

Stonewall Jackson Dam Removal  
Bob Wise Oral History  
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Interviewer: MK – Michael Kline  
Transcriber: NCC

Michael Kline: Today is the 29th of November, and we're sitting in the Sheraton Hotel trying to get some levels on this tape recorder. Testing one, two. Bob, you just drove up from –

Bob Wise: Charleston.

MK: Charleston for this gas and oil meeting tonight. I wanted to take the opportunity to ask you some of your feelings about the Stonewall Jackson Dam. Maybe just would start by telling me about your experience in trying to get the project defunded after you got to Congress.

BW: I've been a longtime opponent of the dam. I was an opponent when I first started practicing law and actually was involved in a lawsuit in state Circuit Court challenging one aspect of the dam back in the mid to late, well, late [19]70s. Then when I was elected to the legislature in 1980, I voted for the resolution to pass to the state senate that what put the state senate on record as opposing the dam. When I went to Congress, there was a campaign issue bitterly fought out. I went to Congress and said that I would oppose the dam when the appropriations measure came up in Congress, and led a fight, and it bitterly divided the West Virginia delegation. The other members were for it. We prevailed, and our position prevailed in the House. The House voted to stop funding for the dam for that year. It went to the Senate. The Senate refused to go along with that. It went to conference, and the house conferees were appointed by the appropriations chairman all rolled over on me. So, the money was put back in. It was clear from that point that even if you could get the votes to pass the House, you weren't going to pass the Senate, and you weren't going to pass the conferees the political equation have to change. My position on the dam now – that's been two years – my position on the dam now is that the dam is being built. The actual physical construction has started on the structure itself. The dam is being built. I recognize that fact the political equation has not changed. Litigation was not successful. So, you accept the fact that the dam is being built, and you move on. I think that the dam, though, had some important lessons. First of all, I don't think that the Congress is as quick to rush into some of these projects as they were back in the [19]70s when this really began to gain momentum. I think that it's taught all of us a lesson, both in the state and outside the state, on the feasibility of these projects. The federal budget deficit is not going to permit building projects that have such questionable cost-benefit ratio as a dam. So, as I say, we learned a lot of lessons. Unfortunately, it made a point, the dam is going to be built. That's, I guess, the way it is.

MK: What was your opposition in the Senate? Could you go into a little more detail there?

BW: Well, the dam was staunchly defended and advocated by both West Virginia senators. They performed their role, which was to lobby very hard within the Senate. First of all, to restore the funding, or to make sure that the funding was not cut in the (companion?) of Senate Bill. They also made numerous telephone calls to House members in the assumption that the bill would be coming back to the house at some time for a vote. They just wanted to try and make sure that the House members were prepared and had their side of the story. It's pretty extensive telephoning going on, and a lot of House members contacted. But as I say, each of us was definitely waging this battle as hard as we could.

MK: Is this generally how they do business, our two senators?

BW: Well, I'm not sure. As I say, they both felt very, very strongly about the dam, as I did some of the members of the West Virginia delegation. Their position was that they'd worked very hard to get the dam over many years and dog gone it, they were going to keep it. As I said, they presented their point of view, did it very forcefully.

MK: In the process of this fight, did you learn anything about why this dam is so important to them?

BW: I think the dam is the last of an era. The dam, I think, was conceived at a time when there was much more of a flooding problem than there presently is now. The dam has its origins in the [19]30s and the [19]40s. At one time there was a scheme, a plan, to build a series of dams in this area of the country to control flooding. There was a dam to be built that was twice the size of this dam at Rohrsburg right on the Pennsylvania-West Virginia line. It was to be a companion dam to the Stonewall Dam. It was today in the Cheat River at the same time the Stonewall Dam was being constructed on the West Fork. Interestingly enough, Congress deauthorized The Rohrsburg Dam long before Stonewall ever got its first money. Why did it deauthorize it? Because Pennsylvania environmentalists and hunters and fishers were pretty upset about what was going to happen in their area. So, the larger the two dams, the one that would have really meant more flood control, if indeed, that's an argument for it to Pittsburgh was deauthorized, and yet you have the dam over the smaller river. The other interesting thing when I started putting maps up on for display was, of course, this dam is 100 miles from Pittsburgh, and yet it was portrayed as stopping torrents of water pouring through Pittsburgh and wiping the city out. I don't doubt the sincerity of people who advocated for the dam. It's a very bitter, divisive issue in my district. I lost the county that the dam is in when I ran in the election the first time. I don't doubt the sincerity of it, but it just doesn't add up. It's a case of a dam, I felt, in which you took the law, and the law says that there has to be a cost-benefit analysis. In other words, for every dollar you put into a dam, you have to get more than \$1 benefits out. Well, at first, they went and tried to do it on the basis of pollution control. Well, in the [19]50s and the [19]60s, having large amounts of water that you suddenly flushed down a river to diffuse or dilute the pollution was an acceptable means. But then we went to sewer systems, and that's why EPA and construction grants program was created in the [19]70s. So, this is now an unacceptable system of pollution control, but yet was grandfathered in when authorizations began. So, you were still permitted to use for the purpose of this dam a cost-benefit analysis for pollution. I think pollution control, as I recall, it's considered 15 percent of the dam's purpose. Then came recreation. No other dam in the country has 52 percent of its cost-benefit analysis attributed to recreation. It becomes even more interesting when you recognize that the dam is going to flood some of the best hunting land in the state and farming land. So, I tell people a little facetiously, I think we're trading deer for fish. Then, there's boating in the marina. The state of West Virginia has been enticed into signing a contract for the dam that they will reimburse the Corps for the construction of the recreation facilities. Possible estimated cost may go as high as \$50 million. Well, here's the state of West Virginia that three times had to freeze pay, has not given its public employees a pay raise in three years, until this last year, which is in great financial straits right now, as many states are. Yet it's been committed to an open ended obligation for who knows how long this payback. The cost, for instance, the initial cost simply that the state was going to have to come up with the upfront cost has gone from over \$300,000 which was the initial

estimate to well over a million dollars. Now, the rest of the cost-benefit analysis, we had pollution control, we had recreation, and flood control. Well, as I say, I think we've already dealt with flood control because it was to stop flooding both in the city of Weston, which has had serious flooding from time to time, as well as Clarksburg as well as Pittsburgh. But the interesting thing is that if you total up – we ran this check – if you total up the total damage caused by flooding of this river, and from the year, I believe, before the 20th century from I think 1885 to 1980, it comes to something like \$25 to \$28 million.

MK: In both in both cities?

BW: In both cities. In which case then the dam – I mean, it would be much cheaper just paying everybody off every time. The other thing I always thought could be done and never was satisfactorily investigated, was a series of watersheds. Now, one watershed has been built already and it seems to have controlled some of the flooding off one of the creeks. The trouble becomes, though, when the Army Corps of Engineers takes over a project, they take it over and preempt everyone else, including the Soil Conservation Service. The other nice thing about the Soil Conservation Service is it requires a local share to be put up. In other words, if flooding is that much of a problem, then the localities will recognize that and they'll put up part of the money to pay for the cost of construction. It was a dam, the local unit does not have to put up any money, and that's what happened. Now, the interesting thing to me is that in the Public Works authorization bill that was considered in this last session of Congress that passed the House, in which 180 new projects were authorized, there is a cost sharing element to it. For projects such as Stonewall, I don't think Stonewall Dam would be built today, if it were coming up and being considered solely on its merits. But it got its authorization many years ago from Congress, and it bumped along for a while. Then, it got its first appropriation. When I got to Congress, it had already had four years of appropriations. \$83 million had already been spent. By that time, the thing has a life definitely of its own, and it gets real hard to stop.

MK: You said it had been grandfathered in. Who grandfathered in? How did they do that?

BW: Of course, I wasn't in the Congress, and that was several years before. But in order to make the cost-benefit analysis work, you had to give it a certain percentage dedicated towards pollution control. Well, the pollution control method that the dam would provide is one that's not accepted now by EPA. So, at some point along the line, as I say, I wasn't there. So, I can't say who did what and when. The dam maintained the life of its own and got an exception to that provision.

MK: That was about 1970?

BW: As I recollect, it was in the early [19]70s. Because in [19]72 is when the Clean Water Act changed, or actually came into being, and construction grants program started. You went to sewer systems as opposed to more – you went to source point control. You went to sewer systems as opposed to systems such as just flooding areas from time to time to wash pollution down. As I say, I refer to it, perhaps unscientifically, as pollution dilution.

MK: Well, that really covers what I wanted to talk to you about. Do you have any other feelings

about the project, or do you know of other areas where the Corps is going to be working in West Virginia in the near future?

BW: No, I think the Corps has learned from this one too. I mean, if part of the justification for this dam is that we need more recreation and that it's going to be an economic boom, it's pointed out by many that within 100 miles of this lake that will be created, Army Corps of Engineers created lakes, the Sutton Dam, the Burnsville Dam and the Summersville Dam, providing recreation, doing good job in some instances. Braxton County, next county down from Lewis County, has two of these three projects, the Sutton and Burnsville Dam, yet has some of the highest unemployment in the state. So, I don't know that it is that panacea. I guess the point there now, and particularly as a representative of the district, I fought the battle. A lot of people fought the battle. It wasn't me. I was kind of the tail end of it. I got there. But a lot of people fought the battle. We've lost. I think two important things, one is we've got to now make the best out of the stain that we can and the second thing is I hope that we all learn from it, that we learn not to rush into these projects prematurely. We learned how much momentum they can gain on their own, and we learned not to do it again. I guess one of the things that bothers me a little bit about the dam, well, I've accepted the fact that dam is being built and that that's going to continue. The thing that seems to me is important now is to make sure that one, it's built properly, and it provides some of those promises that a lot of its question – but we have to hope – come to fulfillment. One is employment. First step is employment on the construction of the dam. I'm greatly concerned because I see a joint venture between a West Virginia firm and a Virginia firm. Every time I hold mobile office hours in Lewis county, I have people complaining that local people aren't working there in the numbers that they should. Then, of course, there's the employment we hope to come from whatever tourism is attracted. The economic incentives, hopefully, maybe it can be a water supply for industry locating here. So, I think that's important. Then there are other areas too. The vast amounts of land that are being taken by this dam; they won't be used for several years. It won't be flooded for several years. In many cases, they won't be used for many years after that. They won't be flooded. They'll just be acquired by the Corps, 20,000 acres has been acquired. I'd like to see a little better agricultural policy. We've seen some farmers land condemned, but at least, let's get the maximum use out of land that we can. So, I've spoken to the Corps of Engineers about the chance of an interim agricultural policy in which you permit haying to go on. You permit grazing to go on. That you permit more leasing of the land to go on than it's presently going on. Right now, only small trucks are being put out and people being permitted to use. It seems to me we've got the land there. It's not going to be used for much for a while. So, let's let the people use it, particularly giving first option to the people who once owned it. That only seems fair. So, it seems to me that the battle, to the extent, there's a battle, has moved now to okay, the dam is being built. But let's make sure it gets used properly, and let's make sure that it gets the maximum use that it can.

MK: I guess these feelings haven't been communicated yet to some of the farmers who are still there. Because the ones I've talked to have a lot of anxiety that they're going to be pushed off very soon.

BW: I think I can understand that that's a concern of mine, that there's not been good communication. Certainly, the (Hevner?) incident did not do anything to allay those fears. The farmers that I've talked to are having a lot of trouble trying to get some statement of whatever

interim policy there could be. Some of them do not actually live in the take area. They may have a field there. They don't actually live in the take area, but they've worked there all their lives. The crops are there. The grazing is being done there. They hay there. It seems to me that there ought to be an easy-to-understand policy to permit them to continue doing so for as long as it's feasible. At this stage, I think the Corps could stand some good public relations over the dam. I think even some of the dam supporters have been a little shaken lately by the heavy-handed manner in which the (Hevners?) were taken off. I think some are genuinely feeling that, "Well, yeah, good. We support the dam, but we don't see any reason the land can't be utilized much more productively than it presently is being."

MK: Thank you very much.

BW: Well, I worked in 1977. I've seen floods in West Virginia. I worked in [19]77 in the flood recovery of Williamson after it was washed out in that –

MK: Were you a part of that?

BW: Yes. I went in there as a legal aid lawyer, retainer to legal aid providing legal services, because I've been involved in the Buffalo Creek recovery also these several years after the Buffalo Creek flood. So, southern West Virginia, which has high mountains, steep terrain, not like this area of the country where the Stonewall Dam is being built. But southern West Virginia has real flooding problems, and you can't get a dam built there across the Tug Fork. Well, the cost-benefit ratio doesn't work out. So, what they're doing, they're dredging, and they're constructing higher flood walls. They're doing things like that, which hopefully will make Williamson in that area safe. But my question comes in why can't you do that elsewhere?

MK: For Weston?

BW: Sure. Weston doesn't have a flood wall.

MK: Think of the cost of building a flood wall versus –

BW: I think it would be worth trying to see whether you can avoid the 250. But for a lot of people, one thing I was struck by is those people who were marginal on the dam, who weren't so sure it was needed. I mean, they didn't have a clear position. Remember that we're in a state with the highest unemployment in the country, and there's a lot of fear and a need for hope. What I think the main argument that I kept hearing for this dam is it's going to create jobs, both in the construction and in the afterlife. That, I think, was what finally motivated a lot of people and caused some to swing over that otherwise might have been opposed to it on strictly budget grounds. Yes. That's a tough argument when you're talking to somebody who's been out of work two years in the construction industry, and they're saying, "Bob, we need this dam, and we need the work." You go through all the rational arguments about why it's not going to do that much for you. It's very short term. I think I figured out at one point that based on the number of people they're projecting would work on the dam, versus the cost, each job was costing something like, \$20,000 or something. It was some incredible figure. If you want to spend \$250 million in the third congressional district of West Virginia, I've got a lot of places where we need

roads, where we need flood control. The Kanawha River, for instance, the West Fork River, a lot of these. We need watersheds. There are a lot of infrastructure projects that you could build if you want to give me \$250 million. I think what concerns me also is that when you put so much resources in one small area for such a questionable purpose, and then I think it's a lot harder to go back and get it when you really need it. But as I say, the dam is going to be built now that the key is we've got to try and make the most of it. I hope it lives up to its promise. I hope I'm wrong, but I don't regret making –

MK: Those promises were made at the Sutton, for the Sutton Dam too. If there's any place –

BW: What's interesting to me that the Sutton or the Braxton County Commission passed a resolution in the late [19]70s recommending to the Lewis County commission not to get involved with the dam. Pointing out that it was not the kind of economic panacea they had been promised. Right after I took office, I met with all the county commissions to find out what was on their mind and what we could work with them on. The Braxton County Commission, which was entirely new from entirely different from the one that had passed that earlier resolution, told me they'd do the same thing again.

Female Speaker: They'd put the dam?

BW: No. The county commission told me that they would make the same recommendation in 1983 that their predecessors had made in the late [19]70s, that it just was not an economically feasible or worthwhile enterprise. They really would urge him to be cautious about getting into it.

MK: When I asked Bill Adler about what industries he had lined up ready to take advantage of this wonderful source of water, he said that, of course, there weren't any. But he said the industries have a way of waiting to see the things completed before them.

BW: I hope he's right. I guess what I look at is the main area that I've seen develop in Weston, developed outside the dam area. Anyhow, it's a shopping area with new discount store, new grocery store, that has grown up in Weston. It grew up not because of the dam was coming. It grew up because of its proximity to the interstate. There's an industrial park, and we're trying to get a water and sewer line out to that industrial park, hopefully it will be filled. There were arguments made that this dam was necessary for the synthetic fuels plant that was to be built in Morgantown. The SRC II plant that was later canceled, but it would need a good water supply. But there was a letter from the under secretary of energy that we unearthed saying that that was not a consideration in the placement of that plant at all. They were looking elsewhere for their water supply. But I hope he's right. We've got to hope he's right.

MK: That something comes of all it.

BW: Sure. There has been so much divisiveness, bitterness, people have lost their homes. You've got 20,000 acres that's been acquired, 1,000 people that I know of, displaced, people out of work, desperately hoping something comes of it. After all these many years, I hope that something good comes to this dam. I mean, it's going to be built, and I hope that something

comes out of it. But as I say, I'm not sure it's worth the price that's been paid for it, not only in dollars, but in terms of human problems.

MK: Yes. I've heard a lot of very sad stories. You might be looking into the thing about people who have died as a result of being moved out, older people mostly.

BW: As you all know, there's an incredible affinity for the land here in West Virginia. Particularly, that land which you've lived on, and that land which has been in your family for many years, generations. Particularly, in farming, poor West Virginia – except for the eastern end of the state – we don't have much farming. This is some of the best farmland in the state. That's why the State Agricultural Commissioner was always sort of a lone Indian out there fighting and resisting the dam at the state house because of the loss of the farming land.

MK: But people in Weston would argue the other way that the land wasn't very productive.

BW: Yes. They would argue that indeed, and that it can be put to more productive uses. Of course, they remember the flood in the late [19]60s that they had in which the water rose fairly high up on many of the homes, drove some of them out of their homes. It was a serious flood. The question is whether that flood could happen today because of the watersheds. Also, the question is whether flood walls and an adequate storm drainage system could handle the water. There are many other reasons. I held a public meeting right after I took office to give everyone a chance to tell me why the dam was necessary. There were some very dramatic presentations made. The ministry of the hospital told me about how when the water rises to a certain level, that you have to go take people and patients by four-wheel drive over a mountaintop to get them to the hospital. Owners of factories told me about how their employees couldn't get to work because of it and there was a lot of downtime. So, people, I guess just have to weigh that, though, how much was that economic loss compared to the cost of this dam? Also, those are situations that I think – and with the possible exception of the hospital – those are situations you run into in any normal locality. I got a road that has a chance of having water rise on it too and keeping me from driving across it at some point. So, once again, could there have been other flood control measures, watersheds, storm drainage systems, flood walls, and did we need to proceed with this dam? That question is not going to be answered. The dam is being built. As I say, I hope it fulfills all the purposes and more. It's got to because the price has been pretty stiff that's been paid for it.

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