

Return Service requested



# The Highlands Voice

The Monthly Publication of the West Virginia Highlands Conservancy

Volume 41

Number 8

August, 2008

## MORE PROTECTION FOR THE NEW RIVER?

By Dave Saville

At a reception in his honor at the Sandstone Visitor Center, Rep. Nick J. Rahall expressed interest in expanding protections for the New and Gauley rivers all the way to their confluence at Gauley Bridge where the two rivers combine to form the Kanawha.

Upon receiving the William Penn Mott Jr. Park Leadership Award from the National Parks Conservation Association for his work protecting public lands, Rahall announced, "I do not believe we are done protecting this river - this mighty resource. The legacy is not complete." This legacy is indeed an important one and one that will forever be associated with the vision, hard work and foresight of Congressman Rahall and his staff.

We thank Congressman Rahall, congratulate him for his deserved honors, and look forward to working with him to complete his vision for protecting the New River area.

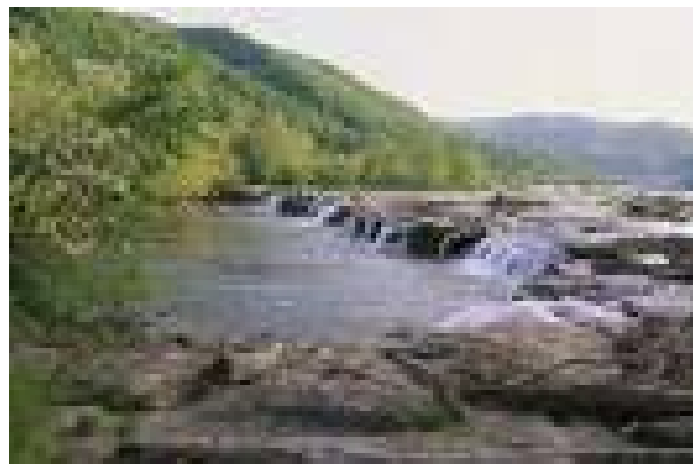
After discussing the history of protection of the New River, including critical meetings with citizens at Shanklins Ferry, Congressman Rahall went on to say:

*We are not done furthering the economic development potential it brings to lo-*

*cal communities and our citizens. We are not done ensuring that other developments do not rob our citizens of places to hunt, to fish, and to enjoy other forms of outdoor recreation on public lands.*

*The legacy is not complete.*

*I believe that serious consideration*



*should be given to extending the park boundaries of the New and Gauley to their confluence with the Kanawha River. In this regard, I will be consulting with all interested parties to determine the feasibility and suit-*

*ability of such an endeavor.*

*I also believe there are other areas along the New where boundary adjustments are in order, so that we can maintain the integrity of that with which God has blessed us here in New River Country.*

*I believe that the compassion and great depth of dedication that was displayed at Shanklins Ferry all those years ago is still with us today. I believe we are still willing to fight to maintain our culture, and our heritage.*

*And in this neck of the woods, that is in good part defined by the New River.*

*Mark Twain once quipped: "Denial ain't just a river in Egypt." And the New ain't just a river in West Virginia. It is part of a system that connects us with a far greater ecosystem, that breathes pure air into our souls, uplifts our spirits, and inspires us to achieve greater things.*

*Thank you, thank you so very much."*

### What's inside:

Thoughts from President Hugh	2	Wilderness workshops	7	Spruce health	13
Roster of officers	2	All about trout	8	Remembrance	14
Federal lands	3	Matters legislative	8	Eating green	15
Mining matters	4	How to join	9	Public Lands committee	15
Big power lines	5	Get a hiking guide	9	Fall Review preview	16
Hiking around Dolly Sods	6	Letters from readers	10		
Hiking down by New River	6	Poetry	11		
Board highlights	7	Wilderness poll	11		
Mine fined for selenium violations	7	Outings	12		

## Not Wyoming Yet: The Marcellus Shale Gas Drilling "Play"

A couple of years ago, a local geologist warned us about radon. A radioactive gas, radon may be harmless in small quantities but carcinogenic if it builds up in your basement. The geologist told us that radon leaks from the 365 million-year-old black shale that underlies this part of Randolph County.

Some health-related web sites call radon "the silent killer." You might know it as NORM, "naturally occurring radioactive material." For about \$15, you can get a test kit at a hardware store to see if radon in your house is within safe limits. If it isn't, you'd better find a way to vent it.

This low-level hazard wasn't much talked about until last month, when the general public became aware that the natural gas industry had focused on a black shale, the Marcellus Formation. Radiation suddenly appeared in a constellation of dangers the new gas rush could bring. For everyone living above the black shale—it covers 54,000 square miles from southern New York across Pennsylvania to Ohio and West Virginia—the situation was no longer NORMal, and the public was no longer silent.

On July 11 in Elkins, the West Virginia Farm Bureau sponsored a meeting of landowners from seven counties who had been approached by agents for gas companies seeking mineral rights. Though they moved across the street to a bigger auditorium, still more than two hundred people were turned away. A make-up meeting was to be held on August 1.

The Farm Bureau brought Charleston lawyer David McMahon to talk about leases, bargaining, and the environmental impact of drilling. Dave is the expert on oil and gas law in this state and the founder, with a few allies, of the West Virginia Surface Owners Rights Organization. For the best information on a rapidly changing story (with pictures of what can go wrong), consult their web site, [www.wvsoro.org](http://www.wvsoro.org).

The landowners' chief interest was the money. "I came to see what the royalties should be and what other people are being offered," said a man whose grandfather had been approached by gas company agents. Most people knew by then that the old lease rate of \$5 per acre was obsolete—but how high would the bidding go? According to the Pocahontas Times, offers in that county have reached \$1000 per acre. In northeastern Pennsylvania, where the Marcellus Shale is thicker and easier to drill, it's up to \$3000. Royalty rates have climbed as well, from one-eighth of proceeds to eighteen or twenty percent.

No wonder the excitement is contagious.

Neighbors, though, have other concerns. A recent e-mail from Pocahontas County: "I'm sick. I just learned that the whole mountain right above me—2500 acres—has been leased. SORO has a picture of a Marcellus Shale drilling site in Upshur Co. I'm amazed, because I thought they had just started leasing the mineral rights, and this indicates they have been around for some time. Sure wish I had known. All I have to do is show a picture of it to a landowner and they want no part of it."

The picture conveys only the size of the rig. Everything is bigger: the "footprint" of the drilling site, the depth of the reservoir, and especially the cost. The old shallow wells, drilled to 2,000 to 3,000 feet, cost about \$100 per foot—so the investment might be around \$300,000. A typical Marcellus Shale well goes down over a mile and costs from \$1.5 to \$3 million or more.

High gas prices and exhaustion of the old gas fields have

**More on p. 16**

## Roster of Officers, Board Members and Committee Chairs

### BOARD OF DIRECTORS

PRESIDENT: Hugh Rogers, Moon Run, Kerens, WV 26276, (304)636-2662, [hugh.rogers@gmail.com](mailto:hugh.rogers@gmail.com)  
SENIOR VICE PRESIDENT: Buff Rodman, 32 Crystal Dr., Oakmont, PA 15139; (412) 828-8983; [buffrodman@hotmail.com](mailto:buffrodman@hotmail.com)  
VICE PRESIDENT FOR STATE AFFAIRS: Julian Martin, 1525 Hampton Rd., Charleston, WV 25314, (304) 342-8989; [martinjul@aol.com](mailto:martinjul@aol.com)  
VICE PRESIDENT FOR FEDERAL AFFAIRS: Marilyn Shoenfeld, HC 70 Box 553, 23 Sands Springs Lane, Davis, WV 26260, (304) 866-3484, [mshoenfeld@mountain.net](mailto:mshoenfeld@mountain.net)  
SECRETARY: John McFerrin, 114 Beckley Ave., Beckley, WV 25801, (304)252-8733, [johnmcferrin@aol.com](mailto:johnmcferrin@aol.com)  
TREASURER: Bob Marshall, 886-Z Divide Ridge Road, Kenna WV 25248 (304)545-6817, [woodhavenwva@netscape.net](mailto:woodhavenwva@netscape.net)  
PAST PRESIDENT: Frank Young, Rt. 1, Box 108, Ripley, WV 25271, (304)372-3945, [fyoung@mountain.net](mailto:fyoung@mountain.net)

### DIRECTORS-AT-LARGE (Terms expire October 2009)

Bob Henry Baber, 207 Howard St., Glenville, WV 26351, (304) 462-0320, [mayorbobhenrybabber@yahoo.com](mailto:mayorbobhenrybabber@yahoo.com)  
Dave Fouts, HC 80, Box 993, Maysville, WV 26833, (304) 749-8172, [foutsberg@citlink.net](mailto:foutsberg@citlink.net)  
Roger Forman 100 Capitol Street Suite 400, Charleston WV 25301, [rdrc@citynet.net](mailto:rdrc@citynet.net); (304) 346-6300 work (304) 389-4748 cell.  
Larry Thomas P.O. Box 194, Circleville, WV 26804, (304) 567-2602, [larrythomas@aol.com](mailto:larrythomas@aol.com)  
Carter Zerbe, 16 Arlington Ct., Charleston, WV 25301, (304)343-3175; [scz3667@aol.com](mailto:scz3667@aol.com)

### DIRECTORS-AT-LARGE (Terms expire October 2008)

Don Gasper, 4 Ritchie St., Buckhannon, WV 26201; (304)472-3704  
Bob Gates, 1117 Virginia St.E., Charleston, WV 25301, (304)342-2624; [photonzx@ntelos.net](mailto:photonzx@ntelos.net)  
Russ McClain, 104 Guy St. Elkins, WV 26241, (304)637-2201; [mcclainw@davisandelkins.edu](mailto:mcclainw@davisandelkins.edu)  
Bill McNeel, 1118 Second Ave., Marlinton, WV 24954, (304)799-4369; [wpmcneel@gmail.com](mailto:wpmcneel@gmail.com)  
Peter Shoenfeld, HC 70, Box 553, Davis, WV 26260, (304) 866-3484, (301) 642-2820; [PShoenfeld@gmail.com](mailto:PShoenfeld@gmail.com)

### ORGANIZATIONAL DIRECTORS

NATIONAL SPELEOLOGICAL SOCIETY: Robert (Bob) Handley, HC 67 Box 508 Renick, WV, 24966 497-2266; [grbat@ntelos.net](mailto:grbat@ntelos.net)  
PITTSBURGH CLIMBERS: Jean Rodman, 32 Crystal Dr., Oakmont, PA 15139, (412)828-8983; [jeanrodman@verizon.net](mailto:jeanrodman@verizon.net)  
BROOKS BIRD CLUB: Cindy Ellis, RR 1, Box 163, Red House, WV 25168 (304) 586-4135; [ellis\\_6511@msn.com](mailto:ellis_6511@msn.com)  
MOUNTAINEER CHAPTER TROUT UNLIMITED: Frank Slider, Rt 1, Box 163-A2, Middlebourne, WV 26149, (304) 758-2500; [sliderf@ovis.net](mailto:sliderf@ovis.net)  
WEST VIRGINIA RIVERS COALITION: Don Garvin, P.O. Box 666, Buckhannon, WV 26201; (304) 472-8716; [DSGJR@aol.com](mailto:DSGJR@aol.com)  
DOWNSTREAM ALLIANCE: Craig Mains, 137 Hoffman Ave., Morgantown WV 26505; [cmains@wvu.edu](mailto:cmains@wvu.edu)  
FRIENDS OF THE LITTLE KANAWHA: Cindy Rank, HC 78, Box 227, Rock Cave, WV 26234, (304)924-5802; [clrank@hughes.net](mailto:clrank@hughes.net)

### COMMITTEE CHAIRS

MINING COMMITTEE: Cindy Rank, HC 78, Box 227, Rock Cave, WV 26234, (304)924-5802; [clrank@hughes.net](mailto:clrank@hughes.net)  
PUBLIC LANDS MANAGEMENT COMMITTEE: Bob Marshall, 201 Virginia St.W., Charleston, WV 25302, (304)345-5518; [woodhavenwva@netscape.net](mailto:woodhavenwva@netscape.net)  
OUTREACH/COMMUNICATIONS COMMITTEE: Julian Martin, 1525 Hampton Rd., Charleston, WV 25314, (304) 342-8989; [martinjul@aol.com](mailto:martinjul@aol.com)  
LEGISLATIVE COMMITTEE: Frank Young, Rt. 1, Box 108, Ripley, WV 25271, (304)372-3945; [fyoung@mountain.net](mailto:fyoung@mountain.net)  
WIND ENERGY COMMITTEE: Peter Shoenfeld, HC 70, Box 553, Davis, WV 26260, (304) 866-3484, (301) 642-2820; [PShoenfeld@gmail.com](mailto:PShoenfeld@gmail.com)  
ENDOWMENT FUND COMMITTEE: John McFerrin, 114 Beckley Ave., Beckley, WV 25801, (304)252-8733; [johnmcferrin@aol.com](mailto:johnmcferrin@aol.com)  
RIVERS COMMITTEE: vacant  
HIGHWAYS COMMITTEE: Hugh Rogers, Moon Run, Kerens, WV 26276, (304)636-2662; [hugh.rogers@gmail.com](mailto:hugh.rogers@gmail.com)  
OUTINGS COMMITTEE: Jonathan Jessup, 8225 Adenlee Ave. #40, Fairfax, VA 22031, (703) 204-1372; [jonathanjessup@hotmail.com](mailto:jonathanjessup@hotmail.com)

### MISCELLANEOUS OFFICES

SPEAKERS BUREAU: Julian Martin, 1525 Hampton Road, Charleston, WV 25314, (304) 342-8989; [martinjul@aol.com](mailto:martinjul@aol.com)  
WEB PAGE: Peter Shoenfeld, HC 70, Box 553, Davis, WV 26260, (304) 866-3484, (301) 642-2820  
[PShoenfeld@gmail.com](mailto:PShoenfeld@gmail.com) and Jim Solley, [jamesolley@comcast.net](mailto:jamesolley@comcast.net)

### ADMINISTRATIVE OFFICES

ADMINISTRATIVE ASSISTANT: Beth Little, HC 64, Box 281, Hillsboro, WV, 24946 (304) 653-4277; [blittle@citynet.net](mailto:blittle@citynet.net)

HIGHLANDS VOICE EDITOR: John McFerrin, 114 Beckley Ave., Beckley, WV 25801, (304)252-8733; [johnmcferrin@aol.com](mailto:johnmcferrin@aol.com)



# FEDERAL LANDS IN WEST VIRGINIA IN TRANSITION

By Dave Saville, West Virginia Wilderness Coalition

While West Virginia doesn't have vast federal lands like some western states, some of our state's most important landscapes, ecosystems and cultural resources are federally owned. They include;

- Monongahela National Forest
- George Washington National Forest
- New River Gorge National River
- Gauley River National Recreation Area
- Bluestone National Scenic River
- Canaan Valley National Wildlife Refuge
- Harpers Ferry National Historic Park
- Ohio River Islands National Wildlife Refuge

Three different agencies manage these federal lands. The USDA Forest Service manages the two national Forests, the National Park Service manages Harpers Ferry, and, as one unit, the New, Gauley and Bluestone Rivers, and the US Fish & Wildlife Service manages the two National Wildlife Refuges.

While many aspects of how these areas are managed vary from agency to agency, one thing is common among them. The National Environmental Policy Act (NEPA) requires them all to consider the public's input when making important management decisions.

There are certain times in management cycles on these federal lands when it is important for citizens to get involved. One of the most important times is when the agencies are developing management plans for the areas.

Many of you were involved recently in helping the Forest Service determine how the Monongahela National Forest will be managed for the next 15 years. Over 13,000 people submitted comments on its plan revision. The Plan was finalized in 2006 and is now the law of the land concerning management decisions on the Mon.

The Wild Mon Act, which would designate about 38,000 acres of the Mon as Wilderness, has passed the US House of Representatives and advanced from Committee and awaits full Senate action. Once passed, we'll engage citizen volunteers to help implement the legislation. Additionally, since many of the areas in the Citizen's Wilderness proposal for the Mon did not receive legislative protection in the Wild Mon Bill, we'll be working with the Forest Service to be sure these important areas remain eligible for Wilderness designation next time.

We currently have three other Federal areas— New River Gorge National River, Canaan Valley National Wildlife Refuge, and the George Wash-

ington National Forest— whose managing agencies are developing new management plans. Important decisions are being made concerning how these areas will be managed in the future.

Another important aspect of planning for the management of these federal lands that is the same no matter which agency is doing the planning is that they are each required to do an inventory and evaluation to determine what lands are suitable for Wilderness designation. Once they have done this, they make recommendations to Congress. This makes Planning cycles an important time for citizens who agree that certain wild roadless areas of our federal lands should be permanently protected to let those feeling be known. Areas protected with wilderness designation would not be subject to change during each subsequent planning cycle, making this a much stronger and permanent form of protection.

In coming months, we will begin to look more closely at the wilderness candidate areas on these Federal Lands as we engage the agencies in their planning processes. Preliminary citizens' evaluations as well as some agency inventories have identified several likely areas. While none of these agency's planning processes are nearing the issuance of a Draft Plan, it is important to let them know how you feel now, before they finalize draft alternatives.

If you want to share your thoughts with the agencies as they develop their plans, contact information for the different land managing agencies are listed below:

George Washington National Forest [www.fs.fed.us/r8/gwj](http://www.fs.fed.us/r8/gwj) 540-265-5100

New River Gorge [www.nps.gov/NERI](http://www.nps.gov/NERI) 304-465-0508

Canaan Valley National Wildlife Refuge [www.fws.gov/canaanvalley](http://www.fws.gov/canaanvalley) 304-866-3858

## Speakers Available !!!!!

Does your school, church or civic group need a speaker or program presentation on a variety of environmental issues? Contact Julian Martin at 1525 Hampton Road, Charleston, WV 25314, or [Martinjul@aol.com](mailto:Martinjul@aol.com), or 304-342-8989.

The *Highlands Voice* is published monthly by the West Virginia Highlands Conservancy, P. O. Box 306, Charleston, WV 25321. Articles, letters to the editor, graphics, photos, poetry, or other information for publication should be sent to the editor via the internet or by the U.S. Mail by the last Friday of each month. You may submit material for publication either to the address listed above or to the address listed for Highlands Voice Editor on the previous page. Submissions by internet or on a floppy disk are preferred.

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.*

**Always more questions than answers...**

## **MINING MATTERS**

By Cindy Rank

### **POST MINING LAND USE**

In January 2008 - spurred on by the decades old debate and continued public attention to what passes for acceptable post mining land use at large scale strip mine sites, Governor Manchin issued an Executive Order establishing a Post-Mine Land Use Redevelopment Group.

Among other 'Whereas' clauses the order states that "appropriate reclamation and development of post-mine sites... is essential to the long-term health and prosperity of the State of West Virginia and her people".

Since the U.S. Congress pretty much required as much in 1977 when it passed the Surface Mine Control and Reclamation Act (SMCRA), one might wonder what the state has been doing these past 30 years. And why only a small percentage (~5%) of the hundreds of square miles of strip-mined lands in southern West Virginia is even close to meeting the standards of SMCRA.

It's almost amusing to see the only reference to the law appear as a directive to consider "Legal barriers to the development of post-mine land sites"... as if enforcement of the law would somehow prevent that development. The order also gave a passing nod to the environment in one of the fourteen directives - i.e. "balancing and integrating the economic benefits of surface mining and the subsequent development of surface areas with sustaining the environmental integrity of post-mine lands". However, the emphasis of the order and the initial recommendations of the group focuses far more on the economic well being after mining and not on the environmental integrity of lands and communities where that mining takes place.

Initial Recommendations were submitted by the Group on July 1, 2008.

The report includes ideas to bolster local redevelopment authorities and land use master plans initiated by legislative action two years ago, and some vague, but questionable ideas about bond release, speeding permits, tax incentives and steering mitigation monies for stream loss into general infrastructure fund, etc....

A complete report is due by July 1, 2009.

I for one hope that the final recommendations from the Group focus as well on preventing - some of the destruction now being done to lives, communities, streams, forests and other natural riches in the southern West Virginia coalfields.

### **PUBLIC HUNTING AREAS TO BE MINED**

#### **FORK CREEK**

A few years ago the Charleston Gazette ran a number of articles about the mining proposed for the Fork Creek Public Hunting Area in Boone County. The state Department of Natural Re-

sources had permission from the mineral and landowners to use the land for a Wildlife area, and had done so for nearly 50 years.

Those earlier Gazette articles generated some limited amount of interest at the time but have since been consigned to the dusty archives.

Now that the permits are moving along, the Governor's office officially announced the Fork Creek State Hunting Area would be closing August 1<sup>st</sup>. Individuals accustomed to hunting, fishing, hiking and camping at Fork Creek since they were kids are beginning to realize that mountaintop removal mining can take even those lands many thought were off limits.

The Boone Standard Newspaper quoted one sportsman in a recent article as saying: "when I was in college, my friends dragged me to Fork Creek to hunt. In later years, I started going with my son. The absolute biggest deer I've ever seen were in Fork Creek. It is truly a shame that place has to close."

I visited the Fork Creek area with Highlands Conservancy vice-president Julian Martin whose family still gathers at their nearby homeplace. His recent comments are reminiscent of many spo-



ken by individuals who have seen their homes and communities diminished and destroyed because of the big strip mines now leveling the southern portion of the mountain state:

"This is just over one hill from our home place. The Armco Steel land extends from Fork Creek over the mountain and down to the edge of my uncle's farm. My great uncle Kin Barker used to rent the hollow from Armco for \$12 a year and that is where in the late forties my uncle (only three years older than me) and I used to take the cows in the morning to graze and bring them back in

the evening for milking. More recently in 1972 I walked and road my runaway mule the nine miles or so from Camp Creek across the Fork Creek Wildlife Management Area to our place a mile upstream from Emmons and just across the Big Coal River from Grippe.

Some of the permits for Fork Creek are among those we challenged in court. Together with co-plaintiffs, OVEC and Coal River Mountain Watch, we anxiously await a decision from the 4<sup>th</sup> Circuit to see what if any impact that ruling will have on Fork Creek and other areas near and dear to the hearts of so many. (Oral arguments are now scheduled for September 23<sup>rd</sup> at the Court in Richmond, but the final decision may not be forthcoming for several months after that.)

#### **BIG UGLY ?**

Rumor has it that the Hobet 21 mine in Lincoln County may well reach into the Big Ugly State Public Hunting Area. Already the mammoth Hobet operation is chewing up so much of the naturally rich forestland in the Mud and Big Ugly watersheds that it might be difficult to tell just where or when it actually breaches the official boundary of the Public Hunting Area.

#### **EAST LYNN LAKE**

In the meantime underground mining in the East Lynn Lake Wildlife Management Area continues. Plans are being made for additional mining and a meeting about the Coal Lease Draft Land Use Analysis and Environmental Impact Statement on the latest expansion was to take place July 31<sup>st</sup> in Wayne County. Even if the surface impacts are not as severe as those caused by large scale strip mining, users of the area are concerned about truck traffic, roads and the overall impact additional mining will have on the recreational aspects of Lake Lynn.

#### **LONGWALL MINE NEAR TYGART LAKE**

Permitting for the 6,000 acre longwall mining adjacent to Tygart Lake in Taylor County continues. The 404 Army Corps of Engineers permit is still pending, but the state recently issued the Clean Water Act 401 Certification for that proposed Corps permit.

State mine and water permits for the operation of the prep plant, deep mine face-up, and coal storage area have been approved, as has the mining permit for the slurry cell/refuse disposal area along Three Fork Creek of the Tygart River

**MORE MINING MATTERS ON P. 5**

## MORE MINING MATTERS

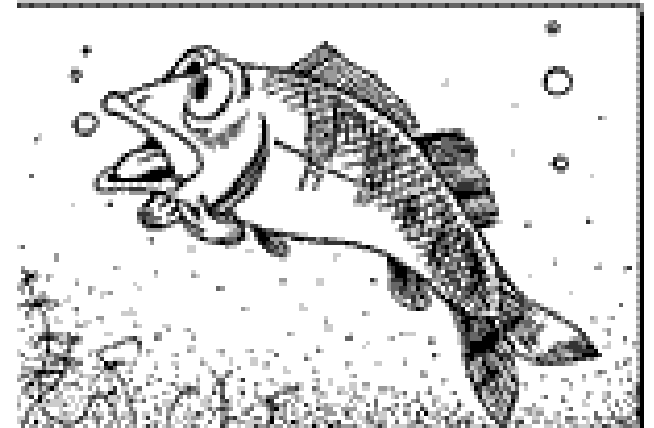
near Grafton, WV.

An Informal conference re: NPDES water discharge permit for the slurry cell is scheduled for 6 p.m. August 12<sup>th</sup> at Tygart Lake State Park.

With help from the Highlands Conservancy, Downstream Strategies and Save the Tygart Watershed Association, the local citizens group TEAM is organizing a water monitoring program to document conditions in local streams and wells in the event the proposed 6,000 acre mine is finally allowed to move forward.

### SELENIUM

We expect the proposed DEP-Hobet settlement detailed in Ken Ward's article (See p. 8) will be subject to a 30-day comment period. We certainly question the adequacy, efficacy and timeliness of what is proposed. The legacy of water problems and failed experimental treatment for acid mine drainage at mine sites throughout the state has created an impossible financial, environmental and personal burden for the state and local residents. Increasing amounts of toxic levels of selenium from mines such as Hobet 21, Apogee/Rum Creek/etc. will only add to those burdens.



## As The TrAIL Ends, The PATH Begins

By Frank Young

By the time Highlands Voice readers see this article, the WV Public Service Commission (PSC) will likely have issued a ruling on the application of Trans-Allegheny Interstate Line Co. (TrAILCo) for a new 500 KV power line (dubbed TrAIL) from southwestern Pennsylvania, across several northern West Virginia counties, and into Virginia. The VOICE has reported at length on TrAIL in several articles over the past 15 months.

And as we reported in the July issue of the VOICE, just as the TrAIL application case is coming to an end at the PSC, yet another new power line application is expected to be filed by year's end. The Potomac-Appalachian Transmission Highline (PATH) 765 KV power line is a proposed 244 miles long 765-kilovolt (kV) transmission line from American Electric Power's (AEP) Amos substation near St. Albans, WV, across central and north-eastern West Virginia to northeast of Martinsburg, WV, then from there 46 additional miles of new twin-circuit 500-kV transmission line to a new substation southeast of Frederick, Md.

The various routings and alternative routings indicate that PATH could traverse parts of Putnam, Kanawha, Jackson, Roane, Calhoun, Gilmer, Braxton, Lewis, Upshur, Barbour, Randolph, Tucker, and Grant counties.

AEP and Allegheny Energy Co., joint partners in PATH, are holding what are called "open house" informational meetings in the several counties along the proposed PATH route. These meetings are not public hearings. Public hearings will be conducted by the PSC after the application for PATH is made. These meetings are basically PATH company sponsored "show and tell" meetings where the "pro-PATH" propaganda is served Coco-Cola style- with an effervescent smile and

an almost sickly sweet taste.

The stated purpose of PATH is the same as the purpose of its northern TrAIL sibling- to transport electricity- primarily coal generated electricity- from west of the Allegheny Mountains to cities in northeastern states. About 70 percent of the electricity currently generated in West Virginia is already exported to other states.

The PATH "open house" meeting I attended at Spencer on July 23<sup>rd</sup> was attended by several dozen mostly local residents seeking information about the proximity of PATH to their properties. And I counted no less than 24 representatives of AEP, Allegheny Energy Co. and the multi-state power grid operator PJM Inc. at the Spencer meeting. Virtually all of those green-shirt uniformed representatives repeatedly asked me what they could help me with, and were well versed in delivering the obviously choreographed answers to various questions from the public.

The one consistent theme for the cited need for the PATH transmission line is to remove "congestion" on the existing power transmission lines in north-eastern West Virginia.

I asked one PATH representative if the primary purpose of PATH was to transport coal generated electricity from the Ohio Valley to the Northeast. His carefully worded but repeated reply was that there was a great need to be able to transport more electricity from not only the Ohio Valley by also from the mid-western and western U.S. to the east coast. He cited wind farms in Texas and Kansas and proposed "concentrated solar" power generating stations in the southwestern U.S. as sources of the power PATH would carry. He did not want to talk about coal.

According to the PATH web site, the cur-

rent schedule for the PATH "open house" meetings is:

July 30 – Mount Storm, WV - Mount Storm Fire Hall

July 31 – Romney, WV - South Branch Inn

Aug. 4 – Institute, WV - WV State College

Aug. 5 – Davis, WV - Davis Fire Hall Aug. 6 – Martinsburg, WV - Comfort Inn

Aug. 7 – Frederick County, Va. - Gainesboro Elementary School

Aug. 11 – Harpers Ferry, WV - Quality Hotel & Conference Center

Aug. 11 - Moorefield, WV. South Branch Inn

Aug. 12 – Frederick, Md. - Holiday Inn Conference Center

Aug. 13 – Boonsboro, Md. - American Legion Post 10

Aug. 14 – Lovettsville, Va. - Lovettsville Elementary School

All PATH "Open House" meetings run from 5:00 to 8:00 PM.

The AEP/Allegheny PATH web site is [www.pathtransmission.com](http://www.pathtransmission.com).

### BUMPER STICKERS

To get free I ♥ Mountains bumper sticker(s), send a SASE to Julian Martin, 1525 Hampton road, Charleston, WV 25314. Slip a dollar donation (or more) in with the SASE and get 2 bumper stickers. Businesses or organizations wishing to provide bumper stickers to their customers/members may have them free. (Of course if they can afford a donation that will be gratefully accepted.)

Also available are the new green-on-white oval Friends of the Mountains stickers. Let Julian know which (or both) you want.



## HIKING AROUND DOLLY SODS

By Mike Juskelis

This was supposed to be a three day circumnavigation of Dolly Sods North and the Wilderness Area but due to several health reasons we had to limit our trek to a two day circumnavigation of Dolly Sods North. It ended up being a good move.

I was joined by Hard Core, Treebeard, IM, Doc, and Bubbles. The skies were pretty clear both days although it was a bit cooler with a slight breeze on the second day. We took several breaks to take in the views along Raven Ridge and Rocky Ridge before descending on the Harmon Knob and Blackbird Knob Trails to our secret camp in the Red Spruce grove along the Left Fork of Red Run.

Treebeard was in the lead for most of the trip and surprised a pretty long milk snake sunning itself on the trail. We had the best campsite all to ourselves but another crew of backpackers came in at dusk and set up camp across the creek from us. We all went to bed by 9:30.

The decision to cut the trip was made the next morning after everyone had eaten breakfast. From that point back to the cars was a relative easy route compared to what remained of the original itinerary. We were on the trail by 8:30 determined to "beat the heat" and to outrun a line of thunderstorms that were scheduled to grow through that afternoon.

As was stated earlier we had substantially cooler temps than the previous day and a pretty constant breeze to keep us cool except for the few times we found ourselves in hollows below the wind. The portions of the Blackbird Knob Trail that went through meadows were lined with Dogbane, a delicate pink flower. In about an hour we hooked up with what was to be the final four miles of the third day of the original trip. We took our time getting back to the cars as we enjoyed the views from the Upper Red Creek, the lower part of Raven Ridge and the unofficial Dobbins Grade By-pass Trails. As we rejoined the Bear Rocks Trail we



**Dick Takes in a view of Canaan Valley from Rocky Knob.** Photo by Mike Juskelis

could hear thunder off to our west.

We still had clear skies above us and a bit more than a mile to go. We were off of the trail by 1:00 o'clock. As we drove through Petersburg we looked back at the Allegheny Front and could tell the Sods were catching hell big time! Cutting the trip short ended up being the right decision.



**A Panoramic view from Rocky Ridge: Raven Ridge (Left), Rocky Ridge (Center) and Canaan Valley and Mountain (Right).**

Photo by Mike Juskelis

## GOOD OLD TIME ON THE NEW RIVER

On July 12, around ten people showed up to participate in a hike in the Glade Creek area of the New River Gorge National River. Starting near the banks of the New, the group hiked a steady railroad grade following Glade Creek upstream.

After reaching Kate's Falls, a spectacular feature tucked away on a small tributary, we returned to the trailhead for a trip totaling roughly nine miles. In this

steep side canyon formed by Glade Creek, a quality trout stream, incredible scenery and unique flora was abundant, allowing the group to experience the qualities that make the area a strong candidate for Wilderness designation.

## BOARD HIGHLIGHTS

The summer board meeting of the West Virginia Highlands Conservancy was a combination of the mundane business items, updates on issues, and that perennial favorite: wind power.

The mundane business items were just that. Even though he was not physically present, Treasurer Bob Marshall reported that we are right on budget. Endowment whiz Mae Ellen Wilson reported that the endowment investments are cooking along, not making much money because of the overall state of the stock market, but not losing much either. Administrative Assistant Beth Little reported on membership. We have about as many members as we had in previous reports. We now have a member in Missouri, giving us one or more members in every state. The majority are still West Virginians and a vast majority are from West Virginia or an adjoining state but we do have a member in every state.

We had reports about mining from Cindy Rank and about the TrAil and PATH power lines from Frank Young.

Frank also reported on matters legislative. He reminded us of the challenge we had presented at the last meeting, offering to spend an additional sum up to \$2500 to match donations from other groups for interim lobbying. He reported that over \$1400 of that challenge had been met.

There was discussion of drilling for natural gas in the Marcellus Shale formation. Because it is much deeper than West Virginia formations that have previously been drilled, it requires different equipment and more surface disturbance. Agents have been aggressively buying exploration and drilling rights and it is not at all clear that they are paying fair compensation.

The most substantial discussion concerned that old favorite—wind power. This time the discussion focused upon a proposal by Coal River Mountain Watch to advocate for a wind facility on a mountain in Raleigh



County that would otherwise be the site of a mountaintop removal mine. There was considerable discussion, including discussion of whether or not supporting this proposal was consistent with our previously announced policy on industrial wind facilities.

After much discussion, the Board passed a resolution: The West Virginia Highlands Conservancy applauds efforts to site wind facilities on land that would be sacrificed to mountaintop removal coal mining. To that end, we strongly support the effort to evaluate the development of a wind facility on Coal River Mountain in Raleigh County,, West Virginia.

In other wind related news, President Hugh asked the Wind Committee to work on a general wind energy policy. We have adopted policies in the past during Board meetings. These policies might be improved were the committee to consider them again, think through the precise wording, and chew on the implications of the policy.

Looking ahead, Hugh reminded the Board that the Fall Review is October 24-26. We don't have a place or a theme yet. As part of the Fall Review, we will have the election of officers as well as half of the Board. To that end, Hugh appointed Cindy Ellis, Cindy Rank, and John McFerrin as a Nominating Committee. If you have anyone to suggest as a nominee for any of the positions, please contact any member of the committee. No need to be modest; suggest yourself if you like.

In the real highlight, Beth Little passed around raspberries that she grew in her very own garden and we all got to take some.

## WEST VIRGINIA WILDERNESS COALITION VOLUNTEERWORKSHOP PLANNED

The West Virginia Wilderness Coalition will be hosting its annual volunteer workshop October 11 & 12, at Lynn=s Pond House near Fayetteville. Participants may arrive on the evening of October 10. A range of informative workshops will be held for those interested in being part of the ever-growing grassroots movement to protect West Virginia=s federal public lands. Workshops include citizen lobbying, outings, and other topics related to effective grassroots organizing.

Previously held at the Mountain Institute near Spruce Knob, this year=s workshop will have a particular focus on protecting the nearby lands in and around the New River Gorge, but attention will also be paid to Federal Public Lands such as the Canaan Valley National Wildlife Refuge and the George Washington and Monongahela National Forests, where special wild places remain unprotected.

For lodging and other costs, a registration fee of \$25 per person is suggested and several scholarships are available to cover this amount. For more information contact Outreach Coordinator Mike Costello at [michael.costello@wvwild.org](mailto:michael.costello@wvwild.org). The deadline for registration is October 5, 2008. Thank You!

## MINING COMPANY TO PAY \$1.48 MILLION SELENIUM FINE

By Ken Ward

Hobet Mining Inc. will pay a nearly \$1.5 million fine to resolve a lawsuit by state regulators over repeated selenium water-quality violations from its sprawling mountaintop removal operations along the Lincoln-Boone county line.

Hobet also will give the West Virginia Department of Environmental Protection \$500,000 worth of rocks, perform two studies of selenium impacts, and get credit for \$1.5 million in "supplemental environmental protections," for installing selenium treatment systems at its mines.

As part of the deal, DEP officials are giving Hobet nearly two more years to stop those pollution violations.

Selenium, a naturally occurring element found in many rocks and soils, is an antioxidant that is needed in very small amounts for good health. In slightly larger amounts, though, selenium can be toxic. In aquatic life, very small amounts have been found to cause reproductive problems.

In 2003, a broad federal government study of mountaintop removal coal mining found repeated violations of water-quality limits for selenium in water downstream from mining operations.

Environmental groups filed federal lawsuits against Hobet and a sister company, Apogee Coal. Those lawsuits seek federal court orders that require the companies to halt their selenium violations. After the West Virginia Highlands Conservancy and the Ohio Valley Environmental Coalition began their citizen enforcement actions, the DEP decided to file its own lawsuit against Hobet in Boone Circuit Court.

Under the law, if state regulators are diligently pursuing their own case, environmental groups can't file citizen lawsuits.

**Editor's note: This is a much abbreviated version of a story that first appeared in *The Charleston Gazette*.**



# THE MOUNTAIN STREAM AND BROOK TROUT

By Don Gasper

The mountain stream is clear, cold, ever-flowing, shady, fast and noisy. Listen. It will talk to you all day, but never say the same thing twice. At night, the camper trying to sleep near such a stream, finally drifts off.

The little stream is patient. For all its rushing and dashing to get downhill, it does some things slowly and thoroughly. It finds a rock with a pothole in it. Now it finds a spot where the water swirls in a little whirlpool.. The scouring action of water and sand day-after-day for maybe hundreds of years, is what made the hole. It polished the smooth rocks that litter the streambed. The little stream knows not the meaning of time, hour, day and season.

One's impression of this place is greenness, except in the color of fall and the white of winter. Green moss, green fern, green vines, trees and shadows - a green canopy from bank to bank over all. Plant life along the banks abundantly falls all over itself. Ferns, algae and other fragile plants favor this dim environment. Spots of sunlight struggle through the limbs and leaves, to land on the water in a soft silver splash.

It is a unique sort of light, rarely harsh and insistent. Like the sounds of the water, each ray of light is its own brief self, never to be repeated in exactly the same way on the stream surface, on its banks, on the rocks, they are as ephemeral as the mayfly. Yet these splashes of light are always there, renewing themselves like the stream itself every second, hour, day, and season.

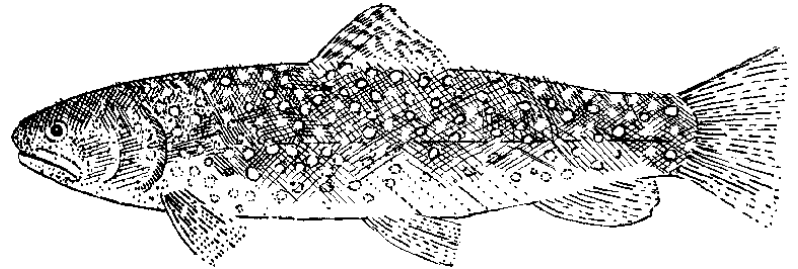
During its cycle from sky to sea, water seldom displays itself so well as a sustainer of life and creator of beauty, as it does here. Crayfish, salamander, insect and fish spend their lives in its coolness. This

is the only home of West Virginia's native and officially designated state fish. The brook trout is a beautiful little fish prized by anglers and citizens as a heritage, as a gift of nature.

The presence of the native brook trout means many things to many people. To nearby families it represents generations of good stewardship and working with land and nature to make a living.

It is intuitively a "pride of ownership" for these families - yet they do not own it at all. The stream belongs to us all. We all have a stake in maintaining the highest water quality that they require. Their presence extends far beyond the stream, to an entire ever rarer region of unimpaired water quality. The water, and the region is considered by all to be a healthy place to live, work and recreate.

Anyone asking about this region (watershed and beyond). The presence still of the native brook trout is a wonderful answer. To many visitors it is why our unspoiled mountains and streams are so special, and the native brook trout's brilliant colors in its beautiful little clear stream, flashing for cover at first sight, is a living proof that all is well - very well in fact.



## ENERGY TOPICS TIMELY AT LEGISLATIVE INTERIM MEETINGS

By Donald S. Garvin, Jr. WVEC Legislative Coordinator

On Monday, July 28, Gov. Joe Manchin and Sen. Jay Rockefeller joined officials of Consol Energy and Synthesis Energy Systems at a press conference in Benwood (Marshall County) to announce that the two companies have formed a joint venture that plans to build an \$800 million coal-to-gasoline plant - the state's first.

At about the same time, West Virginia Environmental Council lobbyist Dr. Vickie Wolfe was busy in Charleston illustrating to members of the Interim Joint Legislative Commission on Economic Development that of all the things that can be done with coal, using it to make liquid fuel is simply the worst.

Using studies from government agencies and academic institutions, Dr. Wolfe pointed out that:

q The process that produces liquid fuel from coal is only about 50 percent efficient, meaning that, in order to obtain 1,000 BTUs of usable fuel, about 2,000 BTUs must be invested. This makes coal-to-liquids (CTL) a very wasteful use of coal.

q Because the process is so energy-intensive, the volume of greenhouse gases (GHGs – primarily CO<sub>2</sub>) emitted is more than

twice those emitted in the production and use of gasoline and diesel.

q While advocates of CTL hope to use carbon sequestration to capture and store the GHGs that result from the production process, carbon capture and storage (CCS) is relatively new and untried, and is not expected to be viable for at least ten years.

q And even if CCS is successful, the liquid fuel produced from coal releases more CO<sub>2</sub> when it is burned than does either gasoline or diesel.

Interestingly enough, WV Division of Energy director Jeff Herholdt refused to give the committee any kind of completion date for this proposed project, saying instead that the project was still in the "design stage."

Meanwhile, other legislative Interim committees are also dealing with energy related issues.

Judiciary Subcommittee A is looking closely at the process of carbon capture and storage. This committee will also be studying oil and gas issues and possible "Surface Owners' Rights" legislation.

Government Organization Subcommittee A is considering adopting a "Green Build-

ings" code for state buildings.

And the Joint Legislative Oversight Commission on State Water Resources is studying new U.S. Army Corps of Engineers guidelines on stream and wetlands mitigation.

Moreover, this year the Legislature approved for consideration a large number of study issues relating to a wide range of environmental issues. And the committees have not yet even begun work on other important topics, including studying the impacts of climate change, studying the economic and environmental impacts of coal mining in West Virginia, recycling (the Bottle Bill), and requiring a Public Health Impact Assessment of DEP rules.

The WVEC lobby team will do our best to keep Voice readers informed as these monthly legislative Interim meetings progress.



## Join Now !!!

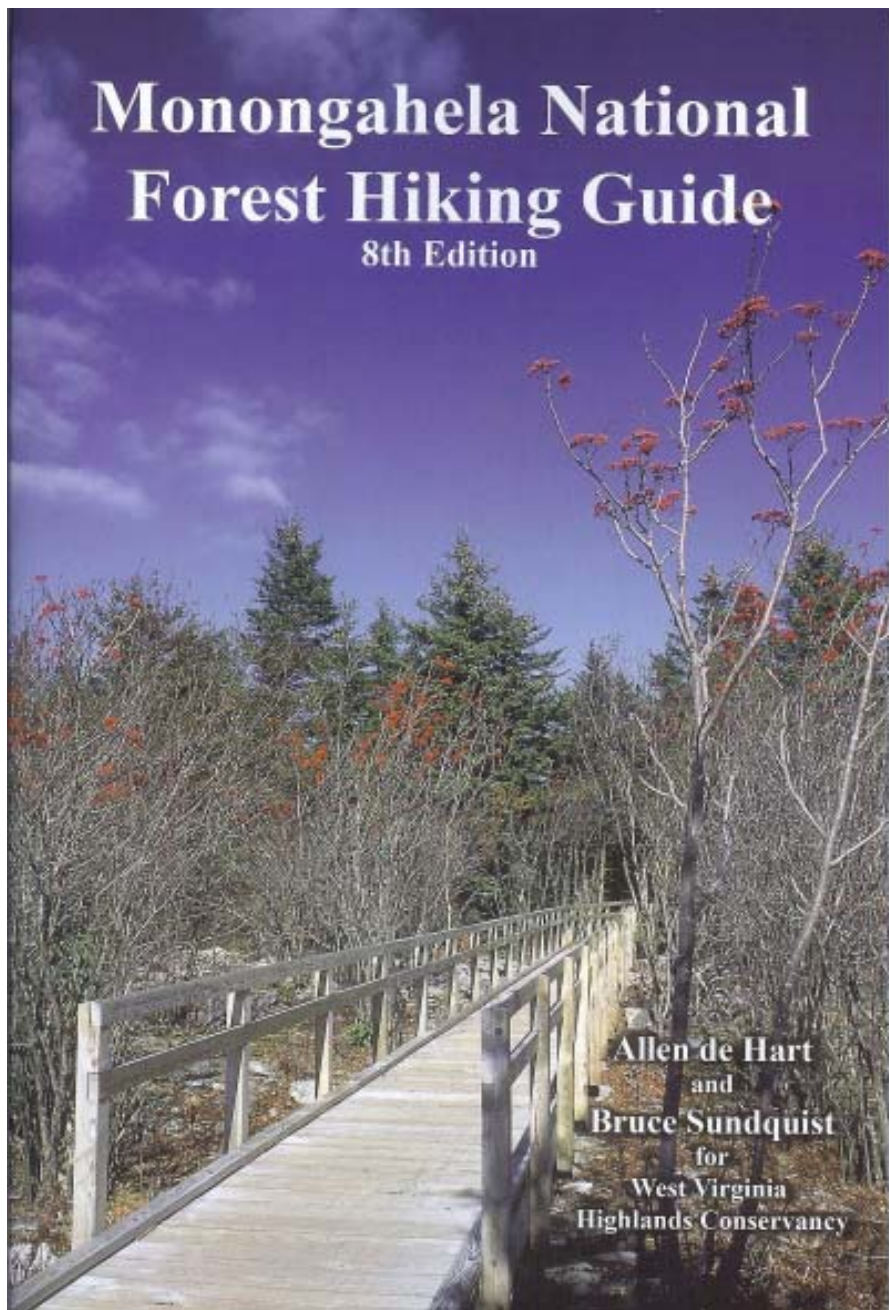
Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_ E-Mail \_\_\_\_\_

**Membership categories (circle one)**

	<u>Individual</u>	<u>Family</u>	<u>Org</u>
Senior	\$ 15		
Student	\$ 15		
Introductory			
Other	\$ 15		
Regular	\$ 25	\$ 35	\$ 50
Associate	\$ 50	\$ 75	\$ 100
Sustaining	\$100	\$ 150	\$ 200
Patron	\$ 250	\$ 500	\$ 500
Mountaineer	\$500	\$ 750	\$ 1000

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

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



### The Monongahela National

Forest Hiking Guide

By Allen de Hart and Bruce Sundquist

Describes 180 U.S. Forest Service trails (847 miles total) in one of the best (and most popular) areas for hiking, back-packing and ski-touring in this part of the country (1436 sq. miles of national forest in West Virginia's highlands). 6x9" soft cover, 368 pages, 86 pages of maps, 57 photos, full-color cover, Ed.8 (2006)

Send \$14.95 plus \$3.00 shipping to:  
 West Virginia Highlands Conservancy

P.O. Box 306  
 Charleston, WV 25321

OR

Order from our website at  
[www.wvhighlands.org](http://www.wvhighlands.org)

#### **New 8TH Edition Now Available on CD**

WV Highlands Conservancy proudly offers an Electronic (CD) version of its famous Monongahela National Forest Hiking Guide (8th Edition), with many added features.

This new CD edition includes the text pages as they appear in the printed version by Allen deHart and Bruce Sundquist in an interactive pdf format. It also includes the following mapping features, developed by WVHC volunteer Jim Solley, and not available anywhere else:

- All pages and maps in the new Interactive CD version of the Mon hiking guide can easily be printed and carried along with you on your hike
- All new, full color topographic maps have been created and are included on this CD. They include all points referenced in the text.
- Special Features not found in the printed version of the Hiking Guide: Interactive pdf format allows you to click on a map reference in the text, and that map centered on that reference comes up.
- Trail mileages between waypoints have been added to the maps.
- ALL NEW Printable, full color, 24K scale topographic maps of many of the popular hiking areas, including Cranberry, Dolly Sods, Otter Creek and many more

Price: \$20.00 from the same address.

## Our Readers Write

To whom it may concern:

By recent edict: **the West Virginia Highlands Conservancy [WVHC] opposes all large, utility scale wind energy projects in West Virginia unless it is demonstrated that the power to be produced by the project would replace power which otherwise would be generated through the burning of coal.**

The absolute best that can be said for this new policy is that it is foolish, counterproductive and poorly thought out. Please note that this statement and the material which follows addresses this new policy only. There is no intent here to assert, imply or even consider any possible deficiencies in the WVHC approach to wind previously in effect.

McFerrin and Shoenfeld<sup>1</sup> state that in adopting this policy WVHC people based their reasoning primarily (possibly exclusively) on the assertions of two wind power opponents<sup>2 3</sup> that the variability of wind necessitates on-line backup operating in a manner that is counterproductive to a reduction in fossil fuel consumption (and therefore counterproductive to the WVHC goal of reducing coal burning and/or mining). This line of argument has also been advanced in several letters which have appeared in *The Highlands Voice*. However, **the argument is grounded in a contention that on-line backup will be fossil fuel fired. That contention is flat out wrong for West Virginia. Therefore the conclusions which follow from it are also wrong for West Virginia.**

West Virginia, and more generally the area served by the PJM Interconnection grid, ties to the Bath County (VA) Pumped Storage Hydroelectric Station.<sup>4</sup>

Owned jointly by Allegheny Energy (40%) and Dominion (60%)<sup>5</sup>, the Bath Station has been the largest pumped storage hydroelectric facility in the world since its completion in 1985. The Bath facility has a power generating capacity of 2100 megawatts, a pumping power capacity of 2521 megawatts, and an energy storage capacity of approximately 35,000 megawatt-hours<sup>6</sup>. The function of such a facility is to store energy when it is generated, release it when it is needed, and do both with very rapid response times.

In the papers cited by McFerrin and Shoenfeld, the authors both acknowledge the effectiveness in this context of hydroelectric power generally and pumped storage in particular [Boone, pg 16; Adams, pg 17], but dismiss it by assuming it is not available.

Note that the Bath facility also renders irrelevant (for West Virginia) the argument that wind output typically does not correlate well with

demand. This is not in itself a coal usage related issue but, since it has been enthusiastically embraced by many wind opponents including the authors of the cited papers, we really do need to recognize the inapplicability of the argument to West Virginia wind power.

The requirement that coal use reduction be *demonstrated* up-front, presumably by the wind power facility builders, is a pipe dream for three reasons:

First, the owners/operators of a utility scale wind power facility tied to the grid have no control over what type of fuel the generated wind power will replace. That decision is made on a minute-by-minute basis by the operators of the grid based on whatever is important to them at each particular minute.

Second, coal is the major economic and political force in West Virginia. Check the total yearly production value of WV coal against the yearly contributions to WVHC. Check the number of existing jobs that are coal production specific against the total membership of the WVHC. Consider the fear any threat of job loss can impose on a coal miner against the fear that job loss can impose on a WVHC member. The upshot of such considerations is that no wind facility PR representative worthy of the title is going to risk stirring up the coal interests by issuing formal public assurances that power generated by the facility will replace a comparable usage of coal.

Third, it really should be self-evident that wind turbines have the potential to replace coal whereas **NOT installing wind turbines is absolutely guaranteed to NOT replace coal.**

The new policy serves no one well except the coal interests and I would most strongly recommend that the WVHC abandon it with alacrity.

\*\*\*\*\*

And a few of additional related thoughts:

Nothing I have said here should be construed as advocating the construction of additional pumped-storage facilities. The Bath facility already exists and therefore its carbon footprint is fixed in the past. We should be remiss indeed to not make full use of that facility in ways which maximally reduce our current and future carbon emissions. Any new facility, however, would need to be judged on the carbon footprint required to construct the facility weighed against the reduction in carbon emissions it would facilitate over its useful life (in addition to considering the more usual environmental and economic impacts). Even a preliminary assessment of that sort is well outside the scope and purpose of this letter.

Nothing I have said here should be con-

strued as supporting or refuting the arguments of Boone or Adams as they apply to regions which do not have substantial hydroelectric capacity. Such considerations are outside the scope and purpose of this letter.

The next couple of years will likely see the introduction of the plug-in hybrid automobile. If successful the plug-in hybrid will, over the ensuing ten or so years, shift much of the fuel burden of personal transportation from oil to coal. Unless we can get alternatives in place first. Consider also that the plug-in hybrid represents collectively a huge battery which can, with a little technological ingenuity, usefully absorb the peaks in wind power quite independent of facilities like Bath Station.

I am not a wind advocate as such. I am simply keenly aware that we need to find alternatives to fossil carbon, and therefore I find disturbing the rejection of wind for faulty reasons. Sincerely,  
Carlton R. Taft  
Berkeley Springs  
e-mail: crt.1999@yahoo.com

<sup>1</sup>John McFerrin and Peter Shoenfeld, *Conservancy Shifts Policy on Wind Energy*. The Highlands Voice. May 2008.

<sup>2</sup>Jon Boone, *Less for More: The Rube Goldberg Nature Industrial Wind Development*

<sup>3</sup>Tom Adams, *Review of Wind Power Results in Ontario, May to October 2006*. Energy Probe. November 15, 2006.

<sup>4</sup><http://www.dom.com/about/stations/hydro/bath.jsp>

<sup>5</sup>Ownership as defined on the webpage of footnote 4 above. Actual current legal title and/or control is rather hard to pin down in the morass of divisions, subsidiaries, partners, mergers, spin offs, leases, holding companies and other such arcana characteristic of the wonderful world of big business. Hopefully, it is accurate enough for our present purposes.

<sup>6</sup>The 35,000 megawatt-hour value is my calculation of the upper bound on energy storage capacity assuming the area of the upper lake to be essentially constant over the full range of discharge. This would be an insupportable assumption for a natural lake but quite typical of a water filled rock quarry. Since the upper lake is man made in a rock lined valley the assumption may well be close to the truth. I have to date been unable to obtain a more definitive figure.



**ANOTHER LETTER (and more about wind)**

Dear Mr. McFerrin,

The current discussion about wind power as a source of energy to reduce coal consumption is necessary and useful. But it should be a better discussion. The anti-wind argument has at least two components: A) Wind turbines kill wildlife and down-grade natural wilderness quality, and B) wind does not actually reduce coal-power use because of its unreliability.

**The bird blender problem**

It is true that turbines can kill birds and bats, but there is no good evidence as to how many. Estimates have ranged from 1-3 to 400,000 per year, and one source [quoted in Energy Switch, by Craig Morris, New Society Publishers, 2006] reports that the number of birds SAVED by one wind turbine amounted to 1,710 per year. That is because the effluent of coal plants kills birds—and plants, other animals, and humans. There are many ways to minimize harm to wildlife, such as not siting turbines on the edges of woods and shutting down turbines for scheduled maintenance during bird migrations.

**Wind is unreliable**

Yes. So grids must be designed to be large enough and well enough distributed so that when wind isn't blowing at one place, it is likely to be blowing somewhere else on the grid. There is simply no doubt, based on the overwhelming evidence of experience in Europe, that appropriate grid design can overcome the local unpredictability of wind.

It is unreasonable NOT to work for a legislative or regulatory requirement that some substantial fraction of total grid capacity be renewable. Wind must be part of the mix. We must figure out how to optimize siting and work out other features in order to do that in the most productive and least disruptive way possible. Responsible opposition to a specific site for wind generation should include suggestions as to sites that would be better.

Phillip G. Nelson  
Karin B. Nelson  
Bethesda, MD

*A Little Poetry***ON SUMMITTING, THE MOUNTAIN SPEAKS**

Climb beyond your limitations,  
Higher, higher – get to the point.  
Follow the proven path.  
Yet, plan, set a new course?  
Be prepared – patience, patience

Try, hard and purposefully – and you will summit.  
Enjoy the journey – step by step.  
Leave no trace, do no harm –for you are not always alone.....

Reach new heights.  
Rise above it all.  
Life has its ups and downs;  
Let your troubles vanish into thin air.

There is beauty, here, as far as the eye can see.  
Favor life's peak experiences.  
Stand in silence and be up-lifted.  
Breathe in the wind.  
Let the view clear your mind.

Protect – preserve this timeless beauty  
Its silence, solitude, serenity.  
With silver streams and ancient trees below.  
Resolved, renewed –return, below.

**Editor's note: Don Gasper found this the germ of this poem in Wyoming. He worked with it until he made it his own.**

**POLL FINDS WIDESPREAD SUPPORT FOR WILDERNESS PROTECTION**

For the first time in over 25 years, Wilderness legislation granting permanent protection to some of West Virginia's unique wild places is being considered by the United States Congress, along with Wilderness bills from several other states. Pristine natural areas across the country are slated to receive protected status as Congressionally designated Wilderness, and recent polling shows broad-based support from Americans for such efforts to preserve special tracts of Federal Public Lands in perpetuity.

Nearly nine in ten Americans believe that protecting public land as part of the National Wilderness Preservation System is important, according to a new Zogby International poll of 1039 likely voters nationwide. These voters view as very important (57 percent) or somewhat important (30 percent) the protection of publicly owned land as wilderness, leaving it just as it is. The support cuts across political parties, regions, age groups, and ethnic and religious backgrounds.

When likely voters were asked whether they would vote for a presidential candidate who strongly supported wilderness protection of pub-

lic lands, 71 percent said they were likely to do so. Less than two in ten (19 percent) said they were not likely to. A clear majority of Democrats (93 percent), Republicans (81 percent) and those who identified themselves as Independents (88 percent) say they think protecting public land as part of the National Wilderness Preservation System is important to them.

In a large Public Lands package currently awaiting action on the Senate Floor, Congress is considering seven Wilderness bills, set to protect around 2 million acres of America's special wild lands. About 37,000 acres on the Monongahela National Forest are to be designated as Wilderness through the Wild Monongahela Act, a popular, bipartisan bill introduced in January and co-sponsored by all five members of West Virginia's Congressional Delegation.

The historic initiative was supported statewide by diverse constituencies including business owners, outdoor enthusiasts, labor organizations, hunters and anglers, elected officials and members of the faith community. The measure would establish three new Wilderness areas, Big Draft,

Spice Run and Roaring Plains West, while three existing Wilderness areas, Cranberry, Dolly Sods and Otter Creek are to be expanded.

Having passed the House of Representatives by a wide margin and clearing Senate Committee, the Wild Monongahela Act needs only a passing vote on the Senate Floor to send the bill to the President's desk to be signed into law.

**Your comments and opinions are important to us.**

Please email any poems, letters, commentaries to the VOICE editor at [johnmcferrin@aol.com](mailto:johnmcferrin@aol.com) or real, honest to goodness, mentioned in the United States Constitution mail to John McFerrin, WV Highlands Conservancy, PO Box 306, Charleston, WV 25321.



# West Virginia Mountain Odyssey



## Outings, Education and Beyond 🇺🇸

**Friday to Sunday, 08/08 - 10/08 Otter Creek Backpack/Base Camp w/day hike, Monongahela National Forest, WV:** Day one hike approximately 9 miles along Otter Creek and up and over McGowan Mountain visiting the highland bogs of Yellow Creek and Moore Run. Day 2 10 mile day hike visiting several swimming holes on the return leg. Day 3 is a nearly flat 5 mile hike out along Otter Creek. Several technically challenging stream crossings that might require a change of footwear. Leave from the Broken Land Parkway/Rt 32 Park and Ride (West Side) at 8:00. Pre-registration required. Contact Mike Juskelis at [mjuskelis@cablespeed.com](mailto:mjuskelis@cablespeed.com) or 410-439-4964.

**Saturday to Monday 08/30 - 09/01-08 Seneca Creek Backcountry, Monongahela National Forest, WV:** Day one features a moderate 10 mile hike exploring trails on the western slope of Allegheny Mt before descending to our base camp below beautiful Seneca Falls. On day 2 we'll explore the High Meadows above the creek without packs. On day 3 hike back to cars using the Seneca Creek Tr, Tom Lick Tr and Allegheny Tr (approximately 7 miles). Several technically challenging stream crossings that might require a change of footwear. Leave from the Broken Land Parkway/Rt 32 Park and Ride (West Side) at 7:00. Pre-registration required. Contact Mike Juskelis at [mjuskelis@cablespeed.com](mailto:mjuskelis@cablespeed.com) or 410-439-4964.

**Saturday to Tuesday, 09/13 - 16/08 - Car Camping and 2 day hikes, Loft Mountain Campground, Shenandoah National Park, VA:** Four day trip. Possible short hike on the first day for early arrivals. Featured hikes are the Rip-Rap Hollow Loop (9.5 miles) and the Turk Branch/Moorman's River Circuit (9.7 miles). Both hikes are rated strenuous. Join us for one or both. Pre-registration required. Contact Mike Juskelis at [mjuskelis@cablespeed.com](mailto:mjuskelis@cablespeed.com) or 410-439-4964.

**Saturday to Monday, 09/20 - 22/08 Roaring Plains Backpack and Base Camp with Day Hike:** Day 1 hike in 2.5 miles and set up camp at the entrance to the Hidden Passage. Day 2 features a 12 mile day hike along the Canyon Rim with possible side trips. Day 3 backpack out the way we came in. Leave from the Broken Land Parkway/Rt 32 Park and Ride (West Side) at 10:00. Pre-registration required. Contact Mike Juskelis at [mjuskelis@cablespeed.com](mailto:mjuskelis@cablespeed.com) or 410-439-4964.

**October 11-14, 2008 Backpacking in Cranberry Wilderness** Come join us for festive fall colors on this 20+ mile backpack. For more information contact Susan Bly at [susanbly32@yahoo.com](mailto:susanbly32@yahoo.com) or 910-495-3820.

**Saturday to Monday 10/25 - 27/08 Cold Mountain/Mount Pleasant Backpack Base Camp w/Day Hike, George Washington National Forest, VA:** Easy 3 mile backpack into and out of camp with a sensational moderate 12 mile day hike in between with some of the most breathtaking views in central VA. Suitable for experienced hikers who wish to move up to backpacking. Leave from the Broken Land Parkway/Rt 32 Park and Ride (West Side) at 10:00. Pre-registration required. Contact Mike Juskelis at [mjuskelis@cablespeed.com](mailto:mjuskelis@cablespeed.com) or 410-439-4964.

**Saturday to Monday 11/01-03/08 Hog Camp Gap to Spy Rock Backpack/Base Camp:** Strenuous rating but with low daily mileage. We will hike 7 miles over scenic Tar Jacket Ridge and set up a base camp at the Seeley-Woodworth shelter. The next day we will hike packless to Spy Rock. The round trip will only be about 6 miles. If the weather is good we will linger a bit at Spy Rock, enjoying its 360 degree view for as long as we can. On the hike out we will add Lovington Spring Tr to add some variety to the third day. . Leave from the Broken Land Parkway/Rt 32 Park and Ride (West Side) at 7:00. Pre-registration required. Contact Mike Juskelis at [mjuskelis@cablespeed.com](mailto:mjuskelis@cablespeed.com) or 410-439-4964.

**Open Dates: Visit Kayford Mountain south of Charleston to see mountain top removal (MTR) up close** and hear Larry Gibson's story about how he saved his mountain, now almost totally surrounded by MTR. Bring lunch for a picnic on Larry's mountain. Call in advance to schedule. Julian Martin (304) 342-8989; [martinjul@aol.com](mailto:martinjul@aol.com) or Larry Gibson (304) 542-1134; (304) 549-3287.

# SPRUCE HEALTH

By Don Gasper

West Virginia red spruce that once covered so much of the higher elevations of our state is now found mostly on the Monongahela National Forest above 3,000 ft. The original West Virginia forest consisted of 500,000 acres of red spruce; today there are 50,000 acres. We find most of this remaining forest on the headwaters of the Cranberry and Williams Rivers and on Cheat Mountain and on Shavers Fork headwaters. In fact red spruce dominates, and so characterizes these areas that they are what we expect to see there. It is somehow an appropriate unique type of forest that cloaks these mountain tops - dominating much of Spruce Knob itself. Here and there the wind-swept mountains have the flagged spruce with limbs all on one side. We know that we have reached the highest, generally "wildest" part of West Virginia when we enter our Spruce Forests.

There are very few original spruce about and fewer small stands of them. The old spruce are about 16 inches in diameter and pretty impressive singly or in groups. The small trees seem healthy and growing well. Their reproduction is abundant and spreading. It is a marvelous experience to walk through, or even drive through, such a forest.

The needles that blanket the ground cover a very hard sandstone geology that caps many of these mountain tops. It has few nutrients, and it has been leached of half of these by the Acid Rain we have had for the last 50 years. The entire ecosystem with its endangered flying squirrel and salamander, the snowshoe hare, and all the rest are at risk.

It is hard to imagine that anything is the matter with this forest. It could not be further removed from civilization. We think of it as the least disturbed.

The scientist/stewards of the Spruce Ecosystem have initially the same problem. But they know that, though our snow is still white, Acid Rain has leached the soil substrate of plant available nutrients to such low levels that it would seem they can not grow the Big Forest that most expected.

One reason is simply that as the forest grows it takes up nutrients into its own bio-mass and thus impoverishes its substrate even further. It will be over 100 years before we would expect much of his forest to begin to mature, fall and restore its nutrients. It would surely be a bad idea to log it, carrying nutrients off to the mill.

We must clean up our air and reduce Acid Rain. We presently burn a lot of coal in this area to produce the electrical power we all need. In fact 1/3 of the U.S. sulfur emissions once occurred in a state "Ohio Valley area" and they are brought to our mountains where we get the equivalent of 60" of rain and snow each year. Additionally this is the most intensively Acid Rain anywhere in the U.S. Our highest elevations get the worst of it in cloud/fog mist - easily twice as much as at lower elevations.

West Virginia has probably had it longer also. Its accumulative leaching effect over 50 years has left us with few plant-available nutrients.

Another big, not at all simple, reason is that toxic Aluminum is liberated from rock by the now acid soil-water. Toxic aluminum prevents up-take at the surface of root-hairs of the limited nutrients that are avail-

able. The plant-health experts focusing on Calcium as a key nutrient, call this "Aluminum-Induced Calcium Deficiency Syndrome". They predict slow growth; unthriftiness with less resistance to drought, disease/infestation, frost damage - die-back; and generally offer little hope for the sustainability of the Spruce Ecosystem.

Finally we must consider the effects of nitrogen oxide, mostly from burning coal. They have always been a part of our Acid Rain - as nitric acid. It is not being significantly reduced - as sulfuric acid has been. We must ask will there be tree growth if nutrients are not there; will it be a healthy growth?



Photo ©  
Jonathan  
Jessup

Many watersheds are now nitrogen saturated, and plants and soil organisms no longer take much of it up. It then runs through taking nutrients with it - just as sulfuric acid has done for 50 years.

As a part of this Spruce Ecosystem, or draining from it, are many of West Virginia's native brook trout streams. Some of these are now acid and have no fish. They are "too pure for trout" - too nutrient poor. Toxic aluminum effects their gills just as it does root-hairs. This vanishing brook trout heritage is another good reason to improve our air.

We should not forget that we must breathe this stuff. Speak for clean air, every chance you get. We might save our spruce, our brook trout streams, our selves.



# WE ARE WHAT WE REMEMBER

By Deborah Griffith

Although I was born in Parkersburg, West Virginia, my family moved to northern Virginia when I was quite young, so I grew up in Virginia. However, I've always been (as I often say) "Appalachian to the bone."

In addition to trips "back home" to visit family, I also traveled the Blue Ridge with my father when he played in (awful) little bars here and there, because I could sing. And I spent some parts of my summers up until around age 14 in Pendleton County, in a tiny town called Moyers, not far from Franklin.

Moyers then was a church, a gas station/store, and a few scattered houses. We'd stay with the parents of my mother's friend Ruth, who lived next door to us in Falls Church, Virginia. Ruth had a young daughter, Kathy, who lived most of the year in Pendleton County with Ruth's parents.

Ruth's parents ran the tiny general store/gas station, and they lived above it. Her father's mother was still living by herself for the most part in a huge old farmhouse farther up the hill. Kathy and I stayed with her a few times—to help keep an eye on her supposedly, and to ease overcrowding! This was like visiting another world to me; there was no running water, just a pump in the yard, and the outhouse took some getting used to.

That house is where I remember Kathy's grandfather coming to pick us up on misty early mornings, when we'd ride in the back of his pickup truck (standing up and looking over the cab), and going down to the coldest, rockiest creek in the world to swim. Well, not so much to swim as to wade, paddle, and slip on sharp rocks. (We had to wear old tennis shoes to prevent cuts.) That water was so cold our lips would be blue!

If I ever knew the name of that creek I didn't remember it but even after 40 years I could still see it, hear it, and smell it. It became, in essence, my "template" creek, or my Platonic ideal of a West Virginia mountain stream—just as Pendleton County represents "West Virginia" to me, although I've lived most of my life in the mid-Ohio Valley. Whenever I read "1,200 miles of headwaters streams buried forever and thousands more contaminated," or "the overburden is shoved into what are known as valley fills," that creek and those mornings are evoked. It makes mountaintop removal mining extremely personal—never abstract.

Our families eventually lost touch. Through my 20s and 30s I was busy with work and family and rarely thought of Pendleton County. It's

been on my mind lately, though, and I've often thought of going back and trying to find that old store (if it should still be standing). I was pretty sure the old house would be long gone. But I've returned to places where I grew up in Virginia and found them so vastly changed that it was impossible to find any traces of my memories there. It has, after all, been 40 years: It was likely that no one would remember me.

But in mid-June my husband and I went up to Seneca Rocks and Dolly Sods, and we decided to, finally, go to the Moyers–Sugar Grove area and look around. First, I found what had to be the creek—lovely Thorn Creek. And, amazingly enough, after just a little searching and one inquiry, I recognized the old store, and we pulled into a nearby church lot. We got out of the car to take a look, and my husband walked across the road to talk to a woman he spotted standing in a sheep field. Within minutes he excitedly called me over—she had information I could hardly believe!

Ruth, now retired, lives there with her mother now—and they still run the store! So I climbed the flight of side stairs and knocked on the door. It was Ruth. She remembered me right away (as did her mother—after 40 years!). She hugged me and pulled me inside—and then called Kathy, who still lives not only nearby, but also in the big old farmhouse that had belonged to her great-grandmother. She was not in, but Ruth left a message. She assured me that Kathy did remember me and had actually looked for me over the years. Kathy is five years younger than I am, which means that the last time I saw her she could have been no more than nine years old . . .

Ruth drove us up to the house to take a look at it and to see if Kathy was outside, and we checked a few other places for her. We eventually found her back at the store waiting for us, and we went inside to sit down and talk—for a good long time.

My husband remarked later that as he listened to us talk, he realized in part why memories of these people had stayed with me for a

lifetime. It struck him that had I shown up there and knocked on the door just as I had, but somehow having ended up broke and with nowhere to go, they would have taken me right in. Yes, they would have. Certainly. They knew my parents. They are rare and special people, but in fact I've known others like them, with open arms and open hearts—among them some of my own relatives. Appalachian people.

Right behind Kathy's big house, which I believe was built by her great-grandparents, is another, older, house belonging to the family, built before the Civil War. Standing, still preserved. I'd been away so long that I'd forgotten about places where the roads, "gaps," mountains, and towns carry the same names you see on the local storefronts and in the newspaper obituary columns and wedding announcements: names of families who've been in the area for generations, some of them as long as it's been settled by Europeans. And it's easy to forget how important, how essential, those connections—families and friendships—are in that context, in that world built on community and continuity and to people who make it their foundation.

This, too, is what mountaintop removal mining robs us of—our history, and therefore our identity. The past is being blasted away, and



Moyers Gap Road  
Photo by David Griffith

(Continued on p 13)



# EATING GREEN

By Beth Little

Okay, sorry to lay this on you, but you probably already know, whether you have been avoiding it or not, that besides your health, the health of the planet depends on what you eat.

Since Rachel Carson's "Silent Spring," we have been warned about the downside of pesticides. Recent books and media coverage have focused attention on the environmental impact of how food is grown, packaged and shipped. The energy (mostly from coal and oil) for farm machinery, the materials for packaging, and the energy for shipping long distances, are all using up our resources, causing pollution and contributing to global warming. Now they are even a threat to our national security. And it gets deeper. As more corn is produced for biofuel to offset our demand for oil, food prices are soaring.

Here's one quick, simple way to limit your personal contribution to the problem: stop eating anything that contains high-fructose corn syrup (HFCS).

This is not as easy as it seems. High fructose corn syrup is in virtually all processed foods, even organic bread. That just shows the magnitude of the problem; and, therefore, the impact you can have by boycotting high fructose corn syrup..

So what's wrong with it?

"Researchers have found new evidence that soft drinks sweetened with high-fructose corn syrup (HFCS) may contribute to the development of diabetes, particularly in children. In a laboratory study of commonly consumed carbonated beverages, the scientists found that drinks containing the syrup had high levels of reactive compounds that have been shown by others to have the potential to trigger cell and tissue damage that could cause the disease, which is at epidemic levels." <http://www.sciencedaily.com/releases/2007/08/070823094819.htm>

In the liver, it creates a larger amount of triglycerides, which increases the risk of heart disease. Studies have shown that large amounts of high fructose corn syrup induce insulin resistance, impair glucose tolerance, produce high levels of insulin, boost a dangerous type of fat in the blood and cause high blood pressure in animals.

Here are links with more info:

The Double Danger of HFCS <http://www.westonaprice.org/modernfood/highfructose.html>

The Murky World of HFCS <http://www.westonaprice.org/motherlinda/corn syrup.html>

High-Fructose Corn Syrup – Not So Sweet for the Planet <http://www.washingtonpost.com/wp-dyn/content/article/2008/03/06/AR2008030603294.html>

Excerpt: "The environmental footprint of HFCS is deep and wide," writes Pollan, a prominent critic of industrial agriculture. "Look no farther than the dead zone in the Gulf [of Mexico], an area the size of New Jersey where virtually nothing will live because it has been starved of oxygen by the fertilizer runoff coming down the Mississippi from the Corn Belt. Then there is the atrazine in the water in farm country — a nasty herbicide that, at concentrations as little as 0.1 part per billion, has been shown to turn male frogs into hermaphrodites."

Author Michael Pollan, quoted above, has reported in-depth on the problems with our industrial agriculture. See: <http://www.michaelpollan.com/> click on "writing" and scroll down below books to articles.

For help in getting it out of your diet see How to Avoid HFCS <http://www.wikihow.com/Avoid-High-Fructose-Corn-Syrup>. It also contains a bibliography of more sources on the health threats (to both people and planet).

The Food and Drug Administration and the food industry say that high fructose corn syrup is perfectly safe, that it's just like sugar. But they said that about partially hydrogenated fats, also known as trans-fats, which have now been proven to be linked to heart disease and other systemic ailments. The message about partially hydrogenated fats is getting through. They are being banned in some places, and you see labels with the prominent message: "No trans-fats." Hopefully, it won't be long before the same thing happens to high fructose corn syrup. You can help by purging it from your diet.

## MORE REMEMBERING (Continued from p. 14)

without our past, who are we? Whole towns and communities are deliberately destroyed, so completely that they might never have existed, along with communal memories, family cemeteries, and even the very sites they all existed upon.

What can that mean to a people? What is the perceived value of that culture? To quote Jeff Biggers, author of *The United States of Appalachia*, "This catastrophic form of coal mining has robbed Appalachia of too much of its history in the process. If anything, it should remind the nation that the neglect and degradation of a region and its history have always mirrored the neglect and abuse of the land."

Appalachians, ever the poorest of the

poor in economic terms, cannot continue to sign away the treasures that make us wealthy beyond all price—our peerless natural resources and our irreplaceable heritage. It's time to stand up and to speak out: This is one battle that, if it is to be lost, should not be lost through acquiescence or apathy. This way of life: valuing and preserving the land and the experiences and lessons carried from generation to generation—our past remembered—defines us, and is something of which all Appalachians can be proud. It demands our best defense.

## PUBLIC LANDS COMMITTEE

The West Virginia Highlands Conservancy has an enthusiastic Public Lands Committee to deal with citizen concerns about agency stewardship of our parks and forests. We work hard but we are not a bunch of experts. This is a call to ordinary folks who may know something about these lands and care about them. Contact us at P.O. Box 306, Charleston, WV 25321 or through our website [www.wvhighlands.org](http://www.wvhighlands.org).

## MORE FROM HUGH ABOUT THE MARCELLUS SHALE (Continued from p. 2)

brought new technology and corporations from Texas. This is where the action is now. They call gas field development a “play,” which gives you a sense of their relish for the gamble. But they’re happy to improve the odds however they can. The Energy Policy Act of 2005 canceled drillers’ liabilities under the Clean Water Act, the Clean Air Act, the Superfund law, and other environmental regulations, including the Safe Drinking Water Act. Go get that gas! said the Bush administration. Since the law went into effect, hundreds of drilling sites in the president’s home state of Texas have been contaminated by radioactivity, and towns in the vice president’s home state of Wyoming have had their drinking water polluted by drilling chemicals.

**Water** use is the most serious concern raised so far. To release the gas, drillers fracture the shale with high-pressure injections of water mixed with sand and chemical additives. Each “frac” uses roughly a million gallons of water, but three times that for wells that turn a right angle and bore into the shale layer (the horizontal wells). And each well may be “fracked” multiple times.

Where will all that water come from? Already, the Pennsylvania Department of Environmental Protection (DEP) has shut down two wells that drew excessive quantities of water from nearby streams. (The companies filed new permit plans and resumed operations.) That state and New York belong to interstate compacts, the Susquehanna and Delaware River Basin Commissions, that help protect their water. The Ohio River Basin has no such protection.

Where will the water go after it’s used? And what’s in it, anyway? Though the formulas for fracking fluids are proprietary, some chemists have analyzed samples; one who testified in Congress listed 171 chemicals, of which 154 were linked to health problems including nervous system disorders, cancers, and reproductive organ damage.

Treatment facilities are part of the infrastructure required for the new gas rush. Pennsylvania has two; there are proposals to build more. Meanwhile, their DEP has ordered municipal sewer systems not to take drilling waste unless they know what’s in it and know they can treat it. Most of those systems had already declined the extra burden.

So far, direct impacts to drinking water have been regarded as less problematic than spills or dumping of waste (though the Wyoming example is alarming). The Marcellus Shale lies far below aquifers. However, landowners have been cautioned to test their wells before drilling begins so there is a baseline to compare

the effects.

**NORMs** aren’t the only pollutants associated with deep well drilling. Radioactive material brought up with the gas settles in treatment ponds and on equipment. Other pollutants spread with dust and smoke and any burning-off of excess gases. Air pollution can spread as far as a 200-mile radius from a well. For a list of gas well pollutants, their sources and effects, see the Oil and Gas Accountability Project web site, [www.ogap.org](http://www.ogap.org).

**Accidents** including fires, explosions, and pipe failures are regarded by the oil and gas industry as “inherent risks” of drilling. Look for that language in your lease contract! Accidents further multiply the risks of pollutants. Recently in Colorado an emergency room nurse collapsed after treating an injured drilling worker. Breathing too close to the worker’s chemical-soaked clothing caused heart, lung, and liver failure.

**Development** will have a variety of impacts we can barely foresee and haven’t prepared for. The noise, dust, and fumes from 24-hour drilling and truck traffic; the influx of temporary workers; and the fragmentation of forested land and loss of habitat are a few we can anticipate. An industry-funded study found that in an intensively drilled section of Wyoming the deer population had declined by nearly half.

How big will it be? Nobody knows. The president of the Pennsylvania Oil and Gas Association told reporter Don Hopey of the Pittsburgh Post-Gazette, “The order-of-magnitude differences in [predictions of] the amount of gas we could get out of the Marcellus tells you that no one knows how much or if it’s economically recoverable. But with more than \$2 billion already invested in wells and leases, it’s clear that those who have taken the time and studied the data believe this is a very significant opportunity . . .”

Bets have been made, in other words. Gambling is addictive. Very few wells have produced anything yet, but hundreds are being drilled. According to the West Virginia Geological and Economic Survey, “There is virtually no data available on Marcellus production for West Virginia.” Permits for horizontal wells have been issued in at least seventeen counties. The north-central part of the state has been the most active. Significant commercial production may have to wait for the infrastructure to catch up—compressor stations and pipelines as well as wastewater treatment facilities.

What else has to catch up? Law and enforcement, most importantly. With the Energy Act of 2005, the federal government abdicated its responsibility. The states will have to

step in.

New York, which has seen a land rush along its Southern Tier of counties, recently enacted new legislation on gas well permits, and the governor ordered the state’s Department of Environmental Conservation to devise a tougher environmental impact statement for hydraulic drilling. Besides water issues, new regulations will address cumulative effects, air quality, aesthetics, noise, traffic, and community character.

The governor’s deputy secretary for the environment was quoted as saying, “We’re not Wyoming, no offense to Wyoming.”

At the Elkins meeting on July 11, Senator Clark Barnes said, “Our laws were set up decades ago to benefit out of state investors to allow them to extract minerals and gas and it really trounced the rights of surface owners.” He didn’t say what efforts he’d make to improve the situation. Nor did he address the rights of all citizens to clean water, clean air, a healthy environment, and plenty of deer.

We’re not Wyoming—yet.

### SAVE THE DATE FOR A CHANCE TO LEARN MORE

**Gas exploration and drilling in the Marcellus Shale will be a major topic at the annual Fall Review of the West Virginia Highlands Conservancy. It will be October 24-26 at a location to be determined.**

### T- SHIRTS FOR SALE

White, heavy cotton T-shirts with the **I ♥ Mountains** slogan on the front. The lettering is blue and the heart is red. “West Virginia Highlands Conservancy” in smaller blue letters is included below the slogan. Short sleeve in sizes: S, M, L, XL, and XXL. Long sleeve in sizes S, M, L, and XL. **Short sleeve** model is \$10 total by mail; **long sleeve** is \$15. Send sizes wanted and check payable to West Virginia Highlands Conservancy ATTEN: James Solley, WVHC, P.O. Box 306, Charleston, WV 25321-0306.