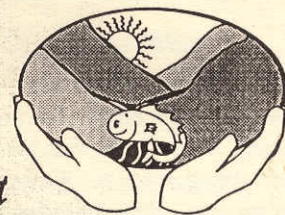


Into The Canyon...

Newsletter of The Friends of the Cheat



April 1996



Cheat River Festival 1996



The second annual Cheat River Festival is coming soon!! It's a day for celebrating the good tidings of the Cheat River while supporting river conservation efforts in the Cheat River Watershed, ranked eighth on the American Rivers' Ten Most Endangered Rivers List. This year's festival is especially important as a Homecoming '96 site. As part of the Governor's Homecoming '96 campaign, The Cheat River Festival in Albright is one of over 250 events, statewide, celebrating the state's heritage and inviting past, present... and weekend mountaineers to come home to West Virginia to visit with old friends and make new ones.

The Festival is a two day affair. Friday, May 3 will be host to the **Cheat River Massacre-ence Downriver Race**. This will be the first race in the three race "West Virginia Race Series". The race starts at 4:00pm and features some of the East's best whitewater! The highlight of the race will be the mass start, and this "massacre-ence" promises excitement from the word GO! Following the race on Saturday, May 4 will be the festival itself, where the awards ceremony for the river race will be held. Festival highlights include music by six local and regional bands, a marketplace of outdoor gear and arts and crafts, a silent auction with remarkable discounts (a big hit last year!!), river conservation booths and displays, and good home cooked food including local delicacies. The gates open at 4:00pm for the festival. All proceeds from the Festival benefit the river conservation work of the West

Virginia Rivers Coalition and The Friends of the Cheat. For more information, including Festival sponsorships, call Roger Harrison (304- 472-0025) or Dave Bassage (304-379-3141).

See you there!!



Rob Voorhees surfs on the Cheat

CHEAT SHEET

Apr. 9	Cheat River Watershed meeting
Apr. 11	Laurel Mtn. Public hearing
May 3	Cheat Race "Massacre-ence"
May 4	Cheat Festival
May 14	Cheat Canyon clean-up
May 18	Preston Watershed clean-up
June 5	Downstream Alliance meeting
July 13-14	FOC Board of Director's retreat

Stream of consciousness

by Dave Bassage,
FOC President & Executive Director

It's been an exciting first year and a half for all of us here at Friends of the Cheat. Few of the twenty or so people at our first meeting knew much about what caused those orange creeks predominant in the lower Cheat watershed, or what it would take to address the issue. All we knew was that the recent blowout of the T&T mine was turning a bad problem into a worse one, and we were determined to do something about it. We knew we had a lot to learn and realized we would need to draw upon a vast array of resources to have any chance of success. We adopted as our mission "to restore, preserve, and promote the outstanding natural qualities of the Cheat River Watershed". We developed a philosophy of promoting partnerships and shared commitments to achieve that mission. Our successes have far out numbered our failures, and it seems appropriate in this first edition of our newsletter to use this space to expand on the philosophy that has so far served us well.

Traditionally, industry and environmentalists have rarely found common ground. Although decades of conflict have produced much needed environmental laws and increased public awareness, it has not come without a price. Deeply entrenched antagonists on both sides can't see beyond their small circle of issues, which makes shared values hard to recognize. But we all share the same planet, and FOC firmly believes that environmental and economic health are mutually dependent. Few would question the importance of a healthy environment, but without a healthy economy we can't afford to address environmental issues. Only teamwork will lead to a healthy future.

Restoring the Cheat Watershed is an immense task. Over a century of mining the acid producing coal of the Upper Freeport seam has left many of the tributaries and a significant portion of the mainstream Cheat unable to support insect life, much less fish. Any visitor to Preston County, WV can't help but notice the numerous orange streams, stained and poisoned by the iron and acid leaching out of the pyrite that is associated with Upper Freeport coal. Prior to 1977, coal companies had little obligation to reclaim the land they mined. During World War II, in fact, it was illegal to waste valuable fuel on reclamation activities. The price paid by the ecosystem of the Cheat watershed has been steep. Today acid seeps in Preston County alone number in the hundreds.

Faced with a problem of this scope, who do you ask for help? Anyone and everyone, especially representatives of the industry that created the problem in the first place. For many years state and federal agencies shied away from the problems of the Cheat. It would simply take too much money to make a noticeable difference, and true success seemed little more than fantasy. Today the Cheat is becoming known nationally as a potential success story in progress, due in large part to FOC's unorthodox approach. One national coal representative has suggested that the Cheat be made an acid mine drainage demonstration project. At a three day acid mine drainage conference in Cincinnati last fall the Cheat received more mention by a wide variety of speakers than any other single watershed. Money for reclamation projects has started to trickle in, and if we continue to work hard that trickle could turn into a flood—the best flood this river has ever seen.

So far we've co-hosted a festival, organized a trash clean-up, helped two new organizations get on their feet (Friends of Laurel Mountain and the Cheat River Watershed Association), helped fund a benthic macro-invertebrates stream quality study (in layman's terms, a bug counting study) performed by volunteers from Downstream Alliance, and attended countless meetings and conferences, but if I were to pick the single most important product of our efforts, it would be the River of Promise shared commitment.

The River of Promise team consists of representatives from state and federal agencies, industry, and non profit conservation groups. Original signatories were the federal Office of Surface Mining, state Division of Natural Resources and Division of Environmental Protection, Anker Energy, the West Virginia Rivers Coalition, and Friends of the Cheat. The first project was an anoxic limestone drain paid for by Anker Energy on Green's Run, with participation by all signatories in the planning. This year we have identified as high priorities the completion of a comprehensive watershed assessment to pinpoint the highest acid concentrations and the restoration of Sovern Run, a Big Sandy tributary that prevents the lower Big Sandy from supporting a healthy fishery. See Consciousness page 8

Friends of the Cheat

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Cheat Placed on American Rivers Most Endangered List

That's good news? It is if you're trying to draw attention to a river that desperately needs help. FOC and the West Virginia Rivers Coalition worked hard to get us on the list, now we need to work to get off it!!!

Cheat Fest Huge Success

1500 people came and supported our first festival, organized by FOC and WVRC. Great weather, music, food, booths, and a silent auction full of good deals all helped raise awareness and much needed money for conservation efforts in the watershed. This year's event is May 4.

River of Promise Pact Signed

Spawned by meetings between FOC and John Faltis, president of Anker Energy, The River of Promise is a shared commitment to restore the Cheat with initial signatories the West Virginia Divisions of Natural Resources and Environmental Protection, the United States Office of Surface Mining, Anker Energy, FOC and WVRC. It has already brought tangible results.

FOC Organizes River Cleanup

30 volunteers pulled several truckloads of trash from the Narrows section of the Cheat in late May. This year we'll be cleaning up the Canyon section May 14th and other portions of the watershed May 18th.

Friends of Laurel Mountain Organizes

With logistical and financial support from FOC and WVRC, this group of concerned landowners near Rowlesburg mobilized to save two native trout streams threatened by a proposed limestone quarry. Legal battles continue, but the message from the watershed is clear: enough is enough. Don't destroy any more streams!

Greens Run Project On Track

The pilot project of the River of Promise shared commitment, a \$200,000 anoxic limestone drain, is in place and operational on the middle fork of Greens Run less than a year after its inception. Anker Energy funded this first project and is committed to the same level of funding for the foreseeable future. The WV DNR has jumped on board with plans for limestone fines treatment of the South Fork of Greens Run, so the total acid load that Greens contributes to the Cheat should greatly diminish in the next few years.

Corps Abandons Dam Plans

A year ago FOC showed up uninvited at the first meeting of the Steering Committee for the Army Corps' reconnaissance study of the Cheat River. We told them to forget building dams and instead concentrate on the acid mine drainage problem. We continued to press this angle at subsequent meetings, in a televised debate, and in publications. This past fall the Corps announced that they would do just that - drop all plans for dam building in the watershed but go ahead with plans for an AMD project on Lick Run.

Watershed Association Forms

FOC was the driving force behind formation of the Cheat River Watershed Association, a group that focuses on the Preston County portion of the watershed and has attracted leading members of the community to its ranks. The CRWA has identified AMD as the number one issue in the watershed.

Where we're going...

T & T Still a Mess

The coal company whose blowouts on Muddy Creek impacted two straight river seasons has gone bankrupt and handed the whole mess over to the state.

Congress

The Corps' Lick Run project is still unfunded, the Office of Surface Mining's Appalachian Clean Streams Initiative is in jeopardy, and nearly a billion \$\$ in Abandoned Mine Lands taxes that are supposed to be distributed to the states are still being held to offset the deficit. Our alliances with industry prove that a healthy economy doesn't need to conflict with a healthy environment. Maybe Congress will catch on by the next election.

**** Most importantly we need to keep learning!!!**

After the fireworks

by Jim Snyder



A WORD FROM THE SITE....

Snow, flood, more snow. This tells me it will soon be Cheat Festival time again. A great many wonderful people showed up last year for the set-up, take-down, recycling, garbage and all the various things that went into making it a success. Hats off, and many, many thanks. Every nice day between now and then we'll be working on making this year's Fest even larger and better. So be sure to join us where the Cheat gets "Muddy'd".

Thanks, *Jim Batchelder - Festival Site Coordinator*

"When I was younger, in the days of my youth,
I used to sit and watch the river roll down.
I end my dreams there 'round the bend,
hoping they'd come back again."

-Garrett Rogers

Newcomers:

CHEAT RIVER WATERSHED ASSOCIATION

Beginning in September 1995, George Constantz of the West Virginia Division of Environmental Protection has guided a diverse and unique group of Stakeholders in the Cheat River Watershed to a point where it appears that considerable action to address acid mine drainage in the watershed is imminent. This group, called the Cheat River Watershed Association has limited its focus to Preston County and its initial thrust will be to attract funding and technology to treat acid mine drainage. At the January meeting, seven (7) agencies involved with acid mine drainage were brought together, by all accounts for the first time, to inform those in attendance about each of their efforts, past and present, and where they hope to go in the future. The most productive part of the evening was the opportunity the agencies had to interact with each other on the problems of acid mine drainage and to see the interest, support and expectations the public had in and for them.

A library of information on AMD will be established at the Kingwood City Library. The Association will encourage people to learn about what is going on and to become involved. Media coverage has been good, with series on AMD appearing in the Morgantown Dominion Post and The Fairmont Times. The Association is applying for a grant to prepare a pamphlet on the issue of AMD in Preston County. The plan is to use this information to leverage more money for future use. Those of you who have missed some of the recent meetings or haven't attended are "missing the boat". This association may well be the one that can get things done because it is inclusive and plans to attract the funding necessary to address the problems of the Cheat. See you at the next meeting!!

Ron Stemple, Co-Chair CRWA

The Acid Mine Drainage (AMD) blow out of the T.N.T. #2 mine was the beginning of a long story. The company was a small shell company of a larger energy concern and held two mines, #2 and #3. On Friday, October 27, 1995 they filed for bankruptcy to avoid responsibility for keeping the water they degraded clean in perpetuity. On the 31st of that month their permit was revoked and their \$10,000 bond was forfeited the next day. The Special Reclamation Division of the WVDEP took over immediately and set up an office on the site under the direction of Charlie Miller. The court involved knew this was an emergency situation and, in an effort to keep water quality maintenance possible, designated all assets to go to water clean-up. They also made provisions to keep dumping the sludge from the sedimentation ponds at the Kingwood coal site where TNT had been legally dumping it during their minimal efforts to meet the specification of the law while their permit was in force. Since then the water quality has been noticeably better, except for an occasional, unavoidable precipitate outflow due to pumping sludge from the ponds. On December 4, 1995 TNT forfeited the bond on their #3 mine and were able to remove many assets before the court could seal the grounds.

To date, the state has maintained the expensive ammonia treatment and pond cleaning. They are using their own equipment and contracting other necessary equipment. They hauled 500 loads of sludge totalling 2.7 million gallons in the first two months. They have neutralized 464,000 pounds of acid in that time which must have had a positive effect on the Cheat Canyon. They are also in the process of assessing long-term solutions even though nothing can be done until legal ground work has been settled. There is an uncompleted FBI action that will hopefully have bearing on who picks up the bill for the mess. Meanwhile Dr. McCoy, the Director of the WVDEP, has committed the limited resources of the DEP to helping the Cheat on this critical issue.

See TNT page 10

Remembering... the good 'ole days

HOPE FOR BIG SANDY CREEK BILL THORNE

There should be trout here!! The trout has always been regarded as the indicator of excellent water quality in cold, swift streams. Unfortunately, trout cannot be found in the most beautiful sections of the Big Sandy except for an occasional, apparently acid-tolerant loner found by persistent anglers. It is time to find ways to restore this beautiful stream to its original trout plentiful state, not only to answer fishermen's prayers, but to restore the purity of its waters.

Big Sandy creek, the largest tributary of the Cheat at its headwaters in neighboring Pennsylvania, flows through relatively flat terrain creating long-flat pools and gentle riffles. These same characteristics are present downstream to about two miles below the old historic mill dam at Bruceton Mills. From this point downstream approximately ten miles until it meets the Cheat River at Jenkinsburg, the gradient gradually increases until it becomes a wild and beautiful river. Chutes, boulders, fast riffles and occasionally a waterfall dominate the lower five miles of the stream.

However, if you think the lower reaches of Big Sandy creek sound like a good place to grab your fly fishing rod, forget it. Acid mine drainage has ruined it for fishing. It is now used almost exclusively for kayaking and sightseeing.

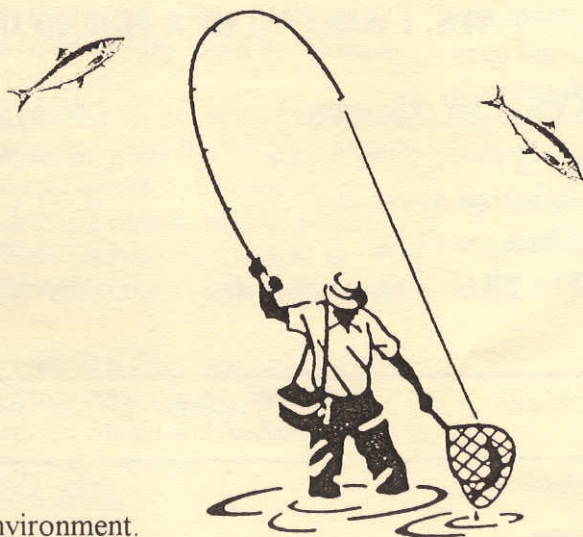
I fished this stream several years ago and remarked many times that views along several areas could be "calendar pictures", capable of qualifying for any of the scenic calendars we see annually. I have fly fished for trout on several dozen rivers and streams in many states in the U.S., including the Rocky Mountains, but I have undoubtedly witnessed a "calendar view" in the canyons around Rockville on Big Sandy creek more than anywhere else I have visited. Always cherished are the memories of the excellent trout fishing I had during the late 1950's and early 1960's. Two or three evenings each week in the spring I could be found in the area around Rockville fishing for trout and enjoying the beautiful scenery. The scenic views are still there, but somehow it has lost its luster without abundant aquatic life.

Over the years the Big Sandy creek has been gradually degraded to the point of unsuitability for the pollution sensitive trout. Most of the degradation has been caused from surface mining high sulphur coal, which is plentiful in the watershed.

Little Sandy creek, the major tributary to the Big Sandy has acid mine drainage from its headwaters near Hazelton that continues downstream several miles affecting the water quality to a point that trout can barely survive in short selected areas. Little Sandy creek significantly affects the water quality of the Big Sandy when it comes into the main stream in the upper canyon. Hazel Run, a small tributary from the north, also has poor water quality and enters Big Sandy creek just above Little Sandy creek. Amazing as it seems, a few trout actually survive in this area of the stream.

The knockout Sandy came in the late draining from the heavily the familiar orange color scenic and remote section

The time is now The Office of Surface Streams Initiative has for Sovern Run of the Big Department of Interior's these funds in serious the Cheat and other river creek clean once again so along this beautiful rightfully theirs—a clean environment.



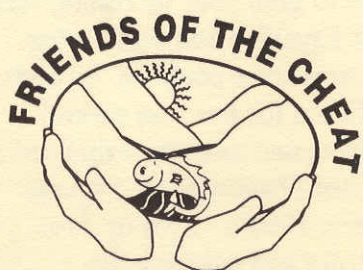
punch to the lower section of the Big 1960's from Sovern Run. This stream mined area near Hudson, started running and so ended the trout fishing in the most of this wonderful stream.

to restore the lower Big Sandy creek. Mining budget for Appalachian Clean implemented an AMD reclamation project Sandy. However, failing to make the Budget or being cut by Congress puts jeopardy. Please join with the Friends of conscious organizations to get Big Sandy fishing can be a part of the recreation stream. Help the fish reclaim what is

WHY GET INVOLVED???

From its headwaters in Randolph County, WV, the Cheat River flows 157 miles to the Pennsylvania state line. In its lower 20 miles, the river has been so severely polluted by acid mine drainage that it is effectively dead. Most of this damage was caused by underground and surface coal mines that were abandoned decades ago. The continuing legacy of this pollution has been the loss of fish and wildlife, aesthetic damage, degraded drinking water, and losses to the local economy from diminished recreational activities such as fishing and boating.

Our immediate objective is to foster cooperative efforts by federal and state agencies, private industry, and local landowners to address the severe acid mine drainage problems that paint the Cheat Canyon orange and render it ecologically sterile.



We need your support to create a new legacy for the Cheat River. Our membership includes fishermen, paddlers, guides, and outfitters; land owners and renters; politicians and activists; geologists and biologists; small businesses and big industry; residents and folks from many states away. We are a diverse group with a common goal. Ours is a vision of a healthy river that provides diverse recreational opportunities and sustains viable local economies. Help us make that vision a reality. Remember...

Rivers carry the lifeblood of the planet.. but they should not run red. Restore water quality on the Cheat River!!

Join Friends of the Cheat.

OUR MISSION: To restore, preserve, and promote the outstanding natural qualities of the Cheat River watershed.

Membership has its privileges!!

- * Discounts on T-shirts
- * Newsletter & pipeline to imperative river conservation information
- * New friends
- * Best of all, you are helping to make the Cheat River beautiful again

(cut here)

YES, I WANT TO BE A FRIEND OF THE CHEAT!!

Suggested Donation:

Individual/Family - \$20

Non-profit organization - \$50

Business - \$100

T-Shirts (beige, m - 2x) - \$15

Make Checks Payable To:

Friends of the Cheat

P.O. Box 182

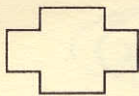
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(304) 379-3141 fax - 3142

Name (If ordering T-shirt specify size & quantity)

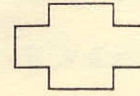
Address City, State, Zip

Phone Amount enclosed



Fellow "*Friends*" Join the Battle

Keith Pitzer- Friends of Laurel Mountain



A quiet battle is being waged in Preston County at this time. At issue is the proposed Laurel Aggregates limestone quarry and deep mine on Laurel Mountain and its probable impact on the local community and ecology, especially native trout streams. The municipal water supply of the town of Rowlesburg is also at risk of being affected.

To drive across Laurel Mountain on Route 50 is to pass through a rural community that could be described as typical in the West Virginia mountains. The people living here are a cross-section of working families and retirees, both natives and transplants. The west side of the mountain south of Route 50 was ravaged by F&M Coal Company in the late 80's, leaving Sandy Creek in the hands of the DEP and treatment cost in the thousands per month into the future. The east side of Laurel Mountain is in the Cheat drainage. The streams run clear and cool, providing habitat for native brook trout. As most people know, native trout are a fragile resource, measured not in quantity but in the quality of the watershed that it exists in. It is that quality that is threatened by Laurel Aggregates.

First advertised in March '95, the public comment period brought a flood of over 150 letters against the proposed quarry which led to a public hearing of comments in Rowlesburg on May 15. The response was overwhelmingly against the permit. This public sentiment and field data taken by the DEP led to the permit being denied in June. Laurel Aggregates appealed the decision before the Surface Mine Board and the hearing took place over four days in August and September. It was during these proceedings and the process following that the concerned citizens of Laurel Mountain learned of the apparent imbalance in the Surface Mine Board.

See *Friends* page 11

Consciousness from page 2

New members of the River of Promise team are quickly gathering. The EPA, Preston County Commission and the US Geologic Survey have signed, and the Corps of Engineers is waiting in the wings, with a host of others expressing interest. When a coal company or any other industry joins our efforts to restore water quality they should be loudly applauded. This not only encourages other industry representatives to be environmentally conscious, it also forces them to maintain the high standard they voluntarily adopted. Since we've established that it's possible for industry, government, and conservation groups to work together, everyone wants to join the party. It is important that all stakeholders in any watershed support the health of that watershed, not just a small pocket of environmental advocates. Everyone is welcome, but they'd better be ready to roll up their sleeves and get to work. We've got a lot to do.

Confrontational environmentalism has its place. Without it we wouldn't have many of the important environmental laws that protect us today. But FOC is operating on the principle that recruiting team members will accomplish much more than creating adversaries, and that approach seems to be working well for us. Robert F. Kennedy Jr. said in a recent address "Good environmental policy is identical to good economic policy 100% of the time." I couldn't agree more.

AMD Characterization Study to Start in Spring

A new AMD study will begin in the lower Cheat River Sub-basin this Spring. The study will be led by the National Mine Land Reclamation Center at West Virginia University with members of Friends of the Cheat assisting in the data collection. Twenty water and flow samples will be taken on each of the Cheat's acidic tributaries within the Sub-basin. The study will produce a color coded map of the Sub-basin that will indicate the severity of acid loading. Acid load is a parameter that is calculated by multiplying the amount of acid in the water (milligrams per liter) by the flow (gallons per minute) and by a unit conversion factor that when solved is 0.012. The resulting acid load will have a unit of tons per year. Acid load is useful in that a stream that has flow of 100 gpm and an acidity value of 100 is only one tenth as much a problem as a stream with the same acidity and a flow of 1000 gpm. By only measuring acidity concentrations one would think that both streams have an equal contribution to the degradation of the Cheat. By measuring loadings, experts can more effectively spend federal, State and industry reclamation dollars to clean up the Cheat River.

The data from this study will be made available to the River of Promise Steering Committee so that they may develop

See *Study* page 9

★ CORPS COMPLETES STUDY ★

page 9

The U.S. Army Corps of Engineers completed its one year Cheat River Basin study in November, 1995. FOC served on the Steering Committee for the study, which looked both at flood control and acid mine drainage (AMD) issues. The good news impoundments to be an AMD abatement bad news is that the funding for a feasibility project in their '96 of thought has emerged would be better served comprehensive recon of continuing to identify master plan. We'd love positive part in the there's a lot of work to want to make sure we buck.

Sponsored by study initially was issues, but by request of Environmental Division of Natural include AMD the Cheat served on the worked to turn the towards AMD efforts. public television program to the issue (FOC), Greg Eduardo (Corps) flood control dams. dams would destroy displace too many people, were not cost effective, and would ruin the free flowing nature that is one of the Cheat's biggest claims to fame. Much to the Corps's surprise, their own study proved us right!!!



is that the Corps did not find cost effective, but did select project on Lick Run. The Corps neglected to include study on the Lick Run budget. Also, a new school that asserts the watershed at this point by a all its tributaries, rather than AMD projects without a to see the Corps play a restoration of the Cheat, but do in the years ahead, and we get maximum bang for the

Senator Byrd, the \$400,000 aimed strictly at flood control the WV Division of Protection and the WV Resources it was modified to abatement as well. Friends of Steering Committee and Corps away from dams and WNPB, the Morgantown affiliate, devoted a half hour during which Dave Bassage Adolphson (DEP), and Hank debated the pros and cons of We argued at that time that too much wilderness,

See Corps page 10

Study from page 8

a comprehensive plan for the treatment of acid mine drainage in the Cheat River Sub-basin. The study will take one year to complete and will begin by the end of March so that the Spring run-off can be captured.

The timely completion of the one year study will coincide with the Federal Office of Surface Mining's 1997 budget for the remediation of Sovern Run, an acidic tributary of the Big Sandy. They have reserved 1 million dollars for the project in 1997. This amount of money is significant since it would completely abate the AMD problems on Sovern Run. The Big Sandy could then be returned to a viable fishery.

Other projects in the watershed include the Green's Run Anoxic Limestone Drain and the portal closing on Sovern Run. The Green's Run project was the first reclamation efforts spawned out of the River of Promise, which Friends of the Cheat catalyzed. Both projects are covered in this edition of the newsletter. For more information regarding this study contact Courtney Black at (304) 293-2867 ext. 447 or Courtney@wvunrce.nrcce.wvu.edu. Courtney is a Senior Project Coordinator with the National Mine Land Reclamation Center and a member of the Board of Directors for Friends of the Cheat.

Corps from page 9

Several approaches to flood control were explored. The primary plan was to build three dams- one near Irwin, a few miles above Rowlesburg, one on the Shavers Fork, and one on the Dry Fork. Originally proposed as impoundments, these were later changed to "dry" dams. Dry dams let normal flows pass unhindered, only backing up water during periods of high flows. These are cheaper to build and maintain, but frequent inundation would likely render the temporary impoundment areas unable to support much of anything in the way of wildlife habitat or human habitation. One Irwin resident captured the sentiment of his community when he said, "Hell, we don't need dams. Every now and then the creek comes up. We just get out of the way."

In order for the Corps to proceed with a project, the benefit/cost ratio must be greater than one. Benefits include both lessened property damages during high water events and any jobs generated, recreational opportunities enhanced, etc... Costs include construction and maintenance expenses, as well as any loss of jobs, recreational opportunities etc... The B/C ratios for the Irwin, Dry Fork, and Shavers Fork dams came out to be 0.25, 0.34, and 0.58, respectively. The Corps was amazed. FOC was vindicated.

Also considered was a proposal by one Steering Committee member to build a series of smaller dams on the upper tributaries of the Cheat, thus protecting the communities upstream from Parsons. These generated even more absurd B/C ratios, with the highest weighing in at 0.08. End of subject, we hope.

The final proposal had some merit. Dubbed "local protection projects", these consist primarily of dikes to protect populated areas. Projects for Parsons, Rowlesburg, and Camp Dawson produced B/C ratios of 1.95, 1.13, and 1.64, respectively. The Corps has recommended full reconnaissance studies for Rowlesburg and Camp Dawson, and a feasibility study for Parsons, which will require a non federal cost share partner. When we asked the Corps if these dikes might increase flooding in unprotected areas, as was the case on the Mississippi, we were assured that a few hundred yards of dikes on a 154 mile river would not have a noticeable effect. FOC will support these communities' decisions if they choose to pursue this option.

We were especially pleased to find that the Corps is interested in doing AMD abatement in the watershed. Lick Run was selected as a potential project site due to its high acid load and potential treatability. A passive system known as SAPS (Successive Alkalinity Producing System) was selected as most appropriate, and a feasibility study recommended, but no money was budgeted for fiscal '96. We welcome the Corps' participation in AMD abatement, and foresee the potential for them to be a major player in reclamation of the watershed. We will work with the Corps and Congress to ensure that they optimize their effectiveness for the Cheat watershed.

TNT from page 4

In so doing he adds substance to his "Shared Commitment" which he indicated in the "River of Promise" statement. They are cleaning 1.5 ponds a day, 6 days a week. They can handle about 300 gal./min. flow rate and up to around 650 gal./min. During the last flood, however, the flow was closer to 2,000 gal./min. This underlines the need for a realistic long-term solution. Predictions are that it will take 100 acre feet of settling ponds, which is 10 one acre ponds, 10 feet deep. At this point it is an emergency under control and the Cheat is getting better water as a result of the state's immediate and persistent efforts and expense, averaging \$60,000 per month. The exit of the criminal element has already had a tangibly good effect on the Cheat. On Wed., January 10, 1996, Clyde Bishoff, the former mine supervisor, was sentenced to 5 years probation, \$6,282 in fines and restitution, and 200 hours of community service directed at improving the quality of the Cheat. He pleaded guilty to one count of violating the Clean Water Act as a result of the FBI action. According to U.S. Attorney William Wilmoth he is the first person in the history of the state to even be charged with discharging AMD. The TNT #2 and #3 mines operated for more than 20 years, removing millions of tons of coal. The profits from this coal have apparently evaporated unless state's attorneys succeed in "piercing the corporate veil" and re-attach the profits to the clean up effort. TNT has contended that the state is partially responsible for the water treatment as a portion of it

comes from the adjacent abandoned Ruth Bell mines. However, TNT submitted a new map to DEP officials showing the Ruth Bell mines were attached by two man made holes to the #2 mine. There is an ongoing investigation into what role others may have played in the criminal acts.

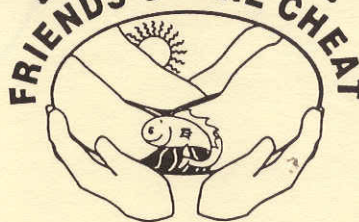
In the meantime, the Cheat River Watershed Association has formed to look into projects and funding for further water quality improvements. There are a half dozen other polluted tributaries of the Cheat just above the Canyon, and each one is being assessed for improvement feasibility. The broad based Association has received good support from the community and all pertinent government agencies. The Cheat River's improvement is inevitable but could take decades. There is minimal threat from future mines and it's really mostly an issue of cleaning up forfeited bond sites. The Cheat's forfeited bond sites account for nearly 50% of the entire forfeited bond acid load in the state, with the TNT site putting in over half of the Cheat's load. It should be noted that bond forfeitures contribute only 5% of West Virginia's yearly acid load and active mines only contribute 1%. Significant steps have been taken in this first year and the Cheat's future is a little bit clearer. We are finding a way to turn off the intravenous poison the Cheat River has suffered from, and there are still signs of life. Hope is springing eternal, even in the face of decades of million dollar efforts at hundreds of sites. We are creating a legacy of improvement.

Sydney's a fish out of water.

Help restore his
home.....



Support the Cheat River Festival!!!!!!

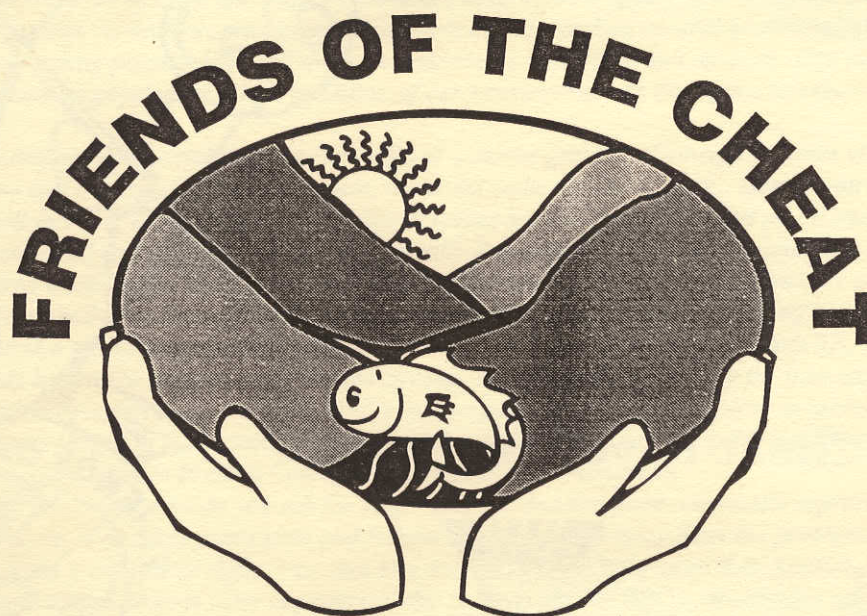


Friends from page 8

The Surface Mine Board is a seven member appointed body, heavily stacked in favor of extractive industries. Frequently, DEP's environmentally friendly decisions are overturned by the SMB. The SMB granted concessions and conditions favorable to Laurel Aggregates in the proposed permit, some of them diminishing existing quarry law.

A next step could have been an appeal to the circuit court by the DEP or the citizens of Laurel Mountain. The DEP elected not to appeal; the citizens group could not afford to. The comment period for the NPDES permit ended February 19 with a public hearing scheduled for April 11 in Rowlesburg. Whatever the outcome of the water quality board's decision there will almost certainly be an appeal. This appeal will be before the five member Environmental Quality Board. As the citizens gather strength for the next round there are some things to consider. One is the need for legislation to update the existing quarry laws in regard to environmental regulation. These laws seem to be vague and open to interpretation by the Surface Mine Board. Another concern is the need to clearly define the scope of power of the SMB, or possibly restructure the board in such a way that it is not so heavily weighted toward extractive industries. A third concern is the cost to citizens' groups involved in such processes. These costs are very close to prohibitive. The Laurel Mountain citizens have funded their cause so far with donations from individuals and environmental groups, and from fund raisers such as a bake sale and a smorgasbord. To date, the cost to the citizens is at \$9,000 with fundraising running a few hundred behind this figure. This means that the group still needs help. Donations of any size can be sent to: Friends of Laurel Mountain, c/o Helen Edmunds, Route 2 box 214, Tunnelton, WV 26444 or call 304-454-9608.

NEWSLETTER BY GAIL VOORHEES



CHECK YOUR LABEL!!!

If your label is highlighted in yellow, your membership is about to expire. If your label is highlighted in red, this may be your last issue.

RENEW NOW!!!

Friends of the Cheat

P.O. Box 182

Bruceton Mills, WV 26525

ADDRESS CORRECTION REQUESTED