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The Highlands Voice

The Monthly Publication of the West Virginia Highlands Conservancy

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HYDRAULIC FRACTURING COMING TO THE MONONGAHELA NATIONAL FOREST?

By John McFerrin

As reported in the September, 2011, issue of *The Highlands Voice*, there are some indications that Marcellus shale drilling within the Monongahela National Forest is a possibility. At that time, there was ongoing exploration on and around the southern portion of the Forest, near Richwood. It was finished last fall. For more about the exploration, see the article in the April, 2011, issue of *The Highlands Voice*.

There has been no official announcement by the Forest Service of any plan to drill in the Forest. Neither is the information about the results of the exploration publicly available or any indication whether the exploration will be followed by drilling.

There are, however, indications of potential drilling elsewhere. The first is the presence of survey markers on the ground for three well pads and a pipeline in the Gauley District. No application to drill has been made.

The second indication is a plan by researchers from West Virginia University to study "methane levels in well water before and after hydraulic fracturing activity." With the support of a \$27,500 grant from the United States Forest Service, they are studying water from six wells that provide water to Forest Service campgrounds near Sutton Lake.

Here is what the University said in its December 14, 2011, press release:

Nicolas Zegre, a forest hydrologist in the [Davis College of Agriculture, Natural Resources and Design](#), and Shikha Sharma, a geochemist in WVU's [Eberly College of Arts and Sciences](#), have joined forces to compare methane levels in well water before and after hydraulic fracturing activity. Hydraulic fracturing, or hydrofracking, is the process of pumping a pressurized fluid underground to break up—fracture—rocks layers to more easily release gas.

The researchers will also try to pinpoint the source of that methane, as well as a radium isotope that degrades into radon gas.

Zegre and Sharma are studying water pumped from six wells that provide water to Forest Service campgrounds near Sutton Lake in the Monongahela National Forest. This will allow them to establish a baseline of methane levels in the wells prior to future hydrofracking activity, which is

(Continued on p. 10)

What's inside:

Thoughts from President Cindy	2	Get a history book	6	In defense of science	12
Roster of officers	2	Poetry	7	American Bird Congress on wind	12
Board meeting highlights	3	Memories shared	7		
Another mine must treat for selenium	4	Outings	8		
West Virginia Land Trust	4	Letters to the editor	9		
Work to do on gas	5	Get a Hiking Guide	10		
How to join	6	Poetry	11		

RAMBLIN' THE RIDGES

By Cynthia D. Ellis

The Capitol--Inside and Out

They're back in their chambers. The one hundred thirty-four members of the West Virginia legislature have been in session since mid-January and will meet until mid-March. From all across the state they come to assemble in one of the nation's most beautiful state capitol buildings. This imposing 3-part structure is made of 700 train-carloads of buff Indiana limestone topped with a gleaming, towering dome. Covered in 3 inch squares of gold leaf, and reaching 293 feet, the West Virginia Capitol dome is not as broad as the dome of the United States Capitol building, but is 5 feet taller.

This three building complex covers 16 acres and encloses 333 rooms. It cost \$9, 310,677.12---less than its appropriated funds---and was dedicated on the 69th anniversary of its state's birth; June 20, 1932.

Felicitously, Cass Gilbert was chosen as the designer. He designed the nation's first skyscraper, two other state capitol buildings, and the US federal Treasury and Supreme Court buildings.

An observant visitor will note detailed appointments on the façade. [My eyes were opened to these when attending a city hike led by a Kanawha Trail Club friend.] There are massive urns, lions, and---atop four entrances---mythological faces: Fortuna, Jupiter, Hercules, Hera, Prometheus, Vesta, Neptune, Ceres, Mercury, Vulcan, and Minerva.

The Capitol itself faces the Kanawha River and what was once Midland Trail. Between it and the river is the Zero Mile Marker, from which all highway measurements in the state are based.

The grounds feature attractive lawns and mature trees. In neighboring Ohio, at the governor's residence, first lady Hope Taft led efforts to establish Heritage Gardens of native plants of each of the state's physiographic zones. A similar area is planned for our capitol green.

Squirrels abound. Not many years ago, a Red-tailed Hawk was regularly seen devouring some of the squirrel population.

Statuary works on the lawn include figures of a Union Soldier, Stonewall Jackson, and Booker T. Washington. A one-ton replica of the Liberty Bell, one of 53 given to the US by France, is rung each year on 9-11 and on the Martin Luther King holiday. A memorial to coal features a controversial plaque honoring those who have "dedicated their careers to providing low-cost energy." A nine and one-half foot statue, "Lincoln Walks at Midnight" was inspired by a Vachel Lindsay poem. "He stalks until the dawn-stars burn away."

Inside, marble prevails, especially in the beautiful floors and stairs. This can be the bane of anyone shod in thin or high-heeled shoes, but was chosen for 2/3 of surfaces there; for ease of maintenance and long-term durability.

Gazing up at the dome, from inside, one can see the twinkling facets of a 4000 pound chandelier of Czech crystal. Massive 2800 pound bronze pocket doors feature representations of leaves of hickory, beech, maple, oak, and elm.

There is a ten foot high bronze statue of the late U.S. Senator Robert C. Byrd. One critic said that if you stand in the right spot, Byrd's outstretched hand points to your pocket.

Each Wing of the Capitol houses a legislative chamber. Lawmakers' desks are hand-carved of black walnut and each chamber has a depiction of the state's Great Seal, hand-carved in cherry. There are carved eagles...in



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BOARD MEETING HIGHLIGHTS

The January meeting of the Board of the West Virginia Highlands Conservancy was a mixture of the mundane business and some interesting presentations.

We had non-dramatic reports from the treasurer on the state of our exchequer (doing OK, meeting our expenses, etc.) and the Administrative Assistant on the on our membership (stable or slightly rising).

As part of the discussion on membership we discussed the possibility of making *The Highlands Voice* entirely an electronic publication, available by email and on the web. There was not much support for this idea. We decided to put the option of getting the *Voice* electronically on the membership card to make it easier for people who want it electronically to express that choice but nobody really wanted to make it all electronic.

We approved a budget for 2012, including a small raise for the Administrative Assistant.

We had a report from the Webmaster Jim Solley. He said that we now had all issues of *The Highlands Voice* archived and available on line. As an illustration of the traffic we have on the web, he said we had 5,288 unique visitors this month.



Judy Rodd made a presentation on the proposed High Allegheny National Park and Preserve. As proposed, it would take approximately the northern half of the Monongahela National Forest and part of the George Washington National Forest and make a national park. Under the proposal, selected areas of the park/preserve such as Canaan Valley, Seneca Rocks, etc. would be managed as parkland. The balance would be managed as a nature preserve, continuing such current uses as hunting.

It is currently the subject of a National Park Service reconnaissance study. Such a study is designed to look at the area and decide whether it is worth of being considered as a national park.

Under National Park Service management, there would be no drilling for gas where the government owns the minerals. There could still be drilling where the minerals are privately owned. The Park Service is also interested in historical interpretation; as a result there would probably be more emphasis on history, leading to what

is called "heritage tourism."

The presentation was informational only. The Board was not asked to take any position on whether or not the Park would be a good idea.

Don Gasper made a presentation on clearcutting. He would like us to take action to have it banned in the national forests. He was accompanied by three other Trout Unlimited members. The sense of the Board was that we would like to oppose clearcutting in the national forests. Because there was no specific proposal on what action we could take that would result in a ban on clearcutting, the Board took no action.

We discussed supporting an amendment to the United States Constitution that would limit the rights of corporations. They are currently being treated as having the same rights, including the right to spend money to influence elections, as natural persons have. The proposed amendment would restrict those rights.

Frank Young reported on the proposed PATH electrical transmission line. As a practical matter the proposal is dead, at least for now. The companies involved continue to pretend that it is still a viable plan. By doing this it can claim the expenses of pursuing this idea as part of its investment. As a regulated monopoly, it can include in its rates a reasonable return on its investments. The more expenses it can claim the higher rate it can seek.

Cindy Rank reported on the various mining related matters that we are currently involved in. Beth Little reported on the prospects for gas drilling in the Monongahela National Forest (See story of p. 1).

The Wind Committee reported that it had been considering a resolution that would oppose industrial wind facilities in the Appalachian highlands. Because some members of the Wind Committee were absent we were unable to discuss the resolution.

Don Garvin reported on the action (or inaction) on any bill that would further regulate gas well drilling.

We met at the Habitat for Humanity Restore Community Center in Charleston. Cindy Ellis provided an excellent lunch.

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

The West Virginia Highlands Conservancy web page is www.wvhighlands.org.

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.

PATRIOT COAL TO TREAT FOR SELENIUM, PAY MILLIONS IN PENALTIES, AND FOREGO ADDITIONAL MINING AT CALLISTO MINE

By Cindy Rank

In yet another blockbuster of a settlement, lawyers for West Virginia Highlands Conservancy, Ohio Valley Environmental Coalition and Sierra Club filed with the court an agreement that requires Patriot Coal (not to be confused with Patriot MINING in northern West Virginia...) to treat selenium pollution at three major complexes in southern West Virginia.

TREATMENT

Our 2011 legal complaint against the company and its subsidiaries involved forty three separate outfalls/discharge points at the Hobet 21 complex in Lincoln and Boone Counties (23 outlets), the Samples complex in Boone, Raleigh and Kanawha Counties (13 outlets), and at the Rum Creek operations in Logan County (2 outlets).

The companies are to design, construct and maintain the necessary treatment facilities within a specific timeframe and overseen by Special Master appointed by the court.

At this point it would be difficult to put a monetary figure on what it will cost to design, construct and maintain the necessary treatment systems, but an earlier 2010 order that required Patriot to treat selenium pollution at just four outlets in Rum Creek has so far cost nearly one hundred million dollars.

Of course one can hardly calculate the cost of degraded water quality and aquatic life in the Mud, Little Coal, Big Coal, Cabin Creek, and Rum Creek watersheds where this pollution is occurring, and the construction of major treatment facilities in these headwaters areas only adds to the industrialization of rural Appalachia, but this is the inevitable result of lax regulation and the unwillingness of our regulatory agencies to deny permits where known problems exist.

One would think the acid mine drainage lessons of the past and legacy costs of those ill-conceived permits would have taught us something. But it looks like we've created similar water problems that threaten to be with us for generations to come.

PENALTIES

On a more upbeat note, this recent consent decree, when approved by the Justice Department and entered by the court, will provide \$750,000 in penalties to be paid to the Federal government and an additional \$6.5 million to be paid to the West Virginia Land Trust.

Previous agreements have provided money to both the WV Land Trust and the Land Use and Sustainable Development Clinic of the West Virginia University School of Law to protect and preserve riparian areas in the Gauley, New and Kanawha River watersheds. The additional support for the Land Trust to be paid by Patriot according to this most recent agreement will further enable the organization to increase its capacity and to focus resources and leverage partnerships to restore riparian areas and preserve land within the affected watersheds of the Kanawha and Guyandotte River systems.

JUPITER/CALLISTO MINE

As part of this agreement Patriot Coal has also agreed to forego future mining at and abandon its pending 404 fill permits for its Jupiter Coal subsidiary's Callisto Surface Mine in Boone County along Pond Fork of the Little Coal River near Bim in Boone County.

The Callisto surface mine permit included just shy of 1200

acres, 8.5 million tons of coal, and would have involved several valley fills. To date a couple hundred acres have been mined. Previous mining, including a fill in one hollow, caused major flooding and loss of portions of property a couple years ago and further mining would have threatened residences in the community in the next hollow upstream. Reclamation work in the area currently being mined will take several more months, but no additional coal will be mined.

[As always our heartfelt thanks to the lawyers at Appalachian Mountain Advocates for their dedication, persistence and legal efforts on our behalf.]

WHAT IS THE WEST VIRGINIA LAND TRUST?

Here is how it describes itself on its website (www.wvlandtrust.org):

Founded in 1995, the West Virginia Land Trust (Land Trust) is the only statewide nonprofit 501 (C) 3 land trust dedicated to protecting West Virginia's natural lands and scenic areas forever. Through voluntary conservation easements, the Land Trust has protected thousands of acres throughout West Virginia.

Conservation easements preserve our rapidly vanishing countryside, wetlands, farms and forests. Unlike some organizations which specialize in specific conservation values, our mission is to conserve special places that gives our state its distinctive character. That means that we may consider scenic, wildlife, botanical, recreational, or historic conservation values when evaluating a project. The Land Trust works with property owners to determine the best conservation approach for each. While our preferred approach is through the donation of conservation easements, there are other options we may consider, including the purchase of easements, or the outright purchase of property.

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, or 304-342-8989.

REGULATING MARCELLUS SHALE: WHAT'S LEFT TO BE DONE

In December, 2011, the Legislature Governor Earl Ray Tomblin called the Legislature into Special Session. There it passed a law regulating drilling in the Marcellus shale. Before the Special Session a Select Committee had worked on a bill for months. In the Special Session, Governor Tomblin took the Select Committee's bill, made a few corrections that the gas industry wanted, and successfully worked to have that bill pass. (Reported on in *The Highlands Voice*, January, 2012, as well as many, many other places).

At the time, many legislators have said that the law that was passed in December was only a starting point. Many citizens agreed, knowing that there were many items not adequately addressed or not addressed at all. To them, a starting point was just that, a place to begin the building.

Now we are well into the regular session of the West Virginia Legislature. It would be the time to continue the journey toward the effective regulation of Marcellus shale drilling, to move forward from the starting point, and build upon the foundation laid in the Special Session.

Even though the Session is a long way from over, it is apparent that those who have the power to make their wishes happen have decided that the "starting point" was also the ending point. There is little, if anything, happening that would lead to more effective regulation of the drilling. At this point in the session Delegate Mike Manypenny (D-Taylor) has introduced about 20 amendments that would improve the bill passed in December, but it does not appear that any of them will be considered by committee.

It is not as if there is nothing left to be done. A huge issue completely overlooked in the new bill is a requirement for testing for radioactive contaminants (NORM's, naturally occurring radioactive materials) that are brought to the surface as an unintended result of the drilling. Legislation is needed to require that drillers actually monitor for radioactivity and that any materials exceeding radiation health standards must be disposed of using approved practices for radioactive waste.

There are also huge problems with toxic emissions from diesel compressors, flaring and heavy truck traffic that need air emissions regulation on a cumulative basis. All of those industrial activities going on at once can profoundly affect people living around the sites. Although the new law requires DEP to "do a study" on air emission's impacts on health, Department of Environmental Protection's Division of Air Quality immediately needs to regulate air emissions by requiring permits, monitoring, and Best Available Control Technology. There has to be explicit language that the cumulative, aggregated impacts of multiple facilities are regulated as one permit.

The Department of Environmental Protection should also be able to hire inspectors without the prerequisite that they have experience in the gas industry. We already have a problem in our regulatory industries with people who move back and forth between the industry and the agency that is supposed to enforce the law. This provision would virtually assure that the revolving door would keep spinning.

Removing that provision would dramatically expand the pool of qualified applicants, reduce the competition with industry for their own qualified people, and would allow Department of Environmental Protection to get boots on the ground a lot faster.

Long before most West Virginians had ever heard the words

"Marcellus Shale," outside auditors were warning that DEP was greatly underfunded and severely understaffed. They've had nearly 20 years since that warning to remedy understaffing and so far they have done next to nothing. Neither are the protections for surface owners adequate. In one of the most widely publicized disputes of the Special Session, the Legislature finally compromised on putting wells 625 feet from a dwelling.

Yet the 625 feet is measured from the well, not the operation. For a typical five acre operation with the well at its center, it would be almost 250 feet to the edge of the operation. The 625 foot from the well buffer zone quickly turns into an operation less than 400 feet from homes. If the operation is bigger, the distance from the operation to houses shrinks. The setback from homes and domestic water supplies should be increased to at least 1,000 feet from the edge of construction or surface disturbance, not just the drill hole itself.

Since it is still possible for a family to have their lives ruined by 24 hour noise, toxic emissions, lights and heavy truck traffic, better protections must be enacted as soon as possible. When estates were split between surface owners and mineral rights owners generations ago, no one ever envisioned five acre industrial sites running day and night.

Useful additions to the bill would include stronger provisions on protection of water supplies and mandatory negotiations with the surface owner before the locations of well sites and access roads are surveyed. There should also be better systems to prevent leaks from drilling pits.

Note: Chuck Wyrstock, the Sierra Club Outreach Organizer, contributed some of the ideas for this article.

HATS FOR SALE

We have West Virginia Highlands Conservancy baseball style caps for sale as well as I  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  Mountains The colors are stone, black and red.. The front of the cap has I  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



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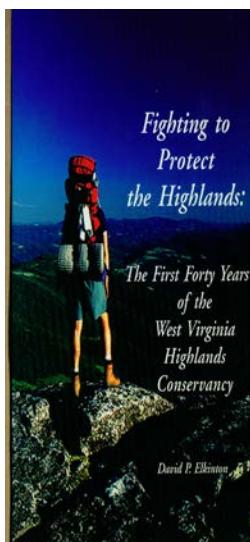
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**West Virginia Highlands Conservancy
Working to Keep West Virginia Wild and Wonderful!**

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, wvhightlands.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.

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 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.



A REMEMBRANCE, AND A LESSON

By Carl Patsche

A photograph of children walking through a field of what appears to be broom sedge in the December issue of Wonderful West Virginia reminded me of growing up in a coal-mining village in our Northern Panhandle, Windsor Heights. Parents of the youngsters who played just about every Saturday in those fields and woods worked in coal mines, the Windsor Powerhouse Coal Company's Power Plant, or the local Wheeling Steel Mill. Those were good years.

Because the places we visited those many Saturdays were special to us, they deserved recognitions by names. In the fall we collected fruits at the "pear orchard" in the same burlap bags which were used to "pick coal." We often climbed trees and moved from branch to branch. We used this skill to shake paw-paws to the ground in October. After collecting black walnuts, we later removed the outer husks with a hammer or under an automobile tire. Remember the acid stain and smell?

There were other special places which deserved naming. In January Christmas trees were set afire under "Smokey Cliff." At that time there were long icicles where waterfalls fell in summertime. "Banes Park" was named for the earliest settlers to the lower part of Brooke County. Their patent ended at Short Creek. This was the place Boy Scouts and others camped outside at night. "Out the Strip" (mine) was "Slanted Rock." About 8-feet high and tilted about 45-degrees, youngsters tried to run up its face. Do you remember such a special place? Sandstones out there were large as a room in our houses. Our initials are still carved in those rocks.

We spent many summer days playing on the baseball field. Many coal companies supported teams: Maynard, Cave Club, the Prison in Moundsville, Colliers, Louise, and others. Killdeer eggs, laid on the ground, survived activities on that ballfield. At the far end of the ballfield, we searched for praying mantis egg cases among the switchgrass.

The "Slate Dump" was just north of our hilltop community. Actually the rocks were the shale overburden in the coal mine. We marveled at the shiny iron pyrite streaking through the shale and coal deposits. We learned the principles of density by picking coal from the shale.



Coal is less dense. This skill was handy at night when there was little light.

We sledded down "Schoolhouse Hollow" in winter, played on ice on the "Frog Pond," and, in summer, caught snakes and salamanders in the "Minnow Pond." There was a natural gas well along Girty's Run between our hill and the Wheeling-Ohio County Airport. It provided a natural energy source for our outdoor fires.

From the above, it is obvious we spent much time in the outdoors in our youths. A number of articles have discussed the necessity of taking today's young people outdoors. Some seem to refer to Louv's *Last Child in the Woods*. The chief question to be answered is: Can young persons who have grown up indoors with electronic devices take up the gauntlet and, in the future, continue today's protection of our natural resources? We have learned that those who do not know the natural world will not likely value and protect it.

MOUNTAIN TOP REMOVAL

By Barbara Schomer

Where will I go to see blue bells this spring, moving softly and silently in the wind, shading to pink with age, after the stream has been filled?

Where will I find a trail to trilliums, red, painted, white, covering the hillsides, now that the hillsides are left naked?

Where will I climb to perch on rocks, gaze at views, watch hawks circle and songbirds dart, now that the mountaintop has been removed?

Perhaps with a sigh, I will go northward, hoping for another mountain to love, hoping it harbors no fossil fuel.

Note: Ms. Schomer was a long time member of the West Virginia Highlands Conservancy. She passed away November 2, 2011.

West Virginia Mountain Odyssey



Outings, Education and Beyond ↗

February 5: Snowshoe Discovery Tour - GPS Mapping Skills- 10 am, meet at White Grass Lodge. Dr. Rick Landenberger will provide an introduction to GPS technology including principles for mapping points and routes, with particular emphasis on central Appalachian forest ecology and wildlife applications. Bring your own GPS if you'd like, but Rick will have loaner units for first timers. Dr. Landenberger is the Executive Director of a non-profit geospatial research and education network, and a West Virginia University faculty member in Geology & Geography.

February 11: Winter Bird Walk, 8 am, meet at the Refuge Visitor Center, led by Volunteer Casey Rucker.

February 12: Snowshoe Discovery Tour: Behold! The Land of Canaan - 10 am, meet at White Grass Lodge. This walk features historic highlights from the founding to the lumbering age in Canaan Valley. Also it includes a discussion of the conifers that are found in the Canaan Valley area. Led by local Master Naturalists Bruce and Andy Dalton.

February 18: Valley Vibes - 7 pm at the Refuge Visitor Center. Topic and presenter TBA.

February 20: President's Day Snowshoe Discovery Tour - 10 am, meet at White Grass Lodge. Join Chip Chase, owner of White Grass and lifelong outdoorsman sharing his knowledge of the area as well as the history of the relationship with the Fish and Wildlife Service and the formation of the Refuge here.

February 26: Snowshoe Discovery Tour, meet at White Grass Lodge, time and topic TBA.

All events are free. These events are co-sponsored by the Friends of the 500th, the Canaan Valley National Wildlife Refuge and by White Grass Ski Touring Center. Call 304-866-3858 for more information

April 21 & 22, Red Spruce Ecosystem Restoration, Canaan Valley National Wildlife Refuge. - VOLUNTEER OPPORTUNITY - Join us as we continue our efforts to restore the red spruce ecosystem in the West Virginia Highlands. This tree planting event will take place on the Canaan Valley National Wildlife Refuge. We will meet at the Refuge Headquarters at 10 AM on both days. Come dressed for the weather, wear sturdy shoes or boots and bring gloves. Lunch will be provided. For more information, visit www.restoreredspruce.org, or contact Dave Saville at daves@labyrinth.net, or 304 692-8118.

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 or Larry Gibson (304) 542-1134; (304) 549-3287

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.



OUR READERS WRITE

How should wildlife be managed?

Greetings Editor:

I consider myself to be staunch environmentalist and conservationists which is why I have an "I love mountains" sticker on my vehicle and receive The Voice. I applaud the work this group does fighting for justice and legal compliance from the coal cartel.

The article by John W. Laundre concerning wildlife (*The Highlands Voice*, December, 2011) causes the W V Highlands Conservancy to lose ALL credibility and gives legitimacy to those who would call this group "wacko tree hugging environmentalist". The article has no basis in fact and completely misrepresents every aspect of wildlife management. When you publish such disingenuous statements about one issue it gives credibility to our opponents and makes one question the veracity on other issues.

Radical environmentalist ideas opposing science based harvest of renewable resources done with best management practices and in compliance with applicable law is why so many oppose the environmental movement and dismiss us as "kooks". I do not support any group that is opposed to science and shows a disdain for facts that clearly support hunting and science based forestry and wildlife management practices.

Sincerely
Ronnie Frazier

Is wind power replacing coal?

To the editor, Highlands Voice,

I am writing to respond to Mark Morgan's essay "Wind Power: Is It Worth it?" in the January, 2012, *Highlands Voice*.

Mr. Morgan states "The sad truth is that industrial wind does not replace fossil fueled electricity generators. It does not reduce emissions." He also states "Coal plants will continue to exist at pre-wind levels and the mines will remain open in order to supply them."

According to the latest Energy Information Agency (EIA) 2012 forecast:

- at least 33,000 megawatts worth of existing coal-fired power plants are expected to retire in the coming decades, not including any retirements due to the recently-finalized mercury and air toxics standard from the Environmental Protection Agency.
- Coal's market share of U.S. electricity production is expected to continue to drop, from 44 to 39 percent from 2010 - 2035..
- The share of electricity production from clean energy sources (including hydropower and biomass) should increase from 10 to 16 percent during the time period 2010-2035.

And the Sierra Club has identified over 38,000 MW of existing coal power that has retired or announced an upcoming retirement since January 2010. Bruce Nilles, the Sierra Club's respected coal expert states "we expect the vast majority of coal plants to be retired no later than 2030."

Mr. Morgan writes that the "US industrial wind capacity at the end of 2010 exceeded 40,000 MW," yet he also refers to wind's contribution as "relatively minuscule." By Mr. Morgan's figures the amount of electricity generated by wind turbines is the same as 80 coal-fired 500 MW power plants. That is not insubstantial.

Mr. Morgan challenges readers to provide "conclusive

evidence" that one coal plant has been closed by the installation of wind turbines. Since all of the electricity flows into the national grid, no one can claim that wind turbines have or have not resulted in the closure of coal-fired power plants.

There are many factors that have caused the decline of coal, including new clean air regulations, the price of natural gas, lawsuits, public pressure about global warming and mountaintop removal, and the rise of renewables.

I read in today's Lexington newspaper that First Energy of Akron, OH is closing six coal-fired power plants because of the Obama administration's stricter anti-pollution rules on mercury and heavy metals. In Kentucky, KU and LG&E announced in April 2011 that they are closing their Green River, Cane Run and Tyrone coal-fired power plants. The TVA is closing its Johnsonville coal power plant near Nashville, and is closing units at John Sevier in east Tennessee and six units at the Widows Creek plant in Alabama.

This is all good news - we should be celebrating!

While I appreciate Mr. Morgan's passion on the subject of wind energy, and I have some concerns about industrial wind myself, his essay felt off-balance to me. As Frank Young has stated in the *Highlands Voice*, we have to be credible.

Coal is on the decline, and it behooves all of us who love West Virginia and the mountains of Appalachia to work together to help coal continue to decline.

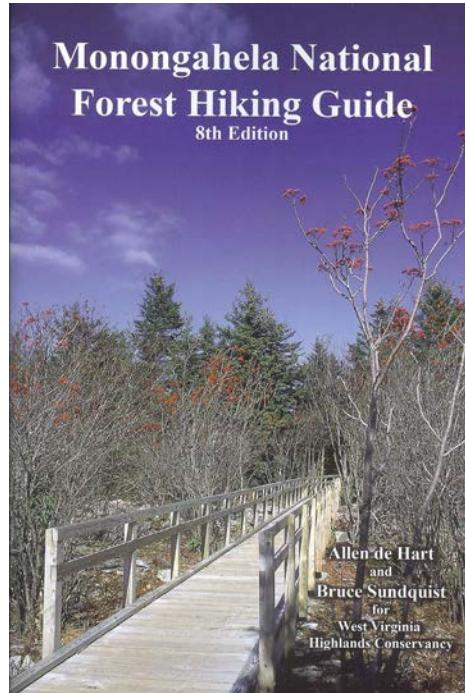
Dave Cooper
The Mountaintop Removal Road Show
www.mountainroadshow.com

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 or real, honest to goodness, mentioned in the United States Constitution mail to WV Highlands Conservancy, PO Box 306, Charleston, WV 25321.

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.



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

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.

DRILLING IN THE MON? (Continued from p. 1)

expected to take place in the next year. The researchers will repeat their evaluation of the well water after hydrofracking takes place.

While the press release does not make any announcement of specific plans for hydraulic fracturing in the Forest, it assumes that the fracking will take place sometime in 2012.

It is the position of the United States Forest Service that it has no authority to ban horizontal drilling or hydraulic fracturing in the National Forests.

Management of the Monongahela National Forest is currently guided by the management plan which the Forest Service adopted in 2006. In 2006, drilling for Marcellus shale was unknown. While the Forest Service considered more conventional gas drilling in developing the Plan, Marcellus drilling was not part of its considerations.

Because of this, and in response to inquiries on the subject, the Forest Service considered whether it should reopen the 2006 Plan because of the new information and the new drilling techniques involved in Marcellus shale wells.

In March, 2011, Forest Supervisor Clyde Thompson signed a Review of New Information concerning Marcellus shale gas drilling in the Mon. To read the whole thing, go to http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5288559.pdf. The summary says: "Based on this review, the MNF Forest Supervisor has

determined that new information related to gas exploration and development in the Marcellus shale does not require correction, supplementation or revision of the Environmental Impact Statement prepared for the 2006 Forest Plan or the environmental analysis of any ongoing project."

So are we facing the possibility of Marcellus shale drilling and hydraulic fracturing in the Monongahela National Forest? There has been no announcement of concrete plans but there certainly are signs. Stay tuned.

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. Electronic copies arrive as e-mail attachments a few days before the paper copy would have arrived

CYNTHIA D. FINISHES UP (Continued from p. 2)

the Senate with spread wings; in the House with closed wings. There is a coffered ceiling in the House foyer with representations of leaves again... sugar maple, red oak, and magnolia. In the Senate, ceiling architecture features arches with repeated patterns of white pine cones with needles and gooseberry leaves, and white oak leaves with acorns and cucumber magnolia leaves and blossoms.

Each dais of the speaker in the respective chambers is placed so as to be in a direct line from the other; the aim was to allow for visual communication.

And, as to the members themselves, within these lovely walls, here are some notes on this Eighty-first Legislature.

Of the 34 Senators, 2 are women; 7 are Republicans. They range in age from 39 to 78 with an average age of 57.5. Among them are 6 lawyers, 3 realtors, 2 doctors, 2 pastors, 1 farmer/businessman, and 1 mortician.

Of the 100 Delegates, 20 are women; 2 of these are widows appointed to fill out the terms of their husbands. Republicans number 35. The Delegates' ages span from 28 to 83 and average 56.1. Three are African-American. Twenty-six work primarily in business, 16 are educators, 12 are lawyers, 8 are connected with insurance firms, 2 are realtors, 2 are nurses, 2 are retired mine owners, 2 are school bus drivers, and 2 list themselves as businessman/farmer. Their ranks also include a doctor, pharmacist, journalist, heavy equipment operator, retired bookstore owner, CPA, railroad engineer, chemical engineer, homemaker, UPS driver, physical therapist, and an Agricultural/Environmental Consultant & Greenhouse Operator. [If we yearned for a mention of the environment, there it is!]

Under "Affiliations" some members list membership in the self-designated grassroots group "Friends of Coal," [2 Senators, 4 Delegates], 2 note membership in Tea Party organizations, one is a former Miss West Virginia, and one each belongs to The Nature Conservancy and to Mensa.

So, despite an admittedly superficial view, perhaps it can be seen that in the West Virginia Legislature there's an interesting variety of people convening in a unique setting. And, within those marble walls, decisions are made that directly affect every issue of importance to us---the issues that directly and indirectly affect the conservation of the highlands. This is particularly true in recent years, as voters look to the Citizens United decision. Some wonder if individuals reaching out to legislators can make a difference. Those who lobby for environmental protection have been discouraged. A recent newspaper column by a statehouse observer noted, "Regarding last week's item, about how Gov. **Earl Ray Tomblin** was able to work with all sides to come up with a compromise on the Marcellus Shale legislation, I should have clarified I was referring to legislators. Surface-owners rights advocate **Dave McMahon**, said that of his 25 years' lobbying at the Legislature, 'I've never been more left out of the process.' McMahon said he tried to set up a meeting with chief of staff **Rob Alsop** prior to the special session, and also sent a memorandum to the Tomblin administration outlining issues with the proposed legislation, but never heard back on either."

With that in mind, please consider making your own "visit" to the Capitol and to the legislature. I join lobbyists and environmental friends who urge us to do what we can to communicate with the Governor and members of the House and Senate, whether as a West Virginian or not.



There's a special impetus for legislators to listen--- reelection looms this year---for the whole House and half the Senate. Come lobby, or call, or send email messages, including simple notes of thanks for positive efforts. Use the legislative website <http://www.legis.state.wv.us/> to keep informed and to find contact information. Pick one issue. Choose the governor or one legislator. Send one email. Make one call. Send one letter. There's still time, in this session, to let lawmakers hear our voices from the mountains.

POEM FOR THE WAYNE COUNTY COALFIELDS

We were full of salaams for everyone
and flat-out believed that for whoever
was hungry they would turn into salami
feeding the five thousand one at a time
and loving it way more than McDonalds can
except when we watched nightly TV news clips
of the starving folk in Somalia we said
our salaams faster than your rosary gets read
after a potentially mortal moral screw-up
that even loving your neighbor as yourself big-time
takes almost forever to bring you back
from this precipice that makes the Grand Canyon
look like a scale model for the toy railroad
circling your Christmas tree like wagon trains
that sense a vague free-floating threat we can't quite
put our finger on but when we do it bleeds.

—Ed Zahniser

IN SUPPORT OF SCIENCE

By Don Gasper

I note in today's political discourse a disrespect or, even more, a misunderstanding of science. This personal comment is a minor defense of science. It is nothing really political but I hope this is helpful to the reasoning general public and then those seeking to lead our country.

I did write briefly last year asking that more of us celebrate Darwin's 200 birthday; for he had much to do advancing the theory, now science, of the evolution of life forms. I note today that congress is cutting the budgets of the National Science Foundation and the White House Office of Science and Technology Policy (this may be a one-third cut). This is a political response to the broadly held citizen attitude that the guidance science gives us on which to base rational real-world choices is not particularly useful. This is wrong and alarming.

Many citizens have the idea that truth is subjective, or you can believe what you want about the real world. Extremes, of course, are foolish and delusional. We all understand the practicality of gravity pretty well. Today the clear light of science has illuminated every dark corner of our universe-and found no ghosts. This enables every child to rest easier in a better world. "Global Warming" should now be accepted by all, yet we hear some running for President say that they are not sure about it or of the need for controls. (In 2010 we saw a six percent increase in world carbon dioxide levels-the biggest jump yet.)

We are experiencing a wide-spread lack of support for scientific research and development that results in many economic and social benefits. It drives innovation and solutions to technical and environmental problems, safe-guarding our health and safety.

Just what does science say, and how certain is it? It, by nature, is an inquiry, a fascinating journey. It gathers the evidence on a topic, determines where the preponderance of evidence lies, and furnishes the best conclusion. This is subject to change at any given moment as new information is integrated into that structure of fact that is scientific knowledge. Since information is imperfect, some conclusions are very tentative, others are robust enough, and the conclusions certain enough, to prudently act. This is rational thinking man and science guidance at work. It has proven to work as a whole, accounting for mankind's progress.

Some, "business as usual" interests whose goal is to assure corporate profits, and some calling themselves "fundamentalist", have old mind-sets and feel threatened. Could this be a generation of entitled, free thinking citizens that believe whatever reality they want? They generate an almost anti-science sentiment not founded in or bound by reality. They cling to the "reality" they want. Let us seek reality. Science can help. Science can reduce conflicts and clarify real issues that must be recognized and adequately addressed. (An example would be the now seven-billion people exceeding the planet's carrying capacity.)

AMERICAN BIRD CONGRESS PETITIONS FOR REGULATION OF WIND ENERGY

When not dealing with issues pertaining to public lands, timbering, and extractive industries, the volunteers on the board of the Highlands Conservancy continue to grapple with the matter of wind facilities. One resource is the American Bird Conservancy and its "Bird Smart" program and its petition to the Fish and Wildlife Service on regulation of impacts of wind energy.

The full petition, and details of Bird Smart, can be seen on the ABC site at http://www.abcbirds.org/abcprograms/policy/collisions/wind_farms.html. Here though, is a very brief summary of the petition.

ABC recognizes that **properly sited** wind facilities may help with climate change, but they can be a threat to birds. **Voluntary** guidelines are not working. Developer-hired consultants may have conflicts of interest. A mandatory permit mechanism in proposed regulations will help birds and all because---

- developers will be **required** to consult with Fish & Wildlife Service
- species as yet unlisted will be protected,
- opportunities for citizen input will be ensured
- FWS resources will not be constrained
- protections of the Endangered Species Act and Bald and Golden Eagle Protection Act will be complemented, and
- **certainty** will be afforded to all involved.

The Wind Committee of the West Virginia Highlands Conservancy continues to give much time and thought to the question of whether wind power can be an effective alternate energy source and to whether ABC and other groups and agencies recognize the scope of impacts to the highlands.



(c) Ohio Dept. of Natural Resources