



# The Highlands Voice

The Monthly Publication of the West Virginia Highlands Conservancy

Volume 44

No. 3

March, 2011

## Application Withdrawn

# PATH BITES THE DUST

By Frank Young

On February 28th American Electric Power Co. and FirstEnergy Corp. (formerly Allegheny Energy Co.) filed in West Virginia, Maryland, and Virginia to withdraw their joint application for regulatory approval of the Potomac-Appalachian Transmission Highline (PATH) project. This followed a news release announcement by the eleven state regional electrical power grid operator, PJM Interconnection (PJM), that the project is being held "in abeyance", and a PJM "directive" that the project be "suspended".

PATH is a joint adventure- some would say "misadventure"- to build a 765-Kilovolt, 275 miles long electricity transmission line from Putnam County, W.Va., to Frederick County, Md. Allegheny Energy merged with Akron-based FirstEnergy on February 25, 2011- only three days before the PATH "suspended" announcement.

The PATH companies' announcement said that: "PJM directed the construction of PATH in 2007 to resolve violations of national and local standards for reliable operation of the region's transmission system. Since then, annual studies reaffirmed the need for PATH as the recommended solution for resolving these issues. However, PJM's latest analyses indicate that the projected need for the project has moved well into the future."

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The PATH application was filed at the WV Public Service Commission (PSC) in May, 2009. Since then thousands of citizens working through a dozen or more organizations have written thousands of letters and raised tens of thousands of dollars through bake sales and other grassroots events to draw public attention to and to intervene in the regulatory application processes against the PATH project.

So is PATH dead, or only in a "suspended" slumber? That is the estimated \$2.1 billion dollar question. Regional power grid operator PJM issued a statement that leaves that question open- for the time being at least. PJM said: ***"Recent dramatic swings in economic forecasts and evolving public policies (particularly with respect to renewable energy) are adding greater uncertainty to our planning studies. Uncertainty about generation retirements, particularly in response to potential changes in environmental regulations, may also be diminishing the robustness of the current planning criteria."***

PJM continues, saying: ***"Moreover, a set of new and greater uncertainties-not just with load growth estimates but***

**(More on p.4)**



### **USELESS INFORMATION**

Although the phrase "bites the dust" used in the headline of the PATH story sounds as if it should come from a cowboy movie of the early 20th century, it actually goes back at least to the ninth century B.C. when it was used by Homer in *The Odyssey*.

## Slipping Away

Another short snowy winter—but that’s the way it goes now, and not only with the season that petered out in February. Everything has speeded up. Though I haven’t attained three score and ten, I know why people say 70 is the new 50: It’s time inflation. All those years added to our life expectancy are shorter than the old ones.

If you think this assessment is purely subjective, you’re probably younger than 40. But I won’t quibble. My interest here is in those even younger, who have no idea how quickly their lives will go by.

A short year ago, our young President sent a memorandum to the Secretaries of Agriculture and Interior, the Administrator of the Environmental Protection Agency, and the Chair of the Council on Environmental Quality, calling for a “21<sup>st</sup> Century Strategy for America’s Great Outdoors.” He asked them to develop a new conservation agenda for the federal government and for partnerships with state and local governments, nonprofit organizations, and private businesses.

President Obama recited the continuing loss of “farms, ranches, forests, and other valuable natural resources.” The report that he requested is now available, and it offers a couple of illustrative statistics: of all the land that was “developed” in the U.S. before 2007, a third was developed in the last twenty-five years; every year we lose about 1.6 million acres of working farms, ranches, and forests to development and fragmentation. As time accelerates, open space shrinks.

But these lamentable facts did not seem to be the President’s chief concern. He wrote, “Families are spending less time together enjoying their natural surroundings. ... Children, especially, are spending less time outside running and playing, fishing and hunting, and connecting to the outdoors just down the street or outside of town.”

The government officials conducted 51 public listening sessions; 21 of them were with young people. In a special section of the report, “Youth and America’s Great Outdoors [A.G.O.],” we are told that young people today spend only half as much time outside as their parents did. Instead, they spend an average of *seven hours a day* using electronic devices.

Partly as a result, the incidence of childhood obesity has tripled in the last generation. And according to many studies, all that “screen time” hinders social development, subverts concentration, and habituates kids to overstimulation.

Conversely, “time spent in nature can reduce stress and anxiety, promote learning and personal growth, and foster mental and physical health.”

All this should be familiar from recent books and articles on the subject, especially Richard Louv’s Last Child in the Woods. Two years ago, the West Virginia Highlands Conservancy joined the Ohio Valley Environmental Coalition to sponsor a talk in Charleston by Mr. Louv. He would agree with the A.G.O. Vision Statement’s call for a future in which “All children, regardless of where they live, have access to clean, safe outdoor places within a short walk of their homes or schools, where they can play, dream, discover, and recreate.” But much else had to change before most children would

**(The rest is on p. 13)**

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The Truth as of March 1, 2010, 8:42 a.m.

## LEGISLATIVE UPDATE

By Donald S. Garvin, Jr., West Virginia Environmental Council Legislative Coordinator

With less than two weeks remaining in the 2011 West Virginia Legislative Session, *everything* is still up in the air.

Wednesday, March 2, is “crossover day”, the day that bills must pass out of the “house of origin” in order to be considered by the other chamber. Most of the bills we have been working on, or have an interest in, haven’t even made it out of committee!

So, what’s still alive?

Both chambers have just two days to pass their different versions of bills regulating Marcellus Shale drilling in the state. The House is working on a greatly pared down version of the bill passed out of the Interim Judiciary Committee. And the Senate is working on a greatly pared down version of the bill proposed by the Department of Environmental Protection.

If either house passes its version of the bill by “crossover day,” that will keep the issue alive until the end of the session on March 12.

While both of these bills contain the basic water reporting provisions from last year’s failed Marcellus legislation, they stop way short of providing real protections for human health and the environment necessary due to the huge scope of the industrial activity resulting from Marcellus Shale drilling.

The final outcome of this legislation will likely be decided on the last night of the session.

As for the Water Quality Standards Rule (47CSR2), the Senate Natural Resources Committee gutted the Water Quality Standards Rule proposed by the DEP three weeks ago.. Amendments were approved by the committee to remove “excessive water withdrawals” from the rule’s list of activities not allowed in state waters, to remove

a new standard for phosphorous to prevent algae blooms in the Greenbrier River, and to remove a new standard for “total dissolved solids” which would have provided cleaner drinking water for most West Virginians.

We thought it couldn’t get worse, but just last week the Senate Judiciary Committee declined to restore the proposed standards. And the committee even added an amendment that would weaken the method for determining water quality standards for carcinogens for a section of the Ohio River!

The rule has now been “bundled” with all the rest of the DEP rules and sent to the House, where restoring DEP’s proposed revisions will be opposed by the same industry lobbyists who succeeded in gutting it in the Senate.

So the fate of water quality in West Virginia is now in the hands of the House Judiciary Committee.

Finally, the Judiciary Committees in both houses have gutted the provisions of the “Alternative Coal Slurry Disposal Act.” This bill would have prohibited new permits for the underground injection of coal slurry and phased out existing coal slurry injection operations. The bill also would have provided a tax credit to industry to assist in the transition to new technology to reduce and/or eliminate coal slurry.

At this time, both bills are hung up in House and Senate Finance Committees, and will likely not make it to the floor for a vote before “crossover day.”

That’s it for now. Look for my full legislative update in the April issue of the *Voice*.

### DISCLAIMER

Most of the information in the accompanying article is false. It was true when it was written but things change so quickly during the last two weeks of the Legislature that it is likely that, by the time you see this, things are different.

At this stage in the session, things move too quickly for a monthly publication like *The Highlands Voice* to provide reliable updates. More current updates are available from the West Virginia Environmental Council. It maintains a legislative update which is updated at least weekly: [http://www.wvecouncil.org/legisupdate/2011/01\\_28.html](http://www.wvecouncil.org/legisupdate/2011/01_28.html)

The legislature maintains a web site that lists legislative updates: [http://www.legis.state.wv.us/bill\\_status/bill\\_status.cfm](http://www.legis.state.wv.us/bill_status/bill_status.cfm).

As Mr. Garvin says, he will do a recap for the April *Voice*. Readers will know what happened. It is knowing what is happening right now that is the problem.



*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.

# REINSTATING THE PATRIOT SUIT

By Cindy Rank

On February 18, 2011 West Virginia Highlands Conservancy, Ohio Valley Environmental Council and West Virginia Sierra Club reinstated our claims against Patriot Coal for selenium violations at several of its operations in southern West Virginia.

## **Background**

As reported in previous issues of the *Voice* (September and December 2010), U.S. District Judge Robert C. Chambers decided in our favor after lengthy court hearings about the necessity for Patriot Coal to treat its discharges to reduce the harmful levels of selenium in water flowing from the Apogee NW Ruffner mine in Logan County and the Hobet 22 mine in Lincoln.

Not only were the levels of selenium from the two Patriot Coal mines in violation of their permit limits, but selenium impacts reproductions of aquatic species, impairs development and survival of fish, and damages gills and other organs. It can also be toxic to humans, causing kidney and liver damage, and damage to the nervous and circulatory systems.

The presence and harmful effects of excessive selenium from valley fills was first brought to public attention as a result of the Mountaintop/Valley Fill Environmental Impact Study conducted as a result of the Bragg litigation in 1998. Additional EPA studies as well as WV Department of Environmental Protection water sampling since then have further confirmed the ill effects of selenium. Outstanding also are a report by Dennis Lemly about the abnormal aspects of fish and aquatic life sampled in the Upper Mud River Reservoir downstream of the Hobet operations which prompted him to warn of a pending toxic event, and the more recent compilation of information in the January 2010 *Science* authored by Margaret Palmer and a dozen respected scientists.

Judge Chambers gave Patriot's subsidiaries Apogee and Hobet 2 ½ years to install treatment systems at the mines and ordered Patriot to post a \$45 million letter of credit to ensure the treatment systems are installed. A special master was appointed to oversee the matter.

Patriot filed an appeal to the U.S. Court of Appeals for the Fourth Circuit, but dismissed the appeal after coming to an agreement with the plaintiffs (WVHC, OVEC, WV Sierra Club) to accept the court order to install treatment and refrain from any new mining permits to strip mine coal seams known to be associated with selenium.

This promises to be the first time that adequate treatment for selenium will be employed at mines in West Virginia. However, as plans for the treatment systems proceed illegal and harmful levels of selenium continue to flow from other Patriot mines in southern West Virginia.

## **Current Actions**

As part of the agreement last October plaintiffs agreed to stand down on (i.e. not pursue or challenge) violations at Apogee NW Ruffner and Hobet 22 before the completion of the treatment systems in accordance with the Court's order. However, we agreed only to wait until April of 2012 before challenging violations at other Patriot mines.

We filed a Notice of Intent to challenge these additional violations in mid-December 2010. More than the sixty days of required notice have passed and none of the Federal or WV regulatory agencies which were served notice have commenced and diligently prosecuted a civil or criminal action to require compliance with the Clean Water Act or the Surface Mine Act.

This February 18, 2011 filing, made on our behalf by Joe Lovett and Derek Teaney of the Appalachian Center for the Economy and the Environment is the next step in the process that will take until April 2012 to bring these claims to trial.

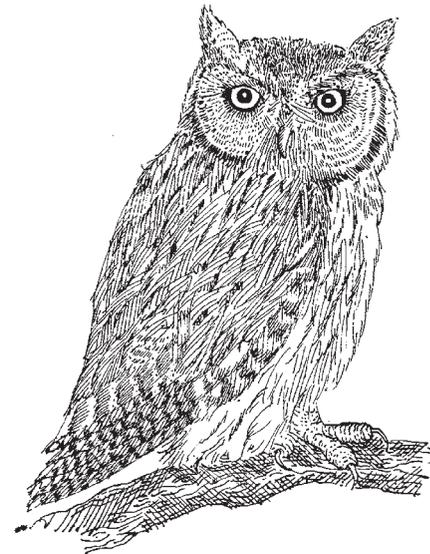
The complaint alleges over 8,000 days of violation at several mines owned and operated by Patriot Coal subsidiaries Apogee, Hobet and Catenary in Kanawha, Boone, Lincoln and Logan Counties. Most notable are mines at the major mine complexes commonly known as Hobet 21, Samples and East Ruffner.

## **MORE ABOUT PATH (Continued from p. 1)**

***also other key indicators relevant to planning assessments-are complicating the analysis of future reliability needs. In particular, the growth of Demand Response can contribute to lower expectations for future peak demand, thereby extending the time period when transmission upgrades are needed.***

(Underlined emphasis added- Frank Young)

PJM's recognition of the effects of *demand response* (which includes "time of use pricing", "net metering" and other peak load reduction techniques) is encouraging, But nothing in the PJM statement addressed or even recognized ongoing *conservation* programs- at least not yet. But we'll take recognition of common sense approaches to energy "demand" wherever and whenever we can get the as they trickle down the line.



## **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.

# MORE TROUBLE BREWING ON THE GAULEY

By Cindy Rank

Last June the West Virginia Highlands Conservancy assisted in nominating the Gauley River for listing as one of AMERICAN RIVERS "10 Most Endangered Rivers". [*Highlands Voice*, June 2010]

The annual list is not meant to point fingers at polluted waterways or at activities that may be degrading the listed rivers, but to attract attention to problems that can be stopped if people respond with action to influence agencies and other responsible parties to clean up their act, to do better, etc....

The Gauley was listed as #3 last year because of mining operations in the area that appear to be having a deleterious effect on the water quality of tributaries to the Gauley, some of which flow into or in close proximity to the Gauley River National Recreation Area (NRA).

The Gauley NRA is valued by whitewater enthusiasts, kayakers, fishermen and women, and others just seeking the sights and sounds of healthy, beautiful rivers. Mining has heretofore been hidden by the hills, basically out of sight from river rats and sight seers, but that may be changing and increasing numbers of river enthusiasts are noticing the stunningly extensive disturbances of mountaintop removal operations and other massive strip mines. [See the picture that accompanies this article for a view from Whitewater Road.]

Though often not visible from the river itself, large scale mountaintop removal mines in the headwaters of Twentymile, Peters Creek and other nearby drainages are taking a toll on water quality. Selenium and water discharges that exceed the Total Dissolved Solids recommended by EPA April 1, 2010 are being ignored and are impacting the biological diversity of those streams.

I first stepped foot on mountaintop removal sites in the Twentymile area in 1994 and flew via state helicopter from the Alex Energy HighPower Mountain site downstream to Smithers and the Canellton mines near the mouth of the Gauley where it joins the New River to form the Kanawha and creates the wonderful Kanawha Falls.

My eyes were full and heart was heavy then, and that feeling returns every time I visit the area. As mining proceeds in these downstream reaches of the Gauley I can't help but think of the Cheat River and the acid mine drainage problems that

decades of mining have caused for that river.

By the mid-nineties mine drainage in the Cheat watershed had so impacted the river that contact with the water caused eyes to burn and created such unacceptable conditions for the hundreds of rafters and other users of the river that watershed groups, industry and federal and state agencies were moved to major actions to save the Cheat. Their cleanup efforts have been costly and extensive.

Unfortunately listing the Gauley as the third most endangered River in America in 2010 has not produced the same kind of wake-up call for those responsible for toxic mine discharges from mining in the Gauley River drainages. In an effort to prevent further deterioration of the Gauley the WV Highlands Conservancy along with other organizations continues to challenge permits in Twentymile, Peters Creek and other nearby tributaries.

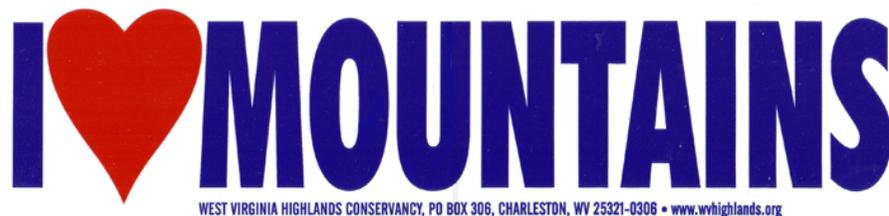
Stay tuned.... I'm sure there is more to come ....



*The view from Whitewater Road. Photo by Richard Hypes*

## 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.



## Join Now !!!

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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!**



### GREAT HISTORY BOOK NOW AVAILABLE

For the first time, a comprehensive history of West Virginia's most influential activist environmental organization. Author Dave Elkinton, the Conservancy's third president, and a twenty-year board member, not only traces the major issues that have occupied the Conservancy's energy, but profiles more than twenty of its volunteer leaders.

Learn about how the Conservancy stopped road building in Otter Creek, how a Corps of Engineers wetland permit denial

saved Canaan Valley, and why Judge Haden restricted mountaintop removal mining. Also read Sayre Rodman's account of the first running of the Gauley, how college students helped save the Cranberry Wilderness, and why the highlands are under threat as never before.

With a foreword by former congressman Ken Hechler, the book's chapters follow the battle for wilderness preservation, efforts to stop many proposed dams and protect free-flowing rivers, the 25-year struggle to save the Canaan Valley, how the Corridor H highway was successfully re-routed around key environmental landmarks, and concluding with the current controversy over wind farm development. One-third of the text tells the story of the Conservancy's never-ending fight to control the abuses of coal mining, especially mountaintop removal mining. The final chapter examines what makes this small, volunteer-driven organization so successful.

From the cover by photographer Jonathan Jessup to the 48-page index, this book will appeal both to Conservancy members and friends and to anyone interested in the story of how West Virginia's mountains have been protected against the forces of over-development, mismanagement by government, and even greed.

518 pages, 6x9, color cover, published by Pocahontas Press  
 To order your copy for \$14.95, plus \$3.00 shipping, visit the Conservancy's website, [wvhighlands.org](http://wvhighlands.org), where payment is accepted by credit card and PayPal.

Or write: WVHC, PO Box 306, Charleston, WV 25321. Proceeds support the Conservancy's ongoing environmental projects.

### SUCH A DEAL! Book Premium With Membership

Although *Fighting to Protect the Highlands, the First 40 Years of the West Virginia Highlands Conservancy* normally sells for \$14.95 plus \$3.00 postage. We are offering it as a premium to new members. New members receive it free with membership.

Existing members may have one for \$10.00. Anyone who adds \$10 to the membership dues listed on the How to Join membership or on the renewal form will receive the history book. Just note on the membership form that you wish to take advantage of this offer.

### HATS FOR SALE

We have West Virginia Highlands Conservancy baseball style hats for sale as well as I (Heart) mountains caps.

The WVHC cap is beige with green woven into the twill and the pre-curved visor is light green. The front of the cap has West Virginia Highlands Conservancy logo and the words West Virginia Highlands Conservancy on the front and I (heart) Mountains on the back. It is soft twill, unstructured, low profile, sewn eyelets, cloth strap with tri-glide buckle closure.

The I (heart) Mountains The colors are stone, black and red.. The front of the cap has I "HEART" MOUNTAINS. The heart is red. The red and black hats are soft twill, unstructured, low profile, sewn eyelets, cloth strap with tri-glide buckle closure. The stone has a stiff front crown with a velcro strap on the back. All hats have West Virginia Highlands Conservancy printed on the back. Cost is \$15 by mail. West Virginia residents add 6% tax. Make check payable to West Virginia Highlands Conservancy and send to James Solley, P.O. Box 306, Charleston, WV 25321-0306



# GROUPS THREATEN TO SUE COAL ASH DUMP OVER WATER POLLUTION

By John McFerrin

The West Virginia Highlands Conservancy has joined with the West Virginia Rivers Coalition and the West Virginia Chapter of the Sierra Club in putting Allegheny Energy on notice for releasing unlawfully high levels of arsenic into the Cheat River from coal ash dumps at its Albright power plant in Preston County, West Virginia. The groups, West Virginia Highlands Conservancy, West Virginia Rivers Coalition and the West Virginia Chapter of the Sierra Club are also concerned about inadequate testing at the Albright coal plant which makes it impossible to adequately monitor other types of pollution, such as toxic selenium.

Under the federal Clean Water Act, citizens have the right to go to court to require that polluters comply with the Act. Before they may do so, they must give the company sixty days notice of the violations. Unless the Environmental Protection Agency or the State of West Virginia takes enforcement action within the 60 days, the citizens may file suit to enforce the law. By filing the notice of intent to sue, the groups have begun the process.

Much of the notice of intent is based upon what are called Discharge Monitoring Reports. Anyone who discharges water to the waters of the United States must test that water and report the results. In this case, Allegheny Energy's discharge monitoring reports show a pattern of harmful arsenic discharges between July and October of 2010, clear violations of the Clean Water Act.

The arsenic is discharged into the Cheat River watershed. The Cheat is a major tributary of the Monongahela River, the drinking water source for thousands of people. Arsenic in drinking water can cause a host of health problems from cancer, to nervous system damage, to skin problems.

This filing is only the latest in a history of concern about problems arising from the disposal of coal ash. (See, e.g., *The Highlands*

*Voice*, March 2009).

"The tragic collapse of the coal ash impoundment in Kingston Tennessee December 2008 alerted the nation to the potential pollution from toxic elements found in coal wastes from power plants like the one in Albright. Closer attention to discharges from these coal ash impoundments in West Virginia is long in coming. Illegal discharges of arsenic and other toxins from these waste piles should not be tolerated," said Cindy Rank of the West Virginia Highlands Conservancy.

The Cheat River and Cheat Lake are popular recreation destinations for boaters, anglers, rafters, and more. Allegheny's toxic pollution puts those recreational users and the local businesses they support at risk. The welfare of Cheat River and Cheat Lake have been longstanding concerns of the Rivers Coalition.

The national Sierra Club is well known for its Beyond Coal campaign, a campaign that (among other things) seeks to prevent the pollution that comes from coal plants.

In addition to arsenic pollution violations, the notice-of-intent-to-sue letter raises concerns about lax testing for toxic selenium pollution at the Albright coal plant. Selenium pollution is quickly emerging as a major issue of concern for streams and communities near coal operations.

Selenium causes reproductive failure and deformities in fish and other forms of aquatic life and at very high levels, can pose a risk to human health, causing hair and fingernail loss, kidney and liver damage, and damage to the nervous and circulatory systems.

The groups are represented by Mike Becher, Derek Teaney, and Joe Lovett with the Appalachian Center for the Economy and the Environment. For a copy of the notice letter please contact Mike Becher at [mbecher@appalachian-center.org](mailto:mbecher@appalachian-center.org).

## Voice Available Electronically

The Highlands Voice is now available for electronic delivery. You may, of course, continue to receive the paper copy. Unless you request otherwise, you will continue to receive it in paper form. If, however, you would prefer to receive it electronically instead of the paper copy please contact Beth Little at [blittle@citynet.net](mailto:blittle@citynet.net). Electronic copies arrive as e-mail attachments a few days before the paper copy would have arrived

## Leave a Legacy of hope for the future

Remember the Highlands Conservancy in your will. Plan now to provide a wild and wonderful future for your children and future generations. Bequests keep our organization strong and will allow your voice to continue to be heard. Your thoughtful planning now will allow us to continue our work to protect wilderness, wildlife, clean air and water and our way of life.

## T- SHIRTS

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 \$12 total by mail; **long sleeve** is \$15. West Virginia residents add 6% sales tax. Send sizes wanted and check payable to West Virginia Highlands Conservancy ATTN: James Solley, WVHC, P.O. Box 306, Charleston, WV 25321-0306.



# West Virginia Mountain Odyssey



## Outings, Education and Beyond 🇺🇸

**Sunday, March 6: 1 pm, "Through the Years: A History of Canaan Valley", at White Grass Winter Ski Touring Center.** The history of Canaan Valley is an interesting topic that anyone can enjoy. Join retired West Virginia University forestry professor Ray Hicks as he covers the history of the area and how that history has impacted today's ecosystems in the Valley. Topics to be covered include Canaan's settlement, agriculture, and the logging era. For more information, visit [www.whitegrass.com](http://www.whitegrass.com) or call 304 866-4114.

**April 16 & 17, Red Spruce Ecosystem Restoration, Canaan Valley National Wildlife Refuge** Join us as we continue our efforts to restore the red spruce ecosystem in the West Virginia Highlands. This event will take place on the Canaan Valley National Wildlife Refuge. For more details about the outing see the story on the facing page. Come dressed for the weather, wear sturdy shoes or boots and bring gloves. For more information, visit [www.restoredredspruce.org](http://www.restoredredspruce.org), or contact Dave Saville at [daves@labyrinth.net](mailto:daves@labyrinth.net), or 304 692-8118.

**April 16-18, 2011, Wild Oak National Recreation Trail Backpack, George Washington National Forest, VA:** 25-27 mile strenuous loop. Lots of elevation change, vistas, pretty North River and nice campsites. Pre-registration required. Contact Mike Juskelis @ 410-439-4964 or [mjuskelis@cablespeed.com](mailto:mjuskelis@cablespeed.com).

**April 30-May 2, 2011** Backpack, Blacksburg Rd to Bluff City, VA: 30 mile Strenuous shuttle. Approximately 10 miles/day with two steep climbs. Visit Dismal Falls and 3-4 vistas. Pre-registration required. Contact Mike Juskelis @ 410-439-4964 or [mjuskelis@cablespeed.com](mailto:mjuskelis@cablespeed.com).

**May 14-15, 2011, Allegheny Trail-South Backpack/WV Rt92 to I-64, Monongahela National Forest, WV:** 28 mile moderate shuttle with a couple of steep climbs and a lot of ridge walking, some views. Pre-registration required. Contact Mike Juskelis @ 410-439-4964 or [mjuskelis@cablespeed.com](mailto:mjuskelis@cablespeed.com).

**June 11-14, 2011, Ohiopyle State Park Car Camping, PA:** 2 hikes: a 12 mile shuttle on the Laurel Highlands Trail and a 10 mile circuit in Bear Run Nature Reserve. If you wish to do your own thing there is a rail trail, canoeing and kayaking also available. Campsite reservation and pre-registration required. Contact Mike Juskelis @ 410-439-4964 or [mjuskelis@cablespeed.com](mailto:mjuskelis@cablespeed.com).

**June 25-28, 2011, Mount Rogers National Recreation Area, VA;** Grindstone Car Camp: Two day hikes-Little Wilson Creek Wilderness and the Laurel Valley-Iron Mountain Loop. Both about 10 miles, moderate difficulty. Campsite reservation and pre-registration required. Contact Mike Juskelis @ 410-439-4964 or [mjuskelis@cablespeed.com](mailto:mjuskelis@cablespeed.com).

**July 9-10, 2011, Quebec Run Wild Area Backpack, Fuller SF, PA:** 15 mile moderate circuit with pretty streams and campsites shaded by Hemlocks. This trip is suitable for experienced hikers who want to try backpacking. Pre-registration required. Contact Mike Juskelis @ 410-439-4964 or [mjuskelis@cablespeed.com](mailto:mjuskelis@cablespeed.com).

**August 6-8, 2011, Dolly Sods Backpack/Rohrbaugh Plains to Bear Rocks, Monongahela National Forest, WV:** 18 mile moderate shuttle featuring vistas, waterfalls, streams, forest, open plains and bogs. Short first and third days. Pre-registration required. Contact Mike Juskelis @ 410-439-4964 or [mjuskelis@cablespeed.com](mailto:mjuskelis@cablespeed.com).

(More on the next page)

## MORE OUTINGS

**September 3-5, 2011, Reddish Knob Backpack, George Washington National Forest, VA:** 20 mile Circuit featuring views from one of the highest peaks in VA at the halfway point. Daily mileage: 3/12/5 (Subject to change.). Pre-registration required. Contact Mike Juskelis @ 410-439-4964 or [mjuskelis@cablespeed.com](mailto:mjuskelis@cablespeed.com).

**October 29-November 1, 2011, Coopers Rock State Forest Car Camp, WV:** Two hikes: Scotts Run Loop and a hike through a virgin Hemlock Forest, both about 8 miles. Campsite reservation and pre-registration required. Contact Mike Juskelis @ 410-439-4964 or [mjuskelis@cablespeed.com](mailto:mjuskelis@cablespeed.com).

**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**

### Help Us Celebrate Earth Day On The National Wildlife Refuge

## VOLUNTEERS NEEDED TO HELP PLANT RED SPRUCE SEEDLINGS IN CANAAN VALLEY

Join us on April 16 to Celebrate Earth Day by helping to restore the red spruce ecosystem on the Canaan Valley National Wildlife Refuge. We'll be meeting at the Refuge Visitor Center at 9:30 am and car pooling to the restoration site. Wear boots and bring some work gloves. Come dressed for the weather. This will be a rain-or-shine event. There are other events taking place to celebrate the day including:

**9:30 am**, Presentation: **Why Restore Red Spruce?** Then join us to **plant trees** starting at **10 am**.

**1:00 pm**, Presentation: **What Makes a Trail Sustainable?** Then join us to **work on a trail project** at **1:30 pm**. you may work on the trail for the remainder of the day or come back for the garden program.

**3:00 pm**, Presentation: **Using Native Plants in Your Garden** Then join us to **work on a garden project** at 3:30.

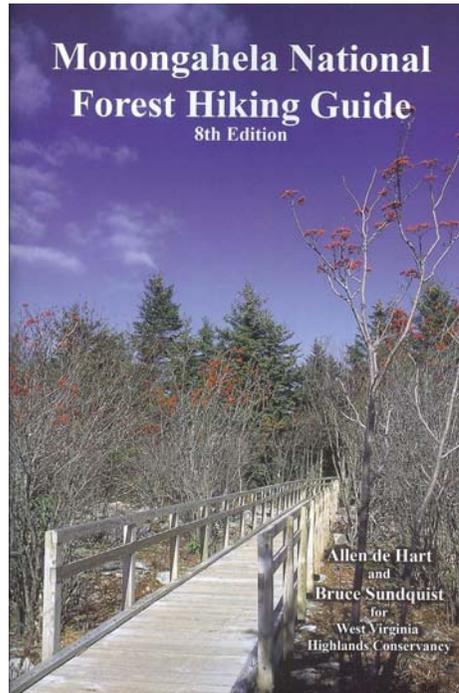
**5:00 pm** If you are here in the afternoon, and want to stay for the Valley Vibes evening program, please bring a dish for a **potluck supper**.

**7:00 pm**, Presentation: **Valley Vibes: Arctic Refuge at 50**, at Refuge Visitor Center. Not many of us will get a chance to visit this remote wilderness, yet we are glad that this land is conserved. In December 2010 the Arctic National Wildlife Refuge turned 50 years old. Join us as we celebrate this milestone with a journey in pictures and stories.

**Sunday April 17**, meet at the Refuge Visitor Center at 9:30 am to finish the **red spruce** planting.

For more information, visit [www.restoreredspruce.org](http://www.restoreredspruce.org), or contact Dave Saville at [daves@labyrinth.net](mailto:daves@labyrinth.net), or 304 692-8118. You may plant trees for part or all of the day, or come back and do something else.





## 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.

## SCIENCE ADVISES ON A NATIONAL ENERGY PLAN

Bruce Alberts is the editor and chief of "Science" magazine. In his October 2010 column he reports the following -briefed here by Don Gasper. He tells us what our nation needs to do to solve our energy crisis.

He had just returned from China where he found a great emphasis on investing in science and technology for a sustainable future. For the Chinese, business as usual is not an option. It seems obvious to everyone that an economy that continues to expand using available technologies will choke on its own air pollution.

Many nations share China's urgent need to shift away from an economy dominated by fossil fuels. Last month, Germany unveiled a bold proposal to move the country toward renewable green energy, through aggressive policies which may spur other European nations to follow suit. What about the United States? (I recall President Carter in a farsighted challenge asking that the US produce 20% of our energy from solar by the year 2020. This was long ago.)

California passed its "Global Warming

Solutions Act". This Act requires greenhouse gas to be reduced to 1990 levels by 2020, an approximately 30% reduction from otherwise expected levels. As a large state with a population of 32,000,000 California is the second largest emitter of greenhouse gases in the United States. This law will stimulate major private and public research into Energy Technology. California passed this act though current unemployment is at 12% and the increased cost of startup for green energy may slow economic recovery. California will establish market opportunities that the entire US needs to reduce cost, creating new industries that will boost the economy and benefit human welfare.

Bill Gates and other business leaders put forward A Business Plan for America's Energy Future. It calls for policies that generate clear long-term market signals to create a market pull for innovation. It argues that the economic, national security, environmental and climate cost of our current energy system will condemn our children to a seriously constrained future.

They urge Federal investment of 16 billion per year in clean energy innovation. This is an increase of 11 billion over the current annual investment of about five billion.

For example, while commending the recent formation of the Advanced Research Projects Agency in the U.S. Dept of Energy, they urge that its budget triple. They point out that this new agency was able to fund only 37 of the 3700 proposals that it received in its first year. As these 3700 proposals demonstrate, the United States has an immense innovative engine that is waiting to be unleashed to address the world's huge future needs for clean energy. Its scientists and engineers are noted for their ability to pioneer creative solutions, but they must be challenged and be supported to do so at all government levels.

Public and private investment in energy innovation now totals only about three tenths of a percent of U.S. Energy expenditures.

# ENVIRONMENTAL JUSTICE – is it ‘merely’ emotion ?

By Cindy Rank & Maria Gunnoe

It's difficult to adequately include people in 'risk assessments' done by agencies in decision making. How do you 'balance' the taxes, workers salaries, 'gifts' to local schools or politicians, income to local stores and gas stations against the 'emotional' responses of people whose health and way of life are being taken from them?

Quite simply it's impossible to assign a fair monetary 'value' to the personal suffering and impacts to communities near development activities – especially when that activity involves resource extraction and most especially when that extraction includes the huge earth shattering practice of today's huge strip mining operations.

There are increasing numbers of health studies that may in the end irrefutably link water and air pollution from these big mines to the unusual clusters of illness and death in communities near the operations.

But for years – and even today in many respects - only when fish are floating dead in the stream are we willing to admit something is dreadfully wrong with the water. We can't wait for such extremes to prove things are terribly wrong with activities that so impact people nearby... and yet we drag our feet.

The Obama administration is making strides (as did the Clinton administration in issuing Executive Order 12898) to recognize "disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations". And EPA's recent veto of the Spruce No.1 fill permit explicitly included considerations of environmental justice in the ways mining in that watershed has already impacted the well being of communities in the Spruce valley of the Little Coal River watershed....

Still, it's the accusations of emotionalism – not environmental

justice - that resonate more immediately in the broader public conversation.

Many of our strong voices have recently left us – Judy Bonds, Bob Handley, Winnie Fox, Frank Mooney and so many other brave community members. But others remain that can passionately refute those who make light of the suffering and harm done to so many who live in the shadow of today's big mines.

Maria Gunnoe has always been one of these voices and she has allowed me to share a recent email message she sent to a bunch of folks in response to press coverage of protests at the Kentucky statehouse.

News reports of the protest prompted the same old tired public statements by industry supporters that activists just don't understand or acknowledge the true benefits of coal and mining that removes the peaks of mountains and makes usable flat land, but rather are just being emotional tree-huggers – and worse.

Maria's response came in the form of a story about an 86 year old woman that I repeat here if only because it represents so many similar stories that are important to remember ... be they about Bo Zirkle, Paul Shaw and others along the Buckhannon River in the late eighties or Sibby Weekly and so many more all across the central Appalachian region through the nineties and now into the twenty-first century.

Where is the justice in these stories ? And what is mere 'emotion' ?

Maria wrote:

"I am really sick of hearing this crap about us using our emotions against them [industry]. They can be pretty emotional over jobs and production too!

"I have to highlight the 'emotions' of 86 year old Quinnie Richmond who is living at the bottom of a very dangerous rock looming over her home. Quinnie has dementia but I want to watch this rock too when I am in her home. She leaves her house when they blast because there is a potential that this rock could move. ... (Massey & Alpha) own this operation.

"See it from Quinnie Richmond's point of view.

"Now what could make you more emotional as seeing ALL of the community you lived in all your life be leveled and depopulated right before your eyes. Suddenly you look up and the mountain that shadowed your home and the town it sits in is being blown up. The town church where you volunteered is being torn down by a back hoe. Every single one of your neighbors is gone from

**(More on p. 13)**



An aerial shot of the town mentioned in the story. The Jarrell Cemetery and the rocks are to the lower left. Photo by Maria Gunnoe.

## FOREST SERVICE PROPOSES NEW PLANNING RULES

The United States Forest Service manages 155 national forests, 20 grasslands, and one prairie. These include our own Monongahela National Forest and George Washington National Forest. It must periodically make a management plan for each one of these.

Before making a new management plan, the Forest Service must follow certain procedures. It has now proposed the procedure it wishes to follow in preparing these management plans. In announcing the new proposed procedure, the Forest Service described its purposes this way:

The proposed rule sets forth process and content requirements to guide the development, amendment, and revision of land management plans to maintain, protect, and restore NFS lands while providing for sustainable multiple uses, including ecosystem services, so that NFS lands continuously provide ecosystem functions and contribute to social and economic sustainability. Planning under the proposed rule would be collaborative and science-based with the responsible official required to take the best available scientific information into account and provide opportunities for public participation throughout the planning process.

The proposal also sets forth the goals that the Forest Service hopes to meet in the planning process:

The new planning rule must be responsive to the challenges of climate change; the need for forest restoration and conservation, watershed protection, and wildlife conservation; and the need for the sustainable provision of benefits, services, resources, and uses of NFS lands, including ecosystem services and sustainable recreation. It must provide a process for planning that is adaptive, science-based, and collaborative with ample opportunities for active and effective public participation.

The planning rule which was recently published is only a draft. The public has until May 16, 2011, to submit comments. As illustrated by the commentary below, there are differences of opinion on whether these proposed rules will be beneficial. The Public Lands Committee of the West Virginia Highlands Conservancy will be making comments on the rules.

To see the entire rule go to [http://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb5270250.pdf](http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5270250.pdf)

## OBAMA'S NEW FOREST RULES: READ THE FINE PRINT

By Dominick DellaSala and Randi Spivak

Recognizing the need for a 21st-century vision, the Obama administration recently announced a sweeping planning rule for the 193 million acre national forest system. The rule will govern management of the national forests with the goal of maintaining and restoring forests and watersheds that Oregonians will increasingly depend on for climate change insurance.

National forests are among the last places to find old-growth trees and untrammelled places. They also serve as economic engines for local communities through dollars spent on outdoor recreation like hunting, fishing and camping. And they provide drinking water for more than 120 million people -- in the West, more than half of our water comes from national forests. So a lot is riding on this proposed rule. The U.S. Forest Service's vision is good. It acknowledges the need for early public input on forest planning and, because national forests differ from place to place, maintains that forest plans should reflect some of these differences. The agency also recognizes that management decisions need to be grounded in sound science.

But as always the devil is in the details. A closer look reveals that sound science only has to be considered, not actually used in forest plans. And while forests differ, the rule should ensure that essential ecosystem benefits transcending all forests -- such as clean drinking water and viable wildlife populations -- have meaningful protections.

The rule would require protective buffers around streams, but lacks measurable, enforceable standards such as limiting activities known to be harmful to watersheds. It punts these decisions to local managers. People who live in Bend, Medford, La Grande, Baker City, Salem and Ashland, who get a significant amount of their drinking water from national forests, should be concerned.

The rule is less protective of wildlife than even the 1982 Reagan planning rules. It does not require that Forest Service managers show that management actions are actually maintaining fish and wildlife populations. This omission could result in local wildlife extinctions that are important indicators of the health of ecosystems.

And while the Forest Service talks about transitioning out of old-growth logging, there's no guidance on whether the agency will walk its talk when timber companies want to cut down our last mature and old-growth forests and mining companies are polluting salmon-bearing streams.

History shows that absent adequate safeguards, old-growth forests, roadless areas and clean water all take a back seat. Take for instance, the days before the 2001 roadless conservation rule was in place. At the time, about 1 million acres nationwide (an area the size of Rhode Island) was being damaged by logging and road building every decade because there was no national rule to guide local decisions.

The new proposed rule falls down on not providing enough guidance to local land managers and weakens protections for wildlife at a time when they are needed most. It will therefore become a litmus test for a 21st-century agency that is clamoring for new direction but may not actually achieve its objectives. The proof is in the fine print.

**Note: This was originally published in *The Oregonian*. That explains the references to national forests there. The commentary and the proposed rule it discusses, however, are applicable nationwide.**

Send us a post card, drop us a line, stating point of view

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 WV Highlands Conservancy, PO Box 306, Charleston, WV 25321.

## ENVIRONMENTAL JUSTICE

(Continued from p. 11)

their homes and your home shakes daily from the blasting less than 1500 feet from you UPHILL.

"You are ask to leave your home while they blast. When you return walking your air is thickened by the dust and chemical fall out. Knowing that on this walk that your husband recently died of lung cancer when 'he never smoked'..??...

"The cemetery that your family is at rest in is inaccessible to anyone who would want to visit. It's now unsafe because of blasting. They brought photos of what it looks like now and the coal company installed a white vinyl fence around a 200 year old cemetery and then surround this by blasting on all sides. Knowing that the coal company is only waiting for you to die so that they can have your place to destroy just like they did the others. This too will be the final straw to ending the existence of the town you spent your life in.

"Quinnie, a meticulous house keeper, now dusts obsessively and to no avail.

...

"Now my questions:

"IsQuinniereallygotdementiaorisshejust thoroughly confused and bewildered by what the government has allowed to happen to her and her WWII veteran husband in their home and community?

"Is she just being emotional when she cries about being lonely?

"Is she over reacting when she goes every 5-20 minutes to check on the massive rock this coal company has floating over her home?

"Is Quinnie Richmond not allowed to be emotional when everything that she has always known has been destroyed as she watched from the windows of her home?

"This proclaimed war on us [communities, tree-huggers, etc] is an emotional one and we do a great job at keeping the unproductive emotions in check (the emotions of anger and hate for what this industry and its evils have done to us). We focus these bad feelings in a way that something productive comes of it.

"We all do this very well daily!

"Thank you everyone for being the voices of the hell they put us through..."

First mourning dove coos  
A sound as soft and sad as  
mist in the hollers

~Julie Zickefoose

want to go outside.

From comments received at the youth gatherings and online, the A.G.O. Initiative's conveners developed a four-part agenda that focused on relevance, access, employment and service, and education. First of all, "Make the outdoors **relevant** to today's young people: make it inviting, exciting, and fun."

One is not surprised to read that the kids blame parents—not their own parents, necessarily, but the parents of children who aren't getting out. Those parents had spent twice as much time outdoors as their children were doing today, but apparently they didn't value the experience. Just didn't have smart phones then.

Now that kids do have Facebook, Twitter, and whatever else has come along, they can't imagine any other way to get their peers outside. They urged the government agencies and their partners to "bridge the gap between technology and the outdoors" with technological innovation: "nature-based mobile phone applications," GPS, and online lures. Of course they scorned the clunky government web sites.

The Youth Report addresses many other barriers to involvement in nature, such as transportation, cost, gear, deteriorating and unsafe parks, limited volunteer and career opportunities, and minimal environmental education. Much could be done about all of these if we had a will to do so.

Unfortunately, the Republicans who have gained a majority in the House of Representatives reject the very premise of the initiative: "Protection of our natural heritage is a non-partisan objective shared by all Americans." Not! Since January, they have been engaged in fierce competition to see who can introduce the most crippling amendment so that neither Interior, nor Agriculture, nor the Environmental Protection Agency could do any such protection.

While I was following the action in Washington and wondering what would be left for our children, I read a couple of reviews of a new book about President Reagan by his son. In his relationship with the next generation, as in so many other ways, Reagan was a model for these Republicans: "I could share an hour of warm camaraderie with Dad, then once I'd walked out the door, get the uncanny feeling I'd disappeared into the wings of his mind's stage, like a character no longer necessary to the ongoing story line." —Ron Reagan, My Father at 100.

*Men and nature must work hand in hand. The throwing out of balance of the resources of nature throws out of balance also the live of men.*

--Franklin Delano Roosevelt

# FRACKING IN WESTERN PENNSYLVANIA : The ecological, cultural and demographic factors, and history of the issue

By Athena Anne KitchenFlint

With a growing population, and therefore growing needs for electricity and power, America's demand for natural gas is continually increasing. While American dependence has shifted towards foreign oil over the years, native oil companies continue to fight for market share. In order to do this, they are continually looking for new resources, new places to drill and new methods with which to do so. Just around the turn of the millennium, geologists discovered a huge source of natural gas within the Marcellus Shale formation that is positioned under a good portion of the northeastern states. Since this discovery, gas companies have honed in on the northeast, making Pennsylvania, New York and surrounding areas the hub of a sort of modern gold rush.

This sudden appearance of gas companies has put many locals into a tough position. Drilling companies roll in, promising to revitalize local economies, and in borderline-depressed places like western Pennsylvania where natives are still recovering from the fall of the steelworks, these promises sound too good to be true. However, the method of drilling required to retrieve the oil, a method known as hydraulic fracturing, has some extremely scary risks if anything goes wrong. Public officials and landowners are being forced to choose between the physical health and the economic health of their communities.

The entire situation has led to heated debate, as well as protests and rallies. People on both sides of the argument remain only partially educated, and because it is both a financial and health issue, it has made people extremely emotional. It is often hard to find unbiased literature about the fracking process, which only increases fear and anger.

The source of all this tension, when it boils down to it, is just a bunch of rock. The Marcellus shale formation is located about 6,000-8,000 feet below the surface. About 350 million years ago, the rock was just a river delta. Over millions of years, the organic material from the riverbed was compressed, creating a layer of shale and natural gas. The formation is extensive, and it's been estimated that there may be about 500 trillion cubic feet of natural gas available within this formation. Comparatively, about 20 trillion cubic feet of natural gas is produced yearly

within the United States. As oil reserves in other areas are being sucked dry, the discovery of this much-needed natural gas has caught the attention of drilling companies across the United States.

Retrieving natural gas from rock formations up to 8,000 feet underground is quite a task, and until recently, the technology to do so had not been available. However, with recent technological advancements, Natural Gas companies have developed what they assure the public is a safe method of drilling: Horizontal Hydraulic Fracturing. Simple Hydraulic Fracturing, called Fracking for short, has been around for a number of years. Within the past few years, the drilling has shifted horizontally to better access more natural gas. The process involves drilling far enough down to reach the natural gas deposits and then turning and drilling horizontally. The hole is then lined with a layer of cement as well as metal piping. Explosives are then used to crack the cement and create fractures in the shale.

Up until this stage in the process, it is damaging to the environment but it isn't a health risk. However, the next step in the system is the key point of stress for the issue. In order to widen the fractures, a high-pressure mix of water, sand and harsh chemicals is injected into the well. Until very recently, gas companies which used the fracking method were able to keep the public from knowing exactly what harsh chemicals they were using, claiming that it was 'competitive trade information.' However, when dealing with something as fluid and life-giving as water, keeping this information from the public is very dangerous.

In order to reach the natural gas deposits, the borehole must go through the water table. As John Manuel points out in his article about fracking, "Some of these deposits, such as the Marcellus Shale running under the Appalachian Basin, lie beneath water tables supplying drinking water to millions of people." If a leak were to occur, the harsh chemicals, as well as the gas they are trying to pump, could contaminate the water table.

Of course, even if there are no leaks, there is still the issue of the massive amount of chemically contaminated water that is used to expand the fractures. This water cannot just be put back into the environment, and so

must either be delivered to municipal waste facilities or disposed of in underground wells. According to gas companies, the process is entirely safe and leak-free. Yet, as Jim Baca, the former director of the Bureau of Land Management points out in a recent interview, "It would be very ignorant to say that Hydraulic fracturing is not sooner or later going to affect water supplies and underground aquifers. It's going to happen even if they're very very technically good at what they're doing. Nothing is perfect and you can really cause a lot of damage to an aquifer if something goes wrong." And unfortunately, things are in fact going wrong.

There have been reports of water contamination everywhere fracking goes. Some of the most frightening reports are from people who can actually light their tap water on fire. Fracking actually causes natural gas to leach into well water, and therefore into home water supplies. One search on YouTube will bring up countless videos of people turning on their faucets and holding a lighter up to it, only to produce a massive fireball. If this a reoccurring incident surrounding the fracking process, why are people still allowing it to happen?

Unfortunately, with an issue as heated as this, it is often hard to know who is lying and who is exaggerating and who is just putting forth the simple truth. The recently released movie: "Gasland" by Josh Fox, documented hydraulic fracking. In this movie, Fox brings to light a variety of different incidents and facts about fracking. His purpose in making this film was to spread information about the dangers of leasing out land to gas companies for drilling. Even before Mr. Fox's movie hit the screens, gas companies had begun a publicity campaign to debunk the film. The two different sources state very different facts. For instance, Gasland states that hundreds of harsh chemicals are used in the fracking mixture. In the debunking article, the gas companies insist they only use twelve. With such wide factual discrepancies, it is clear that someone is either misinformed or blatantly lying, but until there is an increase in governmental regulation, it is impossible to know who it is.

To scientists and most environmental advocates, it is clear that there needs to be

**(More on p. 14)**

## MORE ABOUT FRACKING IN PENNSYLVANIA (Continued from p. 14)

more study of the fracking process before it is continued. However, gas companies are currently able to jump through a massive series of loopholes in every EPA and clean water policy act. For instance, in 2005 Congress voted that fracking should be exempt from the Safe Drinking Water Act. To be fair to those who voted, this vote was put forward far before anyone knew what fracking really was. Their vote was influenced by the EPA report that was initially meant to study the effects of fracking. However, this report did not involve any actual testing. Instead, it was based on literature and interviews. Only recently has the EPA been given the freedom to really study fracking. In March of 2010, the EPA announced a comprehensive study to investigate the adverse effects of fracking on both water and public health.

Unfortunately, there is no way to stop drilling that has already begun while this study is in process. In September of last year, there were already 1,600 fracking wells across Pennsylvania, and permits granted

for at least 4,000 more. Without direct government action, there is no way to put a halt to the drilling.

Additionally, as of now, there is no unbiased, clear data about the effects of drilling and fracking. This means that when a gas company sends a struggling landowner a lease opportunity, there is no real reason to counter the huge paycheck the landowner is offered simply to allow the company to set up what it says will be a small drilling site. And in western Pennsylvania, those paychecks are especially needed. The majority of wells that have been dug are in higher poverty areas. When a drilling company shows up on the doorstep with a check and promises of new jobs and a revitalized economy, simple speculation about the harm of fracking cannot compete.

In order to at least pause the drilling while the EPA researches the effects of fracking, it is imperative that the local population be made aware of all possible risks inherent in the process. Luckily, within

the city of Pittsburgh, this has already begun. On November 9th, 2010, Pittsburgh banned fracking within its city limits. While this was an amazing step towards making sure that companies are not treated as simple individuals and keeping the environment and public health safe, when there is fracking going on just a county away, the watershed is still not safe.

The effort to effect change is ongoing, but it calls for community action. The possibility of danger is too great to simply wait for the federal government to implement policy change. Therefore, it is imperative that local communities work together to put a halt to drilling until we have a better understanding of how the fracking process could affect us in the future. Our pocketbooks may be suffering now, and those huge paychecks may look oh so tempting, but if we succumb to the immediate need of our pocket book, we may be failing to protect the future health of our communities and we risk contaminating the key of life itself: our water.

## THE GARLIC MUSTARD CHALLENGE

### The Target



### The Plan

We are back with our third annual "Garlic Mustard Challenge." The goals of this exciting event are to provide quality time outdoors that everyone can enjoy, offer the opportunity to learn about invasive species, and also to remove a staggering amount of garlic mustard - at least 20,000 pounds from our forests.

Garlic Mustard is a particularly nasty, non-native invasive species that rapidly spreads into disturbed wooded habitats and is making its way throughout the beautiful and diverse forests of West Virginia. Please join us for the "2011 Garlic Mustard Challenge" and together we can stop the spread of one of the most invasive species found in our state. The dates and locations are:

- Summit Lake – April 30<sup>th</sup>
- Greenbrier State Forest – May 7<sup>th</sup>
- Seneca Rocks Discovery Center – May 7<sup>th</sup>
- Sugar Grove Naval Base- May 13<sup>th</sup>
- Big Bend Campground- May 14<sup>th</sup>
- Greenbrier State Forest- May 21<sup>st</sup>
- Blue Bend Campground- May 21<sup>st</sup>- 22<sup>nd</sup>\*
- Pocahontas 4-H Camp- May 28<sup>th</sup>

*Let the hacking begin!*

Have fun in the sun with family and friends while aiding in the effort to rid West Virginia of garlic mustard! You will meet new people and have the chance to win some great prizes! All of these pulls begin at 10:00 a.m. and end at 3:00 p.m. Please contact Charissa Bujak at 304-636-1800 ext. 285 to learn more about this important event.

# TIMBER PROJECT PROPOSED FOR UPPER GREENBRIER NORTH

The draft Environmental Assessment for a timber management project on the Upper Greenbrier North section of the Monongahela National Forest has been released for public comment

The Upper Greenbrier North project area is located in the upper part of the Greenbrier River watershed, in Pocahontas County, West Virginia. The towns of Durbin, Frank, and Bartow are located at the southern end of the project area. The Pocahontas/Randolph County line, which follows the drainage divide between the Greenbrier watershed and the Laurel Fork and Dry Fork watersheds, forms the northern boundary of the project area. Shavers Mountain borders the area to the west, and the West Virginia/Virginia state line forms part of the eastern boundary.

According to the draft Environmental Assessment, this is what the Forest Service is considering doing:

## **Noncommercial Spruce Restoration Treatments**

- Release seedling and sapling size red spruce present throughout treated stands by using herbicides to control competition from hardwood sprouts.
- Release seedling and sapling size red spruce present throughout treated stands by using herbicides, chainsaws, and/or hand tools to create scattered snags.
- Precommercially thin units that were previously harvested with a regeneration prescription to improve the health and vigor of those stands with sapling-size trees, with an emphasis on releasing red spruce. Potential methods include mechanical timber stand improvement with chainsaws in regeneration units less than 15 years old and chemical timber stand improvement with herbicides in regeneration units over 15 years old.
- Plant red spruce seedlings in critical connective corridors that currently have low densities of red spruce.

## **Noncommercial Timber and Wildlife Stand Improvement – Hardwood Emphasis**

- Precommercially thin units that were previously harvested with a regeneration prescription to improve the health and vigor of those stands with sapling-size trees, with an emphasis on releasing mast-producing species. Potential methods include mechanical timber stand improvement (TSI) with chainsaws in regeneration units less than 15 years old and chemical TSI with herbicides in regeneration units over 15 years old.
- Plant desired species, such as mast-producing species to provide food for wildlife or red spruce to improve the conifer component.
- Conduct low-intensity prescribed burning to restore fire-adapted oak hickory

ecosystems.

- Create snags where snag densities are lower than desired for wildlife.

**Commercial Spruce Restoration Treatments** Commercially thin mature northern hardwood stands and red pine plantations to release seedling, sapling, and midstory red spruce.

Use herbicides to control competition from hardwood saplings and sprouts.

## **Commercial Timber Harvest and Thinning – Hardwood Emphasis**

- Regenerate selected stands 70 years old or older to create early successional habitat and perpetuate a diversity of mast-producing species. Potential methods include clearcut with reserves and shelterwood.
- Pre-treat stands to be regenerated with herbicides and/or by hand cutting to allow shade-intolerant species to compete successfully.
- If needed, fence shelterwood regeneration units or use some other method after harvest so deer browse does not prevent successful regeneration of shade-intolerant species.

- Commercially thin hardwood stands.

## **Herbicide Work Related to Nonnative Invasive Species**

- Treat existing infestations of nonnative invasive species.
- Monitor treated infestations to determine effectiveness of treatments, and survey areas where spread or introduction of nonnative invasive species may occur in order to identify any needs for additional treatments.
- Ensure activities are conducted in a manner to minimize the spread or introduction of nonnative invasive species.

## **Road Work Related to Timber Harvest**

Construct, reconstruct, and/or maintain roads necessary for vegetation management and possible public access.

## **Road Maintenance for Watershed Restoration**

Restore some road sections in order to address runoff and erosion that degrade certain aquatic habitats.

## **Road and Trail Decommissioning for Watershed Restoration**

Decommission some Forest System roads, inventoried “woods” roads, and trails that are contributing to degraded watershed conditions. Other woods roads and old roads, which have not yet been specifically identified and inventoried, but which intersect or are directly connected with, or are part of a network that connects with roads that we have included for decommissioning, are included in this proposal as candidates for decommissioning or other treatments as more information becomes available.

## **Aquatic Passage Restoration**

Restore aquatic passage in streams by treating road-related structures (such as

culverts or low water crossings) that presently impair or prevent aquatic passage, through structure maintenance, repair, replacement, or removal.

## **Aquatic and Riparian Restoration**

• Improve aquatic habitat in streams throughout the project area by delivering large wood to stream channels that are deficient in the large woody debris habitat component.

• Restore aquatic and riparian habitats by improving riparian conditions along numerous streams within the project area. Restoration would be accomplished primarily by planting a variety of riparian-suited woody plant species along stream segments that are deficient in riparian woody vegetation. Physical treatment of stream channels and banks may also occur in isolated locations to promote channel and bank stability.

## **Recreation Improvements**

• Re-route a section of the Span Oak Trail to avoid a swampy, wet area. Rehabilitate the old trail location.

• Manage dispersed recreation sites by: installing culverts where needed; closing some sites; converting some sites from drive-in to walk-in; and hardening and/or barricading other sites, as needed, to prevent or minimize resource damage.

## **Prescribed Burning**

Conduct prescribed burning to help maintain oak and to maintain or enhance fire-adapted ecosystems.

You can get a copy of the draft Environmental Assessment, along with the Appendices and Maps, from the Monongahela National Forest website at <http://www.fs.fed.us/r9/mnf/>; click on “Land & Resources Management”, then on “Projects”, then on “View a Listing of All Projects”, and then scroll down until you find “Upper Greenbrier North”.

If that doesn't suit you, you can contact Kristine Vollmer, Cheat Potomac Ranger District, HC 59, Box 240, Petersburg, WV 26847; (304) 257-4488. You can also pick one up in person at the Monongahela National Forest offices in Petersburg or Bartow. The information is available in hard copy; e-mail; or CD.

The **deadline for comments** is March 28, 2011. The Public Lands Committee of the West Virginia Highlands Conservancy will be making comments. If you wish to help with comments, please contact any member of the Public Lands Committee.