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The Highlands Voice

The Monthly Publication of the West Virginia Highlands Conservancy

Volume 44

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INJUSTICE IN THE GAS PATCH

By Cindy Rank

HOW CAN THEY DO THAT ?

Just last week a group of twenty-five or so Drew University students and others affiliated with the United Methodist Church visited Upshur County as part of their several week long summer field studies.

The multi-layered focus of this year's summer program was Art, Education and Energy and West Virginia has plenty to offer on each of those topics.

It was my privilege to join them one afternoon (May 26, 2011) in Buckhannon to talk about Marcellus shale gas drilling.

They had seen the GASLAND film and a few were from Pennsylvania and New York where Marcellus shale – and the multitude of problems apparently associated with drilling for the gas, fracing, water use and disposal, leaking wells, etc. – have become hot topics. Needless to say they were loaded with questions and concerns and interest in what was going on around here.

After an hour or so of conversation and discussion on the lawn of Chapel Hill United Methodist Church we headed south to Rock Cave and the Little Kanawha River headwaters area where a good bit of drilling has taken place these past two years.

Our destination was a relatively small but easily accessible

Chesapeake well pad not far from my home --- a site that has served as my learning center since construction of the well pad began in early 2010. I've watched and taken pictures and tried to follow as best I could the various processes involved with the new horizontal drilling.

Arriving at the site we were surprised to see people were there ahead of us. Totally unplanned, but absolutely a gift for us, the family whose neighboring homestead butts up against the well pad was gathering for the Memorial Day holiday weekend and the neighbor on the other end of the well pad had joined them as well. They were gracious enough to entertain questions from our entourage of strangers and to share their stories and experiences with the operation that has literally taken over parts of their property ... without notice.



Drew University students talking with local surface owners

The size of well pad needed to accommodate the equipment used in each phase of the horizontal drilling and fracing processes exceeded the surface area of the property where the wells were to be drilled. The site was enlarged by cutting the surrounding trees and gouging out more space from portions of the neighboring

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High and Last Places

Part of our luck coming to West Virginia was that we had friends here who had friends here. One memorable character was a professor at Davis and Elkins College who shared the joys of paddling the Forks of the Cheat. He had boats, paddles, even wet suits. We felt buoyed as much by his talk as by the swift-flowing rivers. His wife, too, was a fountain of energy and a lot of fun, and they had two sons who were our sons' ages.

Many years ago, they moved to another college out of the state. They intended to come back, though we didn't know this: they had agreed that their ashes would be buried on their favorite spot, a high knoll in a remote area of Randolph County.

The time came. After dealing with Parkinson's for fifteen years, the professor died in January. It was the widow's responsibility, and here's the rub: she didn't know the name of the landowner. She came down in April and went looking. A neighbor appeared at his gate; he said that the man lived in Florida now and came up only one week a year. The neighbor thought he had the owner's address somewhere in his papers. She gave him her address and asked him to send the information. Defying all her anxieties, he did.

When she called the landowner and explained the situation, he gave her permission with no hesitation. She added, then, that she wanted her ashes to be put beside her husband's, but "I plan to live another fifty years first." He said, "Well, I doubt that I'll be around ... but if it's up to me, that's fine."

Thus, on the second to last weekend in May, a troupe of sons, daughters-in-law, grandchildren, cousins, old friends and former students from here and away and some of *their* sons and grandchildren drove to the place, hiked up the hill, and took turns around the circle recounting memories while a five-year-old granddaughter picked wildflowers to put on the grave.

That scene brought to mind a memory from our early years here.

I had taken a hike by myself, and as I often did then, I wrote some notes about it:

Walking along the ridgeline, on a wet road after three days' thaw, I inhaled the sun-filled air. Light was everywhere. As I'd come up, following the loud creek, the mountain had had frost on its breath.

At the old Arbogast place, a tin sign on the gate bore remnants of red paint. One could just make out the message: BE, WEAIR, OF, A CROSS, DOG.

I kept to the high meadow above the house. The meadow encompassed two hills, one larger and lower, the other more abrupt. On the lower, civilized hill, a chain link fence surrounded a family cemetery. Inside were memorial stones, perhaps eight in all, and space for more graves. Two Arbogasts had died a year apart, in 1974-75. One had been born in 1883, the other in 1908. Possibly father and son had worked the land together, and then very quickly they were gone. No one stayed there now. Descendants still mowed the hay and put flowers on the graves—plastic flowers, because they did not come too often.

Up the steeper hill toward the sun I climbed and sat down. In a small copse of trees to my right, where the woods line pushed out to crown the hill, I noticed two smaller but respectable stones. They

(The rest is on p. 5)

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LEGISLATIVE INTERIM MEETINGS OFF TO SLOW START

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

Largely because of May's gubernatorial primary election, the 2011 Legislative Interim sessions have gotten off to a late start.

No committee meetings were even held in April, primarily to accommodate campaigning by the Speaker of the House Richard Thompson, the Acting Senate President Jeff Kessler, and the Acting Governor Earl Ray Tomblin.

And only a very few Interim committees met in May, and most of those meetings were sparsely attended. As of June 1, according to the Legislature's web site, House and Senate members have not even been officially assigned to committees yet, and committee study topics have also not been posted.

You can expect activity to pick up with the June Interim meetings which are scheduled for June 13 – 15.

Perhaps the most important issue that could arise during the upcoming Interims would be a Special Session dealing with regulating Marcellus Shale gas drilling. As you are probably aware, the Legislature failed to pass such legislation during the 2011 regular session.

Both the Speaker and the Acting Senate President have gone on record saying there should be a Special Session on Marcellus Shale drilling.

I have been told that the Acting Governor was going to "get much more involved" in the Marcellus issue if he won the primary election (which he did). However, he is also on record saying he would call a Special Session only if the House and Senate have an "agreed upon" bill to consider.

I have also been told that Marcellus Shale drilling is NOT an Interim study topic. So there does not appear to be a mechanism for the House and Senate to work up an "agreed upon" bill.

My sources also tell me that the only Special Session legislators are talking about right now is one on the redistricting of House, Senate and Congressional districts as a result of the 2010 Census figures.

Meanwhile, the need for additional drilling regulations has never been more obvious, as the West Virginia Department of Environmental Protection has recently approved controversial drilling permits for Marcellus wells upstream of the Morgantown Utility Board's water intake on the Monongahela River, and also in

the besieged Dunkard Creek watershed.

Finally, the Joint Standing Committee on Government Organization did hold an important Interim meeting on May 17.

Every seven years state agencies are scheduled to receive official Legislative Performance Audits during the Interim sessions. This is the year for the Department of Environmental Protection.

DEP Cabinet Secretary Randy Huffman kicked off this process by giving the committee a review of departmental activities and answering questions from legislators. (Most of those questions came from a list of questions prepared by some West Virginia Environmental Council board members).

Among other things, Huffman told legislators that the Office of Oil and Gas needs to hire more inspectors to deal with the anticipated growth in Marcellus Shale drilling, and he said the agency needs more money to do that.

He also mentioned that overall DEP is experiencing a higher employee turn-over rate, and that he is concerned that "institutional knowledge" is being lost when long-time agency employees retire and are replaced with new employees who do not have that background.

During the coming months of the 2011 Interim Sessions, the Legislative Performance Audits division will be presenting its official DEP audit reports to the Joint Standing Committee on Government Organization.



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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.

MORE ABOUT GAS (Continued from p. 1)

properties. Dozers and endloaders scraped and gouged for days transforming the gently sloping area into an unrealistic level plateau that looms over Rt 20 and is topped with a thick level of coarse, well packed gravel.

When all was said and done the dozers had scraped down parts of a useable hillside of a neighboring surface owner on one side of the well pad and literally ate apart a flat area of the homestead on the opposite side of the well pad – an area where friends used to park when gathered for some pickin' and singin' on the porch of the house.

Today that grassy parking strip is gone and in its place is a highwall down to the well pad. With limited room for vehicles we squeezed one of our vans between the family's truck and the neighbor's car; I parked on back at a bit of a wide spot down the road near another neighbor's driveway, and our second van parked further on down the road at a spot where the local road intersects with Rt 20.

I contributed little more than to describe the drilling process that had taken place and point out the two wellheads and large condensate tanks that had recently been painted. Two of the three permitted wells have been drilled and fraced and space is reserved for the third well and a third tank. What remains to be done before production can begin is obtaining the right of way for and constructing the pipeline needed to gather the gas and move it along to other lines and compressor stations.

Once conversation with the family began there was little else I could add. Their eloquence and emotion confirmed in realistic and personal terms just what an invasion and violation of their space and lives this super-sized drilling technology represents.

Years ago during the conventional gas boom of the early 1980's there was much dissatisfaction, and justifiable grief and anger by surface owners who had no say as to where a well might be drilled on their property (other than the required 200 feet from home or water source, etc). But the footprint of those operations was much smaller – maybe two or three acres – which when reclaimed left what now seems to be a smallish tank with a wellhead and perhaps a gauge nearby. Compared to today's Marcellus horizontal wellsites the older conventional sites are as miniature as the Plasticville figurines we once set around on

train platforms at Christmas time.

The enormity of scale of the new deep shale horizontal well pads is exponentially more impacting and long lasting. Packed deep with heavy gravel to accommodate the movement and weight of hundreds of large vehicles during the entire process the well pads are now five to seven or more acres (depending on whether or not the football field sized fresh water pond and/or the football field size wastewater impoundment are also on site), tanks are much larger and once completed, there is one tank per wellhead on the pad and up to ten wellheads per pad.

The property owners at the site we



Finished wellsite with its neighbor.

visited in May have been promised that the site will be reclaimed and I imagine they will have to deal with Chesapeake for compensation for what has been taken that can never be replaced. I can't imagine the large heavily graveled plateau of a well pad will yield back either of the hillsides that contributed to the original forest or recreational use of these neighbors. And quiet evenings on the porch will never be the same looking out over acres of gravel rather than feeling the breeze through the trees or listening to the tiny creek that now flows through a culvert under the well pad. And folk will be hard pressed to find parking spaces enough to accommodate the bluegrass pickers who might choose to gather there.

BUT, HOW CAN THEY DO THAT ?

Our group was amazed – no actually in disbelief -- that the gas industry has the right to this. But this is only one small story that is repeated many times over throughout

Upshur County and elsewhere in one form or another.

Bless those land owners who also own their gas and who have leased it in exchange for well deserved profit and who have land enough to cede several acres to the gas industry without diminishing their own use.

But woe to those who only own the surface and have no power over the drilling – no matter how much of their surface is usurped.

... And woe also to those who even if they own and benefit from leasing their gas are forced to accept unwanted numbers, size, or locations of drill pads, access roads and pipelines because their leases do not specify any limitations or parameters.

In matters of gas drilling in West Virginia, industry holds most, if not all, of the cards.

Amassing large tracts of land (surface and minerals) has allowed the coal industry to strip vast acreages of forested mountains and headwater streams in southern West Virginia. And combined with the mining technologies of the 21st Century has made the scourge of mountaintop removal a reality.

Amassing large tracts of gas has led to even more direct violation of individual land owners who have no say as to where these shale gas industrial sites are located. And combined with the drilling technologies of the 21st Century has made this new gas boom a curse upon much of the land.

If the injustice of mountaintop removal is partially due to the ownership of vast expanses of surface that allows the destruction of thousands of acres of mountains and headwater streams, the injustice of this new horizontal shale drilling is due in part to the ownership and leasing of extensive acreages of gas that allows for the imposition of permanent industrial sites in the backyards and hillside pastures of surface owners who have no say as to existence or location of the drilling.

IS ANYONE LISTENING ?

Much of the recent hue and cry over shale gas is focused on environmental concerns – especially the potential for water and air pollution and health problems that are either directly or indirectly a result of this new gas development. And investigations and studies of those concerns are being conducted by federal and state regulators, local municipalities, academics, individuals and local organizations.

MORE ABOUT GAS (Continued from p. 13)

Now also – likely due to the scale of this shale gas horizontal drilling and slick water fracturing – there appears to be a renewed interest in surface owner and property rights issues where shale gas fields are being developed.

Take for example a recent article by Ry Rivard, reporter for the Charleston Daily Mail newspaper.

In his May 24, 2011 article entitled “Concerns pervade Marcellus drilling”, Ry mentions some of those environmental concerns but also quotes a few of WV’s well known public interest lawyers about their thoughts on property rights issues.

Included here are a few salient comments for Voice readers to chew on.

(For the more inclusive discussion and complete article see the following: <http://www.charlestondaily.com/News/201105231237>)

[Joe] Lovett also is looking at whether gas companies have too much leeway to use surface owners’ land without compensating them.

“The whole operation, could it be less invasive?” Lovett said. “Basically, the gas companies just take over your property when they do this.”

One issue lawyers hope to press would help steer money toward surface owners who don’t own the mineral rights beneath their land.

These landowners are in danger of being left out of the shale boom. Currently companies can come on surface owners’ property and develop the gas beneath without paying the surface owners anything in return.

David McMahon of the West Virginia Surface Owners’ Rights Organization wants to change that. He argues that in the case of mineral rights deeds sold off decades ago, the landowners never imagined gas companies would use such large well pads to get gas from the Marcellus shale. Then, McMahon said, drillers were just using traditional gas wells with a relatively small footprint. Now drillers are building pads several acres wide with holes that extend thousands of feet underground in multiple directions. The company also visits these wells more often than they do normal wells.

That’s more than landowners bargained for, Lovett said. [Known as “Contemplation of the Parties”.]

“A lot of issues are about whether these companies have a right to takeover somebody’s property and make an industrial site out of it,” he said.

Patrick McGinley, an environmental lawyer who teaches natural resources law at West Virginia University, said surface owners successfully made a similar argument against strip mining several decades ago. Then surface owners argued that when the rights to mine coal beneath the ground were sold off years earlier in the era of horsepower, the original landowners could never have anticipated large earthmovers tearing into the sides of mountains to take coal.

“It was a technology that made the difference,” McGinley said. “You would have to have been a swami, a fortuneteller, to figure out these sorts of developments would happen, and the same is true with Marcellus.”

McGinley said courts in every coal-producing state but Kentucky agreed with surface owners and required coal companies to renegotiate for the ability to strip mine. In Kentucky, voters eventually amended their constitution to do the same thing.

...

To be continued.....

BOB HENRY BABER WINS MOUNTAIN PARTY NOMINATION FOR STATE GOVERNOR

West Virginia Highlands Conservancy Board member Bob Henry Baber won the Mountain Party nomination for West Virginia governor on Sunday by acclamation at its convention held in Sutton at the Town Square Café. Just before the vote the other party candidate, Jesse Johnson, withdrew his name from consideration and solidly endorsed Baber as the party’s nominee.

“The Mountain Party believes West Virginia’s future lies in sustainable energy jobs and a prompt, but planned, transition from the final decades of coal, and utilizing the new Marcellus shale gas rush as the ‘fuel’ to create a Green Revolution that will set the state’s course for the rest of this century. Of course, protecting both the environment and jobs has been and will be the centerpiece of my campaign,” Baber said.

“The Mountain Party will speak for the people and environment of West Virginia with a voice as clear as a West Virginia high country stream,” Baber said. “While it’s unclear who the other parties will nominate, it *is* clear that our party is leading the way in creating a brighter energy-efficient future for all the people of our great and beautiful state.”

Bob Henry Baber is an award-winning Appalachian poet and artist, a Kellogg National Leadership Fellow, a 2007 recipient of the National Hero Award from the National Wilderness Society for his successful advocating on behalf of vastly expanding the Cranberry Wilderness area, and the former Mayor of Richwood West Virginia. He is also the creator of the Yeager Airport Adoption led by Glenville State College, where he is employed as a Major Gifts Officer.

Note: The West Virginia Highlands Conservancy does not endorse candidates for office. Because Mr. Baber is a Board member, his nomination is newsworthy for *The Highlands Voice*. There are two other candidates; neither is a member of the West Virginia Highlands Conservancy.

HUGH HAS WORDS LEFT (Continued from p. 2)

were carved with the name KITTLE. The dead had been put there in the 1920’s.

The graves were at the highest point on this ridge, a long hike up from the empty house and barn, perhaps eight hundred feet above the Shavers Fork. I could see Bickle Knob broadside and higher still. The bodies had been carried up here like the body of Eleazar, the son of Aaron, buried on a hill in Mount Ephraim.

“Till death do us part” runs a familiar liturgy, but death also brings us together, couples, families, descendants of many generations and those who discovered West Virginia for the first time and forever. It is good to bury our loved ones on the mountains we love.

Join Now !!!

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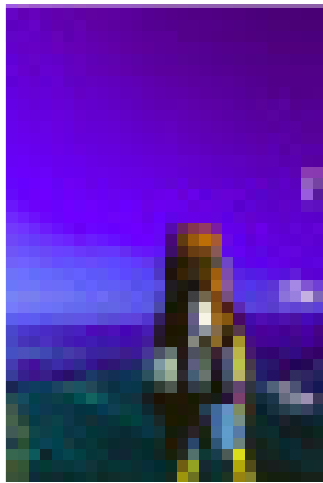
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Patron	\$ 250	\$ 500	\$ 500
Mountaineer	\$500	\$ 750	\$ 1000

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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, 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.

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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.

CONSERVANCY FILES COMMENTS ON PLANNING RULE

The West Virginia Highlands Conservancy has filed comments on the planning rule which the United States Forest Service has proposed. When final, the rule would control the procedures that the Forest Service must follow in writing management plans for the 155 national forests, 20 grasslands, and one prairie which the Forest Service manages. These include our own Monongahela National Forest and George Washington National Forest.

The comments praised the recognition of the role of collaboration and the emphasis upon recovery. They agree with Secretary Vilsack that "restoration is a driving principle in forest policy."

While the comments praised the recognition of the role of collaboration and the emphasis upon recovery, they criticized the vagueness of the proposed rule and its lack of the specific guidance needed for implementation at the local level. It leaves too much to the discretion of individual forest managers and pays not enough attention to scientists.

The comments also criticized the 30 day comment period offered for public input.

In addition to these general comments, the Conservancy made various specific comments on specific sections of the proposed rule.

W.VA. CAN REGULATE MARCELLUS SHALE AND PROSPER

By David McMahon

The oil and gas industry says they are regulated enough and we can go on issuing new Marcellus Shale drilling permits without new laws or additional staff.

The industry points out that under the administration of acting Gov. Tomblin the WVDEP says it has the tools it needs. But under the Manchin administration the WVDEP put together a task force that came up with a 200-page bill of statutory changes, including an increase in permit fees for horizontal wells that would provide the funding need to double the staff of the WVDEP Office of Oil and Gas.

Currently the office has only 17 inspectors for 59,000 active wells, 6,000 wells that the industry should be plugging, and 13,000 wells that there is no company to plug them because the State did not act before the driller went out of business.

I am not making this up!

And that was before the Marcellus Shale "play", which is no fun for surface owners. In fact, it is a small private hell for surface owners and other living near this development.

The industry points to "guidance policies" of the WVDEP to deal with the sea change in drilling technology as if they are enough. Guidance policies do not have the force of law, and the WVDEP cannot make the drillers follow them. The WVDEP can only ask the industry "pretty please" to follow them while drilling wells that cost \$3 to \$6 million each to drill ([times a possible] 6 wells to a well pad). Each well requires millions of gallons of water and the sites disturb five acres or more.

The sites are small industrial complexes, where the drillers operate 24/7, and it takes them up to six months to finish just drilling the first well on the site. Current law allows these wells to be drilled within 200 feet of people's homes!

In addition to the around-the-clock industrial noise and lighting, those living nearby must contend with air quality degradation from flaring, storage tanks and combustion engines on drill rigs, trucks and compressor stations, as well as increased truck traffic on roads.

There is also a potential for serious accidents. The Northern Panhandle area has experienced three major fires and explosions in the past 18 months. And, if this were not enough, the state allows the drilling companies to bury the drill cuttings and

other drilling waste, some of which contain low levels of naturally occurring radioactive materials, in unmarked pits on surface owners' land.

How can the industry say we should be issuing new permits before dealing with all these problems?

The industry is doing a PR campaign because it thinks it is getting a bad rap. The reason the industry has a bad rap, is best illustrated by the early disposal methods for Marcellus Shale frac water that returns to the surface after they frac the well. We asked the industry what they were doing with the frac water and they would not tell us. We found out where it was going when the people in Pittsburgh complained that their water tasted funny. The drillers were paying cities to put the salt and chemical laden frac water that flowed back to the surface into municipal sewage treatment plants that are designed to treat bacteria! It was then that the DEP reacted. Who says there have been no crises?

The industry says conventional well drillers cannot stand permit fee increases. Because they said this (not because it was true), no permit fee increases were proposed in the bills for 'conventional' wells. Again they are complaining about nothing. They would still pay only a \$600 permit fee on a well that costs \$300,000 to drill.

Yes, we advise surface owners to drill a water well to protect a future home site or valuable pasture land. Otherwise the driller will take that rare level land to drill their wells. And state law only requires them to drill their gas wells (not the edge of the well sites, but the gas wells themselves) a mere 200 feet from a water well). If surface owners do not drill water wells, the only way to protect the home site after a driller sneaks onto the land and stakes out their well site is to hire a lawyer, go to court for a temporary restraining order, and post a bond, all on 15 days' notice. Drilling a water well on a future home site or in a valuable pasture hardly sterilizes whole properties for drilling gas wells.

West Virginia's geology, with its "stratigraphic" gas pools, and the industry's ability to drill 4,000 feet and more horizontally makes it easy for them to find a place to drill that recognizes the surface owner's rights to benefit from and enjoy their property.

The argument that protecting West Virginia's surface owners and environment will make drillers go elsewhere is simply not true. If

your neighbor's house is nicer, why don't you go live in it? Because it is not yours!

Drillers have leases where they have them, and they all want in on the boom. They will drill on the leases they have here not the ones that their competitors have in other states. And when it costs \$18 million to drill six wells on a site, there is plenty of money for the costs of preserving West Virginia's quality of life and environment.

It is not all about the money that Marcellus Shale development will generate unless you are Scrooge McDuck, whose only joy is rolling in your counted money. The benefits of the Marcellus Shale boom should be the quality of life we have during and after the boom. And yes money is a part of that quality of life.

But if we allow our quality of life to be wrecked to get the money to pay to get back our quality of life, chances are we will end up less well off than when we started and suffer terribly in the meantime.

(McMahon, a Charleston lawyer, is co-founder of the West Virginia Surface Rights Organization. This commentary first appeared in the April 30, 2011 edition of the Charleston Gazette.)

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Post Script: In the May 2011 edition of the Highlands Voice I reported on the WVU Extension Service educational program about Marcellus shale gas drilling and how it does a decent job of presenting some of the basics about the drilling process and current regulations. In this commentary Dave McMahon outlines some of the lame arguments industry proposes against improving those regulations. In future issues I'll relate a couple of stories from people whose health has been seriously compromised by problems associated with the water and air quality from Marcellus operations near their homes. Stronger arguments for better regulation and increased oversight and monitoring cannot be made. Cindy Rank

West Virginia Mountain Odyssey



Outings, Education and Beyond

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.

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.

July 2-4, 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

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.

Saturday & Sunday, July 23 & 24: 10 am each day, Canaan Valley National Wildlife Refuge Visitor Center. Balsam Fir Cone collecting volunteer outing. Join us for a day, or 2 days, of volunteer work to help with an important component of our efforts to restore the red spruce ecosystem. We'll be collecting cones from balsam fir trees in Canaan Valley. We will extract the seeds and use them to grow seedlings for our restoration program. Tasks include climbing or carrying ladders, transporting sacks of cones, and helping with the logistics of cone collecting. Rain or shine. Dress for the weather, wear sturdy shoes or boots and bring work gloves and a water bottle. Cones are resinous, so be prepared to get sticky! Lunch will be provided. For more information, visit www.restoreredspruce.org or call Dave Saville at 304 692-8118.

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.

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.

September 11, 2011, Dolly Sods, meet at Red Creek Campground, Introduction to the Allegheny Front Migration Observatory bird banding station. Pre-register with Cindy Ellis cdellis@wildblue.net

September 25, 2011, Monroe County, meet at trail parking lot, Introduction to Hanging Rock Migration Observatory annual fall hawk watch. Pre-register with Cindy Ellis cdellis@wildblue.net

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.

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 or Danny Chiotos at 304-205-0920; 304-886-3389

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

EAGLE DIES; RESEARCH GOES ON

By Cindy Ellis

“Direct persecution by humans in the form of shooting, trapping, and nest destruction was historically the greatest threat to the Golden Eagle.” So notes Pennsylvania’s Hawk Mountain Sanctuary and sadly, for an individual bird with a history here in West Virginia, that was the case. In early May eagle migration researcher Trish Miller reported the death of Golden Eagle No. 41 in a leg hold trap, intended for coyotes, in Quebec. It was further reported that three other birds in this study died due to such snares.

Ironically No. 41 had previously also been caught in a leg trap here, in West Virginia, in Grant County. His wounds at that time required 11 weeks and thousands of dollars worth of treatment and rehabilitation by Pittsburgh’s National Aviary. Releasing him with a telemetry unit was deemed warranted due to the completeness of his recovery, his location at the first trapping, and the importance of studies on our Appalachian mountain ridges. Researchers were able to track this eagle for nearly four years. WVHC board member Larry Thomas and wife Kaye mourned. “Having witnessed the release of this magnificent eagle on March 22, 2007, Kaye and I were particularly saddened to receive this news. Memories of his release and the thrill of watching his migrations and activities on the National Aviary website will be with us forever.”

This eagle study hopes to gain information about eagle migrations and possible interactions with proposed and current wind turbine facilities. Details are in the July 2010 issue of *The Highlands Voice* and at http://www.aviary.org/cons/track_geagle.php

The National Aviary’s work uncovered surprising numbers and movements of overwintering birds. Such present-day studies are a reminder that questions on Golden Eagles have long puzzled outdoor observers in our area. In the past, breeding was thought possible in some mountain counties but verified records are not known. During the 1930’s, Maurice Brooks--- member of a renowned family of naturalists from French Creek in Upshur County ---wrote:

“The Golden Eagle in West Virginia.---For some years I have been interested in the unusual abundance of the Golden Eagle (*Aquila chrysaetos canadensis*) in Pendleton County, West Virginia, and in the surrounding territory. My attention was first called to **five mounted specimens** of the bird in a hotel in the village of Franklin. The owners assure me that all had been taken locally, and that the bird was quite common...

My additional notes are as follows: August 30, 1929, three individuals seen at North Fork Mountain and Circleville. May 31, 1930, seven individuals seen at one time near the top of North Fork Mountain; these were observed by Fred E. Brooks and the writer, and were studied carefully at close range with 6x glasses, the feathered tarsi being especially noted. One bird flew from a cliff not more than seventy-five feet from us, and showed very distinctly the white tail-base.”

[Note by C.E.--- “the white tail-base” indicates a young bird, “the feathered tarsi” means feathers down the length of the leg, unlike the unfeathered legs of the Bald Eagle, and summer records could indicate breeding.]

This project that included eagle number 41 used transmitters to find that many Golden Eagles come to the West Virginia mountains in the winter. Curious about the telemetry unit in this case, I asked Miller if it had been recovered and could be reused. No, it had not been found, she responded. If found, the unit could be refurbished

for use again. Additionally, she is unsure if trapping Golden Eagles for telemetry in West Virginia will be scheduled this winter, although the research is definitely on-going. Moreover, her deep dismay at the death of this bird is coupled with the hope that information about unintended trapping can lead to changes in leg hold trap regulations.

Unintended trapping aside, in the meanwhile, humans continue to generate threats to birds, wildlife, and habitat through effects of all of our activities including those that also threaten the mountains. One new bird conservation guide states, “Although it can be argued that most birds go through natural cycles of decline and increase, we have reached a point in history when the impacts of human activities are so profound and far-reaching that from now on, it will always be impossible to untangle the completely natural declines from those that are partially or completely anthropogenic.”

The challenge of making those impacts less destructive continues. We want to see eagles thrive. We want to save mountains. We will keep working for both.

At least we are no longer shooting and displaying Golden Eagles.

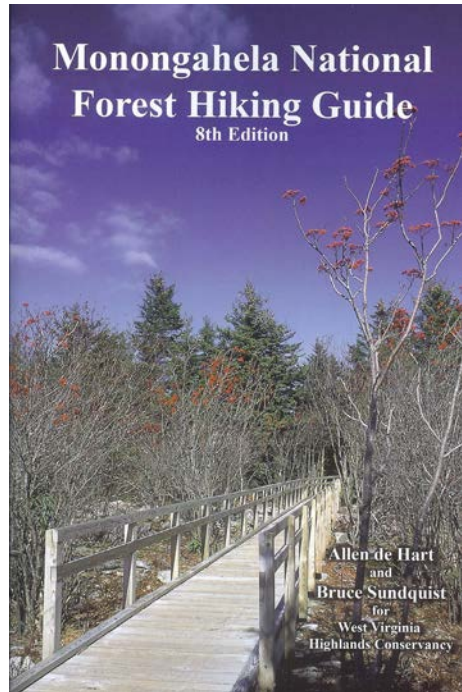


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Remember the Highlands Conservancy in your will. Plan now to provide a wild and wonderful future for your children and future generations. Bequests keep our organization strong and will allow your voice to continue to be heard. Your thoughtful planning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



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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)

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

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Price: \$20.00 from the same address.

CONSERVANCY COMMENTS ON FISH AND WILDLIFE SERVICE'S WIND GUIDELINES

The United States Fish and Wildlife Service has proposed guidance documents which will clarify how it will apply laws concerning wind energy. The West Virginia Highlands Conservancy has made these comments on that proposal:

The West Virginia Highlands Conservancy, a 45-year-old statewide membership organization devoted to the conservation and appreciation of the natural resources of West Virginia, and especially of its highlands region, offers the following comments on the Fish and Wildlife Service's Draft Land-Based Wind Energy Guidelines.

(1) The Guidelines, when finalized, should be regulatory and binding on all commercial wind energy facilities. Experience with the interim guidelines since 2003 has demonstrated that a voluntary approach will not work. Proper enforcement of the Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act requires that wind

energy operators actually comply with, not merely consider, the Service's advice at every stage of their projects.

(2) We appreciate the Guidelines' emphasis on the importance of siting wind energy facilities. Sites may be unsuitable for such facilities because of the cumulative effects of other nearby facilities as well as because of their discrete properties. The guidelines should state clearly that the Service will consider cumulative effects in making decisions about which sites ought to be avoided. Identification and assessment of cumulative effects should be acknowledged as a fundamental purpose of the Guidelines.

(3) By the same token, the Guidelines should encourage comprehensive regional planning including analysis of cumulative effects.

(4) Finally, we agree with other comments

that call for the Service to address the problem of bias among consulting scientists. Several suggestions have been made for minimizing the apparent effect of payment on opinion. The Service's best course is to rely on its own trusted staff but we realize that can't always be done.

Here in the West Virginia Highlands, industrial wind energy projects have been proposed for nearly every ridge and mountain between our Maryland and Virginia borders. Case-by-case decisions, with no consideration of cumulative impacts, would have a ruinous impact on the local habitats and typical migrants that the Service is supposed to protect. We desperately need effective mandatory guidelines. We appreciate the opportunity to comment and look forward to working with you.

Sincerely,
 W. V. HIGHLANDS CONSERVANCY

GAS DRILLER OF MY DREAMS

By Beth Little

For a while now, I have been addressing citizen's groups around West Virginia about the impacts of Marcellus shale gas drilling – the impacts that the landmen, TV ads and industry PR people don't talk about.

At my presentation for a WVEA workshop this past March, a participant came up to me afterwards and described her experience with a driller on her property. It was about as good as it gets: the driller asked where they would like to put the water impoundment – and put it there; the driller asked where they would like the road to go – and put it there; and after the well was completed, the driller made a generous payment to the woman's husband for his help in getting truck drivers unstuck from the snow and ice that they were not used to. Despite this congenial relationship, the woman said the impacts I described were completely accurate, and she had seriously doubted the good sense of her husband for agreeing to allow drilling on their land.

This got me to thinking about what the ideal drilling situation would be.

Because I have been following the news and information at all levels – federal, state and local – the ideal gas industry scenario would involve much more than an individual well. It would involve a level of long range comprehensive planning with input from the gas industry, all levels of government, scientists from several fields (especially health), and citizens, BEFORE any further drilling occurred. This planning would answer a number of questions:

- How much of a part in our overall energy portfolio should natural gas play?

- And for how long? (after all, natural gas is a fossil fuel that contributes to global warming and will eventually be depleted)

- Do we want to hold any in reserve?

- How much natural gas do we need? (One would think that supply and demand would work to prevent overproduction, but drilling is currently proceeding at a breakneck pace when the price is about 2/3 what is needed to cover the costs of drilling. Apparently, speculative investment, the time constraints of leases, and possibly other factors are abnormally skewing the market.)

- How much land that is used, or could be used, for food production do we want to convert to energy production? (Food scarcity and rising food prices are already problems in other parts of the world and are causing political unrest; plus, we have already converted vast acreage of corn to ethanol production).

- What areas – public lands, wildlife refuges, scenic terrain, recreational regions – should be excluded from gas development?

- What are we going to do with all the wastewater?

- Is underground injection safe?

- What are the long term impacts of removing billions of gallons of fresh water from the natural water cycle (i.e. the process of water raining, entering surface and groundwater, evaporating back into the atmosphere to rain again)?

- Is fracking safe?

Instead of lobbying furiously for access to every possible scrap of land to develop as fast as possible, the gas drillers of my dreams would be willing and supportive in forming and then following this plan for the public good.

Then would come the planning that answers more site specific questions:

- How close should a gas well, water impoundment, compressor station, pipeline, or other gas facility be to a home? A well? A school? A stream, lake, wetland? A tourism business? A road? (The current setback of 200 feet from a home is clearly inhumane).

- What constitutes a sufficient plan for emergencies such as spills, leaks, explosions?

- What traffic control is needed to insure that local residents have normal access to roads, that school buses are safe, that ambulances and other emergency vehicles are not impeded?

- What best management practices on emissions are needed to protect air quality?

- I could go on and on, but this article is getting long enough.

These questions should not be answered by regulations drawn up by industry lawyers and lobbyists, but by the citizens and scientists who have a basis for their decisions besides profits.

So what are the chances of my dreams coming true? Today it looks like nil, because none of our political leaders are listening. They begin every reference to shale gas drilling with a statement about the fantastic benefits to the economy to be realized by its development. But gas drilling is just another industrial fossil fuel extraction. Like coal. Did coal provide a fantastic benefit to the economy? It has been a benefit to the economy of the politicians, state revenues and the owners and shareholders of coal companies. And it provides cheap energy.

In other words, energy consumers get a deal, while those living in an extraction area pay the price. West Virginia has continued to rank at or near the bottom of every measure of citizen well-being, and the people of the coal fields are the worst off of all. It looks to me like we are going down the same road with shale gas – wrecking the land, water, air and health of citizens.

THE MOUNTAIN INSTITUTE SPONSORS STARS & S'MORES

An astronomical observatory on Spruce Knob, the highest point in the state, will be open to the public for three nights this summer for star viewing in some of the darkest skies in the Eastern U.S.

The event, *Stars & S'mores*, will begin with a brief introduction to the observatory and telescope by The Mountain Institute's (TMI's) instructors. Come nightfall, we'll take in the breathtaking stars. We'll also have a campfire blazing and s'mores will be available.

The observatory is located at TMI's Spruce Knob Mountain Center in Pendleton County.

The telescope within the observatory is a Newtonian reflecting telescope with a 16" mirror.

Stars & S'mores will be held on June 11th, July 9th, and August 6th, beginning at 8pm. The observatory will close at approximately 11pm. If the skies are cloudy, we'll take advantage of the moisture by searching for salamanders, newts, and frogs. The West Virginia highlands have one of the most diverse amphibian populations in the world.

The event is free and open to the public. Camping is available for a small fee. Please call in advance for reservations. For more information or directions, please contact Liz Gutierrez at (304) 567-2632 or lgutierrez@mountain.org, or visit www.mountain.org/appalachia.

BOOK REVIEW

Nuclear Energy, Another Look

***Power to Save the World: The Truth About Nuclear Energy,* by Gwyneth Cravens.**

Reviewed by Dave Fouts

As we contemplate an uncertain future due to climate change, it becomes critically important to minimize the human contribution to global warming. This requires us to consider all options in energy production. Although recent events in Japan remind us of the potential risks associated with nuclear power generation, the negative effect on human health and life since the beginning of the nuclear era (excluding nuclear weapons) has been minimal compared to the thousands of deaths annually from coal mining and burning.

Since nuclear power production does not pollute the atmosphere, perhaps it needs to play a larger role, at least for the near future, in meeting the increasing demand for electrical energy around the world.

In her book, Power to Save the World: The Truth About Nuclear Energy, Gwyneth Cravens takes the reader on an odyssey involving several years with journeys to many locations around the country and abroad, as she visits key sites of uranium mining and production and its eventual use as fuel in the creation of nuclear power to generate electricity. She interviews dozens of experts in a wide range of fields, including physicists, research scientists, nuclear engineers, and plant operators, as well as public health, and counter- terrorism specialists.

Richard Anderson, a retired government scientist with a PhD in chemistry, who specialized in risk assessment of nuclear power and disposal of nuclear waste products, guides Cravens on her quest. In spite of a solid background of opposing nuclear power for many years, the author gradually comes to the conclusion that it is the best option for generating the increasing amount of electricity needed to meet the increasing worldwide demand with the least threat to the environment.

Most environmentalists, including myself, have consistently opposed nuclear energy as a source for electricity production for several important reasons. Nuclear power plants are said to be too expensive, that they are a serious risk to human health from uncontrolled radiation leaks, and are potentially vulnerable to terrorist's attacks or devastating nuclear explosions. Uranium mining historically has caused serious health problems and safe disposal of nuclear wastes remains a major concern for much of the public. These of course, are all serious concerns.

Cravens thoroughly addresses each issue with solid scientific

information and she does it in a delightfully readable fashion. Her broad background both as a novelist and a science writer, equip her well for this task.

For instance, when researching the issue of nuclear waste disposal she, after months of determined effort, manages to obtain permission to tour the government's closely guarded storage facility at Yucca Mountain. She reviews the entire process of temporarily storing nuclear waste products at power plants and then transporting them to permanent disposal sites such as the Waste Isolation Pilot Plant in New Mexico, currently the only place in the world where nuclear waste (in this case from weapons production) is permanently stored.

In a chapter on nuclear security, Cravens recounts visits to nuclear power plants and interviews with plant engineers, security and counterterrorism experts. She describes in detail the construction and safety features of nuclear power plants and notes the numerous safe guards that have been added over the years. She carefully evaluates the potential for accidental contamination of the environment and the risk for terrorist attacks, including a direct hit by a super-sized jet plane fully loaded with fuel. Also noted is the fact that when Hurricane Katrina devastated the Gulf Coast in 2005, the nation's worst natural disaster, petrochemical facilities and chemical plants were damaged, releasing toxic substances. However three nuclear power plants in Mississippi and Louisiana, one near New Orleans, were directly in the storm's path but remained intact and undamaged.

These are just two examples of the Cravens logical and through analysis of the nuclear power industry from uranium mining to electricity production. In my opinion, her arguments are powerful and present a strong case for transitioning to nuclear energy as the primary method of generating electricity at least until something better comes along. Other options, including wind, solar and biofuels, as well as energy conservation are important, but incapable of providing the large quantities of electrical energy needed to meet the world's increasing demand. With what is known about the destructive environmental effects of coal and probably nearly as much from gas as Marcellus wells come on line, it would be wise for each of us to remain objective and look closely at nuclear power. Reading this book is a good place to start.

HATS FOR SALE

We have West Virginia Highlands Conservancy baseball style hats 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 ♥ 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 "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



HIKING THE APPALACHIAN TRAIL FROM DISMAL FALLS TO BLUFF CITY, VA

By Michael Juskelis

We rendezvoused at the small town of Pearisburg where we meet two trail angels, Tina Muncey and her friend Kelly. After we parked our vehicles at the old Wade's Supermarket at the New River bridge, they shuttled us and our gear down to Rt 606.

It was already warming up so we took off a layer, put on our packs and began a gradual climb up and over what the locals call Dismal Mountain. Spring flowers were all over the place. The litany of names is too long to mention here. After descending into the valley we made the 0.6 mile round trip to beautiful Dismal Falls. All of the recent rain had the falls at their prime. After taking some photos we returned to the Appalachian Trail and began a pretty gradual hike up the valley.

The first couple of miles were along the very attractive Dismal Creek with its crystal clear water and min-falls and chutes. The trail was encased in near endless tunnels of Rhododendron, Hemlock and pines. The trail eventually curved to the east away from the creek and passed through some fabulous stands of old growth pine. The sunlight barely penetrated the forest here. Eventually the trail returned to the creek and followed it until we turned off on the spur that led to the Wapiti Shelter. There was loads of good flat ground to set our tents up on so we left the shelter to a couple of ladies from Massachusetts who were doing a section of the Appalachian Trail.

Our departure the next day was delayed by an unpredicted rain storm. We were able to break camp before the worst of it but huddled in the shelter until the lightning left the ridge we would be hiking on later. Finally, around 9:30, the rain reduced to a drizzle and we decided to begin our hike.

The first mile or so was a continuation of the previous day's creek walk. The trail then climbed and made a sharp left turn away from the creek. We regrouped at a point where the grade was nearly flat and then proceeded to the first of several vistas we would visit this weekend. It was a nice view of Wilburn Valley.

The trail then descended onto an old haul road which it follows for a couple of miles before cutting between two knobs to reach Sugar Run Gap. Everyone was ahead of me at this point and I was running out of gas. I thought I had gotten past the worse of it

until I made the last climb to the ridge only to find a Pennsylvania-esque scene. Although nearly flat the entire trail was through a never-ending rock scree. It was obvious that the trail builders labored hard to try to build rock bridges through it all but the need to take irregular steps for about a mile was very taxing and made my legs feel like Jell-O. We met up again at Doc's Knob Shelter. The shelter was in great shape but the ground around it was not all that hospitable to tenting. Three of the men took the shelter. Gadget was hammocking so it didn't matter to her. The rest of us did the best we could to find reasonably flat areas without too many rocks.

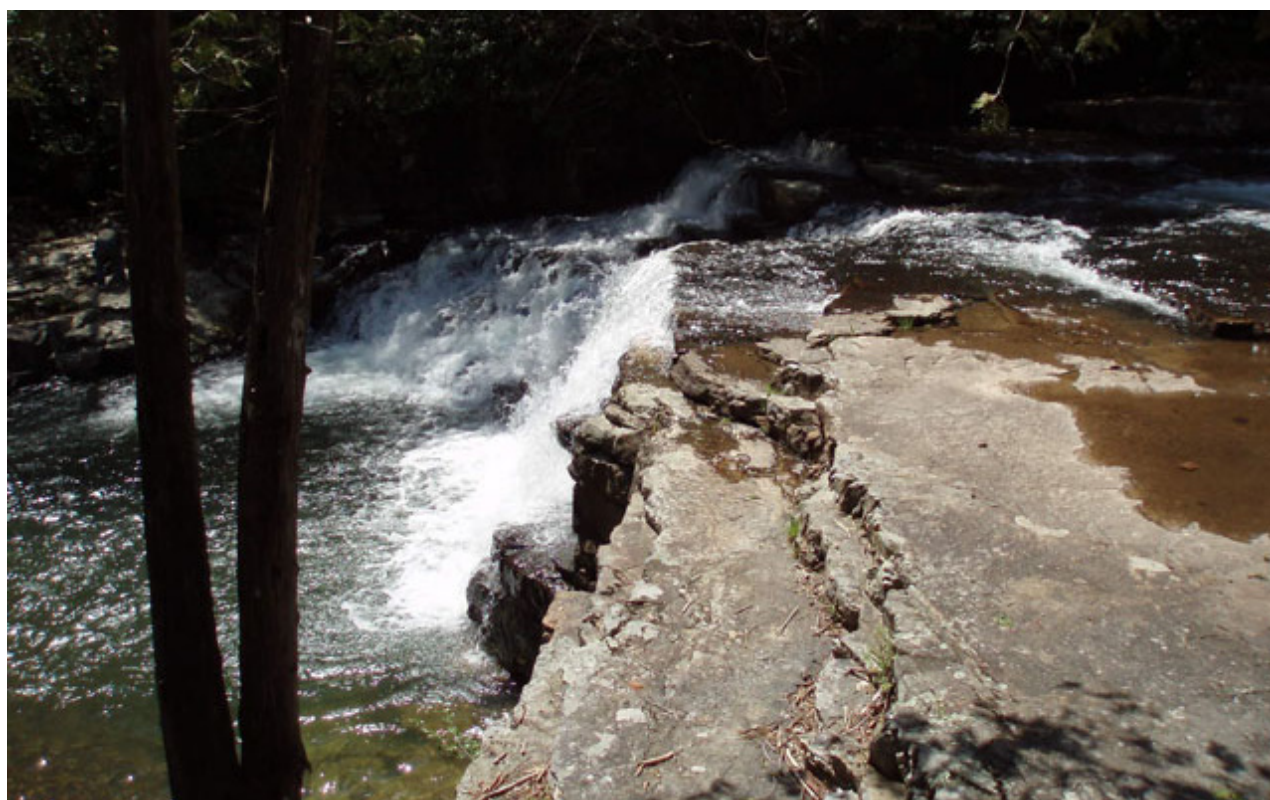
That night, as we were finishing our dinner, three young through hikers from Penn State came into camp to get water and eat dinner before continuing on for a couple more miles. At this point they were averaging 18 miles/day. We introduced ourselves and shared trail names: Bean, Drum Solo and Brain Frog. They were putting down the food like there was no tomorrow. We were leaving the trail the next day and only needed breakfast and some trail snacks so we donated the rest of our food to them.

The next morning we arose to an orchestra of song birds. The sky was blue and the humidity relatively low. We broke camp a little earlier than usual and proceeded to follow a pleasant logging road through more Rhodos for 2 miles when the Appalachian

Trail finally left it and climbed back to the ridge, this time without all of those nasty rocks.

There was supposed to be about 450 feet of elevation gain over the next four miles but it was so gradual it was barely perceivable. I caught one nice view at a power line swath but an even better one along a cliff just above Angels Rest. It was a miniature Tinker Cliffs, with a pastoral view of the valley with a backdrop of more mountains behind it. We hiked through an impressive rock city and took a long break at Angels Rest. The view was nice but included not only the New River and surrounding mountains but also the "urban sprawl" of Pearisburg and Narrows, VA. We could see our vehicles parked in the closed market next to the bridge. The rest of the hike was along mostly smooth switchbacks lined with all kinds of flowers. We dropped 2000 feet in 2 miles. Once back in civilization the spell was pretty much broken so we road walked back to our vehicles by-passing the Pearisburg graveyard that was on the last segment in the woods.

I consider this hike to be one of the best Virginia-Appalachian Trail hikes I've done yet. The creek, waterfalls, mature forests and views were all above average. If you want to attempt this hike or otherwise need a ride contact Tina Muncey at the Clover Dew (540-921-1943) and she'll take care of you. Tell her Mike sent you.



HIKING IN COOPERS ROCK STATE FOREST

By Michael Juskelis

It was a great four days in the woods. It's nice to just get away with the wife and dogs once in a while. Except for a few showers on Saturday night, the weather was perfect for camping.

We had hiked the more popular trails in the forest last fall. This time we set out to explore "the path least traveled".

The first hike was almost 7 miles. The route was a loop starting with the Scott Run Trail and ending with the Clay Run Road. Scott Run with its massive moss covered boulders, stream lined with Rhododendron and Hemlock, and mature hardwood forest was a delight to hike. And for a beautiful Sunday morning we saw very little traffic.

We were never out of ear shot of the stream and if we wanted to visit a pretty little ripple it was seldom a little more than a short open woods bushwhack to the stream. Precious made sure she thoroughly investigated every pool. We crossed the park road and began a gradual descent on an advanced ski trail.

As with most ski trails it also makes for a pleasant walk in the spring. For the most part it was a wide haul road with little in the way of erosion. The "mature Hardwood Forest" theme continued until we reached the Henry Clay Furnace. See the Coopers Rock State Forest loop-1 for information about the furnace. After a jerky break, P-Hyker and I took the Clay Run Trail/Road back to camp.

At first, the trail was mostly flat, following Clay Run and its Hemlocks until the trail became a service road. The magnificent Hemlocks continued to our right but the Forest Service had widened the power line swath by about 30 yards on either side of the road to prevent power outages from storms. In an attempt to let the forest slowly rejuvenate, the slashings were left behind. While this might be sound forestry practice it created an eyesore about 0.5 miles long.

After that, however, the power line continued straight while the road plunged back into the forest until we reached the forest reservoir. Since we were ahead of schedule we lingered here just a little bit before finishing our trek.

The next day's hike was in the less visited northern section of the forest, above I-68. I had originally planned to do a 6-7

mile loop there but after talking to the forest superintendent, Matt Baker, I added an out-and-back starting at Trout Pond, making the trek a 9 mile "lollipop" hike.

Except for parking on the wrong side of the pond we had little trouble finding the Glade Run trail. All we had to do was follow the shore fishermen's rubbish. They apparently haven't heard about or care about "leave no trace".

After hiking halfway around the pond we joined an old logging road. The trash disappeared and we were once again back in our element. The Glade Run Trail is another old haul road, as straight as a ruler with a



**Henry Clay Iron Furnace,
Coopers Rock State Forest**

The furnace was built between 1834-1836 and produced pig iron. Capable of producing 4 tons of iron each day, the furnace employed about 200 people and operated until 1847.

very gradual gradient. We barely noticed we were climbing as we crossed the stream several times.

We crossed Chestnut Ridge Road and began an equally slight descent along the Lick Run trail, another haul road. It was a good trail with lots of mature forest and moss covered boulders but the stream was always well below us. We didn't even begin to hear it until we were almost through with that section of the hike.

About 0.5 miles of the right side of the trail had been recently harvested, but at least I can report that it is recovering nicely with typical hardwood forest species: several kinds of oak, maple, beech and poplar. I saw no trace of striped maple, black cherry or stag horn which, all too often, will permanently ruin a clear cut, making for no more future

harvests, or natural forests for that matter.

Throughout my adventures in CRSF I had been using a map published by the Coopers Rock Foundation. I've found a few possible errors but for the most part it is pretty accurate.

We had one problem with it here. As described in the trail notes, the Lick Run trail stops abruptly at a power line right of way with no signage. The foundation recommends simply turning left onto the right of way and following the poles as you weave in and out of Mountain Laurel until you reach the parking area on Rt 73.

After 10 minutes of trying to walk on large busted rock (I think there is either an underground cable or pipeline through here) and being eaten alive by wild roses, blackberry bushes and Greenbrier, we decided that we had enough of this torture. We made an abrupt 90 degree right turn and climbed a steep but scratch-free hill up to the road. We could see the parking area from the guard rail.

In order to complete the hike, I knew we would have to hike about a mile on Rt 73 in the constant shadow of I-68. It was so close I could probably hit the eighteen wheelers with a rock. I started to wonder if it was worth it. I had heard some great things about the next little section of the hike so I forced myself to refrain from casting a final judgment before the hike was over.

We made quick work of the road walk and turned onto the Virgin Hemlock Trail. Simply put, it did not disappoint. In a couple of minutes we descended on some steps and crossed the previously elusive (and pretty) Lick Run on a bridge just above its confluence with the equally pretty Laurel Run.

The trail was encapsulated by Hemlocks blocking out the sun. Initially I doubted the "virginity" of this grove since most of the tree trunks were nowhere close to being considered "mature" let alone virgin.

Our first of several visits to the stream caused me to quickly re-evaluate my analysis. There were many trees between 30 inches and 36 inches in diameter with several others exceeding four feet. There were even more moss covered mammoth trunks lying

STILL HIKING (Continued from page 14)

on the ground, returning nutrients to the soil, restarting the cycle of life.

One pretty section of the stream bed was one large flat rock with a mere sheen of water flowing over it, like one of those interior decorating waterfalls that were "in" a few years back.

Above where the stream forks, we crossed one fork and followed an old haul road and then a gas line right of way to what I think is an unofficial trail that the above mentioned foundation calls the Kens Run/Hemlock trail Connector.

Ranger Matt had forewarned me about following unofficial trails but I knew with just few steps onto the trail there would be no problems.

The trail was very serpentine as it followed Little Laurel Run up a shallow

hollow. Often the bends in the trail made no sense whatsoever. This is the tell tail sign of a trail constructed and maintained by mountain bikers. They are meticulous when it comes to keeping their trails in good shape and for obvious reasons. One unexpected trail blockage encountered at high speeds can ruin a biker's entire day. A few tire ruts in a wet area confirmed my observations.

It took little time or effort to hook up with Kens Run Trail. Oddly there is no Kens Run on the map. The trail continued to follow Little Laurel Run on another haul road.

About halfway up the trail we had the option of taking the wide and grassy Weir Road out to paved Sand Springs Road. Both ended at the same abandoned archery range so we opted to stay on the Kens Run trail enjoying the deep forest and many bridgeless

crossings of the stream even though we had to circumnavigate some serious trail blockages along the way.

Eventually the trail left the stream and began the only thing to seriously resemble a hill over the entire weekend up to the archery range parking lot. From there we hiked past the Forest Headquarters and retraced our steps on the Glade Run Trail back to Trout Pond.

Bed time came early this last night in camp. The dogs got us up early the next morning with obviously full bladders. By 7:30 we were headed down I-68 toward Bruceton Mills and a filling breakfast at Little Sandy's Truck Stop.

WILDERNESS AREAS THREATENED

Congressman Kevin McCarthy (R-CA) has proposed legislation that would roll back existing protections for tens of millions of acres of unprotected wilderness-quality public lands and National Forests across America. If passed, this legislation would open up some of our nation's most fragile natural landscapes to oil and gas development, road construction, uncontrolled off-road vehicle use, and other unchecked development.

H.R. 1581, the "Wilderness and Roadless Area Release Act," would undermine decades of land protection in one fell swoop. The legislation would be more aptly named the "Wilderness Elimination Act" because, if it is signed into law, tens of millions of acres of American wilderness could be forever lost. Here's what the legislation would do to America's scenic treasures:

In 2001, the Forest Service finalized a policy that protects nearly 60 million acres of roadless National Forest lands by prohibiting road-building and commercial logging on those lands. The policy was the result of years of public outreach, including 600 local public hearings, and remains one of the most popular environmental initiatives ever. That

an area is roadless is important. Roads into an area are a big first step toward changing the natural landscapes of the area.

The "Wilderness Elimination Act" would overturn this policy and open up these unroaded national forest lands to road building, commercial logging, and other development. This means that special places like the rich, low-elevation habitat at Thompson Divide roadless area in Colorado and millions of acres of old growth forest in the Tongass National Forest in Southeast Alaska could soon be opened to harmful development.

The Bureau of Land Management (BLM) has identified millions of acres of public lands as "Wilderness Study Areas" that qualify for designation as permanent Wilderness Areas but which have not yet been considered by Congress. For decades, these areas have been protected by law, as the Federal Land Policy and Management Act requires the BLM to protect their wilderness qualities until Congress determines whether or not to designate them as Wilderness.

The "Wilderness Elimination Act" would strip existing protections from nearly

seven million acres of Wilderness Study Areas, including such American icons as Utah's Red Rock Canyon country. Should this bill pass, these special places could be opened to oil and gas drilling, off-road vehicle use, road construction, and other inappropriate development.

The West Virginia Highlands Conservancy has gone on record as opposing this legislation.

T- SHIRTS

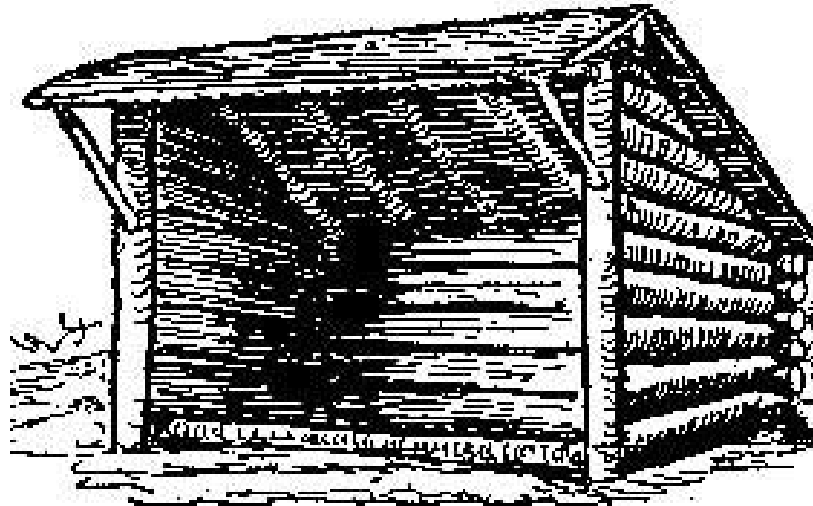
White, heavy cotton T-shirts with the **I ♥ Mountains** slogan on the front. The lettering is blue and the heart is red. "West Virginia Highlands Conservancy" in smaller blue letters is included below the slogan. Short sleeve in sizes: S, M, L, XL, and XXL. Long sleeve in sizes S, M, L, and XL. **Short 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.

Monongahela National Forest Adopt a Shelter Program

Do you want to get more involved when enjoying our natural resources?

Consider adopting a shelter!

The Monongahela National Forest is beginning a new volunteer program, letting forest users adopt a shelter along the Cranberry Backcountry Road (FS 76). Adopters can be individuals, groups, families, or organizations, and sign up to adopt a shelter for a one year period. Adopters would maintain basic care of the shelter, keeping the structure clean and free of natural debris, monitoring the visitor log and reporting any needed major repairs. While the program does not give the adopter preferential access of the shelter over the general public, it does provide a great opportunity for you to give back and get more involved when enjoying our natural resources.



If you are interested in adopting a shelter, or if you want more information, contact Vince Weeks at vaweeks@fs.fed.us or at (304) 799-4334 ext. 42

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.)



WEST VIRGINIA HIGHLANDS CONSERVANCY, PO BOX 306, CHARLESTON, WV 25321-0306 • www.wvhighlands.org



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

Where are the bumper stickers?

Last month The Highlands Voice solicited stories of where bumper stickers had been spotted. While nobody reported any unusual places, a reader in Independence, WV, reported that her poor rural mailbox used to be regularly vandalized. Once she applied the I [heart] Mountains bumper sticker, the vandalism stopped.

The West Virginia Highlands Conservancy does not guarantee its bumper stickers as a cure for vandalism. Our position is that it wouldn't hurt and, based upon an admittedly small sample, it helps. We would, however, like to hear stories of where they have been seen or other bumper sticker stories. In far flung states? Foreign countries? The Mars rover (just kidding)? If you have seen or heard of one in some unusual place, please send a report of the sighting to Voice editor John McFerrin at johnmcferrin@aol.com. You could also send them to John's regular address, listed on page 2.