the opportunity visit a site and see the devastation for themselves nor hear the full story of the problem. This tour hopes to correct this believing that understanding will lead to support for those people and organizations trying to fight this scourge. Here is the schedule:

Friday, May 23, 2003

- Arrive in Berkeley Springs (Travel on your own)
- 3 PM - Shopping Tour - Mountain Laurel, Simple Gifts, Parks House & Seely Furniture, Bath Bookworks, among many other shops (see:www.berkeleysprings.com)
- 5PM - "The Ice House," Private Art Center Tour
- 6PM-7:45PM - Dinner at Tari's Premier Cafe & Art Gallery (see:www.tari'scafe.com)

Special Feature: Ecotourism Speaker

- 8PM Retire to Your Choice of Accommodations (see:www.berkeleysprings.com/ecotourism.htm)

Saturday, May 24, 2003

- Breakfast on Your Own
- 8 AM - Board Bus - Special Features Backgrounder on Mountaintop Removal Mountain Music Entertainment Box Lunch
- Tour past two examples of mountaintop devastation
- 2 PM - Arrive Kayford Mountain - Tour viewing area Mountain Top Removal at Stanley Heirs Park. Speaker: Larry Gibson
- 6 PM - Dinner in Beckley
- Whenever - Retire to accommodations in Beckley, WV

Sunday, May 25, 2003

- Breakfast on Your Own
- 8 AM - Board Bus
- 9 AM Visit Tamarack: The Best of West Virginia Handicrafts (see:www.tamarackwv.com)
- Noon: Lunch on Your Own at Tamarack's Taste of West Virginia
- 1PM Board Bus for return trip
- 6 PM Arrive Back at Berkeley Springs

The costs are - Dinner-\$20, Bus tour with lunch-\$75, motel on Sat night-\$55 or \$150 for all three. For a reservation make a check out to Sierra Club Foundation and send it to Sierra MTR Tour, PO Box 370, Great Cacapon WV 25422. Be sure and make your own reservations for Friday night accommodations. For more information email sierraMTRtour@aol.com or phone Abby Chapple at 304/947-7590.