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# The Highlands Voice

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August, 2003 Volume 35 Number 8

## COALFIELD RESIDENTS BLAST DRAFT ENVIRONMENTAL IMPACT STUDY

The federal Office of Surface Mining, the United States Environmental Protection Agency, the Army Corps of Engineers, the United States Fish and Wildlife Service and the West Virginia Department of Environmental Protection got an earful as they received comments on the draft Environmental Impact Statement on mountaintop removal at a hearing in Charleston. The Environmental Impact Statement on Mountaintop Removal was released in May 2003. Its purpose was to "consider developing agency policies, guidance, and coordinated agency decision-making processes to minimize, to the maximum extent practicable, the adverse environmental effects to waters of the United States and to fish and wildlife resources affected by mountaintop mining operations, and to environmental resources that could be affected by the size and location of excess spoil disposal sites in valley fills."

The study is the result of litigation previously filed by the West Virginia Highlands Conservancy and several citizens of southern West Virginia. In late 1998 the plaintiffs in that case agreed not to pursue some of their allegations. In exchange, the

various agencies agreed to conduct a comprehensive study of the environmental effects of mountaintop removal strip mining and valley fills.



**Highlands Conservancy Mining Committee chair tells it like it is at the public hearing on the draft EIS.**

In mountaintop removal strip mining, the tops of mountains are blasted away to expose the coal seams beneath them. The resulting rock and dirt is then disposed of in adjacent valleys. Since the adjacent valleys almost always contain streams, the result is

that streams are filled with rock and dirt.

The draft study does document various adverse environmental effects of the practice, including 1200 miles of streams filled so far.

The draft study makes no recommendations and presents no alternatives that would restrict the practice or limit it. While earlier drafts had contained alternatives that would have restricted fill construction, this draft does not.

The draft study's recommendations are largely for better coordination among agencies in streamlining of the process of evaluating applications for permits authorizing mountaintop removal strip mining and valley fills. It says, "Cross-program actions include rulemaking; improved data collection, sharing and analysis; development of a joint application, harmonized public participation procedures, Best Management Practices and Advance Identification of Disposal Sites evaluations; and close inter-agency coordination. These actions would

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From The Western Slopes  
By Frank Young

## It Was Not The Coal Industry .....

In late July the five state and federal government agencies that issued a draft Environmental Impact Statement (EIS) on surface mining, including mountaintop removal mining and associated valley fills, held public hearings in West Virginia and Kentucky to receive public comments on the draft EIS. I attended a session of those hearings on July 24th in Charleston.

The first person recognized to speak was Bill Raney, a lobbyist for the West Virginia Coal Association. Raney heaped praises on the five agency representatives present, gushingly thanked them for the agencies' "hard work" in producing the draft EIS document, and suggested that the coal industry had long sought the studies that produced this document. Nothing could be further from the truth.

Indeed, it was the *WV Highlands Conservancy*, through a lawsuit brought by it and several individual coalfield citizens, which set into motion the events leading to the EIS studies. Many lawyers representing the coal industry fought the Conservancy's efforts tirelessly until a judge of the Federal District Court for Southern West Virginia ordered the agencies involved to perform the studies leading to the draft EIS, as part of a consent decree.

And indeed, while Raney was heaping lavish praises on the agencies which produced the draft EIS, some of the Coal Association's other henchmen were preparing to undermine the study's findings- and proceeded to do so as the day wore on. Curiously though, the Coal Association did not dispute the draft document's ultimate recommendation- to "streamline" the surface mining permit application process. Neither the Coal Association (nor the agencies) had any recommendations about how to actually prevent or lessen the deleterious effects of strip mining identified in the EIS studies.

As a sort of aside, but a very telling aside, the tables seating the agency representatives present were adorned with cryptic signs showing the agencies represented. One sign said simply "OSM", presumably for the office of surface mining. When my turn to speak came about, I reminded those present that a couple letters were missing from the sign. SMCRA does not provide for an office of surface mining (OSM), but rather for the OSMCRE- **Office of Surface Mining Control, Regulation and Enforcement (OSMCRE)**. But somehow the coal industry supplied executives who staff OSMCRE at executive level and later return to the industry as lobbyists, etc. seem to never get past the mining part. They consider control and reclamation as only minor, inconvenient parts of their charge. Are we surprised?



Spruce Knob

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(Continued from p. 1)

serve to further minimize the adverse effects on aquatic and terrestrial resources and protect the public."

The agencies who would be coordinating their efforts presided over the practices which resulted in the environmental damage described in the Draft. The Draft offers no explanation on how the same agencies doing the same thing would "minimize the adverse effects on aquatic and terrestrial resources and protect the public."

Public comment at the public hearing was mixed. Julia Bonds of Whitesville said, "The scientific evidence in the report shows that mountaintop removal is environmentally insane," But the recommendation by this administration is to make it easier for the coal companies."

Residents of Boone, Raleigh, Mingo and other Southern West Virginia counties complained of the noise and dust from blasting, the loss of streams buried by valley fills and the fear of flooding from overloaded sediment ponds or unsafe slurry impoundments.

Bill Raney, president of the West Virginia Coal Association, praised the government study as a "tremendous effort" that he said "validates the solid practices of eastern mining over the years. "What we've been doing in West Virginia is right," Raney said. Since the Draft does not recommend doing anything differently, other than making it easier to get permits to mine in the same way as in the past, the Draft is consistent with the position of Mr. Raney

Jeremy Muller, director of the West Virginia Rivers Coalition, disagreed with Raney's assessment of mountaintop removal and the 5,000-page study. The study documents mining's destruction of streams and forests, Muller said. But it ends with no recommendations for action to halt that damage, he said.

**STILL TIME TO COMMENT**

If you missed the hearing, or even if you went, you can still submit written comments on the draft Environmental Impact Statement. The deadline for written comments is Aug. 29, 2003. Send all written comments to:

Mr. John Forren, US EPA (3ES30)  
1650 Arch Street  
Philadelphia, PA 19103

**Campaign to End Mountaintop Removal Hits the Road**

In April, Julia (Judy) Bonds, organizer for Coal River Mountain Watch was awarded the prestigious Goldman Environmental Prize. Known as the "Nobel prize of the grassroots environmental movement," the Goldman prize is awarded each year to outstanding activists from each of the inhabited continental regions.

Judy is generously donating \$49,000 of her \$125,000 prize to fund projects of Coal River Mountain Watch and other grassroots organizations working to end the devastation practice of mountaintop removal. One of these projects is a national road show to promote the campaign against mountaintop removal and build support for the Clean Water Protection Act of 2003.

The following is excerpted from "Campaign to End Mountaintop Removal Begins," reprinted with permission from the Spring 2003 edition of *Appalachian Voice*, with the permission of Appalachian Voices.

*Conservation and human rights groups across Appalachia say that there is new hope to end mountaintop removal coal mining. On February 12, Republican Christopher Shays and Democrat Frank Pallone introduced the Clean Water Protection Act (HR 738), a bipartisan bill that clarifies the intent of the Clean Water Act by ensuring that industrial and mining waste cannot be used to bury streams and rivers. Its passage would effectively end permitting for the largest mountaintop removal sites. ...*

*... The bill's introduction also provides new opportunities for organizations working to stop mountaintop removal. Judy Bonds, an organizer with Coal River Mountain Watch, said, "The holocaust in the coalfields of West Virginia has gone on too long. While local organizing is as important as ever, our only chance to stop mountaintop removal is to take our message beyond the Southern Appalachians and to the rest of the nation. Representatives Shays and Pallone are heroes to the people of West Virginia."*

*Appalachian Voices is currently putting together a road show with images and interviews from the coalfields. Lenny Kohm, Appalachian Voices' Conservation Director, said, "Folks in this country have to understand that the practice of mountaintop removal destroys the lives of their fellow Americans in the Appalachian coalfields. We need to be aware that every time we turn on our lights it affects the lives of someone in Appalachia. This road show will serve to bring this reality to the heartland of America."...*

*... Activists are urging citizens concerned about this issue to contact their congresspersons, asking them to cosponsor the Clean Water Protection Act (HR 738). You can write your representative at Senate Office Building, Washington, DC 20515. Phone numbers for your reps can be found at <http://clerk.house.gov/members/index.php>.*

The mountaintop removal road show is expected to begin touring the country in September, targeting representatives who serve on the Water Resources and Environment Subcommittee of the House Transportation and Infrastructure Committee. For more information on the road show and what you can do to help, contact Appalachian Voices at (828) 262-1500 or Coal River Mountain Watch at (304) 854-2182 or visit them on the web at [www.appvoices.org](http://www.appvoices.org) and [www.crmw.net](http://www.crmw.net).

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

The West Virginia Highlands Conservancy web page is [www.wvhighlands.org](http://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.*

**Rivers Coalition Says they're Not Stringent Enough**

**LEGISLATIVE COMMITTEE WANTS TO MAKE SURE MINING LAWS NO MORE STRINGENT THAN FEDERAL LAW REQUIRES**

West Virginia Rivers Coalition (WVRC) accepted an invitation to make an presentation in front of the Coal Surface Mining Interim Legislative Committee at their July meeting in Parkersburg. The Committee is reviewing the "need and feasibility of existing... rules, policies... and programs that may be more stringent then corresponding" federal rules. The Interim Committee's purpose is a result of the 2003 regular legislative session's Committee on Energy, Industry and Mining response to the West Virginia Coal Association's packet of amendments, concern that the regulatory process is too slow and request that West Virginia's Department of Environmental Protection (DEP) review policies to make sure that federal requirements are not exceeded.

Presentation was made by WVRC's Liz Garland, Evan Hansen and consultant Rick Eades. The effort was coordinated by WVRC's Jeremy Muller, Board members Margaret Janes and Don Garvin, and West Virginia Highlands Conservancy's Cindy Rank. The presentation was well received by the traditionally pro-coal committee. The committee has requested that the Coal Association prepare a response.

WVRC presented some general background on the intent of the laws and regulations which govern coal activity in West Virginia. The following three points summarize that discussion:

- State-specific protections have been passed by the West Virginia legislature. And, the coal industry has worked with the legislature on the promulgation of mining regulations. Ultimately these rules and policies are approved by the Office of Surface Mining as being in compliance with federal requirements. Therefore, in reality West Virginia regulations are no more stringent simply because they are approved by OSM.
- The Office of Surface Mining may approve measures, adopted by the state, which are more stringent than federal guidance. Furthermore, neither state or federal mining laws may supercede the protections established in the federal Clean Water Act. Coal permits in West Virginia must meet water quality standards, which are similarly promulgated by the state, approved by the federal Environmental Protection Agency, and are required to be at least as stringent as federal guidance.
- Therefore, it is perfectly acceptable for WV regulation to be more stringent than federal guidance. Historically, West Virginians have placed high value on the importance and quality of our rivers and streams. They are among our most valuable resources and therefore should receive the highest possible protections in order that we protect our economic, human health and environmental interests, as well as those of our downstream neighbors.

Specifically, WVRC refuted each of the line items the Coal Association had suggested were too stringent. These include the following protections related to the NPDES permitting process of the Clean Water Act (CWA).

1. **Antidegradation.** These protections are required by the federal CWA and were developed with the coal industry's input to

the West Virginia legislature. Implementation is rarely costly and applies to very few mine operations. Further, the Tier 2.5 designations were established for streams because of industry's interest in easing antidegradation requirements. Tier 2.5 provides relief to industry by classifying hundreds of streams as Tier 2.5, rather than the more protective Tier 3.

2. **Category A.** Federal law requires that Category A uses, drinking water supply, be protected. West Virginia's Environmental Quality Board (EQB) recently approved accelerated exemption procedures. The Coal Association did not support EQB's proposal.
3. **Water Quality Parameter Limits.** Discharge limits are guided by state water quality standards and applied in accordance with CWA regulations. Limits are not more stringent than federal requirements instead they meet the fundamental requirement of permitting pollution only at levels that protect receiving streams.



WVRC also discussed a number of policies, rules and regulations that are a part of federal mining law or West Virginia's mining law. Each of these are alleged by the Coal Association to be too stringent. These include the rules for Approximate Original Contour (AOC), Contemporaneous Reclamation and Post-Land Use Mining which were developed with extensive input

by the coal industry, approved by the legislature and which carry the federal seal of approval by the Office of Surface Mining (OSM).

Mining laws objected to by the Coal Association also include the Surface Water Runoff Policy, Flood Routing Analysis and Valley Fill Construction rules. These rules also carry legislative and OSM approval and were developed in response to flooding problems in coal field communities. In particular, the valley fill constructions methods are a specific compromise proposed by the coal industry.

Additionally, WVRC listed a handful of items that are less stringent than federal law and need to be strengthened to meet federal standards and protect West Virginia's waters. These items, the committee was told, need to be more stringent:

1. Instream treatment ponds and instream treatments below valley fills violate the CWA.
2. Discharge limits in coal NPDES permits are not always to state water quality standards, especially for trout streams, as required by the CWA.
3. Harmful selenium discharges by the coal industry do not meet minimal federal standards.

Interim meetings for the remainder of the year will hear rebuttal by the Coal Association, presentation on the efficiency of the permitting process by DEP and an overview of rulemaking history by the Appalachian Center for the Economy and the Environment's Joe Lovett. Recommendations by the Committee will be presented to the 2004 legislature and WVRC can only hope that the Committee understands the importance of continuing to strengthen the regulations that protect our waters in the coal fields.

**HIGHLANDS CONSERVANCY'S COMMENTS RAISE QUESTIONS**

**POWER PLANT PROPOSED FOR GREENBRIER COUNTY**

The West Virginia Highlands Conservancy has made comments expressing concerns about the power plant that has been proposed for Greenbrier County by Western Greenbrier LLC. Western Greenbrier LLC has proposed an electrical generation plant that will be powered in part by burning material from a coal refuse pile at Anjean.

The project (officially called the Western Greenbrier Co-Production Demonstration Project) is a Clean Coal Technology demonstration project. It is publicly funded. The developers have requested money from the United States Department of Energy for the purpose of demonstrating a creative way to produce electricity in an environmentally sound manner. If all goes as Western Greenbrier LLC and the Department of Energy hope, then the project will demonstrate that this technology is commercially viable.

The power plant is the centerpiece of what its developers describe as an "ecopark" which burns waste from the Anjean coal waste pile along with coal to make electricity. The "ecopark" also proposes to use the byproducts of electrical generation. The excess would be used to create a commercially viable floral, fruit and vegetable market. Waste material would be used to manufacture bricks made of wood waste and ash. Byproducts would also be used to treat acid mine drainage from the Anjean waste pile.

At this point none of this has been shown to work. There are no contracts or commitments to actually build anything to use the byproducts for these or other purposes. There has been no showing that any of these will be able to be financed or that a market will develop for the products that are proposed to be produced. The United States Department of Energy has admitted that the project is a "high-risk" activity that uses unproven technologies that may not be commercially viable.

The proposed power plant is the first of five coal burning facilities planned for southern West Virginia, in the area of Summers and Mercer Counties.

Because of the public funding, the United States Department of Energy is required to do an environmental impact assessment. With the major assistance of Margaret Janes of the Appalachian Center for the Economy and the Environment, the Conservancy made comments upon the scope of the assessment and the alternatives considered.

In its comments, the Conservancy pointed out that, for all the discussion of clean coal technology and the "ecopark" that the

project assumed would eventually be constructed, this was really just another coal fired power plant and should be treated as such. The Conservancy commented:

"As a demonstration project, Western Greenbrier must use state-of-the-art pollution control technology and low impact fuels. Instead, the project reaffirms the use of coal as a primary fuel source, does not use the best pollution control technologies



*Hmmm. Is this a wise thing to do?*

for all pollutants, and leads the region away from sustainable sources of power. The reliance of the project on waste coal and significant amounts of high quality coal also promotes continued mountaintop removal coal mining. Therefore, the EIS must evaluate not only the projects' cumulative impacts on global warming but also the broad and indirect environmental impacts from the coal mined and limestone quarried to carry out the project. These impacts must be compared to those from projects using alternative energy sources and to DOE's support of conservation campaigns. "

The Conservancy also pointed out that the "ecopark", etc. would require substantial capital investment. To date, the proposed power plant has been financed entirely by public money. If it is unable to finance itself privately, there is no reason to believe that any of the other components of the project will be able to be financed. This makes it unlikely that they will ever be built. Because of this, the Conservancy asked that the Department of Energy evaluate the project on the merits of the power plant without considering any of the speculative benefits that might result were the "ecopark" ever

to be built.

Currently the only alternatives that the Department of Energy is considering are to build or not build the project. In its comments the Conservancy requested that at least the following be considered:

- The project outlined by Western Greenbrier Co-Production, LLC without the benefit of secondary projects that are not likely to materialize over the life of the plant and do not have a track record of proven environmental or commercial benefit. This alternative must include cumulative impacts to global warming for the power plant network and impacts from the mining of coal and quarrying of limestone needed for project.
- A similar project using a CFB boiler with better pollution control devices for all pollutants, including additional mercury controls and carbon sequestration technologies.
- A similar project using integrated gasification combined cycle and better pollution control devices for all pollutants including additional mercury controls and carbon sequestration technologies.
- A project using alternative fuel sources.
- A stand-alone project without an associated power plant that moves the gob piles to dry land preventing both run off and ground water contamination and fully reclaims the former refuse site.
- Providing support of conservation programs that focus on reducing the consumption of electricity at a consumer and industrial level.
- The no-action alternative.

The Conservancy also pointed out in its comments that the cleanup of the Anjean coal waste pile should not be considered a reason to provide funding for the project. Because of the requirements of the Surface Mining Reclamation and Control Act, including the Special Reclamation Fund to reclaim sites the operator did not reclaim, that site should eventually be cleaned up regardless of whether this project is approved and funded.

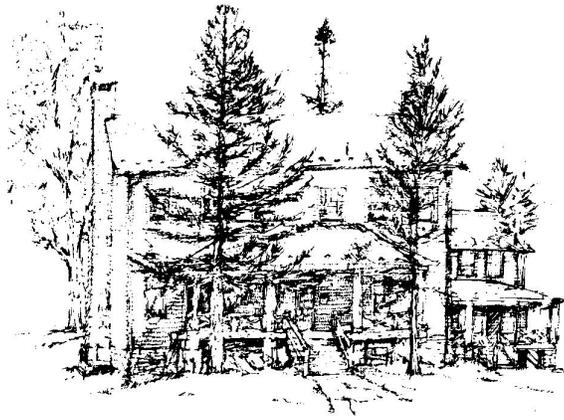
The West Virginia Highlands Conservancy  
presents its

# 38<sup>th</sup> annual Fall Review

at

## Cheat Mountain Club

### October 23-30, 2003



For over 100 years known as a great place for hunting, fishing and wilderness adventure, the Cheat Mountain Club is a special retreat from the outside world- a gracious, quiet, comfortable lodge that fosters contemplation, good talk, and recreational enjoyment in a place of spectacular natural beauty.

This year, as part of the important work we are doing to protect the Monongahela National Forest, we have decided to dedicate an entire week to our 38<sup>th</sup> annual Fall Review. In the heart of it all, on Cheat Mountain, on the shores of the Shavers Fork of the Cheat River, we'll have workshops, art, lectures, outings, service projects, dignitaries, music, and a whole lot of fun. Details are still being worked out, but mark your calendar for the greatest Fall Review ever! Contact Dave Saville for more information and reservations. [dave@wvhighlands.org](mailto:dave@wvhighlands.org) or 304-284-9548

#### MARK YOUR CALENDAR

So that we can all plan in advance, we have already established the schedule of Highlands Conservancy Board Meetings for 2004:

- |               |  |
|---------------|--|
| January 24    | Winter Board Meeting   |
| April 23-25   | Spring Review (Board Meeting on April 25)                        |
| July 24       | Summer Board Meeting   |
| October 22-24 | Fall Review (Board Meeting and Membership Meeting on October 24) |

### ***LISTEN UP!***

The Fall Review includes the General Membership Meeting. It will be on Sunday, October 26<sup>th</sup>, at 9:30 a.m. This meeting will include the election of Board members as well as other business to come before the membership.

This is your opportunity to vote, make motions, discuss, pontificate, whatever. Your attendance and participation is requested.

It has been the policy of the Board policy to welcome all members to the Board meetings. Non-Board members may talk, listen, discuss, sermonize, pontificate, etc. Board members may do all of that plus make motions and vote.

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

**Yes! Sign me up.**

<p><b>Name</b> _____</p> <p><b>Address</b> _____</p> <p><b>City</b> _____ <b>State</b> _____ <b>Zip</b> _____</p> <p><b>Phone</b> _____ <b>E-Mail</b> _____</p> <p>_____</p> <p>_____</p>	<p><b>Membership Categories (circle one)</b></p> <table border="0"> <tr> <td></td> <td style="text-align: center;"><u>Individual</u></td> <td style="text-align: center;"><u>Family</u></td> <td style="text-align: center;"><u>Org.</u></td> </tr> <tr> <td>Senior</td> <td style="text-align: center;">\$15</td> <td></td> <td></td> </tr> <tr> <td>Student</td> <td style="text-align: center;">\$15</td> <td></td> <td></td> </tr> <tr> <td>Introductory/ Other</td> <td style="text-align: center;">\$15</td> <td></td> <td></td> </tr> <tr> <td>Regular</td> <td style="text-align: center;">\$25</td> <td style="text-align: center;">\$35</td> <td style="text-align: center;">\$50</td> </tr> <tr> <td>Associate</td> <td style="text-align: center;">\$50</td> <td style="text-align: center;">\$75</td> <td style="text-align: center;">\$100</td> </tr> <tr> <td>Sustaining</td> <td style="text-align: center;">\$100</td> <td style="text-align: center;">\$150</td> <td style="text-align: center;">\$200</td> </tr> <tr> <td>Patron</td> <td style="text-align: center;">\$250</td> <td style="text-align: center;">\$500</td> <td style="text-align: center;">\$500</td> </tr> <tr> <td>Mountaineer</td> <td style="text-align: center;">\$500</td> <td style="text-align: center;">\$750</td> <td style="text-align: center;">\$1,000</td> </tr> </table>		<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	\$500	\$500	Mountaineer	\$500	\$750	\$1,000
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**Mail to: West Virginia Highlands Conservancy, P. O. Box 306, Charleston, WV 25321**

West Virginia Environmental Council  
Annual Gathering and Membership Meeting  
Saturday, September 6, 2003  
Asbury United Methodist Church  
501 Elizabeth Street, Charleston, WV

- Tentative Agenda:
- 9:00 A.M. - Board Meeting, Nomination of Officers
  - 12:30 P.M. - Potluck Luncheon
  - 1:30 P.M. - Regional Sessions
  - 2:00 P.M. - Legislative Issues Briefings
  - 3:00 - 5:00 P.M. - Setting Legislative Priorities
  - Evening Social Event to Be Announced

You are invited to attend the 2003 WVEC Annual Membership Meeting. For a variety of reasons, the E-Council has compressed this year's meeting down to a one-day event. This is your opportunity to help set the legislative priorities for the WVEC lobby team. Charleston area members are offering housing for those traveling from distant parts of the state. So if you need a place to stay, please contact the E-Council office at (304) 346-5905 or drop us a note at WVEC, 1324 Virginia St. E., Charleston, WV 25301. Otherwise, just bring a yummy potluck dish to share at the luncheon and come join with new friends and old as we chart the course for the coming year. We hope to see you on September 6.



## “Healing the Earth, Healing Ourselves” Herb Festival

September 5-6, 2003  
Shoal, Kentucky

WHAT IS IT Meet alternative healers, environmental lovers of Mother Earth, and diverse multicultural experts on Appalachian Life (including American Indian) from all over the country. Savor exotic herbal, vegetarian, and Appalachian food, see, dance, come alive, enjoy stories that will intrigue you. Learn skills of the mountains and listen to music that will make you reflect on the generations past and to come. All guests are encouraged to bring your own genealogy for we are having a giant “Entangled Roots Reunion”.

Learn how to make soap, herbal medicine, wine, make a basket, grow and preserve herbs, grow and use ginseng and other mountain herbs, make solar panels, live off the grid, living green, research your family genealogy, and much, much, more. For children we have 15 hands-on projects in our “Peppermint Patty” tent.

### WORKSHOPS

Old-Tyme soap workshop. (Brammer Gap Soap Kettle)  
Magnetic Therapy. (Beth Wofford)  
Aura Mastery. (Jo Ann Van Horn)  
Solar Workshop. (ASPI)  
Growing Eastern Woodland Medicinal Herbs Herb Walk included with this workshop ( You will be taking dormant roots for transplanting back home with you)  
Ginseng. (ASPI)  
Eco-Technology (Living Off the Grid)  
Living Green (small steps anyone can take). (Rev. C. S. Lewis)  
Identifying and Preparing Edible  
Weeds for Food. (Vickie Shufer)  
Mushroom Innoculation. (Tim Hensley)  
Drying and Preserving Herbs. (Peggy Leadingham)  
Aromatherapy. (Joy Goble)  
Muscle Response Therapy and Scerology. (Lupe Banuelos)  
American Indian Culture. (Tom Pearce) , (Pete Ellis) and (Mack Chism)  
Who Are the Melungeons? (Krista Loyd)

WHAT'S TO EAT: It will be hard to decide when your choices include green fried tomatoes, stinging nettle soup, gingerbread pones, dried apple stack cake, in our Appalachian section and in black sweet rice pudding with organic pear and wild ginger sauce, zucchini angel hair pasta with herbal pesto sauce, apple-brown-betty with geranium leaves, lemon balm cake, and again much, more! Be sure to stop by and visit our latest additions to the festival. With all these choices and more you won't go home with an empty stomach.

CAMPING: Camping begins Thursday the 4th at 4:00 p.m. Festival hours are 9:00 a.m. to 10:00 p.m. Friday and Saturday.

HOW TO GET THERE: We are in Southeastern Ky., closest town is Hyden. Go to Hell for Certain Road and follow signs to Confluence Shoal Rd. and follow that road until it dead ends at lakefront or go to webpage for directions and more information. If you have a low riding car email for different directions.

COST IS \$3.00 ADULTS AND \$1.00 CHILDREN ENTRANCE FEE. CAMPING IS \$10. WORKSHOPS ARE PAID FOR SEPARATELY; MOST ARE FREE. SOME HAVE A MATERIALS COST.

### MORE INFORMATION

Linda Heller: 606-672-6444  
Nancy Crouse: 606-374-3379  
Email: [beyondyonder@webtv.net](mailto:beyondyonder@webtv.net)  
Website link for more info:  
<http://geocities.com/beyondyonderrd/festival/>

## CONSERVANCY APPEALS DENIAL OF FOIA REQUEST

As reported in the July, 2003, issue of *The Highlands Voice*, the Highlands Conservancy has attempted to verify or debunk rumors of proposals for windfarms in the Monongahela National Forest. To do this, the Conservancy made a Freedom of Information Act request to the Forest Service for information. The Forest Service replied that it had some documents that were responsive to the request but that it would not release those documents. The Conservancy has filed an appeal of this decision. Here is the appeal:

Dale Bosworth  
Chief, USDA Forest Service  
Washington, DC 20250-1143

Re: Freedom of Information Act Appeal

Dear Mr. Bosworth:

This is an appeal under the Freedom of Information Act, 5 U.S.C. Sec. 552(a).

On May 21, 2003, I requested documents under the Freedom of Information Act, on behalf of the West Virginia Highlands Conservancy, a non-profit public interest advocacy group. In the Region 9 regional forester's response, this is referenced under File Code 6270-1-1. A copy of my request is also enclosed for your convenience.

The documents requested were those pertaining to inquiries or applications for use of Monongahela National Forest (MNF) land for the installation or operation of commercial wind energy facilities.

On June 30, 2003, I received a response to my request in a letter signed by Randy Moore. I am writing in part to obtain a precise determination of why my request has been denied. A copy of his letter is also enclosed.

**(Continued on p. 9)**

**DEFORESTATION AND FLOODING: WHAT HAPPENED THE FIRST TIME AROUND**

Notes compiled by Don Gasper.

About 1900 many people searched for a solution to the growing problems resulting from deforestation throughout the state. Dr. I.C. White, the state geologist, used his influence to promote interest in the conservation of the state's resources, and his efforts were responsible, in part, for the appointment of the West Virginia Conservation Commission in 1908. The commission was created to study and report upon state conservation problems and to cooperate with a national commission appointed by Theodore Roosevelt in the same year.

This commission report further solidified the claims that flooding along the Monongahela and Ohio rivers had increased as a result of deforestation. Part of the section of the report entitled "the Forests' Influence Over Floods and Drought" reads as follows:

"Public opinion has long held that the floods are increasing in number not only in West Virginia but in other regions where rapid deforestation has been going on, but only recently were figures compiled showing just what is taking place in the State.... A compilation of results shows a very disquieting state of affairs in West Virginia. Floods in the Ohio at Wheeling have increased 28 per cent in number in 26 years; Potomac floods at Harper's Ferry have

increased 36 per cent in 18 years; the Monongahela floods at Greensboro, Pa., with an increase of 73 per cent in 24 years."

"The increase in the total discharge of West Virginia rivers, in spite of diminishing rainfall...is due solely, so far as available data can be interpreted, to the deforestation of the mountains. There is no reason to doubt that a continuation of the timber cutting and burning will increase the fluctuation of the streams if...."

The commission also ascertained that the state's timber sources would be exhausted in twenty-two years if the 1907 rate of timber harvest continued. This rate excluded the amount of timber that might be lost to forest fires. The commission pointed out that it was not only the loss of forest that resulted from forest fire. In the lower elevation of the mountains, where broad-leaf trees or hardwoods grew, the soil was damaged because the vegetable matter which furnished nutrients to the soil was burned. In addition, the seedlings and sprouts which might produce new growth were destroyed. Though the mature trees seemed to escape harm, that was not the case; they were invaded by fungi and insects which entered through the injured bark.

**(Continued from p. 8)**

The letter of denial does state that USFS has documents that would be responsive to our request, but were withheld. The documents that were withheld must be disclosed under the FOIA because sub-section (a)(3) requires that the agency promptly make such records available to any person. The only justification provided for the denial was citation of Exemption (4), which exempts trade secrets and commercial or financial information obtained from a person and privileged or confidential.

Here are a few points for your consideration in regard to my appeal:

- The FOIA provides that any reasonably segregable portion of documents such as these shall be provided after deletion of the portions that are exempt. Any actual privileged or confidential trade secrets or specific commercial or financial information contained in the documents withheld could easily be deleted.
- When denying a request such as ours, in whole or in part, the agency must provide if reasonably possible an estimate of the volume of requested matter denied. USFS only said this is "very limited."
- In denials of this kind, the agency is ultimately required to sustain its action, i.e., to offer reasonable proof that the material withheld actually meets the requirements of the cited exemption. USFS has not yet provided any information of this kind.
- Although a wind energy developer might consider the loca-

tion of a proposed generation facility to be important business information, these are public lands, the facilities are very large, with dramatic impact and so there is a compelling public interest in knowing about the possibility of any such developments.

- The law is narrow generally in its definitions of trade secrets, commercial, and financial information covered under Exemption (4) exempts only "information obtained from a person," not the government's own documents.
- Exemption (4) does not exempt commercial or financial information that is publicly available. Some of the information discussed, including the general location of proposed generating facilities, has been revealed in telephone discussion and in at least one public meeting hosted by USFS.

I expect a final ruling on my appeal within twenty working days, the time specified in the statute.

Please acknowledge receipt of this appeal by e-mail, telephone or letter. I would appreciate identification of an appropriate contact person in this acknowledgement.

Thank you for consideration of this appeal.

Sincerely,  
Peter Shoenfeld

## NEW FACES AT SUMMER BOARD MEETING

by Hugh Rogers

### NEW FACES AT SUMMER BOARD MEETING

by Hugh Rogers

The Highlands Conservancy's Board of Directors met on July 19 at the Green House in Elkins. Some new members helped us deal with the usual range of issues and committee actions.

While we have been arguing about appropriate sites for wind farms, the mining, processing, and burning of coal has continued unabated. Cindy Rank told us we'd be likely to see many more new electric generating plants cynically presented as "clean coal" initiatives. Every one would increase the acid in the air and the devastation of the mountains. We discussed actions we might take on the Longview plant proposed for a ridge outside Morgantown (see July's Voice, page 14), and the Western Greenbrier Co-Production Demonstration Project at Rainelle, which would burn waste coal and newly-mined coal.

On behalf of the Highlands Conservancy, Margaret Janes of the Appalachian Center for the Economy and the Environment submitted comments to the Department of Energy on the Greenbrier project. The preliminary issue is whether DOE must prepare a full Environmental Impact Statement, or some superficial version that would "defer" to the private corporations that DOE is funding. Meanwhile, the mountaintop removal mining EIS has been released (printed copies run to 5000 pages). Comments are due by August 29. Please contact Cindy if you have particular points you want to raise in our consolidated comments.

Matt Keller had prepared a thorough report on the WV Wilderness Campaign, focusing on meetings with Congressional staff, the Monongahela National Forest, the WV Division of Natural Resources, local outdoor recreation businesses, and the many interested people in the counties most affected. Lots of field research and writing has been done already. Matt has also produced a map showing our highest priority areas. We have avoided places where mountain bike use is well established. The collaborative approach seems to be working so far and has made the job enjoyable.

Don Gasper presented two maps that addressed problems of logging in the National Forest. One showed brook trout streams where sedimentation would have a negative impact on fish eggs. The other was an overlay of a Geological Services map, showing where soils should be judged too infertile to permit logging. The Public Lands Committee will meet with Mon NF officials to discuss these issues.

Don suggested that we urge the Mon to do the same public survey on "desired future condition" of the forest that the George

Washington and Jefferson National Forest did for their forest plan revision. In our week of meetings this fall at the Cheat Mountain Club, we will devote considerable time to the plan revision process.

Bob Marshall told us that WVHC's budget has reached the point where state law requires us to hire an outside auditor to confirm our bookkeeping. During the first half of 2003 we added 98 new members. Total circulation of the Voice has surpassed 5,000 copies. And attendance at our outings has recovered from a low period last year. Jonathan Jessup said he had designed outings to be more attractive for people coming from long distances, including car-camping opportunities



*Tool of the secretary's trade*

and dual listings with other organizations.

A different type of outing puts volunteers to work on the Canaan Valley National Wildlife Refuge. Dave Saville told us that an accessible boardwalk was extended into a wetland complex on the Freeland Tract in June, and another outing will be scheduled to finish it. In August there will be two chances to work on deer exclosures, and September 20 will be a tree planting day. Information on all WVHC outings is available online.

Now, about those new faces and your chance to vote for or run for the Board: Helen McGinnis has been appointed to the director's position formerly held by Pam Moe. Pam is now an organizational director representing the WV Rivers Coalition, succeeding Abby Chapple. Helen's passion for backpacking began while she was a student at UC-Berkeley. When she moved to DC to work at the Smithsonian Institution, she was drawn to the Wilderness Society offices down the street, where she met Rupert Cutler and discovered she could play a role in establishing eastern wilderness. In the early 70's she worked w/ the Highlands Conservancy's Wilderness Committee and wrote reports on Dolly Sods, Otter Creek, and Cranberry. An article on winter camping that she co-wrote for the first Hiking Guide has been reprinted in every edition.

Helen also helped to establish Hickory

Creek Wilderness on the Allegheny National Forest in Pennsylvania. She spent fifteen years in Mississippi, where she wrote Hiking Mississippi and taught at Tougaloo College. After her mother died and the family home in Marin County, California, was sold, she asked herself, "Where would I live if I could live anywhere?" And so she found her way back here just in time to help with the third great campaign for wilderness. (The second campaign, to remind you, ended in 1983, when the Cranberry Back Country was finally designated as a wilderness area, and Laurel Fork was substituted for Seneca Creek). The timing was right.

George Beetham was appointed by Frank Young to the unexpired term of Bob Marshall, who took up the job of Treasurer. George first saw the West Virginia highlands in the late 1970s, when a friend took him to Seneca Rocks, and he has been coming back ever since. An early edition of the Hiking Guide was his introduction to the Conservancy's work. But his recent involvement began when he read a story in an online newspaper about windmills slated for the Allegheny Front. Wanting to do something to either stop or mitigate the proposed project, he contacted Peter Shoenfeld through the Conservancy's web site. He has been very active on the Wind Power Committee. George is the editor of a weekly community newspaper in Northwest Philadelphia, and writes an earth sciences column for the region. He has been an avid backpacker and naturalist for more than thirty years, and pursues particular interests in geology, natural history, and human history.

Cindy Ellis, the immediate past president of Brooks Bird Club, replaced Mary Moore Rieffenberger as BBC's organizational director. She has contributed to three books on West Virginia birds, and has been a familiar presence at bird banding on Dolly Sods and hawk monitoring on Peters Mountain in Monroe County. From her home in Red House, Putnam County, these northern and southern sites are equidistant. As a newly-retired elementary school teacher, Cindy brings fresh energy to the board.

Remember, our Fall Meeting, on October 26 at the Cheat Mountain Club, will begin with a general membership meeting and election of directors whose terms expire that month. We expect there will be one open seat, and we are not unfamiliar with contested elections. So if you or someone you know is interested in taking a more active role in the Conservancy's work, please let me know by mail, phone, or email (see the roster on page 2). I will bring all names to the attention of the nominating committee.

## FUEL CELLS: FACT OR FANCY?

By Allan Tweddle

Fuel cells are real. They work...silently and efficiently. They are coming to a store near you, and to your house, your school, hotel, office, car dealership. They are here, and have been for at least 30 years in some exotic applications. (We would not be where we are in space if it had not been for fuel cells.) BE READY

First let me talk about how they work. And I am going to quote a description from "Fuel Cells for Transportation" by the Fuel Cell 2000 activity of Brekthrough Technologies Institute in Washington D.C. Fuel cells are a stack of flat membranes, usually platinum catalysts that are alternatively anodes and cathodes spaced by electrolytes. There are no moving parts except for a fuel pump that delivers the hydrogen. And even this can just be a metering device with no moving parts.

*"Hydrogen fuel ... is fed through channels in one bipolar plate. Oxygen (drawn from the air) enters the fuel cell through another bipolar plate.*

*"A platinum catalyst starts a reaction which strips an electron from the hydrogen. These electrons create a current to an electric motor which, [in the case of a vehicle], drives the wheels. The positive hydrogen ions pass through the electrolyte membrane.*

*"The electric current coming back from the motor joins with the positively charged hydrogen ions and oxygen at another platinum catalyst, where the two elements combine. [Very pure] water and [useable] heat are the only "emissions"."*

Confused? Don't be. A recent article reporting conversations in Japan called fuel cells batteries. They are not batteries. Batteries store energy, and deliver it on demand without external stimulation, while fuel cells must be fed fuel to operate. They are, strictly speaking, a chemical engine. Fuel cells are actually quite simple devices, and as I have said, very efficient. Fuel cells can get 3 times more energy out of a pound of hydrogen than a pound of gasoline, or natural gas, **and six times more energy than burning a pound of coal.** (Hello West Virginia! We have seen the future, and it is spelled fuel cells.)

Not to be left behind, and recognizing that hydrogen is the fuel of the future for all forms energy, there is a consortium in West Virginia looking into the prospects of extracting hydrogen from the methane gasses found in coal seams, and other methods for extracting hydrogen from coal. However, I cannot find much in the literature, other than news reports by coal sources, that coal is a viable option for hydrogen extraction. Too much energy and pollution involved to get a clean fuel.

The efforts that are underway all over the globe in small firms and giants like GM are based on the belief that fuel cells will be so clean, efficient and economically feasible that

they COULD replace **all** other forms of internal combustion engines and electric power generation. Speaking of GM, they see such a future for fuel cells that they announced last year that they are going to leverage their research so that they can enter the stationary fuel cell business as well as equip all their vehicle products. Fuel cells for buildings large and small are actually a larger market than that for cars and trucks. From houses, to hospitals to high rise offices, to factories and farms, fuel cells can and will creep into all of these buildings.

Why? Because fuel cells are the most efficient way to generate electricity that we



know of...and they are absolutely clean when powered on pure hydrogen. No long power lines stretched across the country, across the street or across your yard, AND no large power plants, and all that that implies. Good news gets better.

**Texaco's Peter Bijur, CEO and Chairman: "If all the cars on the road today had fuel cells you would have five times the electrical capacity we have today"**

To give you an idea of the wide applications that have already been built using fuel cells, here's a **partial** list;

US GOVERNMENT: In the early days of the 60's, NASA in the space shuttle and other space vehicles, as well as the USN in nuclear submarines as well as portable field power units.

AUTOS: Today, the race is on between Chrysler, Ford, GM in the US and Daimler Benz, Fiat, Honda, Hyundai, Mazda, Nissan, Renault and Toyota overseas, (to name just the biggies), all trying to be first in service and all with experimental vehicles in field tests.

BUSES & MASS TRANSIT Experimental buses are operating in Georgetown University in Washington D.C.; Palm Desert, and Los Angeles California in the US; Berlin, Stuttgart, and Hamburg Germany; London England; Lisbon Spain; Copenhagen Denmark; Reykjavik Iceland; Turin Italy; and Vancouver B.C., Canada to name a few.

OTHER USES: Would you believe a bicycle? THREE manufacturers to have models in test date! And for the **irony** of vehicles, there is even a fuel cell powered mining locomotive operating in Canada!

BOATS? Yes, a two person canoe and a runabout have also been built and are in demonstration testing.

Prominent names in addition to the above are Ballard Power Systems of Vancouver Canada, John Deere Tractors, Siemens as well as some new ones like H Power, Comfort Cycles of Cleveland, and Manhattan Scientific to name just a few. Ballard is probably the leading fuel cell developer that is working with almost every vehicle manufacturer.

Well you say, with all of this research...when will we be able to buy one? Even the closest experts and visionaries when pressed for an exact date say "SOON"! Why?

The COST is still prohibitive, but like micro processors just a few years ago, the costs are steadily coming down. And, the fuel of choice, hydrogen is not available yet in the fuelling infrastructure. Even though forward thinking oil companies\* have recognized the future potential for fuel cells, and are committed and involved in all of this research, it still is not clear what will be the best method of delivering hydrogen widely and safely. Actually, fuel cells will run on many different fuels as long as they are a source of hydrogen. That means gasoline, corn oil, even coal. 10 fuels in all have been demonstrated. The technical debate is which is the most efficient, least energy intensive and safest method for extracting, storing and delivering hydrogen.

All of the research is incrementally achieving success, and SOON, very soon, we will be offered fuel cell cars, houses, buses, boats, bicycles ATV's. All of this using hydrogen, the most abundant energy chemical element that exists in nature. And we will have, eventually the cleanest, most efficient and inexpensive source of energy for all of our chosen lifestyles that man (alone?) has developed. So picture yourself arriving at home in the evening, and connecting your car to the house so that they each will feed the other power in the most efficient manner, and will generate all the heat that you need, while they also produce pure air and water.

It's the future...SOON

As the line in "How To Succeed In Business Without Really Trying" would say today:

**"It's fuel cells son, the future is fuel cells...get into it!"**

**\*BP, Shell, Texaco**

# West Virginia Mountain Odyssey



## Outings, Education and Beyond

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

**August 9th: Big Blue/Paddy Run Scouting Trip, Great North Mountain/GWNF, VA-WV.** The backbone of the outing is a 7-8 mile moderate shuttle hike on North Mountain starting on the Tuscarora Trail at U.S. 55, East of Wardensville, to the Gerhardt Memorial Shelter, down to Paddy Run to the hike's end on FR93 in the valley between The Great North Mountain and Paddy Mountain. Along the way we will be exploring other trails/roads for possible future hikes. Total mileage for the day may be between 10 and 12. Bring extra water and snacks. Leave Rt. 32/Broken Land Parkway park and ride ( bus side) at 8:00. Contact Mike Juskelis at (H) 410-439-4964 or Email at mjuskelis@cablespeed.com

**August 15th-17th: Blue Bend Car Camping trip.** Three day trip to the Monongahela National Forest, WV. Camp along scenic Anthony Creek under the Hemlocks and surrounded by mountains. Hike Blue Bend Loop trail and Anthony Creek trail. On the way home visit the Hump Back covered bridge and scenic Goshen Pass. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com

**August 16, Sat. Volunteer outing.** We'll be building exclosures on the Canaan Valley National Wildlife Refuge to protect balsam fir from over browsing by whitetailed deer. Contact Dave Saville (304) 284-9548, dave@wvhighlands.org.

**August 16 & 17 Backpack in proposed Cranberry Wilderness Expansion area.** Come and see why it deserves wilderness designation. This will be a fairly strenuous 10 mile trip. Bring your bathing suit for a dip in the Cranberry River, or even a fishing pole. Contact Beth Little at blittle@citynet.net or 304-653-4277.

**August 23, Sat. Volunteer outing.** We'll be finishing up exclosures on the Canaan Valley National Wildlife Refuge to protect balsam fir from over browsing by whitetailed deer. Contact Dave Saville (304) 284-9548, dave@wvhighlands.org.

**August 30- Sep 2, Sat.-Tues. Backpacking, base-camping and hiking on Red Creek/ Roaring/ Flatrock Plains**—one of the highest, most rugged, and most scenic parts of the West Va. Highlands and Monongahela National Forest. We will camp on, and explore, the rims of Allegheny Front and Long Run that offer some of the best views (and scenery) in the area - much of it rarely seen. Hopefully we will have time to visit Haystack Knob, Thunderstruck Rock, Mt. Porte Crayon and much of the north Rim of Long Run. Prior backpacking experience required. 16 miles of backpacking. Limit: 10. Contact Bruce Sundquist, 724-327-8737 or bsundquist1@juno.com

**September 11th-14th: Tea Creek/Cranberry Wilderness Car Camping Trip.** Four day car camping trip to the Monongahela National Forest, WV. Hikes to include a 10 mile circuit hike utilizing trails in and around the Tea Creek Water Shed and a 11 mile shuttle hike along the middle fork of the Williams River in the Cranberry Wilderness. Contact Mike Juskelis, 410-439-4964, mjuskelis@cablespeed.com

**October 3rd-6th: Seneca Shadows Car Camping trip.** Four day car camping trip. The feature hike is a 5 mile circuit of the Roaring Plains Canyon Rim trail lead by Jonathan Jessup on Oct. 4th. (See <http://www.jonathanjessup.com/rp-set1.html> for pictures) October 5th will feature an 11 mile circuit hike in the Seneca Creek Watershed with several stream crossings. Reservations for the camping sites recommended. Contact Mike Juskelis, 410-439-4964, mjuskelis@cablespeed.com.

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

**October 11-13, Sat-Mon. Fall foliage on North Fork Mountain.** Exceptional overlooks for a 26 mile backpack. Reservations required. Bad weather dates are October 17-19. Please email Alan M. Aliskovitz at amxa@hotmail.com or call him @724-283-5436

**October 23-30, Thurs.-Thurs. Fall Review at Cheat Mountain Club.** There will be a full week long slate of outings, workshops, music and fun. Contact Dave Saville (304) 284-9548, dave@wvhighlands.org

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

# BIG FUN ON LAUREL RUN

By Mike Juskelis

In attendance were Betty Steil, Ken Clark, Jim Bohlett, Ted Fryberger, Don Holland, Lonnie Richmond, Jane Ann Dusine, Mike Juskelis (Leader) and an unnamed canine. The weather was cooperative with sunny skies and high temperatures (87-90). It was the first really HOT hike of the season! The trail conditions, except for the first 0.5 miles (This trail head apparently isn't often used.), were excellent.

We began our outing at the Falls Ridge Trail head at the end of SR701 near Jerome, VA. An old Border collie mix dog from an adjacent farm joined us immediately. Our route followed Falls Ridge Trail North to the Laurel Run Connector Trail (aka FR 252) at which point we proceeded East to the Laurel Run Trail with our canine sweep in tow. Walking along a forest road was a bit boring at first until views of the ridgeline of our final destination, the Great North Mountain, lifted our spirits. We increased our pace reaching the intersection of Laurel Run Trail. We took a refreshing break streamside, surrounded by Rhododendrons in full bloom, before embarking on our 1600 feet elevation change over the next 2.2 miles. Everyone proceeded up the side of the mountain (North) at their own pace and we regrouped at the top. As we gained altitude the Rhodos gave way to a healthy bloom of white and pink Moun-



*Rhododendron Along the Way* Photo by Kenneth Clark



*Happy Hikers Take a Break* photo by Kenneth Clark

tain Laurel, a real treat not usually experienced to this degree in July. The walk along the ridge was awesome. We had planned to stop for lunch at a white-blazed side trail that ends at a rocky overlook but we decided there weren't enough good seats for the entire group and the view north was partially blocked by some Virginia Pines. We proceeded down into a slight saddle where the trail was parallel and close to the rocks. We took our break looking along North Mountain, Devil's Hole Mountain, Tibbet's Knob, Long Mountain and the very tip of Big Schloss!!! The valley directly in front of us was full of green with no signs of civilization. FANTASTIC!!!

After lunch we regrettably slipped back into our packs and continued our trek. Before climbing out of the saddle we crossed a couple of grassy ridge top meadows with partial views of the valleys on both sides of the mountain. We passed the intersection of the Stack Rocks Trail and descended, steeply and rapidly at times, down Falls Ridge Trail back to the cars. By day's end we were all tired but our appetites for the outdoors were at least temporarily sated.

On our way back to the real world we stopped along SR 701 for a photo op focusing on the remains of Liberty Furnace, the adjoining mansion and restored water mill - kind of easing us back into the hustle and bustle of the next week of work.

This photo of a wild bobcat was taken by a PhotoScout remote camera in the Monongahela National Forest. Remote cameras are triggered by an infrared beam that is sensitive to motion and heat. Twenty cameras have been set out by the Eastern Cougar Foundation in an effort to document cougars in West Virginia. So far they have not photographed any cougars although they have taken lots of pictures of bobcats, bear, etc.



## CAR CAMPING AT OTTER CREEK

By Mike Juskelis

In attendance were Doris Fee, Mike Couch, Alan Hyams, Andy Juskelis and Mike Juskelis (Leader).

Day 1: Everyone staggered into Stuart recreation Area campground at their leisure and set up camp. In the evening we plotted our next day's strategy over some hearty grub made by myself, brownies prepared by Doris, wine donated by Alan and some crackers and cheese from the 2 Mikes. Since we had a couple of cancellations the car situation provided us with a chance to do a long shuttle of Otter Creek in lieu of the originally planned circuit hike. This allowed us to see more of the best parts of Otter Creek.

Day 2: The sun was shining and the air was clear as we loaded the gear into our vehicles. By 9:45 we had deposited 2 vehicles at the East terminus of the Mylius Trail and were preparing to cross the bridge into the wilderness at Dry Fork, the official North terminus of Otter Creek Trail, when we saw the first signs of wildlife, a fawn in the grass. Our cameras were not fast enough to capture it's fleeing image.

In minutes we were swallowed up by the tranquility of this special place, surrounded by Rhododendron, Touch-Me-Nots, Red Bee Balm Flea Bane and other assorted flora. The pace was fast but easy, averaging 2.8 mph until we reached our lunch spot. It's odd that access to such a beautiful place should be so easy. There are no steep climbs on this route through the heart of the wilderness, just a broad gradual railroad grade left by defunct lumbering operations. Low water made the 4 obligatory creek crossings non-issues and perhaps stole a portion of the beauty of this place but there was still plenty for the 5 of us to absorb.

We had lunch at the ever popular cascades at the confluence of Moore's Run with the main creek. Usually our lunch breaks are about 20 minutes long. This one went 20 ... then 30 ... then 40 ... and finally 50 minutes when the group finally mustered enough energy to bid fair well to perhaps the prettiest spot on the creek. We traveled much slower after that, not out of exhaustion, but because of our desire to linger and drink in all that we were seeing .... visiting every cascade, every swimming hole .... investigating every flower and fungus we ventured upon. It wasn't until after we crossed the creek for the last time at the juncture with the Mylius Trail that we again started to pick up the pace. Thoughts of a fine meal of Penne Polo, Steak and/or baked trout covered in nuts or oats at the Cheat River Inn crept into our minds. We returned to the waiting vehicles 10.7 miles, 6.5 hours and many enjoyable memories later. Mike C. took Andy and Doris back to camp while Alan and I recovered his car at the trailhead. We were all clean and spiffy and enjoying our meals at the Inn by 7:00 PM .... an appropriate ending for a great day!

Day 3: We prepared for our next hike with equal enthusiasm. We all sensed a change in the weather. It was muggy and getting muggier with each passing hour. The threats of storms were in the air. We quickly deposited 2 cars at a parking area on U.S. 33 just west of Gladly Fork and drove down CO 27 to where the trail exited the woods. I have hiked the terminal segments of this portion of TR701, the Allegheny Trail, but had yet to do the entire 8.7 miles. It was another gradual ascent along a pretty creek using mostly a Railroad grade as our tread. Again we found ourselves immersed in a sea of Rhododendron.

About a mile into the hike Doris and Andy noticed some odd foot prints in the mud ... yep ... the paw marks of a small black bear. We shot some photos and proceeded on our way, enjoying what was around us but also trying to "out-walk" the rain. We experienced a few brief showers during the first half of the hike. The real gully washer hit us just as we reached the crest of the first of 2 climbs that have to be accomplished during the middle segment of the hike. As we reached the bottom of the second hill we paused for some water and quickly continued on. We returned to camp



and collected our thoughts as the rains continued. Alan and Mike C. decided to head home since it was only a little after noon (It's amazing how rain can be such a motivator to quickening one's stride!!!) and we were pretty soaked in. Our plans to visit Spruce Knob were obviously cancelled. The remainder of us took hot showers and huddled under our tarp and drank hot coffee until seven when the rains finally eased up. Doris elected to go foraging in nearby Elkins while Andy and I feasted on grilled steak, noodles and an excellent bottle of Merlot left behind by Alan. The rest of the evening was enjoyed as we roasted our damp bones in front of a raging fire.

Day 4: Since our gear was still wet from the previous day's rain, tear down was a cinch ... "shove all the wet stuff in bags and we'll dry it when we get home!!!" We said our good byes and proceeded to Elkins for a great breakfast at the local Bob Evans. On the way home Andy and I scouted the Laurel Forks wilderness area along FR 14. We found trail heads, the campground, some great views and a turkey hen and 6 polts almost ready to fly off on their own. This time the camera was at hand and Andy got the shot!!! This may be a good venue for a future outing! We returned back to U.S. 33 and proceeded eastward on our homeward trek, visions of Otter Creek still fresh in our minds.

# BACKPACKERS EXPLORE POTENTIAL WILDERNESS AREAS IN SENECA CREEK

By Matt Keller

On a clear, pleasant Saturday morning, a group of backpackers met at the Seneca Creek Trailhead between Spruce Knob and Spruce Knob Lake. Our goal for the weekend was to experience and enjoy one of the most spectacular unprotected wild places in the eastern United States. We were not disappointed in any aspect of the trip, having perfect weather, great hiking, and even better company.

We made our way through the high spruce forest headwaters of Seneca Creek, downstream to Judy Springs. It wasn't hard to spot a good number of trout in the pools and eddies of the creek. A pleasant and mostly flat 3.3 mile hike put us at Judy Springs, a formerly (1930's) maintained Forest Service campground. The area, named after a gushing, ice cold spring that we enjoyed immensely, provided a great place for us to drop our packs, and set up a basecamp. Encumbered only by water and snacks, we hiked a very scenic and challenging loop, up the Judy Springs Trail through one of the high meadows areas which provided breathtaking vistas of the Seneca Creek drainage below. We made our way up to the Huckleberry Trail, paralleling the Creek from high up on Spruce Mountain. Heading down hill on the Horton Trail back to Seneca Creek put us just upstream of the upper falls. The pool below this 20-25 foot plunge was providing an excellent spot for fly-fisherman to pursue some of the native trout that Seneca Creek is famous for. From there, we hiked back upstream towards camp, entranced by the delightful water music the creek provided. We arrived back at Judy Springs, tired but satisfied that we had made the most of beautiful day. Great conversation and plenty of laughs around the campfire occupied the evening hours.

Everyone arose fairly early, breakfasting round a small campfire and discussing plans for the day. Some in the group wanted to get an earlier start out and decided to head directly out via the Seneca Creek Trail to the trailhead. Another contingent wanted to get a bit more hiking in. We donned our packs and headed up the relentlessly steep Bear Hunter Trail. After a good bit of sweating and straining, we arrived, with smiles on our faces, at the Allegheny Trail junction, near the top of the ridge. From there, it was a mellow cruise down to the Tom Lick Trail, back down to Seneca Creek and out to the trailhead.

The Seneca Creek area represents the best of what the West Virginia Highlands has to offer for outdoor recreation and a genuine wilderness experience. The area includes the entire upper part of the Seneca Creek watershed, one of the premier (and naturally reproducing) trout streams in West Virginia as well as portions of others. The area provides world class opportunities for hiking, backpacking, hunting, fishing, horseback riding, birding and

wildlife viewing. The opportunities for solitude and primitive, unconfined recreation are tremendous. The area has numerous scenic vistas, interesting geologic features, and provides habitat for various endangered species. It has great educational and scien-

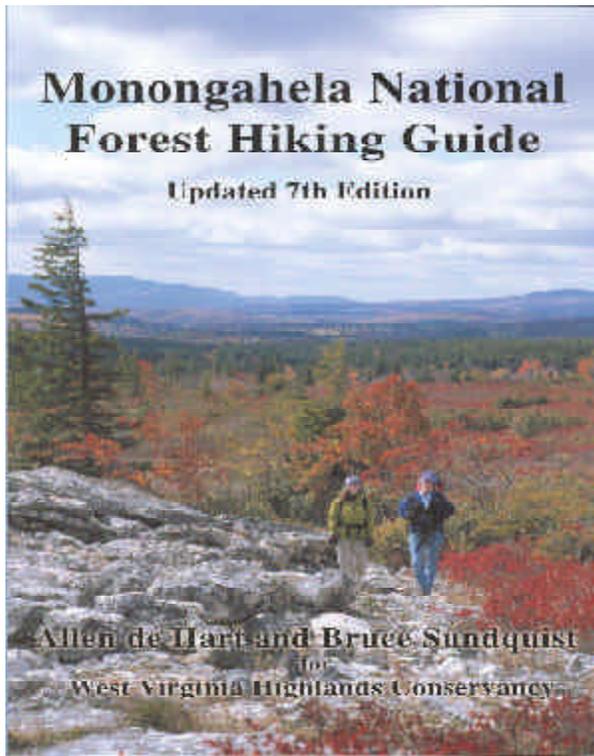


**Seneca Creek Gushes Along**

Photo by Jonathan Jessup

tific value. In all previous analyses, Seneca Creek has ranked among the best of the best for wilderness qualities and values. It is, as much as any other area in the Mon, very deserving of permanent protection though inclusion in the National Wilderness Preservation System. If you haven't been there, or haven't been there in awhile, I highly recommend a hike to reacquaint yourself with the area's natural beauty and wild character.





## Monongahela National Forest Hiking Guide

by Allen deHart & Bruce Sundquist

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### BROCHURES

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

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### Our Readers Write

We have met the enemy and he is us. This letter is in response to John McFerrin's article with respect to anti-business. I would like to submit that the problem is even deeper than John's description. It's not business that is really the problem but we ourselves. We could extract our minerals and manufacture our goods and utilities in an environmentally sound way, but it would cost more. Think of cost not so much in dollars as in the amount of our effort — the length of time that we have to work — required to obtain any particular good or service. No one company could do this without pricing themselves out of the market. We need to have rules and regulations that require everyone to do it. But those rules and regulations are precisely what we are unwilling to write. Very few of us would be

willing to curtail our luxuries for a promise of environmental soundness. Could any politician get elected on such a platform?

Rather we opt for our luxuries and thereby impose a damaged and, perhaps, irreparable world on our grandchildren. We as a society are not willing to pay our own way. We are fighting an uphill battle in trying to get individual businesses to act in an environmentally sound way; we can't really expect anyone to price themselves out of business. The quest for profit is, after all, the driving force of the American economic system. Fight the battle we must, but, in the long run, we'll be more successful in expending our efforts in educating the public so that we can elect people who will do what truly needs to be done.

Jack McMahon  
Rockville, MD