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Coalition Promises a New Level of Scrutiny for Proposed Pipeline

The newly formed Dominion Pipeline Monitoring Coalition (DPMC) is among the many regional organizations taking a stand in opposition to Dominion's proposed Atlantic Coast Pipeline that would cross the central Appalachian Mountain region, including some of the best remaining wild landscape in the eastern United States. The coalition will use a corps of volunteers to monitor the project not only from the ground, but also from the air with its Pipeline Air Force.

If the project goes forward despite citizen opposition, it will cut through 40-50 miles of national forest and cross a long list of the region's highest quality streams and rivers.

As proposed, the 42-inch pipeline would require the clearing and bulldozing of a 125-foot construction corridor straight up and down 20 or more forest-covered mountains in the 3,000 to 4,400-foot elevation range. There is no precedent in the United States for pipeline construction on this scale in this type of steep mountain

terrain.

The Dominion Pipeline Monitoring Coalition (DPMC) is primarily concerned about the project's impact on water resources in the 100-mile mountain-and-valley section of the proposed pipeline route that extends from Cheat Mountain in Randolph County, West Virginia to the Blue Ridge Mountains in Nelson County, Virginia. Because the proposed project is generally routed along the divide between major river basins, it will impact the upper reaches of multiple mountain headwater streams, many of which provide habitat for the region's native brook trout and drinking water for downstream communities.

Many conservationists are convinced that the project cannot be completed without significant long-term harm to the region's water resources and ecological integrity. "It seems unlikely that Dominion officials have been properly informed about the problems associated with this proposed project. I don't believe it can survive a

legitimate environmental review or be constructed in compliance with state and federal environmental requirements," said Rick Webb, coordinator for the Dominion Pipeline Monitoring Coalition (DPMC).

The DPMC intends to provide a new level of public oversight with respect to the proposed pipeline. This will be achieved through careful review of permit applications and site plans, and should the project go to construction, through ground and aerial surveillance for strict compliance with water-related regulations.

"In too many cases government agencies take a relaxed approach to regulatory enforcement they call 'compliance assistance,' as opposed to actual enforcement," said Webb. Additionally, the sheer scope of this project means that the staff and resources of the regulatory agencies will be stretched beyond their limits. Without detailed oversight, irreversible environmental damage could easily occur. "We can't let a project on this

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Ramblin' the Ridges

By Cynthia D. Ellis

HOMELESS

Some West Virginians can leave our state easily, with happy memories or not, to relocate and be satisfied. Many more of us cannot. We want to stay. We have deep attachment to our home place...our neighborhood and our place in it. We are fond of our customs, such as greeting friends by name in the grocery store, and of waving to everyone when we drive by. We treasure our closeness to the mountains and the daily reminders of family.

And we natives are joined by some who came here to stay. "West Virginia Chose Me," sings Colleen Anderson, and it can be true.

And a few of us are staying and it's not a point of choice
It's not we who do the choosing, we are chosen by the place
And West Virginia Chose Me, sure as my own mother knows me
If I leave you West Virginia, it don't matter where I roam
I don't know where I'm going, but I know I'm coming home.

Native or not, singing or not, we know the feeling.

So it is discouraging to find that a new set of people are being forced to leave a place they thought could be home.

Of course we know that forced relocations are not new here. Miners had to leave homes and communities at the time of the Mine Wars of the 1920's. More recently there are those who have been forced to leave due to mountaintop removal mining. We have learned how coal companies used reprehensible tactics to coerce families into giving up homes and how entire towns were targeted and eliminated. Or, folks have had to leave home due to contaminated air or ruined water.

Now both native and choose-to-be here residents of newly-active gas extraction areas are wondering if they can stay. Some have left.

A recent short video documents the troubles of one couple. They came here from the West Coast. Like others, they immediately felt at home; at peace. They planned to stay. They made improvements to their farmhouse, got some chickens, and built a small greenhouse. But the gas boom hit. Construction began on multiple wells on their property and their quiet country lane was slated to become a paved haul road. Everything changed; serenity was gone. Deeply reluctant and saddened, the couple chose to leave. The video shows them walking about their rooms, porch, and yard; apologizing for the orphaned look of things, because they had become depressed and given up. Packing clutter littered a once cheerful kitchen, a wind chime still tinkled softly, and weeds pushed up along the greenhouse walls. The two pointed out how the noise and activity of the gas drilling, which would not be short-term, would change everything and make living unbearable here now.

This is only one case. Sadly quite a number of people in quite a few of our counties feel beleaguered and besieged by the Marcellus Shale rush. Their stories can now join with those of the distant and recent past...where individuals are disregarded by industrialists and by government figures and agencies too. The couple in the video are united with the mining families forced to shelter in tents in cold winters on Paint Creek and with the few in recent years who would not sell out to Big Coal and found themselves at "home", but only on tiny islands of green among poisoned water and blasted surroundings.

Some officials have made stabs at addressing parts of this issue. In 2008, the governor and department of commerce launched a campaign which used internet, television, and print ads to urge folks to "Come Home to West Virginia." Postcards were distributed in an effort to prompt residents to contact friends and relatives and invite them to come back.

But, no campaigns addressed the environmental problems that affected home sites...and areas of established and potential tourism value.

West Virginia can do better. We should be capitalizing on our sense of home. We should recognize our unique warm character and its appeal; on attributes not found elsewhere, and we should couple that recognition with conservation action. We should enable people to come home...and to stay.



Vivian Pranulis, Wolf Creek Printery, Alseron, West Virginia

AND THE WINNER IS.....



West Virginia Highlands Conservancy President Cynthia D. Ellis holds the bowl as Board member Rick Webb picks the winner in the giveaway of the Mark Blumenstein sculpture *Mountain Melody: Phoenix Duet*.



Tim Warner and Paula Hunt--longtime member, Voice contributor, and now **WINNER!** of *Mountain Melody: Phoenix Duet*.

West Virginia Highlands Conservancy Annual Meeting: What Happened

It was a good year for incumbents as Cynthia Ellis, Larry Thomas, Frank Young, Marilyn Shoenfeld, John McFerrin, and Bob Marshall were re-elected to their posts as President, Vice President, Vice President for State Affairs, Vice President for Federal Affairs, Secretary, and Treasurer, respectively. In the only selection that is more certain than the re-election of Robert C. Byrd, Hugh Rogers retained his post as Past President.

Sara Bird, George Beetham, Jackie Burns, Bill McNeel, and Peter Shoenfeld were re-elected to positions as at-large Board members with terms to end in 2016. We did add new Board member Rick Webb with a term to end in 2015.

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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.

The Pipeline: Let the Scrutiny Begin (Continued from p. 1)

scale, in this environment, go forward on that basis," he added.

A key element in the DPMC surveillance program is the volunteer citizen Pipeline Air Force, which will observe and document construction from the air. At present the Pipeline Air Force includes three planes, and the DPMC is seeking the participation of additional pilots with planes.

In addition to aerial surveillance, the DPMC plans to promote and support the involvement of regional citizen water quality monitoring groups to obtain baseline and post-construction water quality data in relation to the proposed pipeline corridor and its associated infrastructure, such as transport roads and staging areas.

The Dominion Pipeline Monitoring Coalition effort currently involves numerous trained citizens and scientists who are engaged in research related to the regulatory review process, as well as in analysis of ecological conditions in the proposed pipeline corridor. The list of regional conservation organizations participating in the DPMC includes:

West Virginia Highlands Conservancy
Virginia Chapter of the Sierra Club
Allegheny Highlands Alliance
Virginia Wilderness Committee

Friends of Shenandoah Mountain
Highlanders for Responsible Development
Shenandoah Valley Network
Friends of Middle River
Augusta County Alliance
Greenbrier River Watershed Association
Friends of Nelson County

The DPMC is a member of the Allegheny-Blue Ridge Alliance, a coalition of more than 25 organizations from Virginia and West Virginia organized to work on the pipeline issue.



PIPELINE AIR FORCE PILOTS – Jeff Shingleton, left, and Michael Godfrey stand ready to take to the air. (Photo courtesy of the DPMC)



IN THE AIR – In preparation for the Dominion pipeline project, the volunteer Pipeline Air Force has already started photographing pipeline projects such as this one of National Forest pipeline construction in September. This small 12-inch-pipeline is currently under construction across Peters Mountain in Giles County, Virginia. Aerial photos were obtained as part of a DPMC case study initiative to examine construction practices and regulatory compliance for existing pipeline projects across the Appalachian Mountains. (Photo courtesy of the DPMC)



PIPELINE AIR FORCE ASSEMBLES – The creation of a coalition formed to supply a new level of public scrutiny and surveillance on the proposed Dominion pipeline project was announced Tuesday. The volunteer corps will include the newly formed "Pipeline Air Force" consisting of pilots and their planes in order to provide aerial surveillance as the group prepares to deliver an unprecedented level of monitoring and scrutiny in order to assure compliance with the regulatory procedures and permits that Dominion will be forced to follow if the project is approved. This photo includes two of the air force pilots and their planes as well as a number of observers and ground volunteers. (Photo courtesy of the DPMC)

A New Train In the Mon?

By John McFerrin

As reported in more depth in the May, 2014, issue of *The Highlands Voice*, John Smith, who runs the scenic railroads along the Greenbrier and Shavers Fork Rivers, has a vision of a 90-mile loop that would connect those two lines, one at the foot of Cheat Mountain and the other on top. To accomplish that, his West Virginia Central RR would have to deal with three main obstacles. On the north end, the old tunnel between Bemis and Glady must be restored. Between Glady and Durbin, tracks would be rebuilt along the West Fork line, making it rail-with-trail. And on the south end, Smith's company would need an operating agreement with Cass Scenic Railroad, a state park, for the climb to the ghost town of Spruce at the head of the Shavers Fork.

Now the United States Forest Service has before it a proposal to do one of the things that would be necessary to make this loop a reality. It has a proposal to allow the tracks to be rebuilt along the West Fork line, making it a rail-with-trail. If approved, the result would be that the train tracks would be rebuilt on what is presently a rail-trail. A new trail would be constructed roughly parallel to the new tracks located on the site of the present rail-trail.

The proposed project (called The West Fork Greenbrier Rail With Trail project) is located in Randolph and Pocahontas Counties, West Virginia. The project would follow the existing railroad grade for its entire length. It would go north from Durbin to Glady, then northwest from Glady approximately halfway to Bemis, then southwest to where the railroad grade meets the WV Central Railroad south of Elk River Junction. From that point, it would cross the Shavers Fork River and head back north to Elk River Junction. A spur line would be constructed between Cheat Junction and Greenbrier Junction. Altogether it would be about 27 miles long.

When this section of the original railroad ceased being an active railroad, the ballast, rails, and ties were removed from almost the entire length. What had been an active railroad became a rail-trail. To make it an active railroad again, it would be necessary to reinstall the ballast, ties, rail, etc. Once that is done, it would again be an active railroad, used for "commercial tourism and freight movement."

It is apparent what the "commercial

tourism" is. There are already scenic railroads along the Greenbrier and Shavers Fork Rivers. The proposed West Fork Greenbrier Rail With Trail would be part of a loop connecting those two.

It is not clear what freight would be carried along the route. The Scoping document does not say. At one point it refers to the new railroad as carrying "light-freight."

In addition to the reconstructed railroad, the project would include construction of a horse and foot trail parallel and adjacent to the newly reconstructed railroad.

More specifically, the proposal would include the following:

- Clearing vegetation where necessary from existing railroad right-of-way from Durbin to Greenbrier Junction (21-foot wide corridor to accommodate rail with trail)
- Grading and stabilizing railroad right-of-way subgrade.
- Stabilizing and/or constructing bridges and cantilever trail on bridges.
- Clearing and stabilizing tunnel #2 (near Glady: including water diversion).
- Installing ties and rail.
- Constructing trail adjacent to rail including clearing, grading, and constructing new trail around grade cuts and pinch points.
- Stabilizing and revegetating disturbed areas.
- Installing milepost signs, train schedule signs, and interpretive displays.

The Process

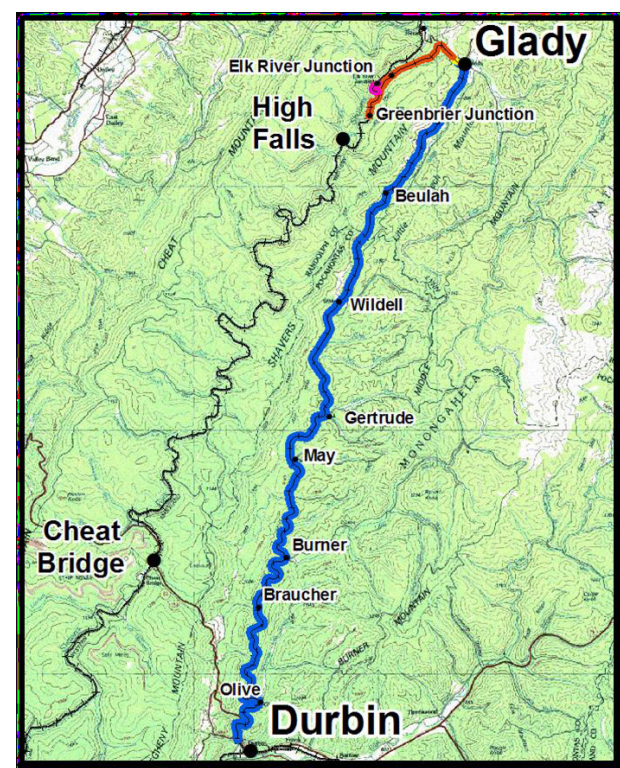
The Forest Service has a procedure it follows when undertaking such a project or making such a decision. It begins with what is called Scoping. This is where we are now. Eventually the Forest Service will prepare either a full Environmental Impact Statement or a formal Environmental Assessment. The Environmental Impact Statement, and all that it involves, is reserved for projects which have a significant environmental impact. Those which the Forest Service thinks will have a lesser impact will have a less involved and detailed Environmental Assessment. Either the Environmental Impact Statement or Environmental Assessment would first come

out as a draft. After receiving comments on the draft, the Forest Service would issue a final product.

The point of the Scoping is to help the Forest Service figure out what is important. It asks for the public's opinion on what the Forest Service should consider when it begins its more detailed review of the project. It asks what problems the Forest Service should consider and what issues it should focus on in its review.

At this point, the information in the Scoping document is general. As the Forest Service studies the proposal more and considers comments from the public about what the public thinks is important, the proposal and the Forest Service's review will become more focused and detailed. The more focused and detailed review will eventually become part of whatever Environmental Assessment or Environmental Impact Statement the Forest Service ends up preparing.

The West Virginia Highlands Conservancy has decided to make comments on the Scoping Document. It does not oppose the project, at least not at this time. Right now there is not enough information to have an informed opinion; the Conservancy plans to continue to participate so as to monitor and review additional information as it becomes available.



Pipelines Ad Nauseum

By Beth Little

The expansion of Marcellus gas drilling in West Virginia has spawned proposals for pipelines to move that gas from West Virginia to customers in Virginia and North Carolina. The proposals have, in turn, produced activity from concerned residents.

The Proposals

Below is a rough map of the natural gas pipelines we know about (so far) that are proposed to go through West Virginia. (There are other pipelines proposed through Pennsylvania, Ohio and Kentucky taking Marcellus fracked gas hither and yon, including to the coast for export.)

This spring there was the Dominion (now Atlantic Coast) pipeline (ACP) cutting through the middle of the Monongahela and George Washington National Forests to take natural gas to Virginia and North Carolina power plants/industries. About the same time the Spectra pipeline was proposed for the same purpose. It would have started in Pennsylvania and crossed the eastern panhandle of WV, but it has seemingly been withdrawn. Next came the Mountain Valley pipeline (MVP) to run down through West Virginia and connect with the Transco pipeline; followed by the Western Marcellus pipeline with a similar route, though we haven't seen a specific map yet. The Transco pipeline is an existing transmission pipeline running through Virginia that connects to the coast at both ends – Atlantic coast and Gulf coast.

Before all this, there was the Dominion Greenbrier pipeline, which was approved in 2003, but withdrawn by Dominion because they were reviewing “whether to shift budgeted funds for pipeline development into expansions now under way at Dominion’s Cove Point liquefied natural gas (LNG) terminal in southern Maryland.” Dominion further stated: “The pipeline remains a viable project. Our pause raises only an issue of pipeline timing, not pipeline need.”

Dominion has now acquired a permit for exporting liquefied natural gas in Cove Point, but their application with FERC (Federal Energy Regulatory Commission) for the Greenbrier pipeline expired in November 2007.

Dominion spokesman Bob Fulton gave another reason for withdrawing the Greenbrier pipeline, saying the pipeline

project stalled because the company could not meet a Federal Energy Regulatory Commission requirement that the company have contracted buyers for 90 percent of the gas it intended to transport. Downturns in the economy forced energy companies that Dominion counted on as natural gas customers to scrap or delay plans to build new gas-fired electrical power plants, Fulton said.

The exact routes of the proposed pipelines are not known, but landowners have been receiving letters requesting permission to survey their land, and there are many questions about property rights, impacts to property values, insurance, wells and springs (especially in karst areas), safety, environmental damage and eminent domain.

The Response

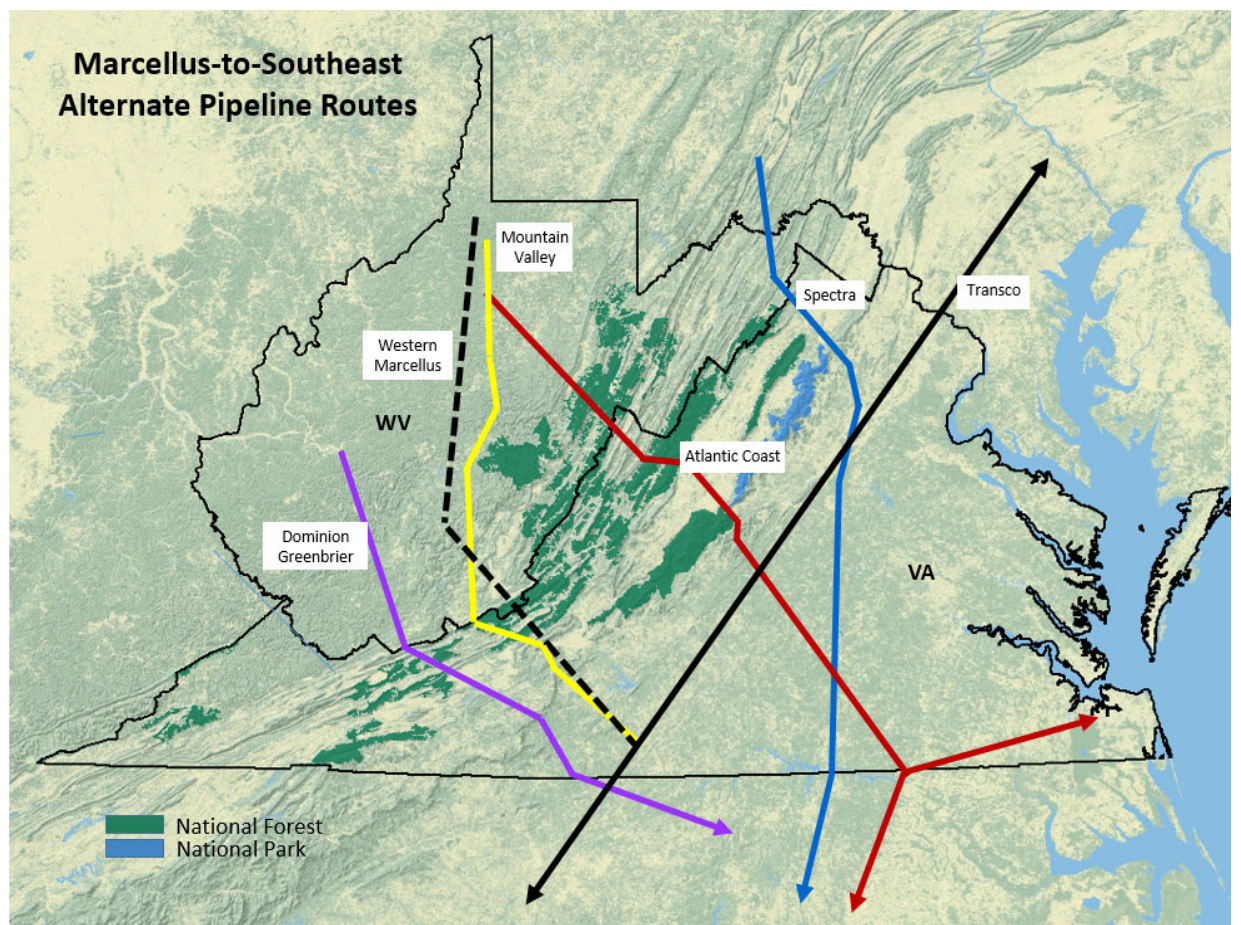
Mid Atlantic Responsible Energy Project has been formed to research and provide information about the pipelines. Partners are listed on the website – www.mareproject.org – which will also list meetings, contact information, instructions on interacting with the FERC and other news.

Greenbrier River Watershed Association, with help from the

MAREPROJECT partners has hired Elise Keaton as an Educational and Outreach Coordinator to help area residents understand the implications of proposed gas pipelines. Elise, who has



an extensive background in organizing around environmental issues, brings with her experience with mountaintop removal, having worked with Larry Gibson and Keeper of the Mountains Foundation. Elise is also licensed to practice law in Colorado, where she worked as a lobbyist and policy analyst on issues such as green workforce



(More on the next page)

More Pipelines (Continued from previous page)

development, education issues and predatory lending. Elise can be reached at (304) 647-4792 or elise@greenbrier.org.

A MAREPROJECT meeting was held in Hinton on October 21 to answer questions from the public. Even with fairly short notice, there were over 100 people attending. Lawyers from Appalachian Mountain Advocates and Beth Little from West Virginia Highlands Conservancy made short presentations and then fielded questions about pipeline facts, legal issues and the FERC process. Another MAREPROJECT meeting was held in Blacksburg, VA on October 28 with more than 250 people. More meetings are planned at places near the pipeline route – see the website www.mareproject.org for details.

The Dominion Pipeline Monitoring Coalition (DPMC) is another major project

that has been launched to “provide a new level of public oversight with respect to the proposed pipeline.” See story on page 1.

The Process

Besides surveys on private land, the ACP has applied for SUPs (Special Use Permits) to conduct environmental surveys on both the Monongahela National Forest and the George Washington National Forest. Comment periods will be announced when the Forest Service completes its review of the applications.

Interstate natural gas pipelines must be approved by the FERC (Federal Energy Regulatory Commission). FERC reviews pipeline proposals, conducts the NEPA (National Environmental Policy Act) reviews of these proposals, and determines whether to grant a certificate of public convenience and necessity. The Mountain Valley Pipeline has entered the Pre-Filing

stage of the FERC process, and the Atlantic Coast Pipeline is expected to do the same any day.



MAREPROJECT meeting was held in Blacksburg, VA

Study Links Mountaintop Removal Dust To Cancer

By Ken Ward Jr.

A new West Virginia University study has found that dust from mountaintop removal coal-mining operations promotes the growth of lung cancer tumors.

The study results “provide new evidence for the carcinogenic potential” of mountaintop removal dust emissions and “support further risk assessment and implementation of exposure control” for that dust, according to the paper, published online Tuesday by the journal *Environmental Science and Technology*.

“A growing body of evidence links living in proximity to [mountaintop removal] activities to greater risk of serious health consequences, including significantly higher reports of cancer,” the study said. “Our finding strengthens previous epidemiological studies linking [mountaintop removal] to increased incidence of lung cancer, and supports adoption of prevention strategies and exposure control.”

Using dust collected from communities near mountaintop removal sites in Southern West Virginia, Sudjit Luanpitpong and other WVU researchers examined its effects on human lung cells to try to investigate previous statistical evidence that showed elevated lung cancer in coal-mining communities, even after adjusting for other factors such as smoking.

They found that chronic exposure to mountaintop removal dust induced cell changes that indicated development of lung cancer. While the data did not “indicate tumor initiation,” it did show “lung tumor promotion and progression” that showed the dust is “a health concern as a cancer promoter.” The first-of-its-kind experimental study used a dust exposure level roughly equal to what mining community residents might experience over an 8.5-year period.

“It’s a risk factor, with other risk factors, that increases the risks of getting lung cancer,” said WVU cancer researcher Yon

Rojanasakul, another of the study authors. “That’s what the results show.”

In recent years, Michael Hendryx, a former WVU researcher now working at Indiana University, has partnered with a variety of other scientists on a series of peer-reviewed studies examining possible links between mountaintop removal and various illnesses. The work has linked health and coal-mining data to show, among other things, that people living near mountaintop removal mines face a greater risk of cancer, birth defects and premature deaths.

Continuing research, such as the new study published this week, is trying to examine actual pollution levels near mining sites and in mining communities, as well as the specific impacts of exposure to that pollution, to provide more answers about the potential impact.

“To me, this is one of the most important papers that we’ve done,” said Hendryx, a co-author of the new paper. “There hasn’t been a direct link between environmental data and human data until this study.”

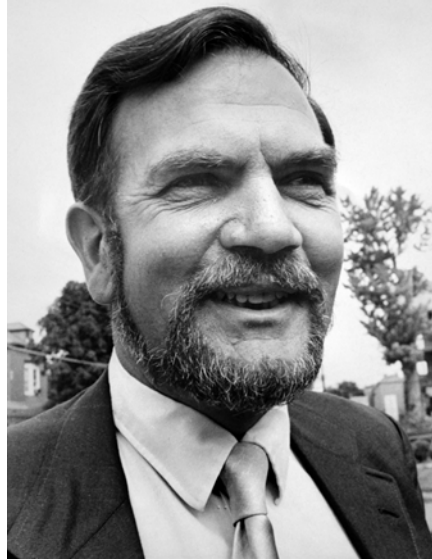
Hendryx said, “The larger implication is that we have evidence of environmental conditions in mining communities that promote human lung cancer. Previous studies ... have been criticized for being only correlational studies of illness in mining communities, and with this study we have solid evidence that mining dust collected from residential communities causes cancerous human lung cell changes.”

Note: This story previously appeared in *The Charleston Gazette*.

Passing of a Pioneer and Friend

A former West Virginia Highlands Conservancy Board member and Vice President died this month at age 91. In addition to his Conservancy service, he was a former West Virginia deputy natural resources director who caused a 1971 storm by openly opposing strip mines and denouncing the Arch Moore administration.

Norman Rider Williams was born in India, where his parents were Methodist missionaries from Buckhannon, and ardent supporters of pacifist Mohandas Gandhi. They stayed at Gandhi's commune and installed a septic sewage system there.



After attending the famed Woodstock School in the Himalayan mountains, the son earned a bachelor's degree at Oberlin College in Ohio, then a master's degree from American University in Washington. During World War II, he was a conscientious objector and led Quaker camps in Vermont.

Williams moved to West Virginia and became a top official of the Division of Natural Resources, as well as a leader of Charleston's

Unitarian Universalist Congregation.

In 1971, he gave a public talk saying strip mines degrade West Virginia and damage lives of mountain families. He asked the Charleston Gazette to report his speech, knowing it would put him in conflict with the Moore administration, which supported stripping.

Bitter debate arose in the Legislature over a doomed bill to abolish strip mining. Williams resigned his state post, declaring that a "climate of fear" in the Moore government prevented regulators from protecting natural beauty from coal ravages.

Williams became chief of a new-formed Mid-Appalachian Environmental Service in Charleston, and later moved to Washington to join a congressional committee staff, where he helped write the Surface Mining Control and Reclamation Act of 1977.

After retiring, he and his wife Wini lived in Culpeper, Va., and suburban Maryland. He wrote a political column for local newspapers and a book about his father, "Ghandi's American Ally: How an Educational Missionary Joined the Mahatma's Struggle Against Untouchability."

Williams died Oct. 15 at a nursing home outside Washington, D.C. In addition to his wife, he is survived by five children, Karen, Timothy, Heather, Gail and Scott, seven grandchildren and six great-grandchildren. A memorial service will be held at 10:30 a.m. Nov. 15 in the chapel of Riderwood Village, Silver Spring, Maryland.

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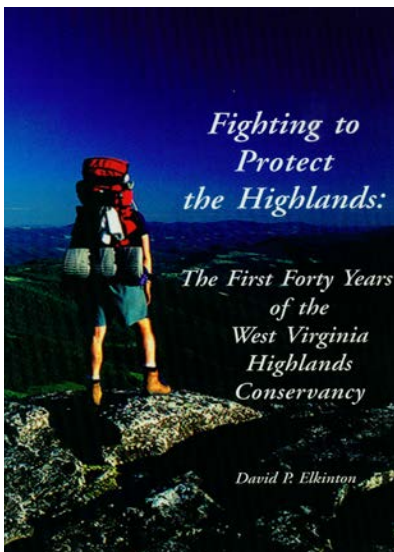
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West Virginia Highlands Conservancy
Working to Keep West Virginia Wild and Wonderful!

GREAT HISTORY BOOK NOW AVAILABLE



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

Learn about how the Conservancy stopped road building in Otter Creek, how a Corps of Engineers wetland permit denial saved Canaan Valley, and why Judge Haden restricted mountaintop removal mining. Also

read Sayre Rodman's account of the first running of the Gauley, how college students helped save the Cranberry Wilderness, and why the highlands are under threat as never before.

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

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

518 pages, 6x9, color cover, published by Pocahontas Press To order your copy for \$14.95, plus \$3.00 shipping, visit the Conservancy's website, 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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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.

Calendar Notes

Sunday, December 14, 1:30 pm, hike at Kanawha State Forest "Out & back on forest road that will allow views of mountaintop removal on the back entrance from Hernshaw...4 miles" [Re-group location---Four Mile Mt.] see Kanawha Trail Club on Facebook for more details

Sunday, January 25, plan now to join the Board Members of WVHC for a Board Meeting Bonus presentation, 1:00; board member LeJay Graffious will present a photo essay, "My Affair with Dolly" featuring the Dolly Sods area of Canaan Valley

A Test Case for Darkness

By Hugh Rogers

Paul Bogard has chased darkness to Sark, a tiny island in the English Channel (the first International Dark Sky Island), back to Flagstaff, Arizona (the first Dark Sky City), and to some *really* dark places: Death Valley, Cadillac Mountain, Great Basin National Park. Now, maybe he'll come to Calhoun County.

In late September, I was reading Bogard's elegiac, comprehensive book, *The End of Night*, when Cindy Ellis alerted me to a West Virginia Public Radio story about researchers from the University of Tennessee testing that small central West Virginia county for a possible dark sky park.

UT's Tim Ezzell told Beth Vorhees, "We looked at maps and charts and sure enough Calhoun was about the darkest place left in the Eastern United States." He said they had determined there was a market for darkness tourism. "We did a brief survey, sent it out to a few astronomers to see what they thought and within days we had three hundred responses." Amateur astronomers, they concluded, would be likely to come. They would buy food and lodging and spend money for a place to stargaze.

Curious, I called Ezzell in Knoxville. He's the director of UT's Community Partnership Center, and has long experience in rural economic development. He told me he had visited Calhoun County three or four years ago on a study for the Appalachian Regional Commission. The county "couldn't get moving," he said. "The ARC sent us back." His team met with stakeholders who struggled to identify the county's assets. "One person said, 'It's really dark here!'"

Eureka!

What prompted this person to see darkness as an advantage? Darkness is treated nearly everywhere the way wolves were in the West: a threat to be exterminated.

Anyway, the UT crew had little else to go on. They went back to their offices, looked at data sets, did market research, and began to see possibilities. Calhoun was one of the two or three darkest spots in the Eastern United States, and it was accessible: only thirty miles or so from an Interstate Highway, within reach of Pittsburgh, Columbus, and other population centers. Calhoun County Park, a beautiful farm that had been donated to the county, had been underused. It had three good viewing areas. Although it's close to the county seat, Grantsville, hills and woods limited sky glow.

Ezzell led a workshop on taking advantage of darkness, and equally important, protecting that resource. "Once

lights are turned on," he said, "they don't get turned off." The county has begun changing existing lighting to more sensible systems that put light where it should go, and only where it should go, to help people feel safe. Under consideration are zoning "overlays" close to the park.

It's remarkable when darkness becomes an issue anywhere. Calhoun County is confronting fundamental questions: what good is artificial light? what harm can it cause? what can we change to make it more effective and less intrusive? Few people in the rest of the world are aware that their use of light could be questioned.

Of course these questions are being asked only because darkness was identified as an economic asset. Ezzell says, "It's like anything, once it becomes scarce it becomes more valuable. And darkness is becoming more and more scarce all over the world."

In *The End of Night*, Paul Bogard quotes John Van Dyke, in *The Desert* (1901):

To speak about sparing anything because it is beautiful is to waste one's breath and incur ridicule in the bargain. The aesthetic sense—the power to enjoy through the eye, the ear, and the imagination—is just as important a factor in the scheme of human happiness as the corporeal sense of eating and drinking; but there has never been a time when the world would admit it.

In our public discourse, nothing has changed. But what has changed in regard to darkness is that we have discovered more about its importance, beyond aesthetics; we have learned that light, as now employed, does not make us safer—in fact, it's bad for our health.

Here's Bogard, in an interview: "One phrase that makes me cringe is 'well-lit,' as in 'we need to have well-lit streets.' For most people, this just means 'bright' ... I'd like to see us understand 'well-lit' to mean responsible, thoughtful lighting. That means shielded lights, and that means lights that are no brighter than they need to be."

Too much light is counterproductive, creating glare that actually impairs vision. David Crawford, the founder of the International Dark-Sky Association, calls our current array of street lights, barn lights, wall packs—the so-called security lights—"criminal-friendly lighting." Shopping center and business plaza parking lots are now lit ten times as brightly as they were twenty years ago. Parking lots are responsible for more than half of all outdoor lighting—and they are seldom shielded, or reduced to the

minimum necessary for sight, or turned off when the lots are not in use.

You may recall the robbery of a Stradivarius violin from the Milwaukee Symphony's concert master in a parking lot after a performance last January. Lights didn't deter the robber. Nor did they help solve the crime. He drove off in his maroon getaway van under all the lights of Milwaukee. Loose talk from an accomplice eventually nailed him. Police work depends mostly on listening.

Calhoun County might consider a building code that's been proposed for London: "All exterior light will be directed only on the premises to be illuminated." It shall not escape to the sky, to the neighbors, to the street.

Research into health effects of excessive lighting—"excessive" in time as well as intensity—has focused on night-shift work, which is linked with diabetes, obesity, and heart ailments. The World Health Organization lists shift work as a possible carcinogen. But those of us who keep "normal" hours are also affected by the loss of darkness. Our circadian rhythms are out of whack. Some medical researchers think poor sleep puts people at greater risk for health problems than smoking, poor diet, or lack of exercise.

Light at night is worse for wildlife. It affects orientation, predation, competition, reproduction, and circadian rhythms. The average citizen may be dimly aware of this, and respond with a regretful shrug. Still, arguments based on other-species endangerment are striking closer to home these days. Ebola is the latest reminder that we cannot cut ourselves off from the rest of nature.

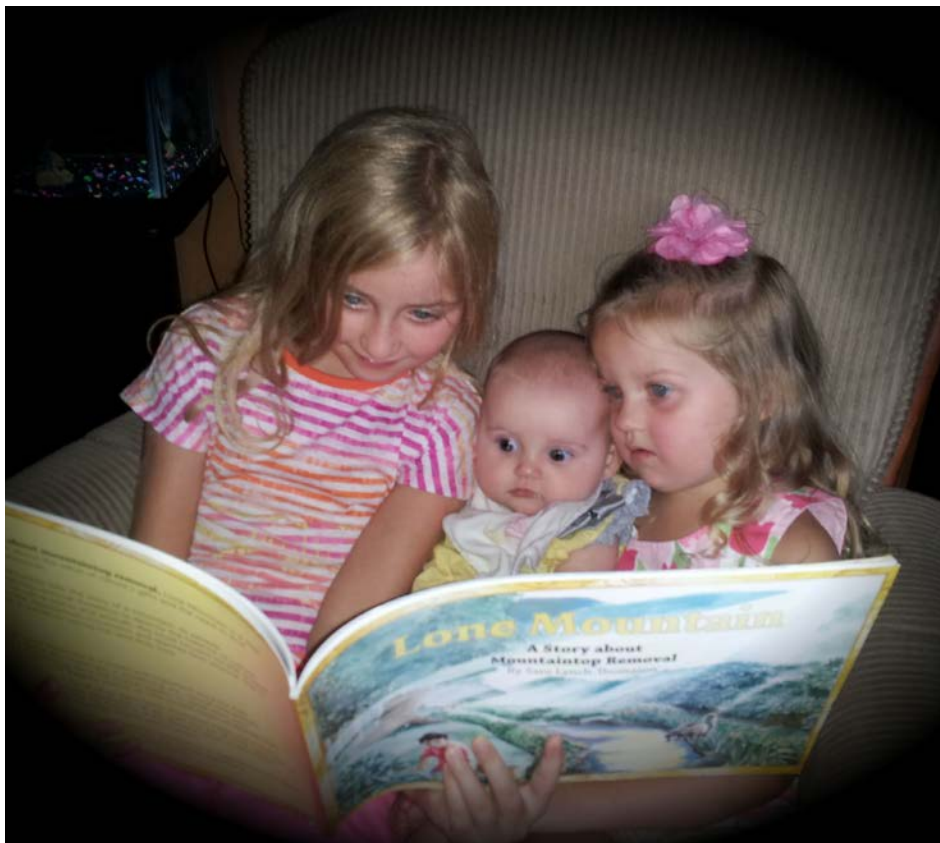
A longer review would sing the praises of darkness. Bogard knows it's hard to sell its charms to people (most of us) who've never really experienced it. Here's a factoid: astronomers say it's only when you can see 450 stars at a time that you get a feeling of infinitude. Here's another: your eyes are still adjusting after two hours in the dark. After reading this book, you'll want to go outside in a very dark place. You could begin by sampling Calhoun County's experiment.

'Twas Almost Heaven

By Mark Blumenstein

'Twas Almost Heaven WV, 'its beauty was far as U could see ,
Then Dynamite and Fracking poisoned our water that blessed all,
you and me !

Now that water runs dark with toxins that kill
Look out over there, it's another accidental spill
This is not a sudden incident that requires a report
They say they are on it ,is there constant retort
While our air is filthy with flaring and dust
It's time that true souls show their disgust
They're blowing our great mountains up into pieces
Its time that this ugly practice finally ceases
It's killing our neighbors and our old friends
It's killing our wildlife ,where will this end
We need to stop them if it's not to late
Our children's lives are what's really at stake
So take that moment and turn off that TV
Call those in charge and save you and me
Fore it's only your voice that will make such a movement
Do it soon ,do it now ,so we stop all pollutants
You know that it's right and that's all that matters
Act now , speak up , make a big clatter
Its your home , its your wife , its your kid , it your life
Now is the time to speak of this strife
Make a difference , voice your objection
Make it known go vote this election



Young readers are still fascinated by *Lone Mountain*, the children's book about mountaintop removal mining. The West Virginia Highlands Conservancy's mining committee was active in the distribution of the book.

Life: the Big Picture

By Charlie Feldhake

There has been a spate of articles in the popular press recently discussing what is being called the Anthropocene period on planet earth, and how to define its beginning. This is a period where humans dominate earth processes much as other life forms had signature effects in earlier periods. The justification for such a classification is partly that we are causing a great extinction of other life forms as well as changing the composition of the atmosphere and ocean.

Let's put this new epoch into perspective. It is estimated that life on earth has existed roughly 3.5 billion years. Life adapted to survival on dry land about 0.5 billion years ago. Human-like creatures seemed to have developed around 0.0001 billion years ago with notable signs of civilization developing about 0.00001 billion years ago. Our time here has really been the proverbial drop in the bucket (swimming pool really).

In spite of our arrogant attitudes, we are only a part of life on this planet and not nearly as intelligent as life in its totality. We develop antibiotics and in a few decades life evolves bacteria resistant to them. We develop Roundup ready crops and within a few decades life evolves Roundup ready weeds. Insects develop pesticide resistance and people a plethora of health issues from the cocktail of chemicals we disperse in our living environments.

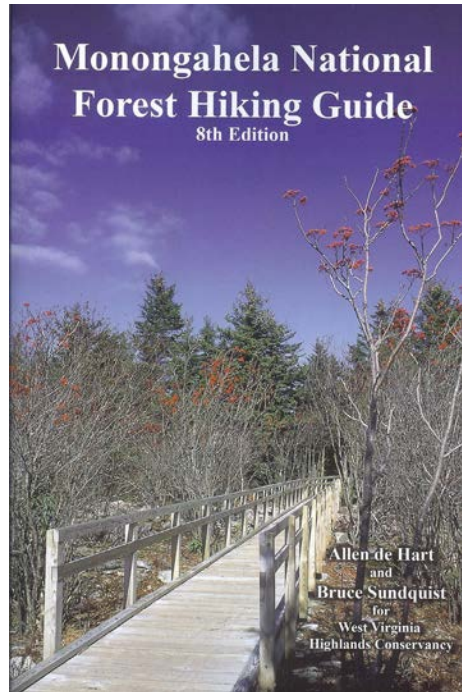
The human population has mushroomed in response to the advantages of our scientific knowledge and technology. This makes us a good food source for hungry microbial critters (some call it disease). They will eventually win because they are smarter than us. We are also not using resources at a sustainable rate at the current and increasing population levels so we will be under increasing stress.

Evolution is like environmental play. Life experiments by creating all sorts of interesting critters at all size scales and some survive a long time and others don't. No matter what we do to ourselves and other creatures with us, no matter how much extinction we facilitate, within a couple of 100 million (0.1 billion) years, a whole new crop of interesting creatures will evolve.

So why protect ecosystems and especially wilderness? I guess because they help many of us enjoy our time while alive and when all is said and done, that is what matters. I have pet an Okapi and I would rather do that than wear a Rolex.

Leave a Legacy of Hope for the Future

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



The Monongahela National Forest Hiking Guide

By Allen de Hart and Bruce Sundquist

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

Send \$14.95 plus \$3.00 shipping to:
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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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- Special Features not found in the printed version of the Hiking Guide: Interactive pdf format allows you to click on a map reference in the text, and that map centered on that reference comes up.
- Trail mileages between waypoints have been added to the maps.
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Price: \$20.00 from the same address.

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.)

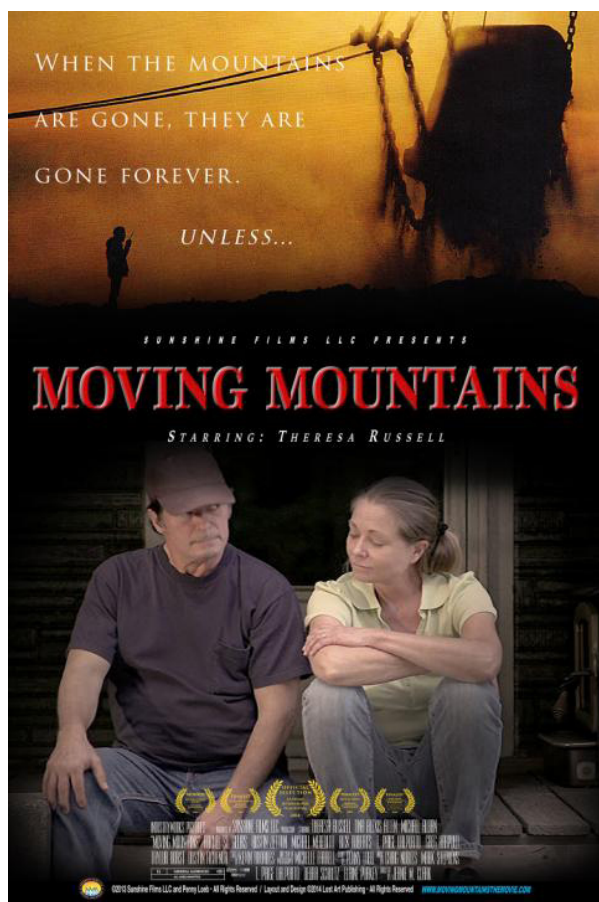
Also available are the new green-on-white oval **Friends of the Mountains** stickers. Let Julian know which (or both) you want.



If it's November it must be **WREATH MAKING TIME!!!!**



November 30, 2014 - 12th Annual Wreath Making Workshop: [White Grass Ski Touring Center and Cafe](#) in Canaan Valley. It's an afternoon of fun in a beautiful place with friendly people and is now officially a tradition! Learn how to make your own evergreen wreath. Bring a hand-pruner and any decorations such as pine cones, berries, ornaments or bows, that you would like to adorn your wreath with as well as to share. We will have all the materials you'll need including a variety of fresh-cut firs. We'll get started around 1 pm and be around all afternoon. Please RSVP. daves@labyrinth.net



Moving Mountains Coming to Morgantown

"Moving Mountains", filmed in West Virginia during the summer of 2012 and starring legendary actress Theresa Russell, tells the story of Trish Bragg of Pie, in Mingo County, as she and her friends struggled for safe drinking water after a deep mine destroyed their wells. This film-festival favorite spans a decade, with an unexpected ending. "Moving Mountains" is scheduled to screen Wednesday, Nov. 12 at Carmike 12 Morgantown Mall, 6:30 p.m. A minimum number of reservations by Nov. 5 will make the movie happen. To make your reservation, go to <http://www.tugg.com/events/11622>. If the minimum number of reservations are made, the showing will go forward and walk ins will be welcome.

Audiences love "Moving Mountains:" "It's an awesome story about fighting for what you believe in no matter what. Have faith in the Lord and he can use you no matter who you are, your age, or where you are from. Don't be afraid, fight and you can overcome." "You have truly inspired and made a difference in so many lives! You have touched my heart! Thank you for sharing your story!"

Steve Fesenmaier, a movie reviewer for The Charleston (WV) Gazette wrote, "Moving Mountains,' based on Penny Loeb's 2007 award-winning book by the same name, is a masterpiece of contemporary activist cinema. The acting, music, cinematography and everything else related to the film is as good as the recent hit film, "Winter's Bone," that helped propel Jennifer Lawrence to fame ("The Hunger Games," "Silver Lining Playbook.") I completely enjoyed the film and was happy to see what great acting the film presents. It may be the best independent feature ever made in our state."

Court Requires West Virginia Department of Environmental Protection to Provide Data in Useable Form

By John McFerrin

The Circuit Court of Kanawha County (King, J) has ruled that West Virginia's Freedom of Information Act requires the West Virginia Department of Environmental Protection to provide Discharge Monitoring Reports in a format that is useful to people who wish to see if companies are complying with water protection laws. This ruling makes it easier for people and groups who seek to enforce those laws to take action.

The Way the Clean Water Act Works

Both the federal Clean Water Act and the corresponding West Virginia statute prohibit discharge of any pollutant in any amount unless certain conditions are met. The most prominent of these conditions which allow limited pollution is the discharge permit, known as the National Pollutant Discharge Elimination System (NPDES) permit.

The NPDES permit protects streams by limiting the concentration of pollutants that are allowed in water that leaves the mine or other facility. The permit allows no more than certain concentrations of pollution such as iron, manganese, and aluminum. The permit is supposed to set these discharge limits low enough that the water coming from the mine may contain small amounts of pollution but not enough to impair the waters that it flows into.

Each site has designated points—called outlets—where water containing this minimal amount of pollution is allowed to leave the site. The companies are required by the terms of their permits to test the water that comes from each outlet and report the

results to the regulatory agency that issued the permits.

Theoretically the agency could review the test results (called Discharge Monitoring Reports) and take enforcement action whenever a result goes over what is allowed by the permit. In practice, the Discharge Monitoring Reports gather dust until the company proves itself a chronic violator or something else happens to bring the facility to the attention of the regulatory agency.

From time to time groups, including the West Virginia Highlands Conservancy, use those Reports as the basis for legal actions seeking to force compliance with state or federal Clean Water Acts. These actions almost always result in the company being required to take action to prevent illegal discharges in the future and usually result in civil penalties. While a system in which companies monitor themselves produces occasional grumbling about foxes and henhouses, the result is that when cases go to court the company cannot dispute the Reports. They are the company's reports. If they say the company was in violation there is no way the company can deny it.

What Happened Here

In this case, Appalachian Mountain Advocates made a Freedom of Information Act request for "[a]ll coal mining related ... discharge monitoring report data for the third quarter of 2013. In its request it expressed a preference for electronic copies, preferably in Excel spreadsheets.

The Department of Environmental

Protection refused to provide the information by Excel spreadsheet. Instead, it directed the Plaintiff to a web site where the information—while theoretically available—was only accessible if one spent hundreds of hours poring over the records on the website.

Court testimony was that, if the Plaintiffs tried to use the information in the format it was provided, it would take about 598 hours to compile it. In contrast, if the Department of Environmental Protection compiled the information in the format the Plaintiffs had requested, it would take less than one hour.

The Department of Environmental Protection's defense was that providing the documents in the format the Plaintiffs asked for was creating a new record. While the Freedom of Information Act requires state agencies to provide the records they have, it does not require agencies to create new ones.

The Court ruled that compiling the data into an Excel spreadsheet was not the same as creating a new document. Instead, it was more like taking one paper document and copying it onto a new piece of paper. The new piece of paper was not a new document. Neither is compiling data into a new electronic format.

The Department of Environmental Protection's argument was not helped by the fact that it had compiled similar information into an Excel spreadsheet and provided it in the past.

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.

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. With electronic delivery, you will receive a link to a pdf of the Voice several days before the paper copy would have arrived. The electronic Voice is in color rather than in black and white as the paper version is.

WVEC-WVHC Fall Conference 2014

By Cindy Rank

From celebrating the 50th Anniversary of the Wilderness Act Friday night to cutting a cake for the 25th Anniversary of WV Environmental Council Saturday, the combined meeting of the WV Highlands Conservancy and WV Environmental Council was full of lighthearted moments and weighty discussions – and lots of cake !

At least one member of WV Highlands Conservancy remarked on having a headache from covering so many challenging issues in such condensed amount of time.

With little spare time between formal panel presentations and informal conversations at meal times only the hundreds of Canada Geese habitually attached to the lakes of the Conference Center seemed to take advantage of the wonderful fall weather.

For those of us inside, Saturday was peppered with trips down memory lane with founding members of WV Environmental Council like Norm Steenstra and refreshing insights into the first years of the DEP Environmental Advocate position with Wendy Radcliff who recently returned to that position. She encouraged people to contact her and use her for better access to and interaction with the various offices within the regulatory agency.

Ending the morning presentations, a Water Quality Panel moderated by Chris Hale of the recently created Friends of Water featured Vernon Haltom, Dianne Strickland, Elise Keaton and Chuck Wyrostock who talked about the various water problems too many in WV experience on a daily basis – chemical spills, harmful drainage and water loss due to mining and gas operations and health issues associated with all of the above.

After lunch in the Conference Center's dining hall the Climate Change Panel led us to think about issues often overlooked because they're unseen. Jim Kotcon had recruited Fred Durham, Director of WVDEP's Division of Air Quality to speak about the implementation of EPA's Power Plant proposal, and Jim Probst to present the Citizen's Climate Lobby proposals. Following them Dr. Kotcon talked about other possible approaches to addressing air quality i.e. at the WV Legislature, the Public Service Commission, etc.

Rounding out conversations about

climate change Robin Blakeman reported on her trip to Alaska with members of a faith based group and their experiences with and education from local communities who are feeling first-hand the effects of climate change in the loss of their fisheries, livelihoods and impacts to land and culture.

Tom Rodd wrapped up the afternoon with a lively participatory Pete Seeger song and an overview of the Allegheny Highlands Climate Change Impacts Initiative's first conference held at Blackwater Falls State Park where scientists discussed changes to the Highlands ecosystems that are being observed and studied.

After a break for dinner we heard from Emmet Pepper with the group Energy Efficient WV about the impact of efficiency and the needs and possibilities of increasing those efforts here in West Virginia.

And what's a conversation about climate change and water quality and impacts to West Virginia without touching on the most recent boom in fossil fuel extraction that threatens to take over coal's historic place in the limelight of imposing on the human and other natural communities of the state of West Virginia. Shale gas wells have been and are being drilled big time, water resources are being pinched and now the infrastructure to move the gas and gas related by-products (i.e. pipelines) are being proposed to criss-cross the state in a fashion that rivals the most complex of spider webs.

Coalitions of established and newly formed groups and individuals are working together to address the varied and various impacts from all phases of the extraction and distribution of Marcellus and Utica gas resources in WV and beyond. Addressing some of the issues associated with pipelines Rick Webb and David McMahon ended the formal presentations of the conference.

– Rick introduced a project he's organized to oversee and monitor the large pipelines that are proposed to cut across the Monongahela and George Washington National Forests, and some of the region's most densely forested and most environmentally sensitive lands and ecosystems. The proposed Dominion pipeline now known as the Atlantic Coast Pipeline is planned to start in Harrison County WV, run through several WV counties, the Monongahela and George Washington Forests into Virginia and on to

North Carolina - with a dog leg spur to the coast near Dominions Cove Point export facility. The Dominion Pipeline Monitoring Coalition is a 4-part program to understand and participate in the regulatory process involved in pipeline construction especially through National Forest and will involve compiling case studies of how existing pipeline in the mountains have been permitted, watershed analysis throughout the National Forest lands, and surveillance – including a Pipeline Air Force

-- Dave addressed some of the legal issues involved when companies approach landowners about plans for pipelines. He outlined what rights individuals have when pipelines are proposed to cross their property, how to respond to threats of eminent domain often leveled by land men and women and other representatives of companies planning pipelines, and answered questions from the audience. Much of what he discussed can be found in great detail on the website of the WV Surface Owners Rights Organization.

Rain showers and colder weather nixed the planned campfire and late night celebrations outdoors but no one seemed to mind as some ventured off for much needed sleep and others hung around to make one last bid on the many and varied silent auction items and engage in important informal conversations with old and new friends.

Sunday wrapped up with board meetings of both WV Environmental Council and WV Highlands Conservancy.

PHEW !! --- I'm going for a walk.....

MOUNTAINTOP REMOVAL UP CLOSE AND PERSONAL

Visit Kayford Mountain and/or Mud River Mountain south of Charleston to see mountain top removal (MTR) up close. Bring lunch for a picnic on Kayford mountain. Hear the story on how the late Larry Gibson saved fifty acres from mountain top removal on Kayford Mountain. Call in advance to schedule. Julian Martin (304) 342-8989; martinjul@aol.com.

Board Meeting Highlights

By Cindy Rank

The fall Board meeting of the West Virginia Highlands Conservancy had some of the mundane business stuff but mostly it was taken up with issue reports. President Ellis reported on several items as part of her **President's report**: The WVHC organic onesies will be advertised in the WV Organic Gardeners newsletter. Locations were suggested for future meetings: Lewisburg, Jackson's Mill, Camp Horseshoe, Canaan in conjunction with Red Spruce planting, etc. There had been some discussion of a "new look" for the Highlands Voice but that was put on hold since editor John was unable to be with us for the weekend.

Beth plans to draft the annual fund appeal early, with the help of Hugh Rogers, Cindy Rank and others who might volunteer.

Frank reported there are enough **Hiking Guides** for now and funds for a new printing are included in next year's budget. We have been conferring with author Allen DeHart and that we expect the 9th Edition to be published in late 2015.

Beth Little gave a report on **membership** and an update on the growing numbers of folks choosing to receive the email version of *the Highlands Voice*.

For the **Webmaster report** President Cindy Ellis indicated that there is an informal working group of folks looking into options as to how to pick up the ball and follow up on the wonderful efforts of Jim Solley these past many years.

ISSUE REPORTS:

Don Garvin reviewed the goings-on at the regular 2014 session and some of the interim meetings since then. Of course the issue that was front and center most of the session was the MCHM chemical spill into the Elk River that contaminated the drinking water for parts of 9 counties and some 300,000 people on the WV American Water System whose intake was less than a mile downstream of Freedom Industries leaking tank. He gave an overview of several other issues which have also been reported about in *the Highlands Voice*.

Adding to Don Garvin's report in matters **Legislative** Frank Young noted

that he had reported WVHC issues of interest to the WV Environmental Council Legislative Affairs Committee at their meeting earlier in the morning. Among the issues Board members have submitted are siting guidance/regulation for wind facilities, regulating the disposal of shale gas drill cuttings, water and mining regulations proposed by WV DEP, etc. The Environmental Council will be looking at these and suggestions from other organizations at the afternoon meeting in

and dosers are doing in many of the lightly buffered streams in the state where those efforts are being done by DNR, etc. A bit of conversation ensued about the problem at the big doser plant in the Blackwater just upstream of Davis that caused an abundance of lime to be released resulting in overtreatment of the river.

In **Outreach**, Cindy Ellis reported about our part in planning and presence at the Wellness and Water III conference in Charleston earlier this month. She and/or Jackie Burns will be writing an article for the November issue of *the Highlands Voice*. Cindy updated us about the active and successful Twitter and Facebook sites she's been managing for WVHC.

Dave Saville brought Red Spruce bandanas for the Board. The attractive bandanas are given to volunteers who help with red spruce plantings. He also had with him more of the popular WVHC/ramp seed promotion packets for anyone who wanted them for tabling or other appearances Board members had planned.

Dave also reported on his trip to Moshi, Tanzania and his participation in the mpingo forest restoration efforts of

Clarinets for Conservation. He pointed out the similarities between the red spruce reforestation efforts and those to restore the Mpingo, or African Blackwood tree. Based on that information and a multiple page handout that describes the effort he is submitting a request for \$3,000 from WVHC to match other funds being applied for to support a student internship exchange to include himself and East African Intern Matt Gitonga.

Public Lands. We briefly discussed the West Fork Greenbrier Rail with Trail - Scoping Notice from the Forest Service and the notion of changing the Durbin to Gladly Rail Trail to include a reconstructed railroad line. The proposal is to grant the West Virginia State Rail Authority (WVSRA) a long-term Special Use Permit (SUP) and authorization to reconstruct approximately



Jim Kotcon, Frank Young, Gary Zuckett, and Cindy Rank with the cake.

another part of the Cedar Lakes facility.

In matters of **Wind**, Larry Thomas noted several of the growing number of proposals that are now in the works for the highlands region. He also reported that the Allegheny Highlands Alliance whitepaper continues to be refined, and that a petition for the Public Service Commission is being formulated to suggest the Commission improve their siting regulations for wind facilities without waiting for Legislative action.

Hugh Rogers reported that it's the same old same old in **Highways** as far as Corridor H is concerned. One of the new wrinkles is the apparent positive impact the road construction north of Davis is having on Beaver Creek. Presumably the limestone used in construction is accomplishing much of what the various lime fine dumps

More About the Board Meeting (Continued from previous page)

27.2 miles of railroad for commercial tourism and freight movement on National Forest System (NFS) lands from Durbin to Elk River Junction and Greenbrier Junction. This proposal also includes construction of a parallel foot and horse trail for public use along the approximately 21-mile section of the West Fork Rail Trail from Durbin to Glady. There were many unanswered questions – especially regarding the “freight moving” part of the permit and more detail will be sought along with possible comments submitted prior to close of comment period.

Extractive Industries.

Coal: As the fall board meeting was abbreviated to accommodate Cedar Lakes lunch schedule and the Environmental Council meeting after lunch Cindy Rank merely reported that many of our lawsuits and administrative efforts aimed at keeping the coal industry and the state and federal regulatory agencies accountable to the law, the environment and the communities impacted by mining are ongoing and have been and will be reported in the Highlands Voice.

There were only two items of note that she felt important to bring to the attention of the Board, both had to do with our involvement with the deep and long wall mining efforts in the northern part of the state. 1) Cindy passed around copies of a tri-fold brochure and a refrigerator magnet that were created and produced in cooperation with our members in the Grafton area and Downstream Strategies.

The items are being given to people at public events and during water monitoring trips in the area and contain information about what to do and who to contact when the long wall panels undermine properties and adversely affect homes, water supplies and other surface structures. Cindy and Beth Baldwin will be approaching the Appalachian Stewardship Foundation for financial assistance to continue and expand the effort. 2) Cindy also wanted the Board to know they were beginning conversation with the Washington, PA group Center for Coalfield Justice about ways of working together to address the deep mines affecting communities on both sides of the state boundary between southwestern PA and northern WV.

Gas: There continues to be great concern about the infrastructure needed for the ever expanding shale gas drilling --- especially the multiple pipelines being proposed to criss-cross the state and in particular the proposal by Dominion Resources for a 450 mile long 42 inch gas transmission pipeline to carry gas from Harrison and Lewis Counties in WV through Upshur and Randolph Counties, cutting through the Mon Forest and up and over the Shenandoah Mountain area Lynn Cameron talked about at the summer board meeting. Several WVHC board members are participating on weekly phone calls with a variety of groups and individuals in WV and VA about mutual efforts to address the impacts those pipelines will have on

communities and the environment.

Long time Conservancy member and new Board member Rick Webb is heading up an effort called the Dominion Pipeline Monitoring Coalition (DPMC), a 4-part program to understand the regulatory process (FERC, Forest Service, NEPA, etc.), compile case studies of how existing pipelines in the mountains have been permitted, watershed analysis throughout the National Forest lands and surveillance – including a Pipeline Air Force. Cindy Rank will be our representative on the DPMC steering committee. Time permitting Larry Thomas will be writing a letter to the Forest Service urging them not to accept a Special Use Permit for Dominion to survey in the Monongahela Forest, given that the proposed route will cut through some of the most vulnerable and valuable ecological resources of the Forest. Board members were encouraged to point to some of the specific areas of interest that lie within the proposed route.

President Ellis drew for her famous **Door Prize**. Although there was some question of collusion, Beth Little won the draw for the second meeting in a row. In an attempt to smooth over envious feelings Bob Marshall volunteered to take the warty pumpkin for a nephew, leaving Beth with the bag of multicolored pop corn.

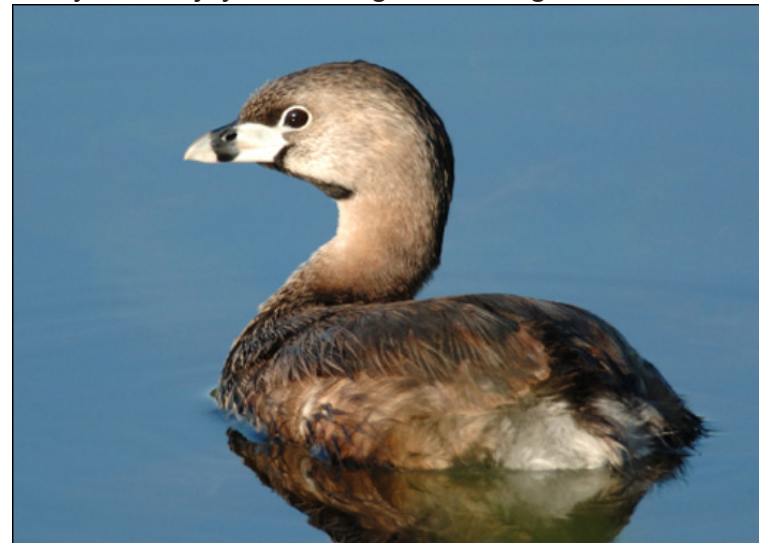
Meeting dates for 2015 were noted: January 25th in Charleston, April 26th – hopefully in Lewisburg, July 25th at Saranam Retreat Center in Montrose WV and October 18th at a location to be announced later.

Fall Review Bird Walk Spots Species

As part of the joint West Virginia Highlands Conservancy/West Virginia Environmental Council Fall Review and Conference, WVHC President and birder extraordinaire Cynthia D. Ellis led two bird walks. Folks on the early one enjoyed hearing the rattling call of a Belted



Kingfisher flying over. Their list also included American Coot and Yellow-Rumped Warbler. The noon walk garnered a very talented Northern Mockingbird going through his entire musical repertoire. The group also saw Pied-billed Grebes on the upper lake. Later, a pair of Red-tailed Hawks circled above as the birders scurried to an afternoon presentation.



Water and Wellness

By Jackie Burns and Cynthia Ellis

The third annual Wellness & Water Conference, sponsored by West Virginia Highlands Conservancy, Ohio Valley Environmental Coalition, Sierra Club WV Chapter, WV Citizen Action Group, WV Surface Owners' Rights Organization, People Concerned About Chemical Safety, WV FREE, and Doddridge County Watershed Association, was held in Charleston on October 3 and 4. One new sponsor was the WV Sustainable Business Council, which was formed in response to the Elk River water crisis of January this year. Among this council's founders is Jeni Burns [aka Ms. Groovy's Catering] and she provided refreshments [and the Saturday lunch].

On January 9, 2014 a leak was detected in an above ground storage tank, letting the coal cleaning chemical MCHM into the Elk River just upstream of the water intake for our capitol city, Charleston, WV, poisoning the water supply for upwards of 300,000 citizens (the Elk River incident). This event and the way it was handled informed and changed how we think about water and wellness in our energy producing state. The conference examined this, as well as on-going issues related to our reliance on healthy water and our sense of security about the health of our water supply.

Dr. Rahul Gupta was and is responsible for the state's response to the Elk River incident. His response was honest and concerned. Dr. Rahul Gupta is the Health Officer and Executive Director at Kanawha- Charleston Health Department. He was keynote speaker for the conference. Dr. Gupta discussed water as a basic human right. In 2010 the United Nations recognized water and sanitation as an essential human right. Why was water recognized in this way? Water was recognized because all living things rely on water, and because 1/3 of the world's population lack adequate sanitation. This leads to a chain reaction that affects our future productivity. 3.4 million people each year die due to water related illness. One half of the world's hospital beds are occupied by patients with water related illness. Children affected are denied the right to education, which limits their future. Women are forced to spend large parts of their day fetching water. Even in our cities, people living in slums often pay 5 – 10 times more per liter

of water than wealthier inhabitants of the same cities. If we halve the proportion of people without safe drinking water, more will be able to attend school and contribute to their economies.

The chemical spill in the Elk River was problematic and frustrating on several levels. People who usually had clean safe water suddenly experienced not having it. Those trying to answer questions were



Marie Gunoe

frustrated at not having the answers. We learned that the main chemical was MCHM, which had never really been studied to determine the effects it would have on people exposed to it. We know that it is colorless and smells kind of like licorice. It is used to 'clean' coal. On the material safety data sheet, OSHA says it is hazardous, but then most of the other attributes, like whether it causes cancer, or is toxic to specific body organs, are not known. We learned that the vapors were hazardous after people who took hot showers got sick. But that also meant that boiling the water hurt and did not make it safe. Then we learned that MCHM wasn't all that was spilled. Mixed in were also polyglycol ethers, a whole other category of hazardous substances.

So we know more about these chemicals from people experience with waters affected by the spill than we do from chemical safety studies, which is kind of scary. Really there are many chemicals in use for which little is known about the impacts to humans of exposure.

For this chemical spill symptoms people reported include skin irritation, rash, eye irritation nausea, diarrhea, vomiting,

headache, itching, sore throat, cough and eye pain. Symptoms were from exposure through showering. You didn't have to drink the water to get sick, but drinking it made folks sick too. There was a second spike of symptoms while people were flushing the system. One quarter of people used the water during the 'Do Not Use' order. Three months after the order was lifted 1/3 of people were still not using it. Many have lost faith in the system's ability to provide safe, drinkable water.

As the direct result of the Elk River incident, the state legislature passed SB 373 to regulate above ground storage tanks, the tanks have been removed and further toxicology studies are underway.

After Dr. Gupta spoke we heard from a panel of folks experienced with exposure from the Elk River incident.

Karan Ireland spoke about exposure and illness that started two days before the leak was found. She became ill after a long hot shower and later saw illness in her children. Her community became nervous, fearful and frustrated at the responses they were getting. Maya Nye worked to form a new organization, 'People Concerned with Chemical Safety.'

Meghan Betcher reported that her organization, **Downstream Strategies**, has prepared two reports pertaining to the spill. The first discusses Lessons Learned and Needed Reforms. The second maps and discusses Potentially Significant Contaminant Sources (PSCS) in zones of Critical Concern about water intakes for our cities and towns.

Angie Rosser from WV Rivers Coalition talked about having the attention of the legislature, securing the passage (with others) of SB 373 and what this new law requires.

Chuck Somerville from the Ohio River Basin talked about lost trust in our water system.

After lunch we heard from two award winning environmental activists.

Helen Slottje from Pennsylvania has had some luck working on water issues related to fracking. She won the Goldman prize this year. She read some about WV laws in preparation for speaking to us. She reminded us that our state constitution and the US constitution both give us some rights. The WV constitution declares that government is for the common benefit and

that no person shall be deprived of life, liberty or property without due process of law and the judgement of his peers. She encouraged us to use this when we fight for our right to clean water. Also, our state constitution says that elected officials shall make an oath of office pledging to uphold both the US and our state constitution. It also provides for removing them from office for neglect of duty. She encourages us to hold them to their oath.

Marie Gunnoe is from the coal fields of southern West Virginia. To communicate the importance of water she reminded us how much water is in our bodies. We adults are up to 60% water. Babies and children have more water in their bodies. The brain and heart are composed of 73% water, and the lungs are about 83% water. The skin contains 64% water, muscles and kidneys are 79%, and even the bones are watery: 31% (source: USGS). That's why it matters that mountain top removal mines may leach chemicals, or accidentally spill chemicals into waterways that supply our drinking water. Researchers for WVU and US Geological Survey (USGS) have shown residents near mountain top removal mine sites "have higher rates of diseases, including cardiovascular, cardiopulmonary, lung, kidney, and respiratory diseases." Marie is working to encourage Congress to pass the ACHE act (Appalachian Community Health Emergency act). This act would put a moratorium on new mountain top removal (MTR) mines, and prohibit the expansion of existing MTR mines until the Department of Health and Human Services completes a study to determine whether such mining operations pose a health threat to people living nearby.

The last panel of the day talked about mines, fracking and their impact on water. Three residents of affected areas talked about their experiences. Paula Swearingen received a round of applause when she said, "We are taught that you have to choose between jobs and water. My children deserve clean water. We shouldn't be dependent on an industry that is killing us." Lyndia Ervolina has moved her grandson out of the area. She has stayed so far, but has lost her organic garden, "can't even grow a tomato now." Annie Seay has given up the home she loved in Tyler County. She said, "Fracking destroys communities and tears the community

apart. No amount of money is going to make this OK."

Dr Jill Kriesky works with the South West Pennsylvania Environmental Health project. Their goal is to provide timely and accurate information to people who are impacted by the shale gas industry (i.e.



Helen Slottje

fracking). Health impacts that they have found include: mood changes, stress, birth outcomes, cancer risk, dermal, ear, nose and throat, eye irritation, gastrointestinal, High Blood pressure, neurological problems. They are using a Speck meter to measure particulates in the air and a water monitor to measure conductivity, which is an early warning that something is changing in the water. They would like to be able to share, to help health care professionals learn about this and to provide information to community groups to advocate for policy changes needed.

Bill Price is concerned about fracking. He is particularly concerned with radioactivity in the drill cuttings that are ending up in landfills. The radioactivity can leach into waterways. Radioactivity can not be filtered out. Its effects can be cumulative. This radiation is mostly alpha and beta particles. Geiger counters measure gamma radiation, so an alpha detector is needed to check drill cuttings before they are dumped, and to plan accordingly.

An interesting side note to Bill's discussion is the effect of fracking pads on your home's value. One well pad approximately 3000 feet from your house will diminish your property value by 70%. It

could also make it hard to get home owners insurance, or help from FEMA if there is a flood.

At the end of the day we discussed what actions we will take this year for water. Bill Price want to encourage marking the anniversary of the Elk River chemical spill. Vivian Stockman, Ohio River Valley Environmental Council is concerned about drilling under the Ohio River. The Sierra Club has taken the position that fossil fuels that remain should stay in the ground. They are concerned about the big pipeline proposed to cross both the Monongahela and the George Washington National Forests. Kanawha Forest Coalition is keeping track of the mountaintop removal mine just outside of the forest. Lyndia reminds us that when people are watching and show up, politicians respond. Folks will be watching the implementation of SB 373. A law has passed that allows the dumping of drill cuttings at any municipal landfill. WV Rivers hopes to see progress on the proposed Birthplace of Rivers National Monument this year. Dave Mills' letter to the editor was appreciated. There is much to do. What will you do?

Make Friday, January 9th "We Care About Water Day"

The first anniversary of the Elk River chemical spill is fast approaching. What can you do to help us mark this anniversary? Can you teach school children about how much water is in our bodies? Or peacefully demonstrate in your community, or in Charleston? How about writing a letter to the editor? In support of the affected areas, can we get this going throughout the state? Can you ask your state senator and congressman to declare this day "We Care About Water Day"? Please choose an action, do it, and let us know. Send your story to jackie.burns@frontier.com.

HIGHLANDS CONSERVANCY BOUTIQUE



- ▶ The baby shirts are certified organic cotton and are offered in one infant and several toddler sizes and an infant onesie. Slogan is "I ♥ Mountains Save One for Me!" Onesie [18 mo.]---\$17, Infant tee [18 mo.]---\$15, Toddler tee, 2T,3T,4T, 5/6---\$18
 - ▶ Soft pima cotton adult polo shirts are a handsome earthtone light brown and feature the spruce tree logo. Sizes S-XXL [Shirts run large for stated size.] \$18.50
 - ▶ Order now from the website!
- Or, by mail [WV residents add 6 % sales tax] make check payable to West Virginia Highlands Conservancy and send to West Virginia Highlands Conservancy, Online Store, PO Box 306, Charleston, WV 25321-0306

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 \$15 by mail; **long sleeve** is \$18. West Virginia residents add 6% sales tax. Send sizes wanted and check payable to West Virginia Highlands Conservancy ATTEN: Online Store, WVHC, P.O. Box 306, Charleston, WV 25321-0306.



HATS FOR SALE

We have West Virginia Highlands Conservancy baseball style caps for sale as well as I ♥ Mountains caps.

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

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