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The Highlands Voice

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BIRD KILL AT LAUREL MOUNTAIN INDUSTRIAL WIND FACILITY

By Peter Shoenfeld

On October 1st and 2d, approximately 500 birds were killed in an accident at the new Laurel Mountain industrial wind facility, according to Division of Natural Resources Ornithologist Rich Bailey. The fatalities occurred by collision and exhaustion at the Laurel Mountain substation, where the lights were left on during foggy weather. Over thirty species of mixed migratory songbirds were included, primarily blackpoll warblers. A Green Heron was also a victim and is mentioned here to emphasize the general nature of this avian threat. DNR may recommend that lights be turned off there in the time period August 1 through November 1, or an even broader length of time.

The birds were found October 3 by AES staff and reported to contractor Stantec, who took main responsibility going forward, including notification of Division of Natural Resources and United States Fish and Wildlife Service that day.

DNR expects to have a press release on this matter in early November, five weeks or more after the actual event. A detailed report from Stantec to USFWS is available on the incident, subsequent recoveries, and mortality from the USFWS field office in Elkins as we go to press November 1. This is the most thorough narrative

currently available. Developer/Operator AES has chosen to remain directly silent about the event, as has the *Elkins Intermountain* who was notified weeks ago. The story was covered by the *Charleston Gazette*

A similar event occurred at the nearby Mountaineer Wind Facility on May 22-23, 2003. Unusually heavy fog enshrouded the region the night of the 22d and persisted until the afternoon of the 23d. Bright sodium vapor lights were left on at a substation and an estimated 33 songbirds were killed by collisions.

There was also a major bird kill due to excess lighting in fog at Tucker County High School, just down the road from Mountaineer on September 29, 2008. About 500 birds were killed, most of them warblers.

Other similar events have been documented in West Virginia at least twice in

the not too distant past.

Through their short collective memory and other failings, the wind facility operators are fast earning a reputation as unfit stewards of the little bit of nature left after their developments are complete.

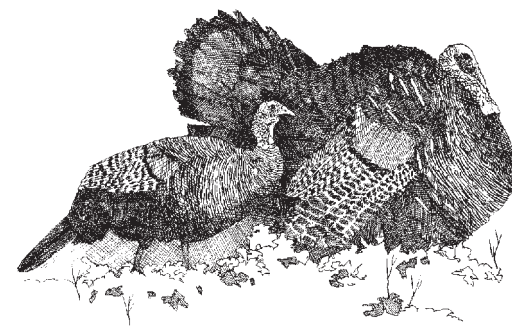
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Blackpoll Warbler

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Message from the new President

By Cindy Ellis

SEE YOU LATER, HUGH

An internet search for our immediate past president "Hugh Rogers" finds him noted in the book "The Subsidy Scandal: How Your Government Wastes Your Money to Wreck the Environment" by Charlie Pye Smith, and says---"Rogers actually looked more like a Wall Street banker than a crack-crazed anti-capitalism protestor..."

From a newsletter "Blue Ridge Outdoors"--- "Hugh Rogers, executive director of the West Virginia Highlands Commission, spearheaded a legal battle over Corridor H for nearly a decade that resulted in the reroute of the corridor around environmentally and historically sensitive areas like Blackwater Canyon near Davis.

Another quote---" Hugh Rogers, the president of the West Virginia Highlands Conservancy, once tried to persuade his U.S. senator to oppose a road through the mountains he loves, a billion-dollar boondoggle that had been lampooned nationwide as a "Road to Nowhere,"--- was part of a piece from The Washington Post.

Public radio's "WV Pubcast" quotes him--- "This is ultimately a political decision, are we going to protect the land we have, or are we going to sacrifice it" ---and, "The Oral History Review" shows that he and 2 others (David Mould and Michael Kline) wrote a radio documentary, "We're Here to Take You Out! Evictions of Lewis County, WV farmers for the Stonewall Jackson Dam."

Hugh Rogers has been busy. He has been busy with the West Virginia Highlands Conservancy too.

Hugh Rogers first became acquainted with our group in 1977 through his activism in the fight against Corridor H, and has served as the president of the Highlands Conservancy Board of Directors since 2004. When board members learned of his leave-taking, grateful words flew. Some said:

"How do you say, thanks a hundred times over? "

"Hugh--You have been one amazing leader. Your grace in handling the diverse personalities on the board was beyond compare. I looked forward to your well crafted comments every month in the Voice."

"Thanks for all you have done for the entire state of WV. You have helped to make it a more beautiful place to live for future generation."

"Thank you for your service Hugh. I thought we had elected you president for life. Where did we go wrong?"

Obviously for many of us, Hugh's quiet leadership for our board was unparalleled. He routinely knew at least something about every one of the wide variety of topics that demanded our attention. He was calmness and patience personified. At the first of each meeting, when we saw him reach for those little Buddhist bells, the *tingsha*, we knew it was time to gather up our thoughts, and our own measures of patience, and begin.

One of those messages above mentioned Hugh's writing. What hard work must have gone into that! Since 2004 Hugh has written for "The Voice" more than 80 times. While our front page featured headlines and stories about coal [for more than half of that time period], followed by stories on gas, wind, and wilderness, Hugh gave a bit more diversity with his columns found on page two. He wrote about fire towers, prayer feathers, Judy Bonds, Gifford Pinchot, Jeanette Fitzwilliams, Ralph Waldo Emerson, Maria Gunnoe, John

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MORE ABOUT THE BIRD KILL (Continued from p. 1)

Early on the morning of September 29, 2008, a large bird kill at the Tucker County High School near Hambleton, West Virginia, was reported to Division of Natural Resources personnel. DNR Wildlife Resources Section (WRS) biologists, along with conservation officers, representatives from the Tucker County Health Department, the U.S. Fish and Wildlife Service (USFWS), and the U.S. Forest Service responded to the report and found evidence of a large bird strike at the school.

Officials recovered 501 birds representing 31 species at the site. Seven birds recovered and were released alive. The remaining 494 specimens were collected and identified by WRS biologists. More than 80 percent of the birds were warblers. Bird banders from the Allegheny Front Migratory Observatory and Powdermill Nature Reserve verified the identifications.

Officials collected the majority of the birds along or near the outside walls of the school and from the school roof. Some specimens were also collected from the adjacent parking areas and athletic field. All evidence was consistent with a large scale collision event. Initial speculation suggested that disease and/or poisoning caused the deaths, but no evidence supports this claim.

Additionally, as part of standard procedure, officials from the West Virginia Department of Health and U.S. Department of Agriculture tested sample specimens for both West Nile Virus and Avian Influenza. All samples tested negative for both diseases. An additional sample was sent to the Southeastern Cooperative Wildlife Disease Laboratory in Athens, Georgia, for necropsy. All specimens examined at this facility exhibited trauma consistent with a bird strike, including extensive hemorrhage, and fractured skulls, wings and legs.

Officials from the WRS and the USFWS are working with the Tucker County School Board of Education and Allegheny Power to remedy the situation at the Tucker County High School. They will modify existing lighting to make the site less attractive to migratory birds. The site will be monitored for additional mortality for the remaining 2008 migratory period and this monitoring effort is planned to continue into future years.

In the case of bird kill at Laurel Mountain industrial wind facility it is unclear what the response will be. Because of the public silence of the Developer/Operator AES it is unclear what steps it has taken or will take to investigate the kill as well as what steps it plans to prevent future incidents.

The peak of neotropical songbird migration occurs in late

September and early October and is concentrated along mountain ridges. Large bird strikes like the Tucker County High School event are not uncommon throughout North America during this time frame.

Events like these occur when several environmental conditions occur simultaneously in proximity to a lighted man-made structure. These conditions typically include dense fog, southerly winds and a dome of artificial light surrounding a structure. The event can be further amplified by a period of rain prior to the event that concentrates birds by delaying migration.

This was the case with the Tucker County event. Three days of rain prior to September 29 were followed by a passing cold front that generated southerly winds and ideal migration conditions. These birds headed south, encountered dense fog along Backbone Mountain, were attracted by the dome of light surrounding the school, became disoriented, and began to circle the structure, crashing into windows and the outside walls. Some birds may have died from exhaustion from constant circling.

Similar events have been documented in West Virginia in the past. Forty birds of 14 species died on October 5, 1999, in Monterville in Randolph County; and at Snowshoe Mountain Resort in Pocahontas County on October 15, 1985, officials collected 1,336 birds of 30 species.

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

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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.

SO WHAT'S IN THE SELECT COMMITTEE MARCELLUS SHALE BILL?

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

Working from SB 424 as a "base" bill (the bill the Senate passed during the 2011 Regular Session), the Select Committee has so far adopted 27 amendments to that bill.

As far as providing protections for the environment and also for surface owners, SB 424 was by far the weakest of the four different bills (or bill versions) that were under consideration.

The list below is a brief summary of each of the amendments to SB 424 adopted by the Select Committee.

Acreage Reduction: Requires erosion and sediment control plans and site construction plans for wells that disturb more than 3 acres (instead of 5) be prepared by a professional engineer.

Air Regulation: Gives DEP's Office of Air Quality authority to regulate air quality at drilling sites, and requires DEP to consider impacts to air quality from multiple wells.

Air Study: Requires DEP to study and report to the Legislature by July 1, 2012, air quality issues that impact human health and the environment resulting from horizontal well operations, and gives DEP authority to promulgate legislative rules to address those issues.

Applicability of Article: Specifies that this statute applies only to horizontal which disturb 3 acres or more of surface or utilize more than 210,000 gallons of water in any 30-day period.

Approval of Certification: Requires DEP to issue or deny certificates of approval for large freshwater impoundments within 30 days, if submitted with the drilling permit application.

Calendar Days: Clarifies that the additional requirements for water withdrawals, etc., apply to wells that withdraw more than 210,000 gallons in a 30-day period (instead of in a month).

Casing Guidance: Requires DEP to prepare a written guidance document for casing and cementing standards and includes a lengthy set of "minimum" standards taken from Pennsylvania's regulations. Requiring this guidance circumvents the rulemaking process.

Clarifying Reporting Requirements: Clarifies that the operator must submit water withdrawal location and information to DEP within 48 hours prior to the withdrawal.

Directional Drill Info: Specifies directional drilling information that must be provided with the drilling permit application.

Eliminate Oil and Gas Ex Board: Eliminates the Oil and Gas Examiners Board, and allows DEP to hire inspectors through the usual state civil service system.

Highway Enforcement: Requires DEP to suspend an operator's operations if the operator is in violation of its letter of certification with the Division of Highways.

Impoundments: Requires all waste pit liners and pit wastes be disposed at a landfill approved by DEP, and requires DEP to study

and report to the Legislature by July 1, 2012, the safety of pits and impoundments relating to "radioactivity and other toxins", and gives DEP authority to promulgate legislative rules to address those issues.

Increase Bonding: Increases the individual well bond required for each drilling permit from \$5,000 to \$50,000 and increases the optional blanket well bond covering all of an operator's wells from \$50,000 to \$250,000.

Notice Requirements: Adds adjacent surface owners to those who must receive notice of proposed drilling operations.

Permit Fee: Increases the drilling permit fee to \$10,000 for the first well on a drilling pad, and to \$5,000 for each additional well.

Property Owner Public Notice: Provides for notice of intent to drill to surface owners, including adjacent surface owners, prior to the filing of the drilling permit.

Public Comment and Hearing: Provides a 30-day public notice and comment period for each horizontal well drilling permit application, and provides that DEP at its discretion may require a public hearing on any proposed drilling application.

Public Web Site and E-Notification: Requires DEP to post horizontal drilling applications on its web site, and by email to interested parties.

Quality Test: Requires that all drinking water wells within 2,500 feet of the water supply well shall be flow tested and quality tested by the operator upon request of the drinking well owner prior to operating a water supply well, and requires DEP to propose legislative rules to identify appropriate methods of testing.

Rebuttable Presumption: Establishes a "rebuttable presumption" that the drilling operation is the cause of any water well loss or contamination if it is within 2,500 feet of the water well.

Reports to Division of Labor: Requires operators to report worker information to the Division of Labor and DEP.

Reuse Frac Fluid: Allows the reuse of fluids used for hydraulic fracturing.

Single Pad Impoundments: Allows one application for certification of multiple freshwater impoundments to be used on a single well pad.

Single Project: Provides that a single application for certificate of approval may be used for more than one impoundment involved in a single project, which involves two or more well pads.

(More on the next page)

TIME RUNNING OUT FOR SPECIAL SESSION TO REGULATE MARCELLUS SHALE DRILLING

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

Hopes for a special session in November to regulate Marcellus shale drilling in West Virginia have dwindled to even slimmer hopes for a Special Session in December.

The Legislature's Select Committee on Marcellus Shale Drilling, which began meeting in July, has been unable to finalize its work to come up with a bill that both the House and Senate can agree upon.

Governor-elect Earl Ray Tomblin (soon to be sworn in officially as "Governor") has said publicly that he would call a special session to deal with a Marcellus bill if the House and Senate could reach consensus on a bill.

But reaching that agreement still seems a dim and far-off prospect for this Legislature.

Working from SB 424 as a "base" bill (the bill the Senate passed during the 2011 Regular Session), the Select Committee has so far adopted 27 amendments to that bill. And there are at least four major amendments still pending for consideration.

While the Select Committee has scheduled two meetings during the upcoming Interim meetings, Nov. 14 – 16, they were unable to agree upon any additional time to meet between the October and November Interims.

And, to be sure, there is much more work to be done than simply dealing with the pending amendments.

First and foremost is the little matter of "consensus."

To begin with, it is not even clear at this time that there is consensus in the Select Committee on the amended bill. Most of the votes on individual amendments were voice votes, with no real record of support by all of the committee members. Most of the amendments have been proposed by the House members, with support from Senate members seemingly luke warm at best.

Both of the Select Committee co-chairs, Delegate Tim Manchin (D-Marion) and Senator Doug Facemire (D-Braxton), also seem to agree that there needs to be time before a special session for the bill to be reviewed by the Governor and leadership from both chambers.

Then there is the whole timing issue.

There will be a special session called in November, likely to coincide with the scheduled Interim meetings, to elect a new Senate President after the Governor is sworn in. So it is not likely that an additional special session on Marcellus will also be called.

As for a special session in December, well there's the whole holiday thing.

And last, but not least, we have only begun to hear from industry on the many ways this bill will put it out of business.

The view from my vantagepoint has not changed, folks.

It is looking a lot less likely that the House and Senate can agree on a bill before next year.

MORE ABOUT GAS WELL AMENDMENTS (Continued from previous page)

STRONGER Frac Review: Requires DEP to participate in a review of the state's hydraulic fracturing regulations by STRONGER (State Review of Oil and Natural Gas Environmental Regulations, Inc.), and report back to the legislature by July 1, 2012.

Tax Reimbursement: Provides a \$2,500 payment to surface owners "to compensate for payment of real property taxes for the surface lands that are encumbered or disturbed by construction or operation of the horizontal well pad."

Well Location Restrictions: Provides that horizontal wells may not be drilled closer than 250 feet from existing water wells or springs, and closer than 625 feet from a dwelling unit (measured horizontally from the center of the well pad), but allows for DEP to grant a variance to these restrictions. Also provides that "no well pad may be prepared or well drilled" within 100 feet from any stream or lake; or within 200 feet a wetland; or within 300 feet of a naturally reproducing trout stream; or within 1,000 feet of a surface water or groundwater intake of a public water supply; but also allows DEP to grant a waiver to these restrictions.

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.



TWISTED LAUREL

By Hugh Rogers

The Red Clay Ramblers used to stop in Elkins on their way from North Carolina to anywhere else, and Tommy Thompson, who grew up near Charleston, would sing his haunting West Virginia ballad, “Where the Twisted Laurel Grows.” Our Ramblers LP is worn out and gone but I can still hear his plaintive growl. It came to my mind again in late October, when we joined a tour of the AES Laurel Mountain wind power project.

This whole endeavor of clearcutting and flattening our ridges, building wide roads, hauling up and erecting massive 40-story-tall machines—and giving companies tax grants, credits, and other encouragements to do it—all in the name of saving the planet from the damage we continue doing by producing kilowatts in other ways: well, it’s twisted, at best.

Add to the fundamentally twisted notion of destroying land in order to save it the further twist that earlier that month, the project had been the scene of a massive bird kill (see Peter Shoenfeld’s report in this issue, and more information below).

We met at the foot of the mountain in a giant tent fitted out with chairs, snacks, and a microphone for John Arose, the project’s general manager. He peppered us with numbers: 61 turbines, 1.6 megawatts apiece, generate 690 volts at 15 rpm. A transformer steps up that output to 34,500 volts, and at the substation on the property it is further stepped up and dispatched to the grid.

Variable pitch blades keep the rpm at 15—while the tips of the blades are moving up to 230 mph. The turbines begin to spin in a wind of about 6 mph; if the wind reaches 44 mph, they automatically stop, so as not to damage their gearboxes. The average wind speed on Laurel Mountain is 15 mph. It blows stronger in the winter than the summer. A graph of the facility’s monthly production looks like a cable drooping between January on one side and December on the other (both yield 13% of the annual total) to its low point in July and August (both 4% of the total).

The turbine hubs are 260 feet off the ground and the blade tips reach another 130 feet above that. Each blade weighs more than 7 tons. The towers support, altogether, 106 tons and rest on concrete bases 8 feet deep and 50 feet wide, containing 22 tons of rebar.

The Laurel Mountain site appealed to AES because of the wind—it is the first long ridge as the wind comes from the west—and the transmission lines that crossed it. AES bought 30 acres for their transformer, offices, and equipment shed, and leased 2000 acres from private owners. The project stretches over 12 miles in Randolph and Barbour counties. Of the \$250 million initial investment, the federal government chipped in 30%.

The project’s most unusual feature is more accurately an independent project. That is the energy storage system, a complex of 16 battery containers housing 84,000 lithium-ion batteries apiece. The total storage capacity of the system is 32 megawatts. It wasn’t designed to even out the production of the turbines, which are subject to the vagaries of weather, but to deal with fluctuations in the grid. It puts out short bursts as required by the grid operator; its inputs come

from the grid as well.

Thus, AES makes sales in three categories: (1) energy produced by the turbines; (2) battery capacity available for the separate “regulation market” that keeps the grid smooth and even; and (3) renewable energy credits for customers in states that have such requirements.

As the first tour group returned, those who had stayed to listen and ask questions and talk to each other stumbled outside in a numerical trance. Four yellow school buses! 50 passengers each! Two round trips: that’s 400 visitors! Not all the buses were full, but still—that’s a lot of folks gaping at turbines on a Saturday afternoon.

Our first stop on the top of the mountain was beneath an operating turbine. “You can open your windows and listen,” said our guide. Not much to hear there. The sound doesn’t drop straight down, rather it carries across the ridge and then descends with air currents, as we heard when we stopped again—and heard from local residents who live below Laurel Mountain. One neighbor thought it was like surf, low and constant. I would describe it as a deep rumbling plus a complaining note, as if the gears put up some resistance. And it pulsed, which was perhaps more annoying.

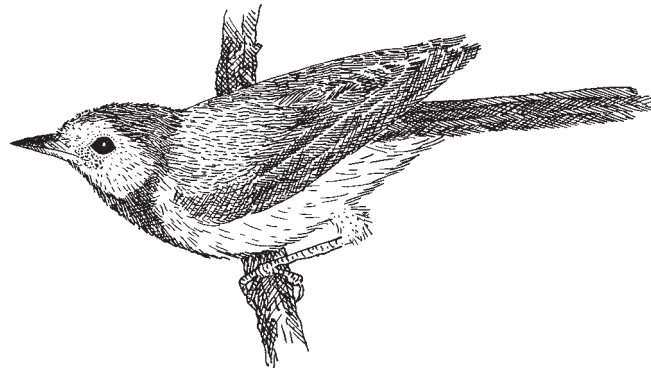
AES had shut off two turbines for us to examine. We stepped through a door with rounded edges and thick seals, as if we were entering a rocket. The ground floor had a narrow treadway around a humming metal box. I say “ground floor” because looking up we could see another metal floor above, and through its ladder-hole a third one.

The ladder went straight up for 230 feet. AES employs thirteen people, and most of them spend a lot of time on the ladders, checking and repairing the machinery in the hub. After reaching the hub they have to climb outside and open access panels. They must be in *really* good shape, I thought. Then our guide explained that the blue cords along the ladder that climbers tied into were not merely for safety—they had motors that lifted 80% of a climber’s weight. Another odd statistic.

After a look inside, we spent most of our time on the mountain staring at the views and trying to comprehend the hugeness of the project. From our vantage point a thicket of turbines ran north along the ridge (see John Terry’s aerial photo in the July *Highlands Voice*). Plainly visible to the northeast was the white picket line of the Mountaineer project on Backbone Mountain. To the northwest we could see the plume from a coal-fired power plant in Harrison County.

In the foreground, there was the road. Together with its grassy margins it was as wide as half of an Interstate highway, wider yet where the turbines stood, and bounded by pushed-away boulders and trees. One visitor was heard to call it “park-like.” I guess he meant, “thoroughly cleared.” Another visitor, a wildlife planner with the Division of Natural Resources, explained how bats are attracted to such clearings, where they can freely maneuver as they gobble

(More on the next page)



MORE ABOUT BIRDS, BATS, AND HUGH'S FIELD TRIP (Continued from previous page)

up insects, and where many have been killed by barotrauma—that is, by the drop in atmospheric pressure near the blades.

For a few years now, wildlife biologists have been saying that wind power's bird issue was really a bat issue, because as has been widely reported the turbines were killing so many bats. But this fall, we were reminded that migrating birds face a particular danger from ridgeline wind projects—specifically from their lights.

After the first “collision event” at a wind power facility, in May, 2003, the owners of the Mountaineer site pledged to keep the lights off at their substation unless employees were working there. Five and a half years later, there was a much larger bird kill at the nearby Tucker County High School (see the *Voice*, November 2008). After that, Allegheny Power took two steps: (1) it greatly reduced and altered the lighting at the school, and suggested that lights be turned off during the peak of bird migration; and (2) it gave a map of its substations and other facilities to the Division of Natural Resources and requested training on the problem for its designers and environmental staff.

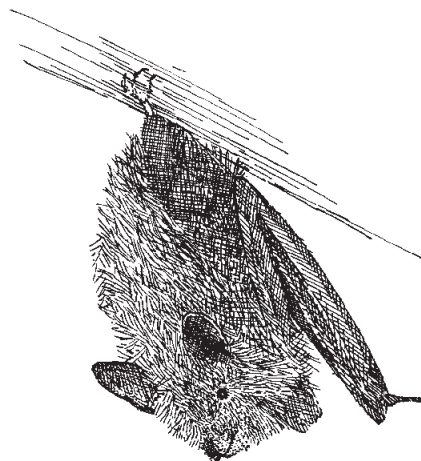
Word still did not get around. On September 24 of this year, 59 birds and 2 bats were killed at NedPower's Mount Storm installation. A week later, 484 birds were killed at the AES Laurel Mountain energy storage system and transformer, and the adjacent substation owned by First Energy, a transmission company. The connected facilities were illuminated by pole-mounted lamps. The storage system area had the most lights (eight 250-watt high pressure sodium lamps) and the most dead birds.

According to a wildlife biologist at Stantec Consulting Services, working on contract with AES, “Weather over the weekend of October 1 and 2 was inclement, with low cloud ceiling, thick fog, cold temperatures, and high winds. These conditions would likely have caused nocturnal migrants to fly closer to the ground, where they ... became ‘trapped’ in the light at the [energy storage facility] and substation.” Birds flew into the storage buildings, the transformer structures, and the dozen or so 50-foot tall masts that supported wires, lights, and cameras.

Stantec recommended that the lights be turned off for the remainder of the bird migration season. Pathetically, it took three more days to turn off lights at the transformer and the substation, and a further five days to discover two wall-mounted lights on a building beside the battery facility. More birds died.

Since the pattern of fall migration has been well known for over a hundred years, and since the effect on migrating birds of excessive lighting on ridge tops on cold foggy nights has been seen so often and so recently—how can we explain the negligence of these companies and their consultants?

You can get an idea by reading comments filed last May by AES Laurel Mountain in response to the US Fish and Wildlife Service's proposed Wind Energy Guidelines. AES stated flatly that it would not be able or willing to comply. The company wanted a phase-



in period of at least 18 months for training—*during which projects could race to completion free of guidance*. It wanted to control all monitoring. It complained that adaptive management techniques should not be standard. Turning lights off during fall migration would be one example of adaptive management; so would shutting down at night during bird and/or bat migration periods (the Beech Ridge project in Greenbrier County is currently operating during daytime only between April 1 and November 15, by court order).

AES maintained the industry position that wind energy facilities kill, on average, two birds per turbine per year. In a few days in October, the Laurel Mountain facility killed four times that number.

A note on the blackpoll warbler: nearly two-thirds of the birds killed at AES Laurel Mountain belonged to this species. In fact, every bird kill in our highlands has included blackpoll warblers. Blackpolls have the longest-range migration of any warblers, typically nesting in boreal forests in Canada and flying out over the Atlantic all the way to South America. But some do mate as far south as Pennsylvania, where they have been designated an endangered species.



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.

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.

Join Now !!!

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Address _____

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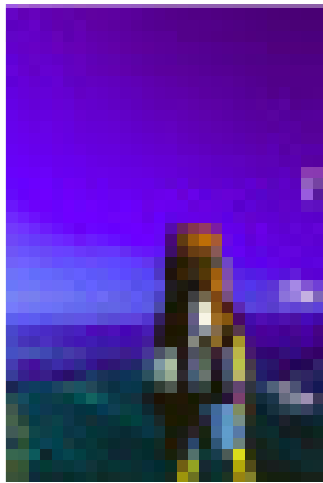
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Membership categories (circle one)

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Senior	\$ 15		
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Regular	\$ 25	\$ 35	\$ 50
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Sustaining	\$100	\$ 150	\$ 200
Patron	\$ 250	\$ 500	\$ 500
Mountaineer	\$500	\$ 750	\$ 1000

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

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



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.

SUCH A DEAL! Book Premium With Membership

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

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

HATS FOR SALE

We have West Virginia Highlands Conservancy baseball style 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 ♥ Mountains on the back. It is soft twill, unstructured, low profile, sewn eyelets, cloth strap with tri-glide buckle closure.

In 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



Notes from the Sustainability Fair in Charleston

By Cindy Ellis

Once again, Fair organizers planned a terrific event. Saturday, September 24, 2011 found a wide array of vendors, including a table for the West Virginia Highlands Conservancy.

The “I ♥ Mountains” stickers and buttons were in great demand. Many folks made expressions of concern over mountaintop removal mining. Our booth happened to be located next to the one for a natural gas company and we overheard much about Marcellus Shale worries too.

The variety of fair attendees and their assorted comments made the event memorable. They included:

- The woman who took a “Stop the Destruction” booklet and told her young son to enlarge it to poster size and give it to his dad
- Someone who'd recently seen the MTR photos taken by Paul Corbit Brown and was deeply impressed
- A young man who had spent a week in the Spruce Knob area with the Mountain Institute
- A middle school student from Ritchie County who told of her award-winning Marcellus Shale social studies fair project
- Gubernatorial candidate Bob Henry Baber
- A biology instructor from a nearby college who was grateful to be given a copy of the book “Plundering Appalachia”
- Someone who regretted she couldn't give more time to our cause due to her work with battered women
- A fellow who stood reading “Plundering Appalachia” for 20 minutes and then said, “Now I know what they are talking about.”
- A young activist in Fayette County who had recently met other young activists. The latter group was from a part of India where coal mining problems abound.
- Several people who suggested that this presenter needed to grow a white beard to be official
- A librarian from an adjoining county who was very complimentary of our history book by Dave Elkinton. She admires the work and said it is much circulated.

Thanks to everyone who helped make the Sustainability Fair possible; it was an exciting and satisfying day.

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.

WEST VIRGINIA'S 'LAND OF CANAAN' EXPANDS PROTECTION

The U.S. Fish and Wildlife Service (USFWS) and The Conservation Fund announced the addition of 325 acres to Canaan Valley National Wildlife Refuge (Refuge). The acquisition completes a three-phase effort to protect one of the largest undeveloped areas of land within the refuge boundary. It connects two areas of the Refuge, securing a significant ecological corridor with the Monongahela National Forest and establishing a critical link in the Heart of the Highlands Trail.

Identified by the USFWS as a top acquisition priority, the property provides ideal nesting habitat for grassland-dependent and forest dwelling migratory song and game birds including American woodcock, golden-winged warbler, indigo bunting, scarlet tanager and Canada warbler. This addition to the Refuge, together with a 120-acre tract conserved in 2008 will ensure enhanced water quality of Flat Run – a high quality, year-round water source and tributary of the Blackwater River.

“The diverse refuge lands already provide a range of wildlife habitats and this new acquisition will help increase habitat for native species,” said Jonathan Schafler, refuge manager at Canaan Valley National Wildlife Refuge. “We are thankful for our partnership with our senators and representatives in Congress, The Conservation Fund and The Nature Conservancy for making this acquisition possible.”

Canaan Valley is the largest high elevation boreal valley in eastern North America, encompassing over 24,000 acres in the northeastern portion of West Virginia. The region contains 8,400 acres of nationally significant wetlands habitat including 40 different wetland and upland plant communities. Collectively these vital ecosystems support more than 580 different species of plants, more than 280 species of mammals, birds, reptiles, amphibians and fish, and two federally listed species – the West Virginia northern flying squirrel and Cheat Mountain salamander. Among this wetland complex is one of the nation's largest shrub swamps and the fourth largest bog in the eastern United States.

“By protecting the ecological integrity of this area, we are creating crucial buffer zones that secure the highest quality habitat for many species that call the Canaan Valley home,” said Reggie Hall, real estate associate for The Conservation Fund. “We are proud to be a part of these collaborative efforts to protect a West Virginian natural treasure.”

The West Virginia Congressional delegation in 2009 and 2010 played a key role in securing funding for this acquisition through the Land and Water Conservation Fund, a federal land protection program that receives significant revenue from the development of federally-owned offshore oil and gas rights. Additional funding was also made available from The Nature Conservancy.



BIG FUN MAKING HOLIDAY WREATHS

Join us for an afternoon of fun learning how to make your own holiday wreath. The fun will be on **November 27, 2011** at the **White Grass Ski Touring Center and Cafe** in Canaan Valley. Bring a hand pruner and any decorations or adornments (bows, ribbons, berries, cones, or other ornaments) you'd like to add to your wreath. We'll have everything else you'll need including a variety of firs to construct your very own piece of artwork. We'll get started at 1pm and be around all afternoon. Contact Dave Saville daves@labyrinth.net

HOUSEHOLD HINT

Board Member Emerita Jean Rodman, channeling Heloise, points out that these wreaths can have a useful life even after their decorative life is over. After it is finished on the door, put the wreath in to the bottom of the outdoor trash can. It lasts for months there and you get a big woosh of balsam (if that's what your wreath is made from) every time you drop in a big bag. This works best if you just store your bags in the can and take the bags to the street for pickup. If you put your can at the curb, the garbage men will just dump out the wreath with everything else.

You could also put the wreath in the bottom of your kindling box if you have a woodstove, or any other container that you are in and out of regularly.



Peter Wentzel and Mary Gainer show off their creations from last year

MOUNTAINTOP REMOVAL—UP CLOSE AND PERSONAL

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 Daniel Chiotos, (304)886-3389 – cell, (304)205-0920 – office.



Kayford Mountain Photo by Vivian Stockman

Outing Report...Introduction to Hawk Watch

By Cindy Ellis

There were no responses to a scheduled outing in Monroe County on September 24. That's good. People who traveled to the observation tower to watch hawks on that day spent most of their time huddled inside its small interior waiting for the fog to lift.

But, I went there on the three subsequent days and saw over 200 to 400 migrating raptors each day. Mostly Broad-winged Hawks were seen, but also Bald Eagles, Ospreys, and a Peregrine Falcon.

On September 28th, a Cooper's Hawk flew past the elevated tower at our eye level. As it passed, it paused in midair, dropped its talons, and scratched its head! I'd never seen that before!

You don't really need a scheduled trip to visit this amazing and craggy site. Volunteers host an excellent website www.hangingrocktower.org that explains the migration and the location. One bonus is traveling in the mountains and valleys of this area; this is an especially beautiful and rural county without a single traffic light.

Some of the turbines from the Beech Ridge wind facility can be seen from the Hanging Rock Raptor Observatory. Like the hawk on the 28th, a number of us are still scratching our heads and puzzling over the impacts of such facilities, and of the whole energy problem.

But a day at the tower on the rocks of Peters Mountain can help make you forget those puzzlers. See you there in 2012? Check the weather beforehand but remember, just as at Dolly Sods, there is always an element of unpredictability up on top.

WEST VIRGINIA HIGHLANDS CONSERVANCY FALL REVIEW

By Don Gasper

There was a fall review meeting of the West Virginia Highlands Conservancy the last weekend in October. There was an extremely interesting field trip, of course. This time it was to a preserved mine company store where our guide kept us fascinated with its many unique rooms (as many as ten on one floor, and there were three floors). One was the post office for 1000 miners. Because it was almost Halloween, we were told they embalmed miner's bodies in the basement, and that deaths did not have to be reported to the state until 1933,

During the last four years, we had held one of our meetings near the New River Gorge. One was when there was a danger of a housing development along the crest of the Gorge. The scenic impairment was too great, and the proposal went away amid quite an environmental uproar, to which we added our voice, after standing on the ledge across from it.

This time the talk is of over 10,000 acres on Dunloup Creek, a tributary of New River. It will be disturbed by the Boy Scouts as they carve out three tent camping villages on an old strip mine site on Dunloup Creek before it drops into the Gorge. Beginning in 2013, for 10 days in summer 50,000 scouts

will camp there. The U.S. fish Wildlife Service is checking for bat use of a couple of old mine portals- the last of the agency permit requirements.

W.Va. Department of Environmental Protection- Abandoned Mine Lands will spend millions to stabilize dangerous highwalls, exposed mine portals, old refuse piles and abandoned concrete structures left from mining in the area prior to 1977. W.Va. Division of Natural Resources has planned enhancements for mitigation for aquatic losses. Additionally D.N.R.-Wildlife will, evolve and teach a lesson on ecology.

The National River itself will also evolve a coordinated presentation to the scouts. Scouting, of course, has its own training on these topics: knots, rope, rappelling, canoeing, wildlife, ecology, nature trails, etc. As a part of their environmental concern, the showers will be pull-chain, heated (some) by solar. They will do a lot to minimize their periodic impact. They are very smart and concerned; they will travel and play safely. On the whole reassuring to us - and to all.

We also had a presentation on the Gorge by a representative of the National Parks Conservation Association who was responsible for their July 2011 report of "The

MESSAGE FROM OUR PRESIDENT

(Continued from p. 2)

Muir, Robert C. Byrd, EPA, DEP, composting toilets, the New River Gorge, Cheat Mountain, Shavers Fork, The Monongahela National Forest, The Sylvester Dust Busters, Spice Run, updates, disasters, sign-ons, "home and place," fund drives, Mountain Justice Summer, Mountain Institute, litter, wilderness, fracking, and, in four issues, the topic that brought him to us, that highway to nowhere, Corridor H. Hugh's writing reflects his love of reading and the breadth of his reading choices. Authors quoted, or books mentioned in his columns made up a long list and included Irene McKinney, Carl Sagan, Beatrix Potter, John McPhee, and Kai Erikson; and "Cadillac Desert," "Wildlife in America," "Reading the Mountains of Home," "Terrestrial Energy," "Wildwater West Virginia," and "The Enduring Wilderness."

The immediate past president has agreed to write more for us. Sometimes. And, in his "immediate past" presidential role on the board, Hugh will still be a serene presence and a superlatively informed voice for the highlands of West Virginia.

State Of The Watershed". Human settlement has so elevated sewage coli form counts everywhere above the level for contact (swimming) that the rafting industry is concerned. This is worse at higher flows. (The Gauley we noted in one photo was clear, and we thought the Greenbrier often would be; though at low flow it has its own algal/nutrient bloom problem.) The study involved not just rafters and agencies but an array of agencies and stakeholders. Sewage treatment plants had input, also. Priority watersheds were identified. They will sample water quality more, involving more volunteers, etc. This report is a good beginning and the program continues in a coordinated manner.

W.V. Highlands conservancy also had another of its windy discussions on wind energy. Our experts were there and we had the focus of the A.H.A. group. We are seeking to consolidate and improve the science and position of the varied environmental groups and citizens. It is becoming clearer that the very "attractive" wind mills, with their progressive "Green Energy" connotations, are false images, not in the best interests of W.Va.

FALL WEEKEND October 2011: The Serious and the Frivolous

The Fall Weekend of the West Virginia Highlands Conservancy was a combination of the serious and the frivolous, including a field trip to the Whipple Company Store as well as meetings and frivolity. Here are some pictures of the serious and the frivolous. We trust you can tell which is which. For accounts of the activities, see stories on pages 11 and 14.



Looking at a still-operating hand pulled elevator.



Don flies into the bright lights at Laurel Mountain Wind Project



Larry lets Hugh know his presidency is over



Cindy dons claws in preparation for the next part of the meeting.



Bill reacts to plans for new wind turbine facility



Ruth Rogers in the acoustical spot in the Whipple Company Store where a customer's words could be heard in every part of the building.

FALL WEEKEND October 2011

A collaborative report by Cindy Ellis and Cindy Rank

Members of the West Virginia Highlands Conservancy returned to the New River and Hawks Nest State Park for the annual meeting and Fall Review on October 29 and 30, 2011.

On Saturday morning we met to discuss "What Next?" for the WV Highlands Conservancy. We focused on a list of our strengths and problems. One strength noted was our continuing effort to follow in our founders' footsteps by meeting difficult challenges to the mountains.

With www.wvhighlands.org website projected on a screen for all to see, webmaster Jim Solley was on hand to discuss ways to use the website and to listen to concerns and ideas for possible changes.

We spread out through Fayetteville for lunch, sampling different local food spots [all delicious]. Next we toured the Whipple Company Store and got an intriguing perspective on the life of a miner and family as the coal company attempted to maintain control of the community through store transactions and regulations.

We met again in the late afternoon and focused on wind energy issues. Long time wind committee members Peter Shoenfeld and Frank Young were assisted by Wayne Spiggle and Larry Thomas. The latter two have direct experience with turbine facilities in their home areas.

After more cuisine sampling at dinner, we returned to wind up the "What Next" conversations, only pausing for a few fun minutes to don masks for a quick nod to Halloween.

We began the Sunday morning Annual Membership Meeting by thanking Marilyn Shoenfeld and Cindy Ellis for their preparations for the weekend and proceeded to the election of Directors-At-Large for the two year terms set to expire in 2013. Bob Henry Baber, Dave Fouts, Larry Thomas and Mike Withers agreed to return and were reelected with Frank Young exiting his past president's slot to now become a board Director-At-Large.

The annual board meeting was called to order immediately upon adjourning the Membership Meeting. We followed our regular order of business including committee reports which included further

conversations about wind and web and other issues discussed on Saturday, and reviewed the third quarter budget report. Agreeing to take the reins a year early at the request of resigning President Hugh Rogers, Cindy Ellis chaired her first board meeting as President and ran down a whole laundry list of items in her president Report.

Among other items Cindy mentioned were possible new members to be invited to serve on the board; thanking Dave Saville for his yeoman's efforts to digitize more of the archived past issues of *the Highlands Voice*; the upcoming fund appeal; looking for an intern to assist and learn from Jim Solley about maintaining the website; brainstorming on ways to further use Marc Blumenstein's sculpture in our fundraising efforts.

In response to the previous days discussions Cindy also suggested we give more thought to arranging for more weekend reviews similar to this one, where we set aside more time to be together discussing in a more detailed and focused way particular committee actions and activities.

Before lunch break we welcomed a special guest, Heather Lukacs, to talk about her role as Senior Clean Water Coordinator for the West Virginia field office of the National Park Conservation Association (NPCA) and some of the efforts of the New River Clean Water Alliance a diverse network that includes representatives of area tourism and resource conservation interests, as well as state and federal agencies.

Heather shared with us the "State of the Watershed" report and presented slides depicting some of the highlights of the work being done by communities within the New River watershed to clean up creeks that flow into the New River.

It's interesting to note that while Heather has returned to her home county and is helping others recognize and express their concerns and love for their communities and watersheds, she is also finishing her dissertation on how sense of place relates to participation in grassroots efforts to restore and protect rivers and streams in Appalachia.

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.



HIGHLAND REYLAS MINE REVISITED

By Cindy Rank

The Highland Reylas Mine permit encompasses some 600+ acres at the head of Bandmill Hollow above Rt 17 near Stollings in Logan County WV and would allow the company to fill over two miles of stream in Bandmill Hollow, a tributary to Dingess Run of the Guyandotte River.

BACKGROUND

An article in the May 2011 issue of the Highlands Voice ("Judge Ensures Transparency") outlined some of the shenanigans that took place in the original approval of a Clean Water Act (CWA) Section 404 fill permit for this mine.

On Friday March 4, 2011 the Army Corps of Engineers granted Massey Energy (now Alpha Natural Resources) subsidiary Highland Mining a Section 404 fill permit for its 630 acre Reylas Mine in Logan County WV.

As has happened at other mines the company immediately began work in the stream before we knew the permit had been granted.

By Tuesday March 8, 2011, citing numerous violations of the Clean Water Act and the National Environmental Policy Act, Joe Lovett and Derek Teaney with the Appalachian Center for the Economy and the Environment filed for and received a Temporary Restraining Order (TRO) from Judge Robert C. Chambers of the United States District Court for the Southern District of West Virginia.

Stream work was delayed and a hearing date set for May 10, 2011.

Then, on April 19th in a rather surprising move, the Corps informed the company that it was suspending the permit, saying details of the permit merit further consideration and asked the court to approve the voluntary remand of the permit.

An April 20th Court Order approved the remand, but also stated that if a permit is reissued all activities authorized by that permit are automatically stayed for thirty days to allow for consideration by all parties.

RECENT ACTIONS

On, September 20, 2011 the Corps once again granted a CWA 404 permit for the Highland Reylas mine.

On October 13th WV Highlands Conservancy joined the Ohio Valley Environmental Coalition and the Sierra Club in challenging once again the 404 permit for this mine.

Our original challenge raised six permit deficiencies involving 1) the failure to mitigate increased stream conductivity, 2) inadequate consideration of practicable alternatives to minimize stream impacts, 3) insufficient compensatory mitigation, 4) inadequate consideration of cumulative impacts, 5) inadequate public notice, and 6) the failure to analyze adverse selenium impacts.

Perhaps not unexpectedly, the Corps addressed only one of the six issues raised in the prior motion and in a manner less than acceptable. As our October 13th motion states "Plaintiffs are reserving that issue for resolution at trial, if necessary".

The other five issues are renewed in this Oct 2011 complaint and an additional issue has presented itself in the form of significant new health studies released this past spring and summer.

In March, May, and July 2011, after the Corps' March 2011 Reylas decision, West Virginia University researcher Dr. Michael Hendryx and other scientists published three peer-reviewed studies on the association between mountaintop mining (MTM) and the health of nearby residents in West Virginia, .significant new information

that requires the Corps prepare a supplemental Environmental Assessment (EA) or Environmental Impact Study (EIS) analyzing the cumulative effects of surface coal mining on human health.

Since that time there have been several other studies that also suggest residents in counties where mountain top removal mining is practiced have a higher mortality rate, are more likely to contract some forms of cancer, or suffer from chronic heart and lung ailments. Hendryx has estimated health costs attributed to mountain top removal mining to be \$42 billion.

Many who live near these mines firmly believe that the mining causes a lot of their health problems. With these new studies indicating mountaintop removal mining places a significant health burden on the people of Appalachia, the time is right to begin serious discussion of those public health effects.

PERSONAL NOTE

Rt 17 winds south out of Madison down through Blair, passed the recently vetoed Spruce No. 1 minesite and Pigeonroost Hollow then rises up and over Blair mountain where it begins to follow Dingess Run as it flows to meet the Guyandotte River just south of Logan.

As the struggle continues to preserve a couple thousand acres of ridge top that include some of the last remaining important artifacts and encampments of the infamous 1921 Battle of Blair Mountain, mining permits continue to be granted on and near the mountain.

Much has changed since I first traveled that road with Penny Loeb in 1997 and there seem to be new changes every time I visit the area.

Descending from the mountain top one drives through tree lined sharp curves. A valley fill and sediment pond butts up to the road at one of the severest switchbacks on the north side of the road and is clearly visible especially when the leaves are off the trees. Brief glimpses of the flattened ridge on the other side of the road can also be seen while driving down off the hill.

Further on down, the road crossing that links Highland mining operations along Freeze Fork to other operations on the opposite side of the road has been widened and the guard shack moved closer to the road.

Immediately below the guard shack, the silent reaper of the coal industry has uprooted a dozen or more homes that once stretched along Dingess Run on the south side of the road. Only the narrow concrete drive that once looped through the home sites remains....

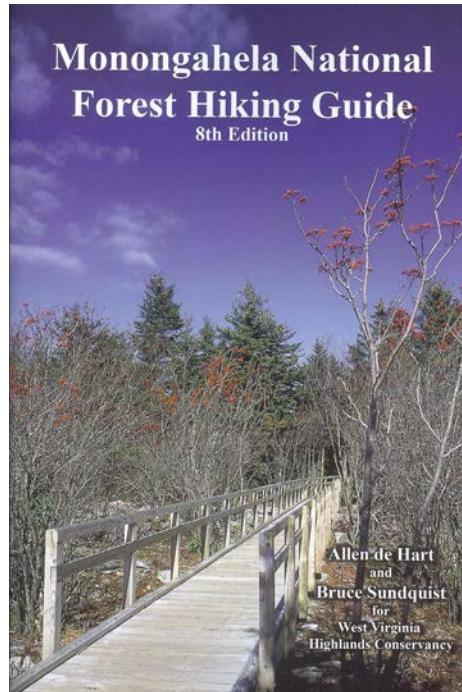
At the next little village of mobile homes just before Ethel the wonderful old stone church is being dismantled and I suspect the remaining homes in that small turnoff will be the next to go.

Stopping at the many pull off wide spots in the road one can still enjoy the gurgle of the water and watch for birds and other stream side critters, but just as the residential aspect of the area is changing, so too is the water quality of Dingess Run and its tributaries.

The ever expanding mining in the Dingess Run watershed is cause for concern.... And the basic reason for our recent litigation filed against the Highland Reylas 404 permit.

Stopping to admire the homes in Melville at the mouth of Bandmill Hollow it is particularly troubling to realize discharges from

(More on p. 15)



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.
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MORE ABOUT THE HIGHLAND REYLAS MINE (Continued from p. 15)

the Highland Reylas Mine upstream will likely contribute even more to the gradual change in water quality.

When considering a permit for the Highland Reylas mine the EPA stated that "[a]fter careful consideration, we find that the extensive cumulative and other impacts give this proposed project high potential as a candidate for a 404(c) [veto] action." Despite this threat, and despite the absence of evidence of any significant changes to the original mining plan, EPA has not yet blocked the permit .

From degradation of stream water quality and biologic impairment of aquatic life, to potential human health impacts and additional disruption to communities and forests in the Dingess Run area, this permit should never have gotten this far.

Everything about the Highland Mining Reylas permit screams for denial and yet the Corps marches on.

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Derek Teaney and Joe Lovett] from Appalachian Mountain Advocates (formerly the Appalachian Center for the Economy and the Environment)and Jim Hecker from Public Justice are representing the West Virginia Highlands Conservancy, Ohio Valley Environmental Coalition, and the Sierra Club in this suit.

