



The Highlands Voice

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West Virginia Highlands Conservancy: We're Friends of the Monongahela National Forest

HIGHLANDS CONSERVANCY KICKS OFF INITIATIVE ON MONONGAHELA NATIONAL FOREST

By Dave Saville

Within this issue of the *Highlands Voice*, we are kicking off a new Highlands Conservancy program called *We're Friends of the Mon!* This program will coordinate our current efforts on behalf of the Monongahela National Forest and gradually expand our work to include more service projects like trail maintenance, stream and forest protection and restoration efforts, and a more concerted effort to educate our membership and encourage their engagement in projects and special uses of the Mon Forest.

These are things we've always done; we're just working to better coordinate these efforts and increase our effectiveness.

For over 40 years the West Virginia Highlands Conservancy has been working to protect and restore, and to help people enjoy and appreciate the Monongahela National Forest. Beginning in the mid-1960s, the group was founded, in large part, to address direct threats to our Wild Mountain Treasure, the Mon. High-

ways, dams, massive clear cutting of the forests, pipelines, power transmission lines, misguided management, car races, ATVs, reck-



less district rangers, gas exploration, and now an outright "For Sale" sign on 4,836 acres of the Mon. All these issues, and more, have kept us busy fighting, struggling, working hard, and

forever vigilant, to protect the Mon.

It was the Highlands Conservancy in the 1960s that led the campaign to protect Dolly Sods and Otter Creek as Wilderness. We filed a successful lawsuit in the mid 1970s against large-scale clear cutting. This famous legal victory called "The Monongahela Decision" ultimately catalyzed legislation, sponsored by the West Virginia delegation, called the National Forest Management Act (NFMA). This law changed how all National Forests would be managed to this day. It limits the size of clear cuts and requires each National Forest to have a Management Plan specific to that Forest.

In 1983 a 12-year Highlands Conservancy campaign came to a successful conclusion with designation of the Cranberry and Laurel Fork Wilderness Areas.

(Continued on p. 6)

What's inside

| | | | | | |
|---|----|----------------------------------|----|--------------------------|----|
| Thoughts from President Rogers | 2 | How to volunteer | 10 | Blackwater Canyon update | 16 |
| Roster of officers and committees | 2 | Mon Forest action alert | 11 | Readers write | 16 |
| Sago mine disaster | 3 | Future of wilderness designation | 11 | Speakers bureau | 16 |
| Spring review | 4 | How to join | 12 | Hats and shirts for sale | 16 |
| Fun stuff to do | 7 | History of Highlands Conservancy | 12 | | |
| New initiative on Mon Forest | 8 | Mining matters | 13 | | |
| Outings | 9 | Hiking guide | 14 | | |
| Selling the Monongahela National Forest | 10 | Wind energy travails | 15 | | |

Embattled Eminent Domain

One day early in the current session of the West Virginia Legislature, two stories appeared in newspapers statewide. I wonder how many readers made the connection.

The first story noted the Legislature's reaction to a decision by the United States Supreme Court that allowed local governments to condemn land for private economic development projects. The House of Delegates had rushed through and sent to the Senate a bill that would prohibit such uses of eminent domain in this state.

The second story noted the Legislature's reluctance to continue bailing out Stonewall Resort, a luxury hotel, conference center, golf course, spa, marina, and more, in Stonewall Jackson Lake State Park. After ten years, \$18.5 million in grants, and \$4.2 million in loans, the state would say, "Enough!" The resort would have to make, or fail to make, its own bond payments. The public-private partnership may finally become a purely private development—an example of what the Legislature now purported to prohibit.

The dam that created the lake that attracted the investors (but not enough visitors) was a project that had barely survived earlier legislative prohibitions. It's a long, sorry, and cautionary tale for those who would set limits on eminent domain, that is, the government's power to take someone's land and give it to someone else.

Our nearest neighbor here in Randolph County is a refugee from the project. She lived on one of three farms on Little Skin Creek that had been owned by her family for a hundred and fifty years. Facing eviction by the Corps of Engineers, she had nowhere to go in Lewis County. What good was "fair market value" where there were no available houses, let alone comparable farms? Not a few farmers who were given trailers on crudely scraped hillsides soon passed away from the trauma; others were killed by the prospect of moving. One widow, Barbara Heavener, who ran the Roanoke Nursery, was carried out of her house in handcuffs and chains.

1800 people were removed from the "take" area. It was seen in the county as a battle between the farmers and the county seat. The dam's original purpose was to protect Weston from floods. Twenty years ago, when the dam was completed, Weston had a population of just over 6,000; now it has just over 4,000. At this rate, in twenty more years the ratio between the beneficiaries and the displaced will be nearly one-to-one.

If it were only a matter of flood protection, though, the dam would not have been built. In nearly a century, from 1885 to 1980, all the damage from flooding on the West Fork amounted to between \$25 and \$28 million. According to then-Congressman Bob Wise, it would have been far cheaper just to reimburse those affected.

Even if the dam *had* been built solely for flood protection, our neighbor would not have been forced to move. The Corps' original proposal would have formed a 2,000-acre lake. As it was finally built, it spread over 2,650 acres. But the Corps took more than 20,000 acres.

What's not under water is occupied by the park the state leased from the Corps and turned over to be managed by the developer that can't meet its bond payments. The resort's ownership structure is so complicated that the Internal Revenue Service has no category to deal with its taxes. All these complications resulted from a perversion of the process that was supposed to restrain the Corps' dam-building avarice.

By the late 1960's, every dam had to pass a cost-benefit analysis. Since flood protection wasn't enough to justify the Stonewall Jackson project, the Corps added "pollution dilution." The dam could be opened from time to time to flush out pollution downstream. When this scheme fell out of favor, Senator Jennings Randolph secured an exception for the project. But water quality plus water supply plus flood protection still didn't add up to the cost of the dam. The Corps turned to recreation, the most flexible factor.

No other dam in the country attributed more than half its benefit to

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THOUGHTS ON THE SAGO MINE AND THE WVHC CONNECTION

By Cindy Rank

Long a concern of WVHC, the Island Creek/Enoxy mine complex at Tenmile in Upshur County, WV is entering into yet another chapter of its long and convoluted history.

So read the lead-in to a 1995 VOICE article about the 2,000 acre strip mine at Tenmile becoming the stepchild of its new owner, John Faltis/ANKER Coal.

It seems every ten years some new and often unexpected chapter in the Tenmile saga unfolds and this same lead-in is sadly appropriate.

Little did we suspect that the dawning of this new year would open another, even more tragic chapter of the complicated story of this area along the Buckhannon River in Upshur County. This time it's a chapter of disastrous loss of life.

On January 2, 2006 the nation awoke to news about a mine explosion at the Sago mine, a deep mine maybe 3 miles downstream of the Tenmile strip operation. The mine is also owned and operated by Anker - originally under the name of Hawthorne Coal and more recently as the International Coal Group (ICG). Thirteen miners had been trapped.

Five years after the Alabama mine disaster at the Jim Walters Resources mine that claimed the lives of 13 miners the story was about to repeat itself. As events of the next 24 hours unfolded, the tragic death of 12 of the Sago miners caught and kept the nation's attention.

Questions about Sago continue: — How could this happen? What went wrong? What caused the explosion? Could the miners have been saved if other safety measures had been available? Where was the Mine Health and Safety Administration? Were the laws enforced? Why was a mine with so many safety violations allowed to operate? Why was there so much misinformation during the rescue attempt? And why did the families have to suffer the pain of first being told their loved ones were alive only to learn hours later that all but one had died?

Senator Byrd was quick to call for Congressional hearings. The US Senate heard testi-

mony from current and former administrators of the Mine Safety and Health Administration (MSHA). After delivering his comments, acting MSHA director Dye left the hearing in defiance of Chairman Specter's request that he stay another hour in case other testimony prompted questions that only he could answer.

A House Committee hearing followed several weeks later. Family members of the deceased Alabama and West Virginia miners presented impassioned requests that their loved ones not be forgotten, and that the sacrifice of their lives be reason enough to find and correct whatever legal and enforcement shortcomings that might endanger other miners in the same way.

Formal investigations by both federal and state teams are underway.



Glowing news stories about the record low number of coal mining fatalities in 2005 quietly faded among subsequent stories of 2 more deaths just weeks after the Sago disaster, then one more just days after that, then 3 others in Kentucky, then one in Maryland.

By the end of February a whopping twenty-four mining fatalities had already been reported in the United States alone.

DLM – Tenmile – Grand Badger – Sago. — Efforts of the WV Highlands Conservancy, for the most part, have focused on real and potential problems associated with DLM and the 2,000 acre strip mine and sludge impoundment at Tenmile

.....i.e. from the brave Zirkle family resisting a 90 ft high dam across their upper field to catch drainage from the next 12,000 acres of planned strip mining, the 1 mile long valley fill at Job #11, the acid and metals that have occasionally killed fish and deposited iron deltas in the Buckhannon River and its tributaries and passed along high treatment costs to the Buckhannon Water Department to maintain water potable enough for the ever-expanding numbers of thirsty communities served by their system, to inadequate bonding and ANKER's more recent plans for an eco-park and co-gen plant and more stripping and the use of coal ash in the mine backfills.

While the Highlands Conservancy's efforts have been focused on surface mining, these were not the only kinds of mines planned for the area. Overall plans of the Island Creek Coal Company in the early '80's always included a considerable amount of underground mining. ANKER — now ICG — continues to carry out those plans for more mining — both surface and deep — to extract their extensive mineral holdings along the Buckhannon and further downstream in the Buckhannon-Middle Fork-Tygart Valley river watershed. (eg. 65,000 acres — yes, sixty-five thousand acres of longwall and traditional deep mining in the Grafton area of Tyler County.)

Coal industry claims about being "over regulated" ring hollow at a time like this as do accusations about "frivolous" lawsuits and "radical" community groups going too far in their demands that mining laws be more carefully enforced.

Let us hope the lessons from January 2, 2006 are not soon forgotten. While our thoughts and prayers go with families of miners everywhere - whether their loved ones work hundreds of feet below ground in the bowels of the earth or far above ground in the cab of 25 story high drag lines — let us also continue our work to ensure the safety of our environmental life support system so that we all may live full and fulfilled lives.

We must keep fighting for good law and the political will to enforce that law.

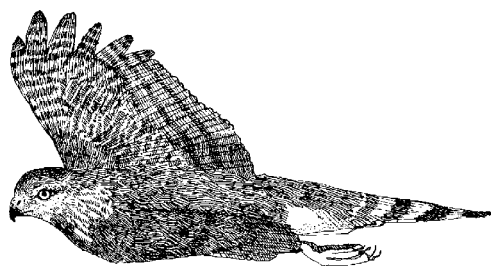
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The West Virginia Highlands Conservancy web page is www.wvhighlands.org.

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.



PLEASE JOIN US AS WE 'SPRING' FORWARD AT —

The West Virginia Highlands Conservancy's Annual Spring Review Weekend

Friday, April 28th, Saturday April 29th and Sunday, April 30th

To be held at: OPOSSUM CREEK RETREAT

Near Fayetteville, WVA

Weekend Theme: "Beauty and the Beast" The beautiful mountains of Southern West Virginia will surround us, such as in the New River Gorge and the Gauley River National Recreation Area. But not far away, mountaintop coal removal has destroyed creeks, hollows and communities, irrevocably altering the environment. The contrast should make us all pause to appreciate what we have and advocate to restore what is being taken away.

Friday: **Day Trip:** 9:00 AM Trip to Kayford Mountain, site of mountaintop coal removal (advance notice required)

Unadulterated Fun: 4:00-10:00 PM Arrival and welcome at the "The Meadows", one of the buildings at Opossum Creek Retreat. Meet the Highlands Conservancy board members and each other. Light food and drink will cheer you after your journey. Enjoy the campfire and plan your weekend.

Saturday **Day trips:** 8:00 AM Trip to Kayford Mountain; meet Maria Gunnoe and learn what it is like to live with mountaintop removal.
9:00 Outing to the New River Gorge; learn about the controversial development plans for the area and enjoy the beautiful scenery. A river rafting trip can be arranged if there is interest

Short takes: Bird watching program—"Birding by Butt" at Opossum Creek Retreat. Birds are early risers, so watching will commence at 6:00. You can join the group at any time.

Other short hikes will entertain those who would like to experience the natural wonders of the area.

A limited number of digital cameras will be available (you are free to bring your own) to photograph the day's events. Slide shows can be compiled to show in the late afternoon and early evening.

Exhibits from different groups will be set up inside The Meadows. A list of participants will be in the next issue of The Voice.

Socializing 4-6 PM Socialize in the Great Room or the Porch at The Meadows or reflect on the day in the hot tub. Recount and regroup. Plan to do on Sunday what you missed on Saturday!

Food 6 PM Dinner and brief updates on a few of the WVHC issues.

Program 7:30-8:30 PM Discussions based on the day's trips will include an overview of mountaintop removal's current status (literally—aerial maps of the coal counties are available) and a short summary of the pros and cons of development in the area. These will be short informal presentations; those who are interested in further discussion can continue.

More fun 8:30-? Entertainment to round out the evening.

Sunday: Breakfast 7:45-8:45 AM
WVHC Board of Directors Meeting 9:00-4:00
Hikes and other outings will be available.

Please join us—reserve early and let us know what your interests are.
Thanks, Marilyn Shoenfeld

THE SPRING REVIEW: WHY SHOULD YOU GO?

By John McFerrin

The Spring Review is coming up in April. To help you decide how to spend that weekend, the *Highlands Voice* offers the top eight reasons you should go. We could have done the top ten but it's been done.

8. The food will be good. The Review is too far away for this to be all completely planned but the food always is good.
7. The accommodations will be great. That part is planned so we know we are staying at Opossum Creek Retreat. It's not hard to get to. There is a four lane road that gets you almost there. Yet just a very few miles off a major highway (a part of the Robert C. Byrd Appalachian Highway System) you find yourself in the most peaceful spot with nothing but trees and fields around. The rooms are comfortable with a hot tub in each cabin.
6. You have a chance to visit the southern part of West Virginia. Although the West Virginia Highlands Conservancy has members in almost every county in West Virginia, many of those are in the northern part of the state. This is their chance to come to the scenic south and see what that part of the state has to offer.
5. You would get a chance to see the West Virginia Highlands Conservancy Board in action. Board meetings have traditionally been open to all members. You are free to listen, participate in discussion, or whatever. If we are very lucky, one of the Board members will bring cookies. Non-members couldn't vote but you can't have everything. President Bush doesn't even invite you to cabinet meetings, much less let you talk. And when was the last time Robert C. Byrd or Jay Rockefeller passed out cookies to visitors and fellow senators?
4. You can see stuff you wouldn't otherwise see. If you pick the Kayford trip, you will get to go to one of the few places where you can see mountaintop removal strip mining without going on company property and risking an unpleasant conversation with a security guard. Most of the sites are far enough off the public road that they are not visible from public property. At Kayford, an adjacent landowner (Larry Gibson) likes company and will let you look as long as you can stand it.
3. You can learn all about proposed development in the New River Gorge. The Gorge has been home to all kinds of recreation, including whitewater rafting, kayaking, rock climbing, birdwatching, and others. Now real estate developers are proposing housing developments along the rim of the Gorge. You can learn where the proposed development would be located and the details of the controversy.
2. You will learn stuff. Even if you don't take a trip to Kayford to see mountaintop removal or along the New River to see proposed development, you can still learn about those things. Presentations and discussions of each will be part of the Saturday evening program.
1. You will have fun. Whether you go on one of the organized outings or strike out on your own, you will have a plethora of possibilities. Opossum Creek Retreat sits right in the middle of a host of recreational opportunities. History, trees, birds, rocks, scenery, trails, boats, whatever suits you fancy is there. The evening program has plenty of time for fellowship as well.

Food, Water, and a Warm Place to Sleep

Lodging: There are a limited number of rooms available at the Opossum Creek Retreat cabins. The cost is approximately \$20-32/night/per person depending on room type. There is space for a few tents.

To reserve: email Marilyn Shoenfeld (mshoenfeld@mountain.net)

Other nearby housing will be listed in the next issue of the Voice

Meals: Friday night—snacks and beverages, no charge

Saturday breakfast

Saturday box lunches

Saturday dinner

Sunday breakfast

Prices for meals have not yet been fixed but will be in the range of \$7.00.

Saturday dinner will be \$20.00 or less. BYOB

For more information, contact Marilyn Shoenfeld (304-866-3484) mshoenfeld@mountain.net or Barbara Weaner (304-478-2123) sweaner@planetwv.com

Please check our website at www.wvhighlands.org

WHERE IS IT?

Opossum Creek Retreat (www.opossumcreek.com) is located near Fayetteville, WVA and is nestled on 19 acres of forest and meadows. Directions will be provided. For quick reference, Beckley is 20 minutes south, Charlestown is 1.25 hours away and Morgantown is 2.5 hours away.



More About the Monongahela National Forest (Continued from p. 1)

Partnering with the Forest Service we have sponsored trail maintenance work crews and volunteer outings working on forest restoration and stream protection projects. Our *Monongahela National Forest Hiking Guide* is now in its 7th edition (8th edition coming later this year) and has been used by thousands of hikers to explore the Mon and learn of its wonders.

More recently we have continued this proud tradition as a founding member of the West Virginia Wilderness Coalition. In this Coalition we are working cooperatively with the West Virginia Sierra Club, The Wilderness Society and many other groups and individuals to permanently protect additional roadless areas of the Mon as designated Wilderness. Our epic campaign to engage the public in the Mon's Management Plan revision, currently underway, has been successful far beyond anyone's expectations.

In keeping with this proud tradition, we are currently expanding and formalizing our programmatic efforts regarding advocacy for the Mon. Our new program, *We're Friends of the Mon*, is a continuation of our successful *Mountain Odyssey* outings program, a re-invigorated effort to work with the Forest Service on service projects to protect and restore the Mon, and to better coordinate forest watch activities to keep a watchful eye on Projects (like logging) and Special Uses of the Mon.

To achieve these ambitious ends we have retained Dee Quaranto to coordinate the *We're Friends of the Mon!* program. Dee is a resident of Fairmont, West Virginia and is passionate about the Mon. She has been an active volunteer with our Wilderness Campaign and frequent participant in the *Mountain Odyssey* program. Dee will be working part-time to organize volunteers, oversee the *Mountain Odyssey* outings schedule, and to wrap up all our Mon related activities in one special place in our Monthly Newsletter, *The Highlands Voice*.

In coming weeks, the Highlands Conservancy's web page will be updated with a special new and easy to use section for *We're Friends of the Mon!* Check out what our new website guru, Jim Solley, has updated so far on our home page! www.wvhighlands.org

He's the same Jim Solley who developed our new map-rich *Monongahela National Forest Hiking Guide* on CD. The same Jim Solley that created all the beautiful functional maps for our Wilderness Campaign and mountain top removal displays. Just as Jim taught himself how to manage hordes of digital data and create maps like a wizard, he has now learned the finer details of web design. So check out our new site and come back and visit often as many changes are in store!

Even as we are just getting this special program underway, the objective is clear. We are confident that through a more organized effort, the effectiveness of our work will be strengthened. As Dee identifies and engages more and more people interested in what we are doing, this program will grow and we will become more effective in our efforts.

So, please look inside this edition of the *Voice* for our new *We're Friends of Mon!* pages, and learn how you can become more engaged and how you can help us protect and better enjoy our wonder-full Monongahela National Forest!



More thoughts from President Hugh (Continued from p. 2)

recreation. In 1982, Congress gagged—or rather, the House of Representatives did, and agreed at Representative Wise's instigation to cut funding for the dam. Our Senators, however, were pro-dam, and they persuaded House conferees who met with them to reconcile the difference that if they insisted on stripping the dam from the pork-barrel list, their own projects would disappear.

Further obstacles remained. Some long-term cost-sharing was required of the state, but our constitution forbids one legislature to obligate future legislatures. No problem! Senator Randolph engineered another exception. Then-Governor Rockefeller signed the agreement by which the state would in theory pay half the cost of recreation facilities at a grossly expanded project. A year after completion of the dam, the state admitted the promise was a sham. Again, no problem! Senator Byrd obtained funding for a National Park Service study on the lake's potential as a National Recreation Area. Federal money would buy time to see if more federal money could cover the state's failure to match federal money. Eventually, that idea was laughed out of Washington, and the state came up with the current plan. Infrastructure development bonds sweetened the deal for the private interests.

Of course, other private interests gained a windfall from the project: just to name two, the dam builder also built most of the roads, and the gas company was blessed with new wells, new pipelines, and a new compressor station. Their lobbying would have had a lot to do with how the ugly deal got done.

In early March, Steven Anderson, a lawyer from the libertarian Institute for Justice, which represented Connecticut homeowners in last year's notorious eminent domain case, spoke to the West Virginia House of Delegates about the bill that body had passed. The Institute has been encouraging states to adopt their own restrictions since the Supreme Court said the federal constitution allowed so much leeway for governments. Anderson said the House bill had been gutted by amendments in the Senate: "It looks like it does something, but it doesn't do anything."

Senator Brooks McCabe, chair of the Senate Economic Development Committee, which had amended the bill to allow property to be condemned for development in cases of "slum and blight," disagreed. "We have not had the kind of excesses that folks in other parts of the country have focused on and offered as examples," McCabe said. "Eminent domain has worked well in West Virginia."

McCabe had been co-owner of McCabe-Henley Properties when it won the bid to develop Stonewall Resort. He said he was no longer affiliated with the project. Anyway, he must have been referring to municipalities and not the Corps of Engineers.

Note: we have recommended the use of eminent domain for the Blackwater Canyon rail-trail. The Forest Service owns one-half, lengthwise. The Division of Highways has pledged to improve it for the Allegheny Highlands Trail. Yet neither agency has been willing to recommend condemnation of this sliver of land, although no homeowners would be displaced and the adjacent property was bought with knowledge of this use of its border.

FUN STUFF TO DO

More Outings

This month the *Voice* had more outings to announce than would fit on the regular Outings page. They are well in the future so there would be plenty of time to plan ahead. In case you like to plan well in advance, here they are:

July 1 & 2: Laurel Forks, GWNF, VA Overnight Backpack Hike approximately 18 miles in this wild and scenic area. May be suitable for novices but be prepared for several stream crossings. MJ

July 15-17: AT Backpack in the Pedlar Ranger District of GWNF, VA A strenuous 27 mile trip with 4500 feet elevation gain. Cole Mountain, Tar Jacket Ridge, The Priest, Tye River, Three Ridges and the falls and gorge of the Mau-Har Trail. This trip will require a car shuttle! MJ

July 28-30: North River Gorge, GWNF, VA Car Camping Moderate. Camp at primitive North River Campground and hike 10 moderate miles using a segment of the Wild Oak National Trail and the scenic North River Gorge Trail. Over 10 stream crossings. MJ

August 5-7: St. Mary's Wilderness, GWNF, VA Backpack Day 1: Backpack in 4-6 miles, visiting waterfalls and swimming holes then set up base camp. Day 2: 10-12 mile slackpack. Day 3: Backpack out. MJ

April 29 & 30: Highlands Conservancy's Spring Review A weekend of outings and workshops. See upcoming issues of the *Voice* for details.

September 16 & 17: Roaring Plains, MNF Backpack Tour one of the most spectacular areas of the Mon, the proposed Roaring Plains Wilderness area. A serious overnight trip covering many miles. DS

September 16-18: Dolly Sods North and Dolly Sods Wilderness, MNF Backpack Approximately 30 miles of hiking through Dolly Sods: Raven Ridge, Cabin Mountain, The Falls of Red Creek, Big and Little Stonecoal, The Lion's Head, The Forks and Dobbin Grade. MJ

September 29-October 1: Seneca Creek Backcountry, MNF Backpack Day 1: Arrive early if you like and car camp at primitive Spruce Knob Lake Campground. Day 2: Explore seldom-mentioned trails on the western flank of Allegheny Mountain before descending to camp below Seneca Falls. Day 3: Backpack up Seneca Creek, visiting falls and chutes. MJ

September (dates to be announced): Tree Planting in Canaan Valley We'll be planting Red Spruce on the Wildlife Refuge. DS

October 7-9: Cranberry Backcountry, MNF Backpack Hike approximately 30 miles through this scenic area. MJ

October 14 & 15: Red Spruce Cone Collecting A volunteer opportunity to collect red spruce cones for our red spruce ecosystem restoration project. DS

Change of Date for Renewable Energy Expo

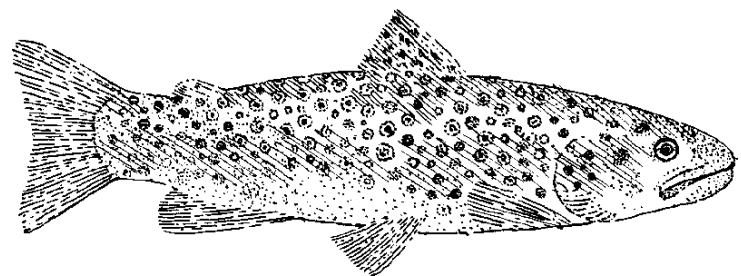
Harford Community College's Mid-Atlantic Renewable Energy Expo, originally scheduled for April 22, 2006, is being rescheduled for the fall. The planners regret this change. Please stay tuned for updated information later this year

Fishing Camp

From June 25 through June 30 Trout Unlimited Chapters from Va., Md., D.C., and West Virginia will gather exceptional fishing and environmental experts to staff this camp for high-schoolers from these states. Some of the experts are fishing guides, and they mentor campers at stream-side, some are natural resource agency and park professionals, and some come from colleges. It is an exciting week of hands-on action packed fun on the beautiful Rose River, a trout stream, draining from Shenandoah National Park. We stay at the rustic Grave's Mountain Lodge, a very grand place on the river. The cost of the camp is \$450; full and partial scholarships are available.

While limited to 24 boys and girls, anyone could be picked to attend. Campers need have no prior fishing experience, or equipment - though many do. The camp provides everything. If you just have an interest in the outdoors you are encouraged to apply. The activities include fishing and tips, of course, every day; but also fly tying, stream life and restoration, wildlife, outdoor skills, team challenges, leadership and lots more. It is a fun, educational and motivational adventure that should encourage youth to enjoy and appreciate trout and their stream habitats, and to join in efforts to protect this beautiful, important and fragile part of our natural world.

Any high school student may apply. The twenty four campers will be selected largely on the basis of their brief application essay on "What I hope to get from the camp" and "What I think I can contribute to the camp". From the 200-300 word essay the judgements will be made, but additionally an effort will be made to bring geographic, gender and ethnic diversity to the group of campers. Go to the camp's web-site for more information - Applicants may apply on line or may download the application and apply by mail. An applicant may also get an application by writing Trout Unlimited Conservation & Fishing Camp, P.O. Box 6463, Alexandria, VA 22306 or calling Suzanne Malone at (703) 768-8175 or Paul Kearney at (540) 229-0563



Memorial Day Weekend

May 26-29, 2006

Healing Mountains

The 16th annual Heartwood Forest Council and the 6th annual Summit for the Mountains, Cedar Lakes Conference Center, Ripley, WV (38 miles north of Charleston)

With programs on Forests, Mountains, and Coal: the connections between them; their impact on air, water, and climate; their role in our history, economy, and culture; with a special focus on ending the devastation of Mountaintop Removal coal mining

Invited and confirmed speakers include: Granny D*, Cynthia McKinney, David Orr*, Jack Spadaro*, Woody Harrelson, Judy Bonds, Maria Gunnoe*, Larry Gibson*, Willie Nelson, Bobbie Ann Mason, Erik Reece, Ed Wiley, and more. (*confirmed)

Details & registration coming soon.



THE WEST VIRGINIA HIGHLANDS CONSERVANCY

Protecting and enjoying our Monongahela National Forest.

Let's Hit the Trail!



GET TO KNOW:

The Proposed Cranberry Wilderness Expansion

This area has been recommended for Wilderness designation by the West Virginia Wilderness Coalition. With this addition, the existing Cranberry Wilderness would be expanded on the west by nearly 12,000 acres of deep cove hardwood forest between the Williams River on the north and the Cranberry River on the south and west. The proposed expansion is contiguous to the existing Wilderness, which borders it to the east. From atop the ridge between the two rivers, steep hollows drop from almost 4,000 feet to 2,300 feet at the Williams River

and 2,500 feet along the Cranberry. These include Little Fork and Lick Branch (of the Williams) to the north, and Rough Run, Lick Branch (of the Cranberry), the Twin Branches to the south, and numerous small runs. The landscape is predominantly a lush forest.

Red Spruce is native to, and reclaiming, the high elevations, with the rest of the area supporting a wide mixture of Eastern Hemlock and hardwoods, including oak, maple, Black Cherry, Yellow Birch, American Beech and Yellow Poplar. Thickets of rhododendron flank the many streams, and a wide variety of moss and ferns carpet the forest floor. The entire area, as well as a large portion of the existing wilderness, is underlain with hard, Pottsville sandstone formed during the Paleozoic Era.

The area provides habitat for the Northern Goshawk and the federally endangered WV Northern Flying Squirrel. Other inhabitants include Black Bear, White-Tailed Deer, and Beaver. Streams are acidic, but both the Williams and Cranberry Rivers are home to trout. In addition to the Cranberry and Williams Rivers, Lick Branch (of the Cranberry), Lick Branch (of the Williams), and Birchlog Run are Tier 2.5 streams, which will support trout.

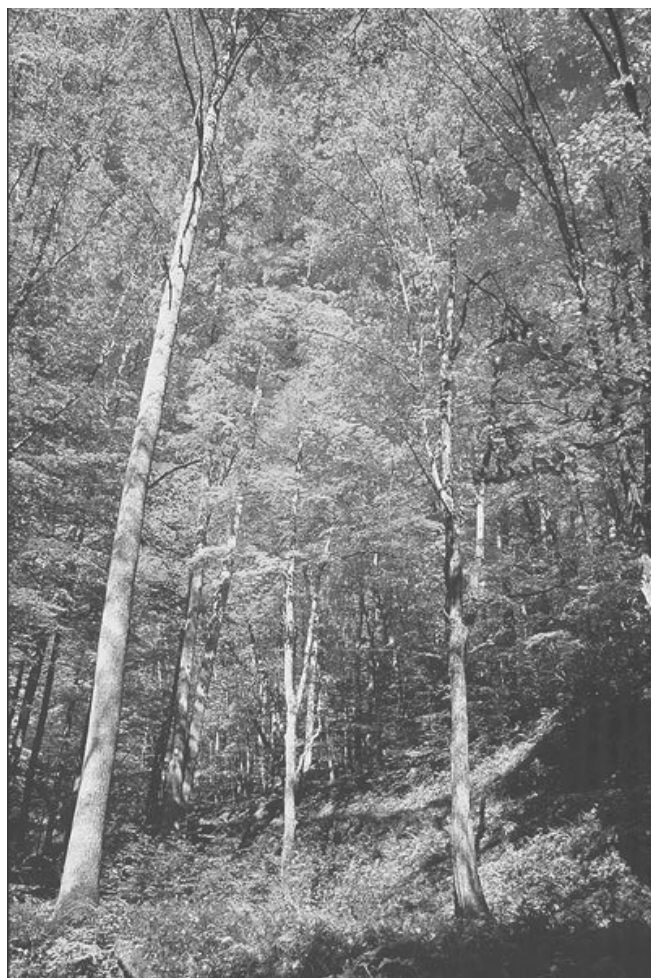
The experience that awaits numerous hikers and backpackers is one of a vast silent forest primeval. The North South Trail leaves the Cranberry Campground on the western boundary and follows the top of the ridge, continuing through the Cranberry Wilderness for a total of 22 miles. Several other trails connect from the North South Trail down to the closed, gated FS road 102 popular with anglers and bikers along the Cranberry River, or down to the Three Forks of the Williams. The North South Trail and the Cranberry River road are also popular with horseback riders, and the entire area is highly esteemed by hunters. Overall, this proposed expansion would provide excellent connectivity to the existing trail system in the current wilderness area, increasing the recreational opportunities and wilderness values therein.

If you're an experienced backpacker, contact Dave Saville about his June 24 - 26 Cranberry adventure, listed on the next page.

Welcome to the new Friends of the Mon section of the *Highlands Voice*. Check this section each month for news and information about our beloved Monongahela National Forest. Here you'll find articles about our special wild places and the ongoing Wilderness Campaign. You'll get updates on just about anything and everything that affects our Forest, from Special Use Permit Requests to coverage of national issues. We'll be recruiting volunteers for trail maintenance outings in our current and proposed Wilderness Areas, so you'll have opportunities to give back to our National Forest by maintaining and rehabilitating some of the 800-plus miles of trail that allow visitors access to the hearts of the Mon. It's a great way to lend a hand to the Forest Service, meet new people and get together with old friends. If you're unfamiliar with the many trails and special features in the Mon, outings and volunteer opportunities are an excellent opportunity to get to know the special places that make it the jewel of West Virginia. We offer a wide variety of outings, from easy hikes of a few hours to hard-core bushwhacking for those who are ready, so there are sure to be outings that will be just right for you, whatever your experience and fitness level.

If you're familiar with a particular area on the Forest that you're wild about, think about leading a hike or a trail maintenance outing. You don't have to be an expert: your experience and enthusiasm may help someone else lace up those boots and get out there and do it. If you have ideas, questions, concerns or information about our majestic Monongahela, or an update on trail conditions, please send e-mail to mosaicwv@highstream.net. We want to hear from you. In addition to monthly articles in the *Highlands Voice*, we'll be rolling out a website in the next couple of months, and we want to know how to make it work for you. This project is under construction, so your input is crucial.

The Highlands Conservancy has long been a champion of our National Forest, providing education, outreach, and advocacy for the Mon, and we urge you to get with the program. Be one of the Friends of the Mon. Join the Highlands Conservancy, and be a part of keeping West Virginia Wild and Wonderful.



West Virginia Mountain Odyssey



Outings, Education and Beyond

If you'd like to join us for any of these outings, please sign up with the hike leader, who can give you more information. Their initials appear after each listing; contact information is at the bottom of the listings.

Open Dates: 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 lunch for a picnic on Larry's mountain. Call in advance to schedule. JM, LG

March 18: Trout Pond Hike Discover another one of WV's secret places. Explore 11 miles of trails in this area that borders Virginia. Moderate. Approximately 1100 feet elevation gain/loss. SB

March 18: Buckhannon River Clean-up at Alton Ride from Sheetz in Buckhannon at 11 AM; 8 miles up the beautiful Buckhannon River we will pick up trash along a one-mile stretch, enjoy the day and one another. We will have food. Meet at 11 AM and back at 5 PM. You may fish a little. DG

April 8: East Fork of Greenbrier from Abe's Run An easy 5 mile total, down and back. Meet at Seneca Rocks Visitor Center at 11 AM and return at 5 PM. You may fish a little. DG

April 8 & 9: Dolly Sods and Canaan Valley Tree Planting We'll be planting Red Spruce and Balsam Fir trees at the Canaan Valley National Wildlife Refuge and in the newly acquired Dobbins Slashings area of Dolly Sods. DS

May 13 & 14: Trail Maintenance, MNF Otter Creek Wilderness Meet at southern trailhead near Bear Heaven campground at 9 AM. Hike about 3 miles on Otter Creek Trail; set up camp and head up Moore Run, 3 miles. A fairly easy 12 mile round trip. Bring tools if you have them. DQ

May 21: Proposed Cranberry Wilderness Addition Day Hike A day-long serious hike through the 12,000 acres being proposed as an addition to the Cranberry Wilderness. Strenuous climbs, stream crossings and maybe some bushwhacking. DS

May 27-29 (Memorial Day Weekend) Canaan Mountain Backpack Hike approximately 30 mostly moderate miles through mature hardwood and evergreen forests. Includes approximately 4 miles of road walking and astounding views from Table Rock and Libby Point. MJ

June 3: Otter Creek Hike An easy hike down Big Spring Trail to Otter Creek and 4 miles out the lower end. Meet at Sheetz in Parsons at 11 AM, return at 5 PM. Bring lunch. You may fish a little. DG

June 24-25: Spruce Knob Backpack Explore abandoned Spruce Mountain trail and railroad grades, encountering vistas of the Seneca Creek backcountry. Basecamp in Camp 4 Low Place. Approximately 700 foot elevation gain/loss with 12-17 moderate miles. SB

June 24-26: Cranberry Wilderness Backpack Day 1: Backpack in about 7 miles on Big Beechy Trail; set up a base camp on. Day 2: A 10+ mile slackpack through the Wilderness. Day 3: Hike out about 8 miles

along scenic Middle Fork of the Williams River. MJ

July 8: Stocking Fingerling Trout Meet at Bergoo on the Elk River 5 miles above Webster Springs at 11 AM. Hike up along the beautiful Right Fork of Leatherwood for 1&1/2 miles and return. Out at 5 PM. Bring lunch. Fairly easy. DG

July 9: Mount Porte Crayon Day Hike Celebrate the 65th anniversary of the dedication of this mountain in honor of David Hunter Strouther, who, under the pen name Porte Crayon, was one of the earliest explorers to write about his adventures in the West Virginia Highlands. A long and strenuous hike including considerable bushwhacking. DS

July 30: Sinks of Gandy Caving Trip A beginners spelunking trip where Gandy Creek plunges for a mile-long meander beneath Yokum Knob. We'll also visit nearby Stillhouse Cave. Helmets and 3 light sources required. DS

August 19-20: Big Run Waterfall Hike/Bushwhack, MNF Olson Tower Area Explore a stream closeup and personal: hike and "stream-whack" along Big Run's waterfalls, cascades and dunking holes. Moderate/strenuous: 7 miles Saturday, 5 miles Sunday. Previous bushwhacking experience a must. Basecamp in MNF. SB

August 26: Canaan Valley National Wildlife Refuge, Brown Mountain Overlook Hike Experience seldom-seen northern portions of the Refuge on a fairly easy 7 mile hike. The Highlands Conservancy has adopted part of this route; possible light trail maintenance as we hike. DS

August 26-28: Otter Creek Wilderness, MNF Backpack Moderate. Day 1: Backpack in on Otter Creek, Yellow Creek, McGowan Mt and Moore's Run Trails, visiting bogs before descending to camp. Day 2: Slack pack on Possession Camp, Green Mt. and Otter Creek Trails, exploring falls and pools of Otter Creek on return. Day 3: An easy 5 miles out. MJ

October 19-26: Highlands Conservancy's 41st Annual Fall Review We'll be at the historic Cheat Mountain Club for a whole week! Outings, workshops, music, special speakers, and more. Stay tuned!

DG: Don Gasper (304) 472-3704

DQ: Dee Quaranto (304)296-3196; mosaicwv@highstream.net

DS: Dave Saville (304) 284-9548; daves@labyrinth.net

JM: Julian Martin (304) 342-8989; imaginemew@aol.com

LG: Larry Gibson (304) 586-3287; (304) 549-3287

MJ: Mike Juskelis (410) 439-4964; mjuskelis@cablespeed.com; see www.midatlantichikes.com

SB: Susan Bly (304) 876-5177 (day); (304) 258-3319 (7 - 9 PM); sbly@shepherd.edu)



THE WEST VIRGINIA HIGHLANDS CONSERVANCY

Protecting and enjoying our Monongahela National Forest.

SELLING OUR FORESTS

According to the United States Forest Service, the 2007 budget put forward by President Bush would allow the sale of more than 300,000 acres of public lands in 35 states. The USFS have proposed the sale of 4,863 acres of the Monongahela National Forest. The lands at risk in our state include 36 parcels in four counties: 13 tracts comprising 1,481 acres in Tucker County; 1,248 acres in 7 tracts in Pendleton County, 14 tracts totaling 1,649 acres in Randolph County, and 458 acres divided among 4 tracts in Pocahontas County.

Congressman Nick J. Rahall (D-WV) was quick to respond to the Bush Administration's proposal and said the proposed sale "could have irreversible consequences for West Virginia, leaving us with far fewer acres to hunt, fish and enjoy nature." In a recent press release, Rahall again made his opposition clear with the following statement: "Once again, the Administration is turning to our precious public lands to solve financial woes of its own making. The Nation's public lands are in the trust of the Federal government for the enjoyment of all Americans, and shifting funds from their conservation to pay for tax cuts for the wealthiest is just wrong."



Comments must be received by March 30, 2006, via e-mail, fax or postal mail, although the Forest Service prefers e-mail.

E-mail: SRS_Land_Sales@fs.fed.us Fax: (202) 205-1604
US Mail: USDA Forest Service, SRS Comments, Lands 4S, 1400 Independence Ave., SW., Mailstop 1124, Washington, DC 20250-0003

A list of all areas proposed for sale is available on the USFS website (<http://www.fs.fed.us/land/staff/spd.html>). Maps of the parcels being proposed for sale can be seen on the Highlands Conservancy's website: www.wvhighlands.org.

Please also include a message to our congressional delegation about the land sales with your letters supporting additional Wilderness for the Mon.

The Honorable Robert C. Byrd

311 Hart Building
Washington, DC 20510
202-224-3954
Fax: (202) 228-0002

The Honorable John D. Rockefeller IV

531 Hart Senate Office Building
Washington, D.C. 20510
(202) 224-6472
Fax: (202) 224-7665

The Honorable Nick J. Rahall II:

2307 Rayburn HOB
Washington, DC 20515
(202) 225-3452
Fax (202) 225-9061

Volunteer for West Virginia Wilderness Campaign

YES! Count on my support and assistance for the West Virginia Highlands Conservancy's efforts through the West Virginia Wilderness Coalition to achieve wilderness designation for unprotected wild places on the federal, public lands of West Virginia.

Name: _____ Today's Date: _____

Address: _____ City: _____

State: _____ Zip Code: _____

Phone: (H) _____ (O) _____ Email: _____

I prefer to be contacted via: mail email phone

I can help protect Wilderness by (check one or more):

Hosting a 'Wild Mon' party at my house or local public gathering spot (We'll send you our video and other helpful materials)

Distributing literature at public events

Writing letters to the editor or opinion editorials for my local newspaper

Coordinating a letter writing campaign in my community

Phone calling to involve citizens in Coalition action

Attending events/press conferences

Leading Mountain Odyssey outing to proposed Wilderness areas

Involving my organization in the campaign to protect wilderness

Other (please describe): _____

I am interested in attending or learning more about:

West Virginia Wilderness Workshop, June 2-4, 2006 at the Mountain Institute: a weekend workshop where you will learn skills to be an effective advocate for protecting National Forest land.

West Virginia Lobby Week in Washington DC, late summer 2006: an opportunity to travel to DC to learn lobbying skills and then meet with West Virginia's Congressional Delegation about Wilderness legislation

Thank you for your support of Wilderness! Please mail this form back to: Attn: Harrison Case, West Virginia Wilderness Coalition Outreach Coordinator, 635 Afton Street, Morgantown, WV 26505
Phone: 304-906-9317 Email: harrison_case@wvwild.org <http://www.wvwild.org>

The Honorable Alan Mollohan

2302 Rayburn House Building
Washington, DC 20515
(202) 225-4172
Fax: (202) 225-7564

The Honorable Shelley Moore-Capito

1431 Longworth House Office Building
Washington, DC 20515
(202) 225-2711
Fax: (202) 225-7856



What's Next for Wilderness?

By Matt Keller

As many of you are aware, the Monongahela National Forest is currently undergoing its 10-15 year Management Plan Revision. By law, the Forest Service has to evaluate areas for their Wilderness designation potential and make recommendations to Congress, which has the ultimate discretion over what areas are protected. The Forest Service's recommendations are generally taken very seriously by Congress.

After an unprecedented public response during its comment period we are hopeful that the Forest Service has seen the light and is working to greatly improve its plan. Of the

nearly 15,000 individuals who commented on the plan, over 90% supported the Forest Service's Alternative 3 which recommended some of the best places from the West Virginia Wilderness Coalition's Citizens' Proposal for designation. Over 90% also supported more Wilderness recommendations in general. The public has clearly rejected the Forest Service's preferred Alternative 2 and the rollbacks of protection for special places that it includes. It seems unlikely they will select Alternative 2 or 3 in their current forms, but will work to pull out elements of each to meet what the public has demanded.

A big part of the needed improvement will include adding Wilderness recommendations for several more deserving places such as Seneca Creek, Spice Run, Big Draft, East Fork of Greenbrier, the Dolly Sods Expansion and others which are in the WVWC proposal and/or were recommended in Alternative 3. The current draft already includes recommendations for the Cranberry Expansion, Cheat Mountain, part of Roaring Plains and a small addition to Otter Creek.

A final plan is due out from the Forest Service by late April but deadlines have slid in the past. A solid plan is the last hurdle in our path to starting the legislative process with our delegation in DC which will add several more special places to the National Wilderness Preservation System in West Virginia.

This designation will be more important than ever as we see threats to wild places increasing daily from not just logging, road building and other developments, but from sneaky changes in the Administration's rules for managing National Forests. It is highly likely that during the life of the plan which is currently being revised, the USFS will be able to change or modify an area on the Mon with an administrative level of protection (like a backcountry or 6.2 area) to do pretty much whatever they like there. Also, there is currently a proposal to sell off nearly 5,000 acres of the Mon to the highest bidder!

Much work still needs to be done to achieve Wilderness legislation so please, get involved! In this issue of The Highlands Voice, you'll find an action alert urging you to write to West Virginia's Congressional Delegation, as well as a volunteer sign up sheet, which lists several ways you can get involved in the campaign. Help us keep the Wild in Wonderful West Virginia!

ACTION ALERT

As part of the Management Plan revision for the Monongahela National Forest, the Forest Service recently held a 90-day public comment period. An unprecedented 15,000 individuals submitted comments on the Draft proposals. Well over 90% of the comments supported Alternative 3, which recommends the most wilderness designations, instead of Alternative 2, the agency's preferred alternative, which rolls back protections for many of our wild places on the Mon.

Now its time for West Virginia's congressional delegation to act! **Please write a letter to your Representative and both Senators.** Encourage them to urge the Forest Service to recommend more Wilderness in their final plan and to introduce legislation that will permanently protect these special places. For more information, see:

www.wvwild.org/get_involved_05.htm

Below are some talking points. Please remember: the more you personalize your letter and talk about your own experiences, the more effective it will be!

Ask your Representative and our Senators to:

—**Hold the Forest Service accountable** to the many thousands of people, an overwhelming majority, who formally commented in favor of Alternative 3 and the wilderness areas it recommends.

—**Please sponsor legislation that protects all of the deserving wild and wonderful places.** While the areas the Forest Service recommended in Alternative 2 are a good start, several others were neglected including Seneca Creek, parts of Roaring Plains, Big Draft, Spice Run, and East Fork of Greenbrier.

Let your elected officials know:

—**Wilderness areas are important for a variety of reasons including:**

1. Ensuring recreational opportunities are protected for future generations
2. Protecting important wildlife habitat as well as hunting and fishing rights
3. Protecting watersheds and therefore drinking water sources for nearby communities
4. Contributing greatly to our fast-growing tourism economy

Join Now !!!

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____ E-Mail _____

Membership categories (circle one)

| | <u>Individual</u> | <u>Family</u> | <u>Org</u> |
|------------------------|-------------------|---------------|------------|
| Senior | \$15 | | |
| Student/ | \$15 | | |
| Introductory/ Other | \$15 | | |
| Regular | \$25 | \$35 | \$50 |
| Associate | \$50 | \$75 | \$100 |
| Sustaining | \$100 | \$150 | \$200 |
| Patron | \$250 | \$250 | \$500 |
| Mountaineer | \$500 | \$750 | \$1,000 |

Mail to West Virginia Highlands Conservancy PO Box 306 Charleston, WV 25321

West Virginia Highlands Conservancy Working to Keep West Virginia Wild and Wonderful!

THANK GOD FOR PACK RATS AND WVU

By Dave Elkinton

Undertaking to assemble the necessary information to chronicle the first forty years of the West Virginia Highlands Conservancy is a formidable task. Even though I have been a member, and even a board member, for much of that time, my memory certainly cannot be counted on to remember all the details.

But as many Conservancy members are aware, since 1981 the Conservancy's official archives have been in the West Virginia University Regional History Collection. (This arrangement began when several Conservancy officers were clearing out old files and wondered if anyone would be interested in them.) The WVU Collection has assembled a nearly complete collection of past issues of the *Highlands Voice*, board minutes, membership data, and issue files.

Without WVU having assembled these files, organized them, and provided access to them, I would never have undertaken this project.

But what about the pack rats? Remember the *WVU Voice* files were described as nearly complete? It turns out that there were a number of issues missing from their collection. But Dave Saville, our erstwhile Administrative Assistant, has become the depository for other pack rats. When Bonnie McKeown, a resident of Hampshire County, and activist against Corridor H, moved out-of-state, she gave her back issue collection to Dave Saville. At another time, Bill McNeel, a veteran board member and editor of the *Pocahontas Times*, must have

cleaned house, and Dave Saville received another batch. Others may have contributed as well.

So I was able to provide from Dave's collection to WVU many issues they needed. I



was also able to combine my own back issue collection, with some of his extras, and assemble a second set for research purposes in compiling the 40th anniversary history project. For those issues he did not have, and I still needed, Dave tipped me off that Nick Zvegintzov, a past Washington VP and board member in the 70's and early 80's, had a collection of back issues. Also Past President and Mining Chair Cindy Rank has an extensive col-

lection. Both have been very gracious in sharing particular issues that I needed to help tell our collective story.

As I interview a number of past and present Conservancy leaders over the next six months, I will remind them that the WVU Collection desires to assemble the Conservancy's written (and photographic) record to preserve our documents for future research purposes. If you read this and wish to clean out your files and help preserve the organization's history, let WVU or me know.

In the meantime, I not only continue to be inspired by the achievements of the members and officers of the Highlands Conservancy, but I also thank WVU and our own pack rats. Without you our history would not be able to be told.

Contact me at
daveelkinton@hotmail.com

MINING MATTERS: WHAT'S GOING ON IN THE MINING BIZ

By Cindy Rank

Behind the current show of concern and investigations spurred on by the tragic deaths at Sago and elsewhere throughout the world of mining, it's business as usual.

Industry

Massey

In a February 19th article from the Herald-Mail ONLINE, a columnist reported on a talk by Don Blankenship, CEO of Massey Energy.

"The owner of the Aracoma Coal Alma No. 1 mine in Melville, W.Va., where two miners died Jan. 19, said Saturday he feels the safety measures in place at his mines exceed state and federal regulations and that the onus rests on mine workers, not those who run the mines, to look after their own safety.

'As far as avoiding accidents, the industry avoids thousands of accidents every year,' said Don L. Blankenship, chairman, CEO and president of the Massey Energy Co. of Richmond, Va. 'Most often, the problem is not the safety rules, it's the day to day (activities of mine workers). Anything you do every day, you sort of take it for granted.'

Blankenship was reported as saying he believes that the type of explosion that occurred at the Aracoma mine just a month prior to his talk, and the Jan. 2 Sago Mine explosion in Upshur County that killed 12 workers, is rare and statistically insignificant.

This despite the fact that the Mine Safety Health Administration (MSHA) issued four citations to Massey earlier in the month that alleged violations of rules concerning ventilation and the use of explosives at the Aracoma Alma #1 mine. MSHA is also reported as having issued more than 90 citations to the same Aracoma mine in 2005.

Increasing numbers of new mines and power plants

Communities in northern West Virginia are bracing for longwall mining plans to recovering some 190 million tons of recoverable coal on 65,000 acres of acid producing coal owned by the same company (International Coal Group) that operates the now infamous Sago mine.

Permitting for mountaintop removal strip mines in southern WV alone, is expanding rapidly. Valley fills from this mining now blanket large portions of valuable headwater streams in every major river system across the southern third of the state and sludge dams containing waste coal from increased production are being enlarged.

Along the Ohio River – the western border of WV - older coal fired power plants are stepping up their activities and new plants are being proposed, prompting coal operators in northern West Virginia to salivate over the long awaited return of mining to the higher sulfur coal fields in their part of

the state.

As frosting on the cake, the Governor of West Virginia has given us new welcome signs installed at the state borders. WV is no longer "Wild and Wonderful" but "Open for Business".

Legislative and Legal Battles

A federal appeals court declined by a vote of 5-3 to reconsider its decision to overturn a ruling that would have toughened regulation of mountaintop removal mining. In their written dissent three of the judges asserted that "this case is of exceptional importance to the nation and, in particular, to the states of the Appalachian region. ...The Appalachian mountains, the oldest mountain chain in the world are one of the nation's richest, most diverse, and most delicate ecosystems, an ecosystem that the mountaintop coal mining authorized by the corps' [Army Corps of Engineers] general permit may irrevocably damage."

The West Virginia Highlands Conservancy and other West Virginia environmental groups and coalfield citizens are continuing their legal battles with the Army Corps. In a new court case they that the agency was wrong to approve three specific mining operations using a more detailed "individual" permit process because the Corps' reviews did not include an Environmental Impact Study. The mining and valley fills at these three mines collectively

will destroy over 2,000 acres of forestland and over seven miles of streams.

West Virginia is being asked to add more roads to those that allow coal truck to carry thousands of tons of coal in excess of current limits. ...In Kentucky trucking companies found a way to drive their giant rigs through a little known loophole in the state's 1986 extended-weight law which already allows

large coal trucks to haul 23 tons more than any other vehicle on the road. The state Transportation Cabinet had been issuing new permits to trucks with extra axles that raise the existing weight limit from 126,000 pounds (63 tons) to at least 152,000 pounds (76 tons) before the Legislature shut down the process.

An effort in the Kentucky Legislature to limit mountaintop removal mining failed to pass.

Legislation was introduced in West Virginia to put an end to sludge dams similar to the Martin County impoundment that caused the biggest environmental disaster in the east in 2001, and to prevent longwall mining of coal seams less than 600 feet from the surface. The sludge dam ban seems bound to an interim study committee and the longwall mining limitation is bound for nowhere.

Lawsuits involving hundreds of coalfield

residents affected by extensive flooding in 2001 where arguably mountaintop removal mining and logging contributed to the intensity of the flooding have finally reached the hearing stage and are to be considered this year.

A petition to declare certain unique lands in Tennessee unsuitable for mining was denied by the regulatory agency with language nearly identical to written objections submitted by the National Mining Association.

Assessments of fines for violations continue to be reduced during appeal processes and settlement agreements thereby severely undercutting the original intent of the law that such citations and fines be a deterrent to companies to evade the law.

Media

Media coverage of all things coal and energy related has hit an all time high. An avalanche of new permits for more and more massive mining projects, proposed regulations that reduce protections for people downwind of coal burning power plants, increased awareness of global climate change, suppression of scientific research documents and studies, etc. have drawn increased attention to many of the issues highlighted in the winter issue of WATERKEEPER magazine COAL TRUTH.

Airwaves and newsprint are awash with books, articles, blogs, radio and TV coverage of everything from melting glaciers to disappearing mountains.

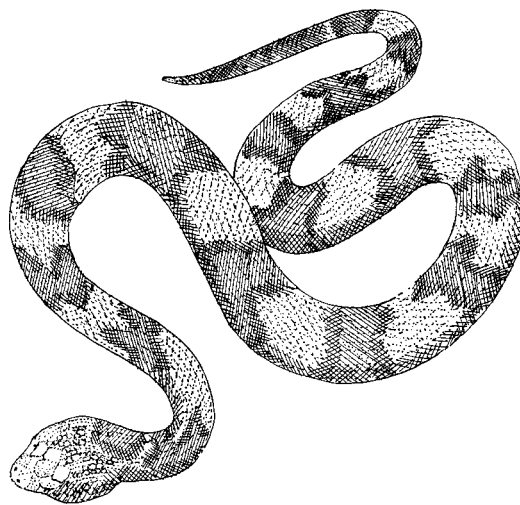
The hardcopy and interactive March 2006 edition of National Geographic has an impressive spread and outstanding pictures about Mountaintop Removal juxtaposed with a brief article about the threat to global climate posed by legions of proposals for new power plants and how improved "cleaner" burning technologies may reduce that impact.

The recently published book Missing Mountains is a compilation of essays by Kentucky writers including some as well known as Wendell Berry. On two occasions groups of writers toured mountaintop removal operations in eastern Kentucky and recorded their impressions of mountaintop removal mining.

Erik Reece first described his impressions of mountaintop removal in an essay entitled Death of a Mountain in the April 2005 edition of Harpers magazine. A more recent article, Moving Mountains – the battle for justice comes to the coalfields of Appalachia, was featured in the January/February 2006 issue of Orion and his book Lost Mountain has received widespread attention and acclaim.

A sidebar by Amory Lovins in that same issue of Orion explains that although mountaintop removal, smokestack pollution, and global warming aren't inevitable; they're artifacts of using electricity in ways that waste money. Most of the elec-

(Continued on page 14)



MONONGAHELA FOREST HIKING GUIDE

Monongahela National Forest Hiking Guide

by Allen deHart & Bruce Sundquist

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The 7th edition covers:

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Compact Disc version of Monongahela National Forest Hiking Guide

WV Highlands Conservancy continues to bring its publications into the computer era with its latest innovation- the publication of the Electronic (CD) version of its famous Monongahela National Forest Hiking Guide, **Allen Dehart, Bruce Sundquist**, 7th Edition, with maps and many other enhancements by WVHC contributor **Jim Solley**

This premier edition of MNF7, on computer disc, includes the text pages as they appear in the printed version of the 7th edition in an interactive pdf format. It also includes the following ancillary features, developed by a WVHC dedicated volunteer, and **not available anywhere else:**

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Mining Matters (Continued from page 13)

tricity used today, whether in the U.S. or in even more coal-intensive countries like China, can be saved by using it far more efficiently.

National and regional newspapers as diverse as New York Times and the Christian Science Monitor, and E-magazines from Common Dreams to Grist have featured articles focused on global warming and the role our addiction to coal plays in that suffocating reality.

Thanks to Paramount Pictures, Al Gore's Sundance Film Festival's award winning global warming documentary *An Inconvenient Truth* will enjoy worldwide commercial distribution beginning in May 2006. More regionally focused documentaries like the new one by Katherine and Anne Pancake (*Black Diamonds – Mountaintop Removal and the fight for coalfield justice*) are about to be released. And earlier productions such as Jeff Barrie's *Kilowatt Ours* and Bob Gates' *Mucked con-*

tinue to garner broad audiences.

Living on Earth....NPR... CNN..... C-Span60 Minutes.....You name it and they have done and/or are doing some in-depth piece on the impact of using coal on our lives today....

ENFORCEMENT

Over the years WV Highlands Conservancy has continually pointed out the importance of strong enforcement of environmental law – especially related to water and mining.

Lax enforcement of those laws has allowed mercury to rain down from power plants, blasting and dust to shower down on nearby communities and schools, wells to be lost or become contaminated, generations old communities to be torn apart. In general causing long-term damage to the life support system of air and water that we all de-

pend on and a slow but steady decline in the quality of life on this earth.

The recent rash of mining deaths is perhaps the worst possible example of how lax enforcement of the law - the Mine Safety and Health Act in this instance – can cause more immediate, catastrophic accidents that snuff out lives.



ANOTHER STATE DEALS WITH WINDMILL SITING

Submitted by Linda Cooper

West Virginia is not the only state which has faced controversy about construction of wind turbines. After wind turbines went online in Kewaunee County, Wisconsin, the Lincoln Township Board of Supervisors approved a moratorium on new turbine construction. The purpose of the moratorium was to delay new construction of wind turbines for eighteen months, giving the township the opportunity to assess the impacts of the 22 turbines installed by Wisconsin Public Service Corporation (WPSC) and Madison Gas and Electric (MG&E), which went online in June, 1999.

In studying the issue, the Moratorium Committee did a survey of area residents as well as holding public hearings in which residents could present their comments. The survey form also contained spaces for people to write in their comments. Here are some of the results:

Survey Question: Are any of the following wind turbine issues currently causing problems in your household?

a. Shadows from the blades

Residents living within 800 ft to 1/4 mile 33% yes

Residents living within 1/4 - 1/2 mile 41% yes

Here are additional write-in comments from the survey:

- "We get a 'strobe effect' throughout our house and over our entire property (40 acres)."
- "Shadows are cast over the ground and affect my balance."
- "We installed vertical blinds but still have some problems."
- "They catch my eye and I look at them instead of the road. They are dangerous."
- "Strobe light, headaches, sick to the stomach, can't shut (sic) everything up enough to stop the strobe coming into the house."

b. TV reception

Residents living within 800 ft to 1/4 mile 33% yes

Residents living within 1/4 - 1/2 mile 37% yes

Additional write-in comments from survey:

- "Ever since they went up our reception is bad."
- "At times you can see shadowing on the TV that imitates the blades' moves, also poor reception."
- "Minimum of 50' antenna tower proposed but no guarantee that would be high enough. Such a tower is unacceptable."
- "At times we get black and white TV. Two channels come in hazy!!"

c. Blinking lights from on top of the towers

Residents living within 800 ft * 1/4 mile 9% yes

Residents living within 1/4 - 1/2 mile 15% yes

Additional write-in comments from survey:

- "Blinking red lights disrupt the night sky. They make it seem like we're living in a city or near a factory."
- "At night it is very irritating because they flash in the windows."
- "We have to keep drapes closed at night."
- "Looks like a circus, live in the country for peace and quiet."

d. Noise

Residents living within 800 ft to 1/4 mile 44% yes

Residents living within 1/4 - 1/2 mile 52% yes

Additional write-in comments from survey:

- "Sounds like a gravel pit crushing rock nearby."
- "Sometimes so loud it makes it seem like we live in an industrial park. The noise dominates the 'sound scape.' It's very unsettling/disturbing especially since it had been so peaceful here. It is an ongoing source of irritation. Can be heard throughout our house even with all the windows and doors closed."
- "The noise can make it impossible to fall asleep. It makes an uneven pitch not like the white noise of a fan. Can be heard through closed windows making it hard to fall asleep anytime of the year."
- "You can hear them at times as far as two miles away."
- "It is the annoyance of never having a quiet evening outdoors. When the blades occasionally stop its (sic) like pressure being removed from my ears. You actually hear the quiet, which is a relief."

e. Other problems

Additional write-in comments from survey:

- ". . . bring lighting (sic) strikes closer to our home."
- "More concern over seeing more lightening (sic) than in the past -- before generators were erected."
- "People driving and stopping."
- "While they were being installed the destroying of the roads, noise, and extra traffic have been negative."
- "More traffic and have to back out of driveways (live on hill, hard to see)."
- "More traffic. I used to feel safe walking or riding bike (sic)."

Question: In the last year, have you been awakened by sound coming from the wind turbines?

Residents living within 800 ft to 1/4 mile 67% yes

Residents living within 1/4 - 1/2 mile 35% yes

Additional write-in comments from survey:

- "Enough to go to the doctor because I need sleeping pills. Sometimes it absolutely drives you 'nuts.'"
- "I wake up with headaches every morning because of noise. Causes my (sic) to have very restless sleep at night!"
- "We have no way of knowing long-term affects (sic). Growing concerns with stray voltage and its affect (sic) on health. We've had frequent headaches, which we didn't have before. Especially in the morning, after sleeping at night. We need answers!"
- "Not awakened but found it hard to fall asleep!!!"

Question: How close to the wind turbines would you consider buying or building a home?

The results for all survey respondents in the study, including those living over 2 miles away are as follows:

- 61% would not build or buy within 1/2 mile of turbines
- 41% would have to be 2 or more miles away from turbines in order for them to build or buy
- 74% would not build or buy within 1/4 mile of turbines

Additional write-in comments from surveys:

- "Ugly, would not buy in this area again."
- "25+ miles. They can be seen from this distance."
- "Would never consider it. Plan on moving if we can sell our house."
- "No where near them never ever!! Not for a million dollars."

A sampling of some of the overall write-in comments from the survey is as follows:

- "I live approximately 1 1/2 miles from the windmills. On a quiet night with the right wind direction, I can hear the windmill noise. People living within a 1/4 mile should probably be compensated for the noise and the nuisance."
- "The noise, flashing lights, interrupted TV reception, strobe effect and possible effect of stray voltage has created a level of stress and anxiety in our lives that was not present before the turbines' installation. From the beginning there has been a lack of honesty and responsibility."
- "Let other counties or communities be the guinea pigs with the long-term effects or disadvantages of having the windmills. All the landowners who put the windmills up have them on property away from their own homes but on the fence lines and land near all other homeowners."
- "Our whole family has been affected. My husband just went to the doctor because of his stomach. He hates them. We have fights all the time about them. It's terrible. Why did you put them so close to our new home and expect us to live a normal life. If it isn't the shadows it's the damn noise. The only people that think they are so great and wonderful are those who really don't know."
- "When we were dating back in the 1970's we always said that someday we were going to build a home here. It was great and then you guys did this . . . This should have never happened. If only you would have taken the time and study this more. Everyone was thinking about themselves and money. No one cared about anything else."

In its public hearings, the Moratorium Committee also heard concern about depressed property values, stray voltage, damage to livestock (including decline in milk production and increased disease), and damage to well water.

Editor's Note: This is an excerpt from a longer report of the Moratorium Committee. To see a more extensive summary, go to www.aweo.org/windlincoln.html and <http://www.hcwind.com/survey1.html>. Since the West Virginia Highlands Conservancy did not participate in the study of the Moratorium Committee and has no way of verifying its findings, they do not represent a formal position of the Conservancy. It is presented here because we assume that the report was honestly done and may provide some useful insight as West Virginia develops its policy toward industrial wind power generation.

CITIZENS and EPA PROTEST FOREST SERVICE PLAN FOR BLACKWATER CANYON RAIL-TRAIL

By Judy Rodd, Director, Friends of Blackwater

Over 5,000 letters, emails and postcards delivered to the United States Forest Service show that the public takes a dim view of a proposed logging company takeover of a historic and scenic public trail in the Blackwater Canyon.

On Feb. 6, Friends of Blackwater supporters (dressed as endangered flying squirrels, bats and salamanders) delivered a giant box of comments to Bill Shields at the Forest Service headquarters in Elkins. Ten environmental groups filed comments urging the USDA Forest Service to re-do its Draft Environmental Impact Statement (DEIS).

“As a local business owner who operates a bike rental company in Thomas, it appalls me to see the U.S. Forest Service solicitously cater to the interest of big business,” wrote Thomas Samples, CEO of Canyon Rim Outdoors. “Once the land is gone, it may never come back,” wrote D.D. Moran of Eglon, in Preston County, WV.

Meanwhile, in a stinging comment letter filed in the Federal Register on February 17, 2006, the United States Environmental Protection Agency criticized the Forest Service plan as woefully inadequate. The EPA expressed concerns about a lack of meaningful alternatives, and potential impacts on aquatic and terrestrial habitat, threatened and endangered species, and cultural resources. EPA’s action vindicates the widespread view of legal and scientific experts that *the Forest Service’s Draft Environmental Impact Statement was fatally flawed and*

must be re-done from the beginning.

Friends of Blackwater’s 27 page comment letter was co-signed by The Wilderness Society, Friends of the Earth, American Lands, the West Virginia Rivers Coalition, the West Virginia Environmental Council, the Ohio Valley Environmental Coalition, the Rails to Trails Conservancy, Heartwood, the West Virginia Highlands Conservancy, and Wildlands CPR. Thanks, you all!

These groups charge that the Forest Service failed to consider impacts on the endangered species and the wild and scenic Blackwater River, and failed to consider the economic effects of destroying a key part of the Blackwater Canyon as a tourist destination. The groups ask for an alternative plan that would protect historic resources along the 10 miles of Trail and would accommodate hikers and bicycles while keeping motorized vehicles off the Trail; and reserving for recreation and wildlife the Forest Service land along the Trail to the top of the Canyon.

We fervently hope that the Forest Service will “step back from the brink,” and re-do its Draft Environmental Impact Statement. If it does not, Friends of Blackwater and its allies have pledged to conduct a powerful campaign, in the legal system and the court of public opinion — to protect the Blackwater Canyon Rail-Trail at all costs! To support this effort, and for more information, go to www.saveblackwater.org, or call 1-877-WVA-LAND.

OUR READERS WRITE

I am not from West Virginia, but I grew up dangerously close in Fayette County, PA. My wife is from West Virginia and I have made many trips, both for business and pleasure, to your great state. I have skied, biked and climbed at various resorts and recreation areas. I have visited Larry Gibson at Kayford Mountain and am involved with fighting mountain top removal and the abusive practices of the coal extraction industry. I like to think of myself as *West Virginian by Proxy*. At the very least I am a citizen of the United States and if that doesn’t qualify me for anything, I will play my ‘inhabitant of planet Earth’ card. In any case, I care about the planet and the people on it and I try to live as sustainable a lifestyle as possible while still driving a car, using the occasional paper napkin and living on the grid.

I am a new reader to The Voice and, admittedly, do not have a complete picture of the mission or vision of the WVHC. I have read articles in your publication damning MTR and irresponsible extraction practices—with which I wholeheartedly agree. I also have read articles against wind energy and articles that recommend a call to action against natural gas and hydro (as well as coal and wind) [‘Wind farm’ seeks PSC permit to build in Grant, Tucker, Voice, Jan. 02].

As a new reader I feel a bit like I’m jumping into a moving current—my understanding of what WVHC endorses is unclear. Is it possible for you to publish an article detailing what WVHC advocates with regard to energy production?

Thank you,
Angelo Ross
Resident, Planet Earth

SPEAKERS AVAILABLE!!!

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.

HATS FOR SALE

West Virginia Highlands Conservancy caps for sale. The cap is khaki and the pre-curved visor is forest green. The front of the cap has West Virginia Highlands Conservancy in gold above the I [Heart] Mountains. The heart is red; we and mountains are black. It is soft twill, unstructured, low profile, sewn eyelets, cloth strap with tri-glide buckle closure. \$10 by mail. Make check payable to West Virginia Highlands Conservancy and send to Julian Martin, P.O. Box 306, Charleston, WV 25321-0306.

T SHIRTS

White, heavy cotton T-Shirts with the I [heart] Mountains slogan on the front. The lettering is blue and the heart is red. Sizes S, M, L, and XL. \$10 total by mail. Available in long sleeve model for \$15 total by mail. Send sizes and style wanted and check made out to West Virginia Highlands Conservancy to Julian Martin, WVHC, Box 306, Charleston, WV 25321-0306