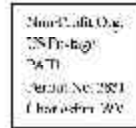


West Virginia Highlands Conservancy
 P.O. Office Box 300
 Charleston, WV 25321

Address service requested



The Highlands Voice

visit us online at www.wvhighlands.org

Volume 37 Number 7 July, 2004

Want to Know If Migratory Birds Are In Danger

CONGRESSMEN CALL FOR STUDY OF WINDMILLS

Congressmen Nick Rahall (D. WV) and Alan Mollohan (D. WV) have asked the General Accounting Office to study the impact of wind turbines on wildlife, with particular emphasis on the requirements of the Migratory Bird Treaty Act and the Bald Eagle Protection Act.

In the June 22, 2004, letter, Mr. Rahall and Mr. Mollohan noted the "tremendous recent growth" in the development of wind energy. They also cited the growth of this industry along the Allegheny Front region of the Appalachian Plateau in the States of West Virginia, Virginia, Maryland and Pennsylvania. "Of great significance, the region is a major avian flyway for hundreds of migrant bird species, including bald and golden eagles. Ornithologists, in fact, estimate that approximately 1.7 million birds per night migrate over the Allegheny Front during the migration season. It would appear then that continued growth of wind energy along the Allegheny Front represents an imminent threat to literally hundreds of different migratory bird species." the letter said.

On May 13, 2003, the United States Fish and Wildlife Service issued an "interim guidance" in response to this threat. The interim guidance is a set of voluntary guidelines intended to provide technical assistance to the wind industry to avoid or minimize impacts to birds and wildlife through the following: 1) proper evaluation of potential wind energy sites; 2) proper location and design

of wind turbines; and 3) pre- and post-construction mortality research and monitoring. It is the effectiveness of this interim guidance in protecting migratory birds that Mr. Rahall and Mr. Mollohan seek to have the General Accounting Office determine.

- Considering the escalation of wind turbine development along the Allegheny Front, how serious a threat to migratory bird populations does this growing industry present? Can bird mortality be reasonably mitigated or prevented?
- How and by what agencies are wind turbines regulated by the Federal Government, and to what extent are migratory bird impacts considered?
- Does the administrative record of project applications indicate that the interim guidance has positively altered projects to protect migra-



- tory birds?
- What are the responsibilities of State wildlife agencies to protect migratory birds from impacts caused by wind energy projects located on non-federal lands? Do they have a regulatory or strictly consultative role?

Those wishing to discuss the letter of Mr. Mollohan and Mr. Rahall's interest in the matter may contact their offices at (202) 225-3452 (Mr. Rahall) or (202) 225-4172 (Mr. Mollohan). The complete text of the letter appears on page 20 of this issue of the Voice.

What's Inside

Message from President Frank	2	Citizens for Resp. Wind Power	8	Stuff (lots free) to send for	15
Roster of officers	2	Churches on Mountaintop Removal	8	Hiking North Fork Mountain	16
Mountaintop removal limited	3	How to join	9	EPA non-attainment areas	16
Appeal filed on mine permit	4	Fun volunteering	9	Hiking to Stack Rocks	17
Mon Forest happenings	5	Longview Power plant	10	Another trip to Otter Creek	17
Hiking guide for sale	5	Columbia Gas storage field	11	Strange names go hiking	18
Unexpected visitor	5	Outings scheduled	12	Conference delayed until Sept.	18
Possible new wilderness areas	6	Global warming	13	Congress wants to limit NEPA	19
Planning on the Mon Forest	7	Editorial self-indulgence	14	Studying bats and windmills	19
Speakers bureau	7	Hiking Dolly Sods North	14	Windmills on Rich Mountain	19
Helpful web site	7	Backpacking in Otter Creek	15	Congressmen want GAO to study	20

From the Western Slope of the Mountains by Frank Young

'Wind Farm' Siting Rules Coming

Recent West Virginia news articles and editorials show some state politicians bemoaning the lack of planning and siting rules for wind powered electricity generating facilities ("wind farms") in West Virginia.

Charleston newspapers report that Reps. Alan Mollohan and Nick Rahall, D-W.Va., have asked the investigative arm of Congress to "take a look at where the rush to wind power is going". Rahall and Mollohan want the General Accounting Office to investigate windmill proposals, their potential effects on the Potomac Highlands and their potential effects on wildlife.

Mollohan said that the Backbone Mountain wind farm in Tucker County is "absolutely horrible". Rahall labeled wind turbines "monstrosities". I can't help but wonder what they think about drag lines, strip mines, and valley fills, all much larger than a few wind turbines- and more prominent from both air and land vistas, and immensely destructive to the people living in the wake of the flooding, landslides and dust and dirt they sift onto surrounding communities- as well as their myriad ecological disruptions.

"West Virginia's congressmen also want to know who is going to regulate wind farms before development goes any further", said one newspaper.

But as these words are written the WV Public Service Commission (WVPSC) is devising siting rules for all West Virginia exempt wholesale power generating (EWG) plants, including wind turbine farms.

And through the WVPSC's public participation process the WV Highlands Conservancy has helped the WVPSC staff to understand many of the particular issues of wind energy placements in the West Virginia highlands.

Board members George Beetham, Peter Shoenfeld and I have spent many, many hours writing and editing comments. And Secretary Hugh Rogers joined us in a meeting with WVPSC staff last December. And we have spent more hours sorting through the comments of other commenters, including lawyers for coal and gas fired electricity generating plants as well as those of wind power developers.

WVHC's basic effort has been to have rules that allow wind power development, while requiring that each proposed site will undergo both esthetic and ecological analyses to determine its suitability as a power generation location. The short version of our recommendations is "Protect Special Places". The long version is about 8 pages describing the importance of special places, with our recommendations about how to assess for special qualities of a proposed site.

WV PSC's staff now agree with us that the siting rules under consideration should require viewshed considerations out to 20 miles for structures more than 100 feet in height. I do believe that the Commission will adopt this standard. But, as with almost all rules, the test will be how this is applied in each case.

There is no deadline for WVPSC to finalize the siting rules. The final rules could come out in a few weeks, or in a year.

WVHC Calendar:

Summer Board meeting- Saturday, July 24th, 9:30 AM, Elkins "Green House"
Fall Review- October 22nd - 24th (Board & General membership meetings Sunday, 24th)

Roster of Officers, Board Members and Committee Chairs

BOARD OF DIRECTORS

PRESIDENT: Frank Young, Rt. 1, Box 108, Ripley, WV 25271, (304)372-3945, fyoung@wvhighlands.org.

SENIOR VICE PRESIDENT: Judy Rodd, Environmental Services and Education Center 501 Elizabeth St., Charleston, WV 25311, (304)345-7663, roddj@hotmail.com

VICE PRESIDENT FOR STATE AFFAIRS: Carroll Jett, 397 Claylick Road, Sherman, WV 26164, (304) 273-5247, carrolljett@yahoo.com.

VICE PRESIDENT FOR FEDERAL AFFAIRS: Peter Shoenfeld, HC 70, Box 553, Davis, WV 26260, (304) 866-3484, (301)642-2820 (cell), peter@mountain.net.

SECRETARY: Hugh Rogers, Moon Run, Kerens, WV 26276, (304)636-2662, rogers@wvhighlands.org.

TREASURER: Bob Marshall, 886-Z Divide Ridge Road, Kenna WV 25248 (304)372-7501, woodhavenwva@netscape.net

PAST PRESIDENT: John McFerrin, 114 Beckley Ave., Beckley, WV 25801, (304)252-8733, johnmcferrin@aol.com

DIRECTORS-AT-LARGE (Terms expire October 2005)

George Beetham, 2819 Mt. Carmel Ave., #3, Glenside, PA 19038, (267) 252-3748, geobeet@hotmail.com

Don Garvin, PO Box 666, Buckhannon, WV 26201, (304)472-8716, DSGJr@aol.com.
Carter Zerbe, 16 Arlington Ct., Charleston, WV 25301, (304)343-3175, scz3667@aol.com.

Jonathan Jessup, 8225 Adenlee Ave. #40 Fairfax VA 22031 703-204-1372 jonathanjessup@hotmail.com

Barbara Weaner, Rt. 2, Box 96, Montrose, WV 26283, (304) 478-2123, sweaner@planetwv.com

DIRECTORS-AT-LARGE (Terms expire October 2004)

Bob Gates, 1117 Virginia St.E., Charleston, WV 25301, (304)342-2624, photonzx@ntelos.net.

Don Gasper, 4 Ritchie St., Buckhannon, WV 26201, (304)472-3704
Julian Martin, 1525 Hampton Rd., Charleston, WV 25314, (304) 342-8989, imaginemew@aol.com

Bill McNeel, 1118 Second Ave., Marlinton, WV 24954, (304)799-4369

Helen McGinnis, P.O. Box 300, Harman, WV 26270 (304) 227-4166, helenmcginnis@meer.net

ORGANIZATIONAL DIRECTORS

NATIONAL SPELEOLOGICAL SOCIETY—Virginia Region: Judy Fisher, PO Box 276, Berkeley Springs, WV 26411, (304)258-4974.

PITTSBURGH CLIMBERS: Jean Rodman, 32 Crystal Dr., Oakmont, PA 15139, (412)828-8983, jeanrodman@verizon.net

BROOKS BIRD CLUB: Cindy Ellis, RR1, Box 163, Red House, WV 25168.

MOUNTAINEER CHAPTER TROUT UNLIMITED: Frank Slider, Rt 1 Box 163-A2, Middlebourne, WV 26149, Phone: 304-758-2500 sliderf@ovis.net

WEST VIRGINIA RIVERS COALITION: Pam Moe, Rt. 1, Box 29B, Kerens, WV 26276, (304) 478-4922, pam_moe@hotmail.com

DOWNSTREAM ALLIANCE: Craig Mains, 137 Hoffman Ave., Morgantown WV 26505, cmains@wvu.edu

FRIENDS OF THE LITTLE KANAWHA: Cindy Rank, HC 78, Box 227, Rock Cave, WV 26234, (304)924-5802.

COMMITTEE CHAIRS

MINING COMMITTEE: Cindy Rank, HC 78, Box 227, Rock Cave, WV 26234, (304)924-5802.

PUBLIC LANDS MANAGEMENT COMMITTEE: Sayre Rodman, 32 Crystal Dr., Oakmont, PA 15139, (412)828-8983, jeanrodman@verizon.net, Bob Marshall, 201 Virginia St.W., Charleston, WV 25302, (304)345-5518, woodhavenwva@netscape.net.

OUTREACH/COMMUNICATIONS COMMITTEE: Julian Martin, 1525 Hampton Rd., Charleston, WV 25314, (304) 342-8989, imaginemew@aol.com

BLACKWATER CANYON COMMITTEE: co-chairs Linda Cooper, J1 1220 Van Voorhis Road Morgantown, WV 26505 (304)296-0565 lcooper@hsc.wvu.edu, and Judy Rodd, Environmental Services and Education Center 501 Elizabeth St., Charleston, WV 25311, (304)345-7663, roddj@hotmail.com

LEGISLATIVE COMMITTEE: Frank Young, Rt. 1, Box 108, Ripley, WV 25271, (304)372-3945, fyoung@wvhighlands.org.

WIND ENERGY COMMITTEE: Peter Shoenfeld, HC 70, Box 553, Davis, WV 26260, (304) 866-3484, (301)642-2820 (cell), peter@mountain.net.

ENDOWMENT FUND COMMITTEE: John McFerrin, 114 Beckley Ave., Beckley, WV 25801, (304)252-8733, johnmcferrin@aol.com

RIVERS COMMITTEE: Vacant

HIGHWAYS COMMITTEE: Hugh Rogers, Moon Run, Kerens, WV 26276, (304)636-2662, rogers@wvhighlands.org.

OUTINGS COMMITTEE: Jonathan Jessup, 8225 Adenlee Ave. #40 Fairfax VA 22031 703-204-1372 jonathanjessup@hotmail.com

MISCELLANEOUS OFFICES

SPEAKERS BUREAU: Julian Martin, 1525 Hampton Road, Charleston, WV 25314, (304) 342-8989, imaginemew@aol.com

WEB PAGE: Peter Shoenfeld, HC 70, Box 553, Davis, WV 26260, (304) 866-3484, (301)642-2820 (cell), peter@mountain.net.

ADMINISTRATIVE OFFICES

ADMINISTRATIVE ASSISTANT: Dave Saville, PO Box 569, Morgantown, WV 26507, (304)284-9548, daves@labyrinth.net.

HIGHLANDS VOICE EDITOR: John McFerrin, 114 Beckley Ave., Beckley, WV 25801, (304)252-8733, johnmcferrin@aol.com

JUDGE CURTAILS VALLEY FILLS

By Chris Wetterich

Coal companies must undergo a more rigorous government review of the effects of mountaintop removal mining on waterways before they receive permits, a federal judge in West Virginia ruled Thursday.

U.S. District Judge Joseph R. Goodwin barred the U.S. Army Corps of Engineers from approving mining activities that affect waterways under a streamlined permit process.

Such permits are for activities that are supposed to have little environmental impact. They have routinely been approved by the Corps of Engineers for mountaintop removal mines.

Environmental lawyers argued that mountaintop removal permits should have to go through a more extensive permit process, because mountaintop removal impacts the environment significantly.

On Thursday, Goodwin agreed. He said nationwide permits cannot be issued for future mountaintop removal permits, and the corps must revoke its permits for 11 mining sites affecting miles of Appalachian streams where construction has not started.

Environmentalists say the decision is a major victory in the fight to stop mountaintop removal. Joe Lovett, an attorney for the Ohio Valley Environmental Coalition, which filed the lawsuit, predicted that many coal companies will not get permits under the more meticulous process.

"Instead of rubber-stamping permits, the corps will have to pay heed to the science," Lovett said. "I'm not sure these permits can be approved, given what the environmental impact studies will show."

Attorneys for the corps and coal companies affected by the ruling could not be reached for comment Thursday.

Goodwin's ruling affects only the Southern District of West Virginia.

In mountaintop removal, coal companies blast off entire hilltops to uncover valuable, low-sulfur coal reserves. Leftover rock and dirt is dumped into nearby valleys, burying streams. The resulting waste piles — sometimes miles long and hundreds of feet deep — are called valley fills.

The government has already spent millions on studies that show the damage



of mountaintop removal mining but has ignored the science, Lovett said.

Currently, the corps has control over what happens in all U.S. waterways. When someone wants to undertake an activity that would affect a body of water, the corps has to give them a permit.

Congress authorizes the corps to issue two different kinds of permits. The first is a general permit for activity that would affect a body of water or wetland but cause "minimal adverse environmental effects."

With this type, Congress' intent was to reduce bureaucratic red tape and the workload of the corps. Once an activity is approved under the first permit, anyone wanting to engage in such an activity can do it without getting permission from the government or undergoing an individual review.

The other type of permit is for specific activities where people or businesses

want to discharge dredge or fill materials into U.S. waters. The corps must hold public hearings, give the public notice and allow enough time for interested parties to express their views. It also requires site-specific documentation and analysis of the project's environmental impact.

The case before Goodwin concerns Nationwide Permit 21. The corps has used it to authorize valley fills stemming from mountaintop removal.

In 2000 alone, the corps authorized 264 mining projects under Nationwide 21, according to agency records. Those projects buried more than 87 miles of streams, the records show.

The Ohio Valley Environmental Coalition filed suit in October, claiming that the Nationwide 21 process is illegal. Goodwin concurred, saying that nationwide permit process used by the corps violates the intent of Congress when it passed the Clean Water Act.

The law requires the corps to guarantee that an activity will have minimal impact before it issues a nationwide permit. In the case of Nationwide Permit 21, the corps doesn't do that. It sets up a process coal companies have to follow in order to make sure there is minimal impact, Goodwin wrote in his ruling.

The corps also doesn't determine whether the environmental impact is minimal until after the activity has taken place, Goodwin said. Nationwide permits are created for circumstances where there would never be a case where there was concern over possible serious environmental impact, the judge said.

Nationwide 21 also illegally requires an individual review of projects. This defeats the purpose of nationwide permits, which is

(Continued on p. 4)

The *Highlands Voice* is published monthly by the West Virginia Highlands Conservancy, P.O. Box 306, Charleston, WV 25321. Articles, letters to the editor, graphics, photos, poetry, or other information for publication should be sent to the editor via the internet or by the U.S. Mail by last Friday of each month. You may submit material for publication either to the address listed above or to the address listed for Highlands Voice Editor on the previous page. Submissions by internet or on a floppy disk are preferred.

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

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

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.

Appellants say it will create perpetual acid mine drainage**METTIKI MINE OPPOSED**

The West Virginia Rivers Coalition, West Virginia Highlands Conservancy, and Trout Unlimited – West Virginia Council have appealed to the West Virginia Surface Mine Board the decision of the West Virginia Department of Environmental Protection to issue a permit to Mettiki Coal. The permit would allow Mettiki to conduct a longwall coal mining operation in Grant and Tucker Counties.

At the heart of the appeal is the appellant's contention that this mine will create a perpetual source of acid mine drainage. At least in recent years it has been federal law and state policy to refuse to issue a permit for a mine which would produce a long term acid mine drainage. The appellants contend that the Mettiki mine permit is contrary to that law and policy.

The Problem

Some coal seams, particularly in the northern part of West Virginia, are naturally acid producing. These include the seam which Mettiki proposes to mine. During active mining, the acid water is generally pumped from the mine and treated before being released.

The problem arises after active mining ceases. After active mining ceases the acid will continue to be produced for the foreseeable future. While it would not continue literally forever, it would continue for so many decades that it may as well continue forever. Unless treated, the acid water would continue damaging and killing streams for decades or even centuries. Such damage is currently ongoing from mines in acid producing seams that were abandoned decades ago.

To prevent additional sources of acid mine drainage from being created, it has been the federal Office of Surface Mining's position that regulators may not permit mines that will produce perpetual acid mine drain-

age. At least in recent years this has been the West Virginia Department of Environmental Protection's policy as well. According to the appellants, the permit issuance to Mettiki reverses that policy.



Acid mine drainage? What acid mine drainage?

Plowing New Ground

Mettiki proposes, and the Department of Environmental Protection has approved, to address this problem of perpetual acid mine drainage through the use of a new method which has never been tried before. It proposes to prevent perpetual acid mine drainage by pumping the mine full of water which has been treated so that it is alkaline. According to Mettiki, this water would cut off the air supply to the mine. Since oxygen is necessary to the formation of mine acid, cutting off the air supply would prevent the formation of acid and eliminate the perpetual acid mine drainage. It is undisputed that this technique has never been tried before.

Will it work?

The appellants contend that the technique has never been tried before and that there is no indication that it will work. They

contend that the method proposed by Mettiki "will not work at all" and is "fraught with technical problems such that there will be long-term AMD produced without a defined endpoint." They also contend that filling the abandoned mine with water increases the possibility of a blowout. Such a blowout would result in the sudden release of thousands of gallons of water.

What happens if it doesn't work?

The technique for controlling acid mine drainage during the life of the mine is not in dispute. The controversy is over how the acid mine drainage will be prevented after the mining is complete. Because of this, there will be no way of knowing if this untried method works until after the mining is over. If the untried method does not work, it will be too late. The source of perpetual acid mine drainage will already have been created.

Is this an "experimental practice"?

The appellants also challenge the failure by the Department of Environmental Protection to treat this untried method as an "experimental practice." The law requires such untried methods to be evaluated according to more different standards than are used in other permitting decisions. It requires that the method be approved not just by the West Virginia Department of Environmental Protection but by the federal Office of Surface Mining as well. Mines which use such experimental practices must also be monitored more closely than are other mines so as to continually evaluate whether the practice is working.

In Mettiki's case, the West Virginia DEP refused to treat this untried method as an experimental practice. In doing so, it avoided OSM review as well as more close monitoring of the practice. The appellants have challenged this decision as well.

Mountaintop Removal Decision (Continued from p. 3)

to reduce the bureaucratic workload on the government and individuals, Goodwin wrote.

"The corps' procedural approach ... is unlawful," Goodwin wrote. "[T]he corps has defined neither a category of activities that will cause only minimal adverse effects nor a set of requirements and standards.

"If the corps cannot define a category of activities that will have minimal effects, absent individual review of each activity, the activities are inappropriate for general permitting."

The immediate result of the ruling is that coal companies will now have to seek individual permits from the corps for

mountaintop removal because the corps can no longer issue permits under Nationwide 21.

Coal companies will also not be able to proceed with valley fills they have not started that have been approved under Nationwide 21. Those fills would have impacted over 26 miles of water in West Virginia: Green Valley, Horse Creek, Synergy, Hardway Branch, Phoenix, Fola, Westridge, West of Stollings, Edwight, Hewitt and Lexerd.

To read Goodwin's decision online, go to www.wvwd.uscourts.gov/district/opinions/pdf/BULEN_FINAL.pdf.

This story originally appeared in The Charleston Gazette.

WHAT'S HAPPENING WITH THE MON FOREST

By Dave Saville

For the past couple years, the forest Service has not been advancing any timber sale projects on the Mon. The Threatened and Endangered species portion of the Forest Plan was being revised. This spring, Forest Supervisor, Clyde Thompson, signed the new T&E amendment which has now opened the flood gates for timber sales to proceed. First came the lower Clover Run timber sale in Tucker County near Parsons. This is a 3.8 million board feet (MBF) sale that would be conducted in the fine trout stream watershed of Clover Run. It includes roadbuilding and helicopter logging. Then came the upper Williams River timber sale proposal. This is a monster, hoping to cut 10.5MBF in the sensitive headwater are of the Williams River. We are now awaiting the Glady timber sale proposal which will cut even more timber from the lower portions of Glady Fork of Cheat. Where will it end?

Since we only get 30 days to comment on these logging proposals, it is very difficult to get action alerts out in the Highlands Voice in time for the public to comment on them. By the time you read this, the public comment period will have already have passed. If you would like to participate in how the forest is managed, and share your thoughts on their logging plans, you may ask to be included on the Forest Service's mailing list. They can be reached at 304-636-1800 or at 200 Sycamore St. Elkins, WV 26241.

Along with The Wilderness Society and the WV Chapter of the Sierra Club, substantive comments will be submitted on these projects. Legal challenges will be employed. In the mean time, we have appealed Supervisor Thompson's decision on the T&E amendment to the Regional Forester, so perhaps these logging plans can be delayed, and their impacts lessened. Should the Mon be a tree farm, unfairly competing with private land owners in supplying timber? Should our streams be impacted from the massive disturbance associated with such large logging jobs? Should recreation suffer as the Forest Service subsidizes the logging of our National Forest losing millions of dollars every year? Should the last bastion of Wild Wonderful West Virginia be spoiled for corporate welfare? We think not. Thanks for supporting the West Virginia Highlands Conservancy in our efforts to protect the Mon from such destruction.

We are working to protect the Mon on several fronts.

Plan Revision- We have been working for over 2 years now on the Forest Management Plan revision currently underway by the Forest Service. We hope to make the new plan more sensitive to the wishes of the public, provide more stream protections, and put more lands off limits to destructive logging and road building.



An unexpected visitor to WVHC member Rick Webb's driveway. Mr. Webb was startled but otherwise uninjured. The visitor refused to comment on the record concerning the encounter.

Threatened & Endangered Species Amendment. We have appealed the Forest Services proposed T&E amendment to the Forest Management Plan. The protections they proposed were too weak to provide adequate protection for the many endangered species found on the Mon. We have appealed the decision. This is the first step in our legal action on this matter.

Projects. This is what the Forest Service calls logging jobs. We continue to monitor all projects proposed by the agency, and work to lessen and reduce their impacts to the Forest and its eco-system.

Wilderness. We continue to work hard to have more of the Mon protected in Congressionally Designated Wilderness. Wilderness is the highest, most permanent, form of protection we can get for our National Forests. Please write our delegation and ask them to support our wilderness efforts.

Special uses. Special use permits must be obtained by anyone wishing to use the forest for commercial activities. We monitor all kinds of special uses including outfitters, guides, mineral exploration, bike races, car races etc.

Monongahela National Forest Hiking Guide

by Allen deHart & Bruce Sundquist

Published by the

West Virginia Highlands Conservancy

The 7th edition covers:

- more than 200 trails for over 700 miles
- trail scenery, difficulty, condition, distance, elevation,
- access points, streams and skiing potential.
- detailed topographic maps
- over 50 photographs

5 wilderness Areas totaling 77,965 acres

700 miles of streams stocked with bass and trout

send \$14.95 plus \$3.00 shipping to:

West Virginia Highlands Conservancy

PO Box 306 Charleston, WV 25321

Or, visit our website at

www.wvhighlands.org

MONONGAHELA NATIONAL FOREST PLANNERS IDENTIFY POSSIBLE WILDERNESS AREAS

By Rick Steelhammer

Monongahela National Forest planners have identified 14 remote areas, encompassing a total of 138,541 acres, that qualify for further study as possible wilderness areas.

Planners rejected 16 other prospective areas for not meeting federal standards to qualify for wilderness status.

The look at possible new wilderness areas, in which logging, road building, campground development, mineral extraction and motorized vehicle use including mountain bikes is prohibited, is part of the Forest Plan Revision now underway.

In November, planners are scheduled to assess whether new wilderness areas are needed. If it is determined that such a need exists, they will make recommendations, taking public comment into account, on which if any of the 14 qualifying areas should be recommended for wilderness designation. If wilderness status is not recommended, planners will make recommendations on how the tracts should be managed in the future.

Currently, the Monongahela National Forest includes five wilderness areas Cranberry, Otter Creek, Dolly Sods, Laurel Fork North and adjacent Laurel Fork South encompassing more than 78,000 acres, or about 9 percent of the forest.

To qualify for wilderness status, prospective tracts must consist of at least 5,000 acres, contain no more than one-half mile of improved road for each 1,000 acres, and have or be regaining a natural, untrammeled appearance.

Areas that made the initial cut during the current planning process are:

- Big Draft 8,019 acres, located at the southern end of the Monongahela National Forest, adjacent to Blue Bend Recreation Area, about five miles north of White Sulphur Springs.
- Canaan Loop 7,900 acres, located between Blackwater Falls and Canaan Valley Resort state parks in Tucker County.
- Cheat Mountain 12,779 acres, located one mile south of Bemis and two miles west of Glad in Randolph County.
- Cranberry Expansion 12,166 acres, located just to the west of the existing Cranberry Wilderness Area.
- Dolly Sods Expansion 7,864 acres, located just to the north of the existing Dolly Sods Wilderness Area.
- East Fork Greenbrier 10,065 acres, located about five miles north of Bartow, just north of existing Island Campground, encompassing much of the Upper East Fork of the Greenbrier River.
- Middle Mountain 12,197 acres, located west of W.Va. 92 between Neola and Rimel and east of W.Va. 23 in Greenbrier and Pocahontas counties.
- Roaring Plains West 6,543 acres, located three miles southwest of existing Dolly Sods Wilderness in Pendleton and

Randolph counties.

- Seneca Creek 25,046 acres, located four miles southwest of Seneca Rocks and three miles northwest of Circleville, in Pendleton and Randolph counties. Encompasses eight miles of Seneca Creek.
- Spice Run 7,443 acres, located just south of Calvin Price State Forest and bordered on the west by the Greenbrier River in Greenbrier and Pocahontas counties.
- Tea Creek Mountain 8,289 acres, located north of Williams River Road and north of existing Cranberry Wilderness in Pocahontas County. Includes three miles of Tea Creek and several of its tributaries.
- Turkey Mountain 6,127 acres, also located north of Williams River Road and existing Cranberry Wilderness, eight miles southeast of Webster Springs in Webster and Pocahontas counties.
- Upper Shavers Fork East 8,218 acres, located just north of Snowshoe Mountain Resort, just east of the Durbin & Greenbrier Valley Railroads Cheat Mountain Salamander route, and just west of Cass Scenic Railroad State Park in Pocahontas and Randolph counties. Several miles of the upper Shavers Fork River form a common boundary between Upper Shavers Fork East and Upper Shavers Fork West.
- Upper Shavers Fork West 5,975 acres, located just west of Upper Shavers Fork East, described above.

Forest planners rated each of the 14 remote areas for apparent naturalness, natural integrity, opportunity for solitude, opportunities for challenge and adventure and special features in a capability summary for each area.

The prospective Cheat Mountain wilderness received the highest ratings in the capability summary, followed by the Cranberry Expansion.

The draft roadless area review and wilderness evaluation can be reviewed online at http://www.fs.fed/.us/r9/mmF/plan_revision/Information/information.htm.

This article originally appeared in the Charleston Gazette.



MANAGEMENT PLAN FOR MONONGAHELA NATIONAL FOREST MOVING FORWARD

For the first time since 1985, citizens have the opportunity to change the direction and focus of the Management Plan for the Monongahela National Forest. The Forest Service began revising the Plan for the nearly million acre National Forest last year. Some of the issues may sound technical. In spite of this, it is important that citizens become and remain involved. While they sound technical, there is nothing that cannot be understood by the ordinary citizen.

More information about the Plan is available from the Forest Service's web site at <http://www.fs.fed.us/r9/mnf/>. The Plan is a work in progress consisting of several pieces. In previous plans, the Forest Service might have completed a draft of the entire plan and then presented that draft for public comment. This time, it is posting pieces as they develop. If you wish to read what they have so far, it is available. Regardless of the pieces' stage of development, people may comment on the pieces at any time so long as they are still labeled "draft."

The internal process for creating a new forest plan includes work by several teams (e.g., the Soil, Water, Riparian and Aquatics Team, or the Land Acquisition Team). Each team—which is sometimes a single forest staffer—examines the old plan, and asks: What must be changed in the existing forest plan, to make a new and improved forest plan?

In the case of riparian management, for instance, the team has crafted new riparian management recommendations that would replace current management direction. The new recommendations can be viewed on the Mon's website: http://www.fs.fed.us/r9/mnf/plan_revision/plan_revision.htm



[/www.fs.fed.us/r9/mnf/plan_revision/plan_revision.htm](http://www.fs.fed.us/r9/mnf/plan_revision/plan_revision.htm)

The forest is still considering whether to use these recommendations to build a riparian management prescription that stands alone (and must be mapped, and analyzed whenever timber sales are contemplated)—or whether to "bury" the riparian protections in all other management prescriptions as part of the plan revision. Riparian conservationists at The Wilderness Society and Trout Unlimited have expressed concerns about the latter proposal, since it may have a tendency to dilute or bury strong riparian protection at

both the plan and the project level. Both groups would prefer to see a "stand alone" riparian protection zone that is recognized in the plan and in the field, where timber and other projects are executed.

Species viability over the life of the forest plan is another concern for conservationists in this plan revision. The Species Viability Evaluation is supposed to evaluate the effects of various kinds of management action under the forest plan, with products coming out of that analysis in mid-July. Activists and others concerned about the long-term health of native species should contact the forest at that time and ask to see these products and comment on them.

Perhaps the key analysis of the forest plan revision—the evaluation of alternatives—is due to occur in mid-July as well. From this process, a preferred alternative is selected by the Forest Supervisor. At that point in the process, we'll know a lot about the direction the forest is likely to take in making its final management plan—where the timber harvest will be concentrated, where the greatest roadbuilding will occur, and where critical species habitats will be protected. Stay tuned to the forest website, and don't hesitate to ask questions and write letters. Now is the most important time to convey critical information to forest planners—the new forest plan will come out in draft later this fall!

Speakers Available

Does your school, church or civic group need a speaker or program presentation on a variety of environmental issues? Contact Julian Martin 1525 Hampton Road, Charleston WV 25314 or imaginemew@aol.com or 304-342-8989.



HELPFUL WEB SITE FOR HIKERS

For the past year Mike Juskelis has been leading outings as joint activities of the WV Highlands Conservancy and the Howard County chapter of the Maryland Sierra Club. Early this year he started a very nice web site (<http://www.midatlantichikes.com/>) that is a nice resource of hikes in Virginia, West Virginia, Maryland and Pennsylvania. On his site you can find "maps, elevation profiles, directions, trail notes, references, photos.... everything you need to prepare for an excursion into the wilderness. Information for 31 hikes is now available."

CITIZENS FOR RESPONSIBLE WIND POWER ASK FOR BETTER STUDIES

Mr. Tom Chapman
U.S. Fish and Wildlife Service Field Office
Elkins, West Virginia 26241

Dear Mr. Chapman:

I am writing with deep concern over the bird and bat kills at the Backbone Mountain wind facility in Tucker County, WV. As you are aware, these bird and bat kills were discovered because the Public Service Commission required -construction mortality studies as a condition of the project permit and studies were carried out in 2003.

In light of the results of the 2003 studies made public so far, it is majorly regrettable that studies were not required and performed BEFORE the facility was constructed. At this point, we must conclude that this was a bad decision in which we all shared and with which we must now all live. We can, however, take advantage of every opportunity to learn from it.

Without doubt, I think it can be logically concluded that the 2003 studies have been informative and that they make it very clear that one year's worth of data is wholly inadequate to understand the extent of avian mortalities going on at Backbone. In fact, we have been advised that it will indeed take at least five years worth of data at this wind power site to come to sound scientific conclusions on the death rates of birds and bats. Accordingly, we are dismayed to learn that no more studies of bird mortality will be done at this site at all, and that the bat study planned by Bat Conservation International will not begin before late July — after the critical maternity season for bats has past.

As you are well aware, all of the bird kills caused by the wind power facility are in violation of the Migratory Bird Treaty Act, 16 U.S.C. § 703. Moreover, although no endangered or threatened bats have yet been identified among the recovered bat car-

cases, the analysis was far from conclusive and it may only be a matter of time before a federally-endangered Indiana bat or Virginia Big-Eared bat — both of which reside in the region — is killed by these wind turbines. Given the risks and the speed with which the industry is developing in the Appalachian region, it is imperative that USFWS, the PSC, and the industry obtain as much and as accurate information as possible from the Backbone facility before additional facilities are built in the same region.

As you are aware, the 2003 mortality studies were done by Dr. Paul Kerlinger who works for Florida Power and Light, the owner of the Backbone Project. Dr. Kerlinger has issued statements asserting that the 2003 studies were overseen by a scientific review committee which commented on and approved the protocols for the studies, and did the same for the analysis and conclusions. The Fish and Wildlife Service is a member of this committee and as such has responsibility for ensuring the validity of the studies.

Further, the PSC stated in the Backbone permit that the scientific review committee can request that another year of avian mortality studies be : "If at the end of the one year period the Windpower Developer's Avian consultant and the Technical Committee agree that additional monitoring is justified the Windpower Developer agrees that it will undertake additional monitoring and actions in accordance with such recommendations" (Dec.15, 2000). In addition the staff of the PSC recommended that two years of post-construction avian mortality studies be done at this site.

As referenced above, we are extremely concerned about how things have progressed with these 2003 studies (including both the results and the role/responsibilities of the Technical Committee) and are

currently exploring our legal, moral, and ethical options in this regard. At the least, and at this time, request that you immediately request further studies at this site as you are entitled to do under the PSC permit and work with the rest of the Technical Committee* and the PSC to see that Florida Power and Light carries out further studies. This information is desperately needed if we are to properly site wind farms in this region of the country. Without such information we will have huge numbers of bird and bat mortalities at wind farms in the Appalachians.

Sincerely,
Linda Cooper
President, Citizens for Responsible
Wind Power
Star City, WV

*You might also want to clarify the role and validity of this committee since both public and scientific concerns are raising doubts about both.

Editor's Note: This is a copy of a letter the Citizens for Responsible Wind Power recently sent to the United States Fish and Wildlife Service.



WHAT WOULD JESUS DO?

In April the Salem Presbytery, a regional governing body for the Presbyterian Church USA, joined a diverse group of Christian denominations wishing to stop the destruction of Appalachian forests and communities.

They passed a resolution opposing the practice of mountaintop removal coal mining. It is available at (resolution available at, <http://en.groundspring.org/en/go?j=4612562&u=21822>) The resolution is confirmation of the Salem Presbytery's support for those in our nation's coalfields and a means to help further efforts to end the atrocious practice of mountaintop removal coal mining. The Salem Presbytery has plans to make an overture to the 2006 General Assembly regarding a resolution opposing this practice, so that all Presbyterians will stand in solidarity with the people of Appalachia.

In addition, members of the United Church of Christ are working to gain support for passing a similar resolution at an upcoming annual meeting.

Below is a list of denominations that have passed resolutions about mountaintop removal, as well as links to their resolutions:

The Episcopal Church - <http://en.groundspring.org/en/go?j=4612562&u=21823>

The Evangelical Lutheran Church in America - <http://en.groundspring.org/en/go?j=4612562&u=21824>

The United Methodist Church - <http://en.groundspring.org/en/go?j=4612562&u=21825>

Join Now and get a free gift!!



West
Virginia
Highlands
Conservancy
www.wvhighlands.org

We are now offering a wonderful incentive for new membership applications we receive. We have had beautiful National Geographic books donated to us and are offering them as premiums to new members. Join now, using the form below, to get your free gift.

The Emerald Realm, Earth's Precious Rain Forests. Together, earth's tropical rain forests make up a globe girdling emerald realm that occupies just 5 percent of the world's land area-yet nurtures half its plant animal species. From this cornucopia pours an array of foods and herbs, medicines and chemicals, and a variety of construction materials. The magnificence, the fragility, the mystery of "the most diverse, the most complex, and the least understood ecosystem on earth" are yours to experience in this 200 page National Geographic book. A \$20.00 value free to new members. **Premium available to new members only.**

Yes! Sign me up.

Name			Membership Categories (circle one)			
Address				<u>Individual</u>	<u>Family</u>	<u>Org.</u>
			Senior	\$15		
			Student	\$15		
City	State	Zip	Introductory/			
			Other	\$15		
Phone	E-Mail		Regular	\$25	\$35	\$50
			Associate	\$50	\$75	\$100
			Sustaining	\$100	\$150	\$200
			Patron	\$250	\$500	\$500
			Mountaineer	\$500	\$750	\$1,000

Mail to: West Virginia Highlands Conservancy, P. O. Box 306, Charleston, WV 25321

Call for Volunteers!

Want to help restore the coldwater fishery on a premier high-elevation river? Want to ride the Cheat Mountain Salamander for free?

Join West Virginia Highlands Conservancy members, Shavers Fork Coalition members, and Mountaineer Chapter Trout Unlimited members in a 12-week monitoring project on upper Shavers Fork of Cheat River.

Shavers Fork Coalition received an Environmental Challenge Fund grant from Columbia Natural Resources/NiSource to develop recommendations to restore coldwater inputs impacted by the presence of the railroad grade situated beside the river. The overall objective is to improve native trout habitat by improving coldwater inputs to the mainstem. West Virginia Highlands Conservancy and Mountaineer Chapter of Trout Unlimited contributed to the grant pro-

posally by agreeing to help provide volunteer monitors.

Now is the time to sign up!

What is expected of a volunteer monitor?

Each Saturday from July 10th through October, four to six volunteers will meet at Cheat Bridge just off US 250 on upper Shavers Fork 45 minutes south of Elkins. Usually this will take place on Saturday afternoon beginning at 1:45pm. After an orientation and thorough explanation of the project, volunteers will board the Cheat Mountain Salamander excursion train. Two groups of volunteers will get off the train at designated spots, and will walk a mile on the railroad track between several marked culverts where they will gather data: flow, temperature, and drop. The train will pick up volunteers and return to Cheat Bridge

around 5:30pm.

How can I sign up?

Call Project Scheduler Ruth Blackwell Rogers at 304-636-2662 or email at ruthbr@wvhighlands.org.

Many thanks to partners who are making this project possible: West Virginia Division of Natural Resources, Durbin&Greenbrier Valley Railroad, West Virginia University, West Virginia Highlands Conservancy, and Mountaineer Chapter of Trout Unlimited.



TELL THE PUBLIC SERVICE COMMISSION WE DON'T NEED THE LONGVIEW POWER PLANT

By Mary Wildfire

This map shows all the power plants in West Virginia, Ohio and Pennsylvania. Nearly all of these are coal-fired plants, which account for only 51% of the electric industry's total but emit nearly 90% of the sulfur dioxide and nitrogen oxides that cause acid rain and smog, 97% of the tiny particulates that aggravate asthma and emphysema, and essentially all of the mercury that impacts neurological development. They also are responsible for 86% of the carbon dioxide that's the number one cause of global climate change. This cluster of power plants gives you a good idea of why West Virginia is the epicenter of early death caused by power plant emissions. You can't see that here, but check out the color version at www.cleartheair.org/dirtypower. These calculations were done by Abt Associates, the same researchers used by the EPA.

According to their new report, entitled "Clear the Air", the cities with the highest rates include Charleston, Wheeling, Steubenville, Ohio and Pittsburgh. Conveniently located between these cities is Morgantown, home to WVU, some big hospitals...and a couple of coal-fired power plants. Clearly, what Morgantown needs is—another coal-fired power plant!

It's quite true that the proposed Longview power plant would be much cleaner than the nearby Fort Martin plant. Unfortunately, that's not saying much—Ft Martin is one of the ancient plants currently being sued by a coalition of northeastern states over the impact on their air quality. If the Longview plant were replacing this dirty dinosaur, it would have no opposition. But this is not the case. Instead, Longview's more moderate pollution will simply add to the toxic brew already creating the conditions depicted on that map. It will also create 300 to 400 tons per DAY of ash, which is to be dumped in unlined pits, from which it will certainly leach into surrounding waters. And its smog will adversely affect places like Dolly

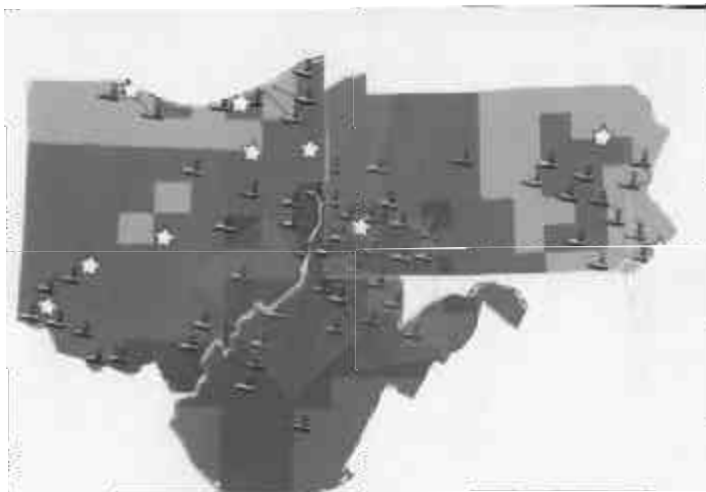
Sods, Otter Creek and Shenandoah National Park.

Longview would also, of course, contribute electricity—in an area that already exports most of the electricity it produces. And it would create jobs—good union jobs during the construction phase, for which reason it has received the support of the Affiliated Construction Trades council, and mainly non-union permanent jobs. It would also expand the coal-mining jobs available, especially in neighboring Pennsylvania—but considering the damage longwall mining is doing to homes, streams and water supplies there, this is a decidedly mixed blessing.

Please help us defend Monongalia county and the whole region from yet another coal-fired power plant sure to worsen the problems of acid rain, air and water pollution, and global climate change. The West Virginia PSC will decide by the end of August whether to issue a permit for the plant. It will be receiving comments until late July. Unlike the Department of Environmental Protection's consideration of the air and water permits, the PSC *can* deny the permit on the basis of its not being in the public interest.

To comment to the Public Service Commission about the Longview Power Plant, contact it at:

03-1860-E-CS-CM
Public Service Commission of WV
c/o Ms Sandra Squire
P O Box 812
Charleston WV 25323



This map shows the concentration of power plants, most of them coal fired, in Ohio, Pennsylvania, and West Virginia. For a clearer map, as well as emissions data by each plant and information about the health effects of power plant emissions, go to www.cleartheair.org/dirtypower.

Longview will be allowed to emit:

In the air

Carbon monoxide: 2,943 tons per year
 Sulfur dioxide: 3,215 tons per year
 Nitrogen oxide: 2,142 tons per year
 Particulate matter: 402 tons per year
 Carbon dioxide 1,800,000 tons per year
 Lead: 958 pounds per year
 Arsenic: 934 pounds per year
 Mercury: 120 pounds per year

On the ground (in the water)

Toxic ash: 300 tons per day

In Hardy and Hampshire counties

Columbia Planning Large Gas Storage Field

by Frank Young

Recently I was contacted by John Adler, a public relations and government relations person for Columbia Gas Transmission Company (CGT). Adler wanted to discuss a pending rather large natural gas storage field the company is planning for eastern West Virginia.

CGT is the gas transportation arm of NiSource, Inc., based in Merrillville, IN. NiSource is a holding company whose primary business is the distribution of electricity, natural gas and water in the Midwest and Northeast United States.

On June 16th Margaret Janes, Fred Samson, Dave McMahon and I met with several CGT representatives. We were told that a large underground gas storage field was planned for development in a depleted Columbia gas production field in Hardy and Hampshire counties. Adler said that we were contacted because CGT wants "to identify all stakeholders very early in this process".

The proposed gas storage field would involve "reconditioning" of about fifteen 1960s and 1970s era Columbia production gas wells, drilling of from nine to thirteen new wells, pipeline "upgrades", and construction of a 5000 horsepower gas compressor station to force as much as 12 billion cubic feet of natural gas into "two or three non-contiguous underground 'pockets' " in the storage area.

Storage pressure of about 2500 pounds per square inch would be greater than the original "discovery" gas pressure of about 2210 pounds per square inch, in the Oriskany sands, at a depth of 6000 to 7000 feet. CGT said that this pressure is still several hundred pounds less than the "water column" pressure of nearly 3000 pounds at that depth.

CGT said that the project will involve a NEPA "pre-filing", public notice, an Envi-

ronmental Impact Study & Statement, with these and other required FERC filings to be made by spring of 2005, with planned construction beginning in spring, 2006, and the storage filed in operation by 2007. The EIS will include assessments of old wells, and including a water resources section, Columbia said.

Is this a big project? "For us it is", said CGT's Adler. But he added that several similar projects are much larger, with some gas storage fields stretching for "hundreds of miles- nationally". Adler said that new piping would be located "within the existing rights-of-way corridors".

The gas to be pumped into and out of this storage filed is not owned by Columbia, we were told. The gas will be owned by CGT's customers. It will come from a "combination of Appalachian basin, Gulf coast and LNG (liquefied natural gas) from overseas", CGT said. The destination of the gas would be Washington- Baltimore, Norfolk and North Carolina", the CGT spokespersons added.

More information on the project can be obtained from CGT's John Adler by calling Adler's office at 1-304-357-2198.

Author's editorial note:

During my six year tenure as the Highlands Conservancy's president I have noticed a significant increase in "pre-emptive" contacts to environmental organizations by industry representatives. For sure, much of this is designed to "disarm and diffuse" potential environmental opposition to industrial initiatives.

And we can take that as a sign that our persistent expressed environmental concerns are being heard by the "captains of industry". More and more they are taking us seriously enough to feel it's worthwhile to try to avert coming to loggerheads on how to deal with potentially problematic industrial undertakings.

The philosophy of the WV Environmental Institute and other progressive "think tank" environmental organizations is that constructive engagement among traditional environmental antagonists is useful in averting the squandering of resources consumed in posturing and litigation of environmental disagreements. It is my sincere hope that we can all work successfully to understand and meet the challenges of protecting the environment through more mutual cooperation toward problem solving and less through endless and debilitating puffery and bickering.- F. Y.



West Virginia Mountain Odyssey



Outings, Education and Beyond

Outings Chair: Jonathan Jessup, 703-204-1372 jonathanjessup@hotmail.com

July 10, Sat. Lake Sherwood/MNF. Nine mile moderate circuit hike with several stream crossings along Lake Sherwood, up Meadow Creek trail and along Allegheny Mountain trail and returning on the Virginia trail. Optional car camping Friday and Saturday nights at semi-primitive tent loop far away from the noise of the main campground. Modern Facilities close at hand. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

July 24, Lost River State Park. Strenuous GPS Hike. 17+ miles, 4,000 ft total gain. Fun, whether interested in GPS or not. Trails Illustrated Map of the Great North and Massanutten Mnt. and Park's Map. We will see breathtaking overlooks, visit an old farm house, climb a fire tower, visit the summer retreat of Robert E. Lee's father. Contact: Dimitri Tundra tartakd@hotmail.com, 301-770-9639 and Mike Fischetti.

July 29 – Aug. 1, Thurs.-Sun. Tea Creek Backcountry. Car camping and backpacking. Set up Base Camp at Tea Creek primitive campground on day one (optional). Day 2 and 3 hike approximately 17 miles while spending the night camped on the trail. Day 4, return to Base camp and spend additional night if required. Limit of 10 participants. Those wishing to meet at the trailhead on Friday morning and not car camp are welcome. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

August 7, Saturday Flat-water Canoe Float Flat-water canoe float through the six mile long Buckhannon River pool at Buckhannon. Meet at Sheetz on Corridor H at 11. Take out will be about 3 p.m. It is a pretty, generally clear reach and we will have some current to push us along. Fishing should be good. Bring everything and just show up. If you need information, call Don Gasper at 472-3704.

August 13-15, Fri.-Sun. Mount Rogers High Country Backpack (VA). 21 mile strenuous hike with spectacular views of the open highlands and surrounding mountains. Open areas are similar to a hilly Dolly Sods but with better views and a more remote feel. Hike is mostly above 4000' elevation and about half exposed meadows. Please bring appropriate rain gear and equipment. Trails can be rocky and wet and weather can be unpredictable at times. Prior backpacking experience required. Hopefully, the Highbush Blueberries will be ripe. Limit: 10. Contact Eric Shereda for more information at: backpacker@1st.net, (740) 676-4468

August 21, Sat. Explore Fisher Spring Run Bog. This large, open and seldom visited bog is just within the Dolly Sods Wilderness and is one of only ten national natural landmarks in West Virginia. Wildflowers and many plant life forms adapted to bog and high elevation conditions are the focus of this trip. Active bear area. ~5 hours with optional camping that evening. Waterproof boots suggested. Can be combined with hike on the next day. Leader: Jonathan Jessup. (703) 204-1372, jonathanjessup@hotmail.com

August 22, Sun. Dolly Sods Scenic Area on Allegheny Front and Dolly Sods North. Enjoy stunning mountaintop views across many miles of mountains from unique, wild, open rocky tundra on the backbone of West Virginia. We'll then cross FR75 and head into North Sods for a walk in more open country. Last year's trip went well with great weather and a cool dip in Red Creek. ~6 miles, 2 of which are rocky. Can be combined with previous day's hike. Leader: Jonathan Jessup, (703) 204-1372, jonathanjessup@hotmail.com

August 27 – 29, Fri.-Sun. Blue Bend, MNF. Car Camping /Shuttle Hike. Three day trip in the Monongahela National Forest. Camp along scenic Anthony Creek under the Hemlocks and surrounded by mountains. Hike Blue Bend Loop trail and Anthony Creek trail and South Boundary trail. Those wishing to meet at the trailhead on Saturday and not car camp are welcome. On the way home visit the Hump Back covered bridge and scenic Goshen Pass. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

September 4 – 6, Sat.-Mon. – Spruce Knob Area - Labor Day Weekend. Easy 3-day backpack/ base-camp/ hiking trip to the back side of Spruce Knob, spending both nights at Judy Springs (former) campsite. The rest of the time will be spent hiking and exploring the ridge-tops, stream-sides, foot trails and high mountain meadows behind Spruce Knob. Or you can just enjoy the immediate surroundings of Judy Springs. 7 total miles of backpacking — all along Seneca Creek. Prior backpacking experience required due to the remoteness of the area. Limit: 10. Contact Bruce Sundquist, 724-327-8737 or bsundquist1@juno.com

September 11 – 13, Sat.-Mon. Otter Creek Wilderness Backpack. Backpack overnight in this unbelievable wilderness. Hike

More outings on p. 13

More Outings

14+ miles with several wide stream crossings. Limit of 10 participants. Optional Stuart Recreation Area Car Camping Friday night at modern campground with all facilities. Reservations suggested for the campground. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

September 25 - 26 and October 2&3 Red Spruce cone collecting volunteer opportunity. As part of the Highlands Conservancy's Red Spruce Restoration efforts, we will be collecting cones from various areas in the Highlands including Snowshoe Mountain Resort, Monongahela National Forest, Canaan Valley National Wildlife Refuge and Blackwater Falls State Park. Contact Dave Saville 304-284-9548 daves@labyrinth.net

September 25 - 26, Sat.-Sun. Seneca Creek Backpack Fourteen+ miles in the Seneca Back Country utilizing Huckleberry trail, High Meadows trail and Seneca Creek Trail. Several wide stream crossings. Limit of 10 participants. Distant travelers can set up a base camp at Spruce Knob lake Campground Friday evening and stay till Monday if desired. Reservations suggested for the campground. Contact Mike Juskelis at 410-439-4964 or Email at mjuskelis@cablespeed.com.

October 10, Sunday. Roaring Plains Fall Foliage on Canyons Rim Trail. Day Hike. Medium difficulty, depending on weather. Explore and witness spectacular, remote, rugged, rocky and rarely visited high elevation country with several jaw dropping views. Be prepared for cool temps and possible weather. Only one 400ft climb. ~5 miles. Finish hike by 5pm. See photos at <http://www.jonathanjessup.com/rp-set1.html>. Possible optional nearby day hike on Oct 9th for those interested. Hosted by Jonathan Jessup. (703)204-1372 jonathanjessup@hotmail.com

Almost Anytime. 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 a lunch—there is a picnic area on Larry's mountain. Just call Larry or Julian Martin. Leaders: Julian Martin, (304)342-8989, imaginemew@aol.com and Larry Gibson, (304) 586-3287 or (304) 549-3287 cellular.

GLOBAL WARMING AND CLIMATE CHANGE

By Don Gasper

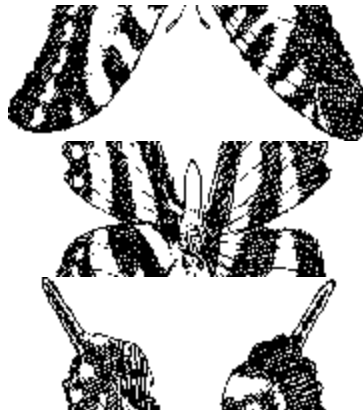
In 1997, the warmest year on record world-wide so far, the National Oceanic and Atmospheric Administration noted nine of the warmest years on record have occurred in the last 11 years. That year the phenomena of global warming was named and a plausible greenhouse effect was postulated that involved man's "activities" as pollution from industry and cars. Ice melting had already elevated sea level by 6 inches.

The Kyoto meeting was planned and scientists advised "the world leaders must adopt legally binding commitments" to reduce heat-trapping gasses. "Adopting a strong treaty at Kyoto would address one of the most serious threats to the planet and to future generations." (The United States would not ratify the treaty, and President Bush sent that fine soldier Colin Powell to face the world's

governments as the sole hold-out claiming still global warming was unproven - - shaming us all.)

But the year is still 1997, and nearly 1500 of the world's top scientists, including the majority of the living Nobel Laureates in science issued an urgent call for all nations to make strong, binding clean-ups of our air. We have been having 100 year floods every few years. The recent warmer years (10 in the last 12 years) is one the drought in the U.S. and Canada reduced grain productions by 1/3, and for the first time in 200 years we produced less than we needed. Rain fall events have been abrupt and hard.

Lastly the scientists in 1997 said the polar ice caps are melting. All this turns out to be true as the latest map shows. It makes one wonder about The Day After Tomorrow.



JUST OUT FOR A STROLL...



West Virginia Highlands Conservancy members Samuel McFerrin (second from left), Karen Kostol (fourth from left) and Katherine Grace McFerrin (back to camera) walk on the recently opened rail trail in Beckley.

MEMORIAL DAY ON DOLLY SODS NORTH

This trip got a bit oversubscribed, so we found a second leader (Dorothy Guy) who knew Dolly Sods well so we could form two groups of nine people during our time in the wilderness area. We were a geographically diverse group, with people from West Virginia, Maryland, Virginia and Pennsylvania. Although the weather forecast was iffy, it turned out well, with only about two hours of light rain after breakfast on Monday.

A brilliantly clear, cool Saturday showed off a lush, azalea-speckled Dolly Sods North at its most spectacular best. Our Raven Ridge campsite is one of the best on the MNF, yet it is not heavily used because it cannot be seen from the nearby trail, and the water supply is not obvious. It offers views of Bear Rocks and long stretches of both Allegheny Front and Cabin Mountain. It overlooks the upper watersheds of both

the Right and Left Forks of Red Creek. It is unmatched for stargazing. It offered more than enough sheltered tent sites for the 18 of us in a spruce grove and huge expanses of grass/heath with scattered spruce for roaming.

Sunday's skies were a bit hazier. But they still allowed for great 360-degree views of Dolly Sods, Canaan Valley and ridges to the west on our trek along the top of Cabin Mountain from Raven Ridge to Blackbird Knob Trail. Except for the northern few hundred yards, the informal trail is now easy to follow via cairns and a treadway. It has to be one of the best trails on the MNF, despite its informal status (not recognized by the USFS).

We expected the very popular campsite area at the Forks of Red Creek would be packed with Memorial Day Weekend

thongs. It was that way on Saturday, we hear, but when we arrived on Sunday afternoon there were just a few other small groups. Our main disappointment was that the various waterfalls, the waterslide and its pool were not accessible due to the high waters.



BACKPACKING IN OTTER CREEK WILDERNESS

By Eric Shereda

What a wonderful weekend for a backpack into one of the most secluded spots in West Virginia. The weather was favorable, the company was pleasant, and the hard won overlook on Saturday, yes, overlook, was awesome. My third trip to Otter Creek Wilderness was just as intriguing as the first two. Yet there are many hidden wonders still waiting to be rediscovered.

Our group of seven set out on a clear, crisp Saturday morning from the Condon Run Trailhead. Our destination, Yellow Creek Bog, was only 2 miles away. Here we stashed our packs and began to explore the bog and to attempt to reach some rock outcrops visible from the bog. After a few attempts to climb up through the dense (understatement) rhododendron, we happened upon an old side road a few thousand feet up the McGowen Mountain Trail. We gained elevation quickly but shortly after a switchback, the trail turned into a hedge of rhododendron and greenbrier. Ouch! It took our group nearly an hour to progress only 200 feet. We felt we were so close to our goal that we couldn't turn back after all of the effort expended so far.

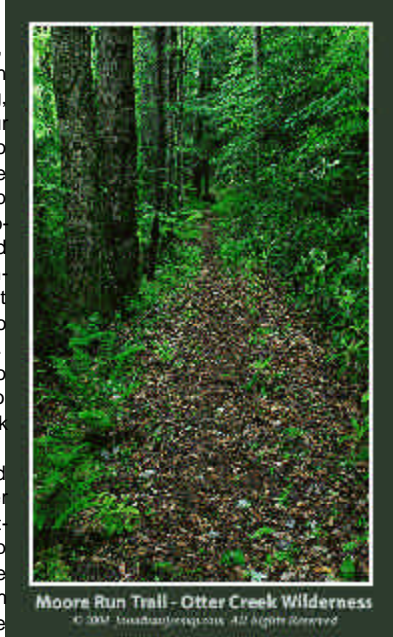
Eventually we punched through and made our way to the top only to find another barrier in our way. After several scouting attempts, we finally reached the rock outcrop and were greeted by a superb, 180-degree view of the Yellow Creek Bog and Hollow. With hardly any timbering nearby and no visible houses, this unspoiled view would be a perfect spot to catch a sunset or a fall foliage morning hitting the ridge tops to the west.

Sunday morning, we set out under overcast skies to climb over McGowen Mountain. This trail climbs to the top through a red spruce forest and hemlock forest before changing to hardwood

near the top. The trail eventually intersects Moore Run where we turned to head for our destination, Moore Run Bog. Along the trail, we passed by an abundance of bright red partridgeberries. Upon reaching the campsite, we explored the huge expanse of the bog. St. John's wort fills the open areas of the beaver-created bog. Hay-scented ferns protrude from the old dams and lodges. Several standing pools of water create reflecting pools of the surrounding red spruce and sky. Being five miles from any paved road provides this open area with a quiet sense of tranquility only punctured by the occasional passing plane far above.

As the Monday morning rain abated, we broke camp and started down the Moore Run Trail. This dark trail follows an old railroad grade through a mix of hemlock and hardwoods to ultimately reach Otter Creek near an old logging camp. We forded Otter Creek near Devil's Gulch (another trip is being planned to explore the Gulch) and stashed our packs once again before heading downstream to view the Big Falls. After absorbing the beauty of the falls, we headed back upstream, gathered our packs and headed back towards the cars. Along the way we saw a red eft, a garter snake and a surreal blue crawfish making up for the lack of wildlife along the rest of the trip.

Three trips in two years to Otter Creek Wilderness have left me with sense of awe for the place. There is so much left to explore, old railroad grades to places not seen in many years, overlooked overlooks only visible on aerial photos, side streams to waterfalls not visible from the trails, and a history fading fast. I fully intend to continue exploring Otter Creek Wilderness for years to come. Won't you join me?



BROCHURES

The Sierra Club, Citizens Coal Council, Coal River Mountain Watch, Ohio Valley Environmental Coalition, West Virginia Rivers Coalition, Appalachian Focus(Kentucky), Big Sandy Environmental Coalition(Kentucky), Kentuckians For The Commonwealth and the West Virginia Highlands Conservancy have put together a new brochure entitled "Mountaintop Removal Destroys Our Homeplace STOP THE DEVASTATION!" For a copy send a self addressed stamped envelope to Julian Martin, WVHC, Box 306, Charleston, WV 25321-0306

Quantities are available for teachers, civic and religious groups and anyone who can get them distributed.

BUMPER STICKERS

To get a free I [heart] Mountains bumper sticker(s), send a self-addressed, stamped envelope to Julian Martin, WVHC, Box 306, Charleston, WV 25321-0306

T SHIRTS

White, heavy cotton T-Shirts with the I[heart]MOUNTAINS slogan on the front. The lettering is blue and the heart is red. Sizes S, M, L, XL, XXL, XXXL \$8 total by mail. Send sizes wanted and check made out to West Virginia Highlands Conservancy to:

Julian Martin
WVHC
Box 306
Charleston, WV 25321-0306

HATS FOR SALE

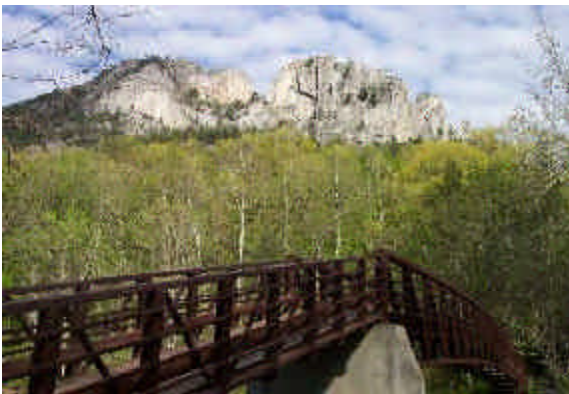
West Virginia Highlands Conservancy caps for sale. The cap is khaki and the pre-curved visor is forest green. The front of the cap has West Virginia Highlands Conservancy in forest green above We [Heart]Mountains. The heart is red, We and Mountains are black. It is soft twill, unstructured, low profile, sewn eyelets, cloth strap with tri-glide buckle closure. \$8 by mail. Make check payable to WVHC or West Virginia Highlands Conservancy and send to Julian Martin, POB 306, Charleston, WV 25321-0306

SHUTTLE HIKING ON NORTH FORK MOUNTAIN

By Mike Juskelis

Andrew Singleton and Mike Juskelis (Leader) participated. John Casto provided shuttle service.

With the exception of the initial climb up Redman Run Trail this is a pretty moderate 10 mile shuttle hike. If you like views, this is your hike. I know we stopped at about six vantage points to take in the North Fork Valley, Champe Rocks and the ridge line of the Allegheny Front. For even more views it is simply a matter of making a left turn off of the trail until you reach the edge.



Seneca Rocks from the beginning of the hike. Photo by Mike Juskelis.



Andrew Singleton on the approach to Chimney Top. Photo by Mike Juskelis

Andy and I got on the trail pretty early (9:30) thanks to John offering to drop us off at the terminus of Redman Run Trail. We were at the intersection of North Fork Mountain Trail before 10:30. We took a long break as we looked down at Champe Rocks and the valley further south. It seemed as if the mountains were forming waves.

Since it was just the two of us we made great time even though we stopped and explored at every whim. At the next scenic overlook, a group of sandstone chimneys that I usually look between, I jokingly suggested that Andrew climb to the top and take a picture of me once he got there. As I stared across towards the Roaring Plains I heard Andy's muffled voice beckoning me to come

up. I looked around and found a narrow path against the rocks that he easily used to get to the top. Duh! After all these years of looking through the cracks in the rocks!

We continued on, visited an overlook I call Table Rock, and then proceeded to the focal point of the hike, Chimney Top. The view was nothing short of fantastic. I still can't figure out how the guy in the photo in the MNF Trail Guide got to the top. After our lunch we descended rapidly to Andrew's waiting Rodeo parked at the north terminus of the trail. All along the route we saw an occasional simple flower: spring beauties, hepatica and such. Right at the end of the hike we stumbled upon a treasure trove of "special" treats. Within a few steps of each other we saw Shooting Stars, Wild Geraniums and Wood Stonecrop. That was a pretty microcosmic ending to an otherwise macrocosmic day.

This was Andrew's first visit to the Mon and he was pretty impressed. To impress him further we drove up to Dolly Sods on the way back to Seneca Shadows campground. I took him out to the ever-popular Allegheny Front Overlook and showed him the ridgeline he had just traversed. I still don't think he's over it since he pretty much signed up for all of my outings in the Mon for the balance of '04. I think we won the hearts and mind of another one!

For more photos go to: <http://maryland.sierraclub.org/hc/pictures/2004/20040501NorthFork.asp>

EPA WANTS 15 COUNTIES LABELED "NON-ATTAINMENT" AREAS

Federal environmental regulators said Tuesday they are planning to list 15 of West Virginia's most urban counties as failing to meet pollution standards that limit the amount of soot in the air.

The action is part of a process that will lead to final designations in November, according to Air Quality director John Benedict of the West Virginia Department of Environmental Protection.

"Now it's EPA's turn to come back to the states for recommendations," Benedict said;

Of 16 monitoring stations in West Vir-

ginia, nine show violations of the new air pollution standards, according to Benedict. The next stage will be determining the source of the pollution and finding ways to control it, he said.

Much of the soot comes from power plants, as well as other types of combustion, such as motor vehicles, residential wood burning, forest fires, agricultural burning and some industrial processes.

"EPA has done enough studies to know that a control program for this pollution has to be driven nationally," Benedict said.

"We in West Virginia know we are affected by our own power plants, but plants west of us also contribute to our pollution."

According to EPA, the fine particles are 28 times smaller than the diameter of a human hair, but they have been linked to serious human health problems, especially for people with heart or lung disease.

Benedict said there are other, less obvious, sources for the fine particles.

From Associated Press reports. Submitted by Don Gasper.

WILDFLOWERS, VIEWS AND MORE AT STACK ROCKS

By Mike Juskelis

Barb, Nina, Larry, Andrew and Mike (Leader) participated in this outing.

This is a 6.5 mile strenuous circuit hike featuring incredible views beyond Big Schloss, a 1600 ft. elevation change over the first 2.2 miles and quite a few wild flowers. Dwarf Iris, Pink Lady Slippers, Golden Ragwort, Wood Anemone, Bluets, Rhododendron and Mountain Laurel can be found in season.

The weather was clear and the temperatures were moderate. We would be able to complete the most tedious part of the trek before the heat of the day set in. We climbed up Laurel Run Trail, taking short breaks as we went. The trail was lined with Dwarf Iris. Near the top we visited a decent little camp site around a small tadpole pond. Bluets and Wood Anemone grew in large clusters among the grass. The water was alive with new occupants: tadpoles, frogs and an aquatic newt of some kind that wouldn't sit still long enough for us to ID. We took another break at the intersection with North Mountain Trail and

then proceeded south, crossing in and out of VA and WV as we approached our lunch spot.

There is a white blazed trail that leads to a rocky precipice overlooking the countryside but the view to the north is blocked by pine trees. We visited it just the same but opted to lunch at the spot that I had found on an earlier trip. From this vantage point we could view Long Mountain, Devil's Hole Mountain, Tibet's Knob, the tip of Big Schloss and Massanutten Mountain to the east.

We relaxed in the sun and breeze and just drank it all in. After about 20 minutes we packed up and proceeded on our way. The rest of the North Mountain Trail is a bit of a roller coaster, going down into a saddle and then back up again. This repeats itself a couple of times until you finally come to Stack Rocks Trail. We proceeded down Stack Rocks, able to look over our left shoulder and see our viewing platform from earlier in the day. As we hit the first big switchback we passed a dense planting of early

saxiphrage: delicate, fragrant clusters of small white flowers supported by long, naked stems and oval basal leaves. At about the halfway point of this trail we walked through a colony of Pink Lady Slippers in their prime. I estimate that there were at least 50 of them within eyesight and probably more further back in the brush.

We soon found ourselves back on the forest road we drove in on and in minutes were back at the cars. Although I mainly come here for the views I really wanted to share the wild flowers with someone. I think we can say "Mission accomplished!" to all aspects of the trip.



AWE INSPIRING OTTER CREEK WILDERNESS

By Jonathan Jessup

What a wonderful weekend for a backpack into one of the most secluded spots in West Virginia. The weather was favorable, the company was pleasant, and the hard won overlook on Saturday, yes, overlook, was awesome. My third trip to Otter Creek Wilderness was just as intriguing as the first two. Yet there are many hidden wonders still waiting to be rediscovered.

Our group of seven set out on a clear, crisp Saturday morning from the Condon Run Trailhead. Our destination, Yellow Creek Bog, was only 2 miles away. Here we stashed our packs and began to explore the bog and to attempt to reach some rock outcrops visible from the bog. After a few attempts to climb up through the dense (understatement) rhododendron, we happened upon an old side road a few thousand feet up the McGowen Mountain Trail. We gained elevation quickly but shortly after a switchback, the trail turned into a hedge of rhododendron and greenbrier. Ouch! It took our group nearly an hour to progress only 200 feet. We felt we were so close to our goal that we couldn't turn back after all of the effort expended so far.

Eventually we punched through and made our way to the top only to find another barrier in our way. After several scouting attempts, we finally reached the rock outcrop and were greeted by a superb, 180-degree view of the Yellow Creek Bog and Hollow. With hardly any timbering nearby and no visible

houses, this unspoiled view would be a perfect spot to catch a sunset or a fall foliage morning hitting the ridge tops to the west.

Sunday morning, we set out under overcast skies to climb over McGowen Mountain. This trail climbs to the top through a red spruce forest and hemlock forest before changing to hardwood near the top. The trail eventually intersects Moore Run where we turned

pools of the surrounding red spruce and sky. Being five miles from any paved road provides this open area with a quiet sense of tranquility only punctured by the occasional passing plane far above.

As the Monday morning rain abated, we broke camp and started down the Moore Run Trail. This dark trail follows an old railroad grade through a mix of hemlock and hard-

woods to ultimately reach Otter Creek near an old logging camp. We forded Otter Creek near Devil's Gulch (another trip is being planned to explore the Gulch) and stashed our packs once again before heading downstream to view the Big Falls. After absorbing the beauty of the falls, we headed back upstream, gathered our packs and headed back towards the cars. Along the way we saw a red eft, a garter snake and a surreal blue crawfish making up for the lack of wildlife along the rest of the trip.

Three trips in two years to Otter Creek Wilderness have left me with sense of awe for the

place. There is so much left to explore, old railroad grades to places not seen in many years, overlooked overlooks only visible on aerial photos, side streams to waterfalls not visible from the trails, and a history fading fast. I fully intend to continue exploring Otter Creek Wilderness for years to come. Won't you join me?



to head for our destination, Moore Run Bog. Along the trail, we passed by an abundance of bright red partridgeberries. Upon reaching the campsite, we explored the huge expanse of the bog. St. John's wort fills the open areas of the beaver-created bog. Hay-scented ferns protrude from the old dams and lodges. Several standing pools of water create reflecting

THE HIDDEN PASSAGE AND STRANGE SOBRIQUETS ON THE ROARING PLAINS

By Mike Juskelis

This was a 12+ mile strenuous circuit hike on the Roaring Plains, Monongahela National Forest, WV using portions of the South Prong Trail, Boar's Nest Trail, the Roaring Plains Trail, the Hidden Passage and a bushwhack along the rims of Roaring Creek and Long Run Canyons.

Before I start I would like to thank Jonathan Jessup for co-hosting this outing. Without him it would have been impossible to explore the canyon rim.

I was joined by the Mad Hatter, Grilled Cheese, the Coca Cola Man, Cognac Jack and, as I mentioned earlier, Jonathan Jessup. Most of us had camped at Seneca Shadows the day before. We had planned an excursion to the top of Seneca Rocks but a line of thunderstorms compelled us to spend the day camp-side. The next morning we arose to less threatening skies but the cloud cover,

as well as the humidity, was thick. Were we ever going to get to see the astounding views from the canyon rim?

We met Jonathan promptly at 9:00 and headed up the South Prong Trail from its west terminus. In this circuit the South Prong of Red Creek is crossed four times. The first one was a rock hop, a good sign for the remaining three. We made great time despite the fact that some of the railroad grade had been by-passed since the last time I hiked it (4 years ago) creating a couple of steep but short climbs. When we reached the top I turned the guiding chores over to Jonathan. I had led a hike through the "Hidden Passage" with others last year but this was his baby.

As usual the scenery was excellent except there were only a few Mountain Laurel in bloom. This should have been the prime blooming period. Jonathan said that a cooler than usual spring had interfered with the budding process.

The hike through the Hidden Passage was uneventful. Except for a few areas the trail is pretty visible and marked with

cairns. We found the familiar jeep trail and headed toward the Pipeline Swath. About halfway there Jonathan showed us some neat Sphagnum bogs and meadows full of hay scented fern.

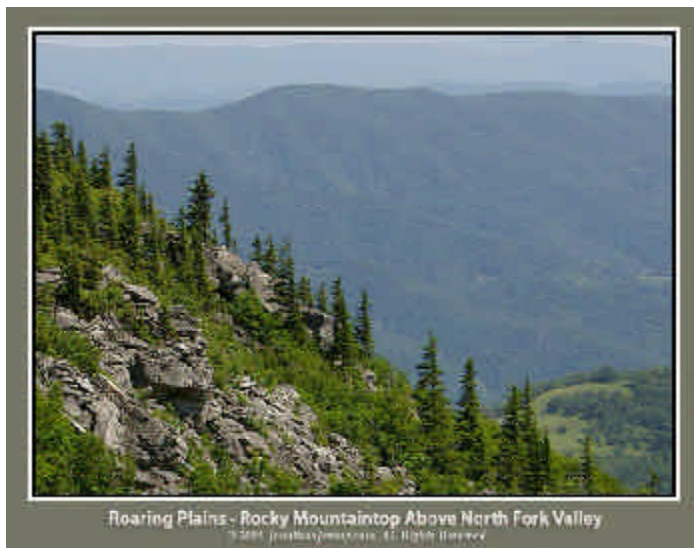
Up to this point we had been moving

prominent Hay Stack Knob in the distance.

It was extremely hard to leave that place but we did and visited one view after another until it was time to leave the rim and hook-up with the Roaring Plains trail via what Jonathan calls the Tee Pee trail. The heath is rather thick in places along this trail but you can still find it. I would like to say that the rest of the hike was just another walk in the woods but we were treated to even more views. From certain vantage points heading back to the cars we could see portions of Dolly Sods!

Once we hit the section of the Roaring Plains Trail that follows the South Prong drainage the pace picked up again. The Boar's Nest Trail was dryer than last year but, as expected, the sliding board descent was still there. We descended slowly, crossed the South Prong for the final time and climbed up

to our waiting vehicles. It was the most exhilarating hike I've ever been on and I think everyone, including Jonathan, was totally gassed. We said our good-byes to Jon and barely made it back in time for the now traditional dinner at the 4-U Restaurant.



at a fairly good clip. From now until we reached the official trails on the back end of the hike we would be moving quite slowly. First we took a side trip to our first overlook. The skies were still cloudy so the view was a bit disappointing. We returned to our initial circuit and Jonathan deftly guided us through a hardwood forest to the canyon rim and another overlook on the north side of Roaring Creek Canyon. In that small amount of time a great deal of the cloud cover had been blown out. From here on the views would be nothing short of spectacular.

We followed the Canyon Rim around to the west side where the trail intersects with the beginning of the Long Run Canyon Rim. What a great place for lunch! From one vantage point we could see the north side of Roaring Canyon and Chimney Rocks, Champe Rocks, Seneca Rocks, North Fork Mountain and Shenandoah Mountain to the east. If we turned our heads to the right we could see mountain after mountain to the south. One was Spruce Mountain. If we turned around we could look north-west up Long Run Canyon with the

STAY AT HOME!

The "Visioning Blackwater Canyon National Park" conference originally scheduled for July 23-25 has been **postponed** to September 10-12. Please visit the website of the Friends of Blackwater in August for the new schedule of events. We apologize for any inconvenience this may have caused you, and we encourage you to attend in September. Stay tuned for details at <http://www.saveblackwater.org/>

Alliance hopes to find out

WHY DO BATS KEEP WHACKING INTO WINDMILLS?

Conservationists, industry officials and federal agencies are joining forces to address an unexpected side effect of renewable wind energy. Bats in some parts of the country show an unexplained tendency to collide with the blades of wind turbines.

Bat Conservation International (BCI), the American Wind Energy Association (AWEA), the U.S. Fish and Wildlife Service, and the U.S. Department of Energy's National Renewable Energy Laboratory (NREL) are forming an unusual alliance to learn why these collisions occur and how they can be prevented.

"I'm delighted to have this broad collaboration in solving an unexpected problem that deeply concerns us," said Dr. Merlin Tuttle, Founder and President of BCI. "Our purpose is to work together to identify causes and solutions as quickly as possible."

Wildlife Biologist Alex Hoar of the USFWS Northeast Regional Office said migrating bats were killed in collisions with wind-power turbines late last summer in West Virginia and Tennessee. Fatal encounters were also reported in other states, including Minnesota and Wyoming.

"Nine of the 46 U.S. bat species account for almost 90 percent of the bat deaths at wind projects and several of those species are in decline," Hoar said. He added that no endangered bats have been reported killed, but the risk of that will increase as the renewable energy source expands.

Bats, though often ignored and falsely besmirched, are vital to the health of the envi-

ronment and to many human economies. They are primary predators of night-flying insects, including many major agricultural pests, while some are important pollinators and seed dispersers. It is not at all clear why some bat species seem susceptible to collisions with the turbines, and that information likely will be critical in developing effective preventive strategies.

The cooperative effort was finalized February 19-20 at a two-day workshop in Juno Beach, Florida. Several of the world's leading bat scientists and experts from other relevant fields met with representatives of BCI, the wind industry, and federal and state agencies to share information and discuss what is needed to understand and resolve issues involving bat mortality at wind turbines. BCI and the US Fish and Wildlife Service organized the two-day workshop, which was funded by NREL and AWEA and hosted by FPL Energy.

"The information exchanged in the



technical workshop serves as the beginning of important dialogue," said Bob Fritz, Vice President of Wind Operations for FPL Energy. "We look forward to continuing the exchange of ideas as this project moves forward."

Several wind-energy companies (FPL Energy, G.E. Wind Energy, NEG Micon, Clipper Windpower, Atlantic Renewable Energy Corporation, U.S. Wind Force, Vestas-American Wind Technology, and Zilkha Renewable Energy) and government agencies are providing matching funds for the cooperative effort. BCI is using some of that money to hire a full-time biologist who will spend three years coordinating work related to bat interactions with wind turbines and ensuring that planned studies are formally peer-reviewed.

In addition to attempting to prevent collisions, the group will suggest methods to help site wind projects in locations that may be safer for bats. Short-term efforts may also include testing potential bat deterrents and developing tools to help document bat interactions with the turbines.

"Wind energy is green energy, requiring no mining for fuel and producing no air or water pollutants, and we want to keep it as green as possible by proactively dealing with wildlife issues in a comprehensive manner as they emerge," said AWEA Deputy Executive Director Tom Gray. "We are very pleased to be able to join this cooperative effort to bring the best science to bear on this issue."

Participants are hopeful that collaboration will yield solutions that support the continued growth of windpower production in concert with wildlife conservation.

MEANWHILE, BACK IN CONGRESS

The United States House of Representatives has passed and sent to the Senate for consideration H.R. 4513. This bill would relaxes the requirements of the National Environmental Policy Act when federal agencies are considering a "renewable energy" project. The bill defines "renewable energy" as a proposal to use an "energy source other than nuclear power, coal, oil, or natural gas."

Under ordinary National Environmental Policy (NEPA) requirements, an agency considering a "major federal action" must consider taking the action as proposed and not doing anything (the "no action alternative) as well as possible alternatives for taking the action but doing it in a different way. Under HR 4513, agencies considering a "renewable energy" project would only have to consider taking the action as proposed and doing nothing. It would not have to identify and consider alternative project locations or actions. The bill

would also limit the length of time for public comments upon an environmental assessment or draft environmental impact statement.

NEPA requirements only apply where the project includes a "major federal action." For projects proposed for private land and involving no federal action, the relaxed requirements would have no effect. For those projects on public lands or involving some other federal action or policy, the requirements of HR 4513 could make a dramatic difference.

The bill was introduced by Rep. Richard Pombo (R. California); Rep. Shelly Capito voted in favor of its passage; Reps. Mollohan and Rahall voted against it. It has been referred to the Senate Committee on Environment and Public Works.

AND OUT ON RICH MOUNTAIN

Construction has begun on the towers for wind turbines on Rich Mountain. The West Virginia Highlands Conservancy had publicly opposed these turbines and the developer had shown some ambivalence about the project in the past.

At press time the Conservancy was considering what avenues are available to oppose the completion of the towers and their operation.

CONGRESSMEN'S LETTER TO GENERAL ACCOUNTING OFFICE

June 22, 2004

The Honorable David M. Walker
Comptroller General of the United States United States
General Accounting Office
441 G Street, NW Washington, DC 20548

Dear Mr. Walker:

We are writing to request that the General Accounting Office undertake a study on the interim guidance issued by the U.S. Fish and Wildlife Service concerning the development of wind turbine facilities to determine if such guidance ensures protection of migratory birds on Federal and non-federal lands in several mid-Atlantic states, particularly our State of West Virginia. A focused GAO analysis will contribute substantively to the development of regulatory policy for wind energy that is consistent with our treaty and statutory obligations under the Migratory Bird Treaty Act (16 U.S.C. §§ 703-712) and the Bald Eagle Protection Act (16 U.S.C. §§668-668d).

Development of wind energy as a renewable energy alternative in the United States has experienced tremendous recent growth and is only expected to accelerate in the near term. In practical terms this has meant the siting and erection of numerous fields of very large towers and turbine rotors, ranging from 275 to 445 feet in height, to capture a consistent prevailing breeze. Nowhere has this development been pursued more aggressively than along the ridge tops of the Allegheny Front region of the Appalachian Plateau in the States of West Virginia, Virginia, Maryland and Pennsylvania. Of great significance, the region is a major avian flyway for hundreds of migrant bird species, including bald and golden eagles. Ornithologists, in fact, estimate that approximately 1.7 million birds per night migrate over the Allegheny Front during the migration season. It would appear then that continued growth of wind energy along the Allegheny Front represents an imminent threat to literally hundreds of different migratory bird species.

The U.S. Fish and Wildlife Service, in recognition of the cumulative effects that an expanding domestic wind industry is likely to inflict on migratory birds and other wildlife (e.g., bats), issued on May 13, 2003 interim guidance to avoid and minimize wildlife impacts from wind turbines. Developed to be consistent with Secretary of the Interior Gale Norton's Renewable Energy on Public Lands Initiative, these voluntary guidelines are intended to provide technical assistance to the wind industry to avoid or minimize impacts to birds and wildlife through the following: 1) proper evaluation of potential wind energy sites; 2) proper location and design of wind turbines; and 3) pre- and post-construction mortality research and monitoring. This guidance will be evaluated over a two-year period concluding on July 7, 2005, and may be subsequently modified based upon new scientific information, technological discoveries and field performance.

Despite the stated intent of the interim guidance, it is extremely doubtful that these voluntary measures comply with the strict liability provisions found under both the Migratory Bird Treaty Act (MBTA) or the Bald Eagle Protection Act. The MBTA articulates that is unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture or sell migratory birds unless expressly permitted by the Secretary of the Interior. Comparable strict liability holds for bald and golden eagles. However, considering the voluntary nature of these guidelines, the pace and economic incentives of wind energy development, the potential for significant

and widespread bird mortality, and limited Federal budget for migratory bird oversight, it appears certain that wind turbine proposals will receive inadequate scrutiny by the U.S. Fish and Wildlife Service pursuant to the MBTA's strict liability standard.

Additionally, there is no assurance that relevant State wildlife agencies will provide the necessary level of regulatory oversight to prevent harm to migratory bird resources for wind projects proposed at locations on non-federal lands. Since the interim guidance is not compulsory, there is little to compel States to adopt these guidelines when evaluating industry proposals. And, if anything, it appears that State wildlife agencies are even less equipped administratively and budget-wise to handle this important responsibility.

As a result of these concerns, we are requesting that GAO initiate a study of the interim guidelines within the context of wind industry development along the Allegheny Front, especially areas in West Virginia. Among areas of inquiry, the GAO should examine the following questions:

- Considering the escalation of wind turbine development along the Allegheny Front, how serious a threat to migratory bird populations does this growing industry present? Can bird mortality be reasonably mitigated or prevented?
- How and by what agencies are wind turbines regulated by the Federal Government, and to what extent are migratory bird impacts considered?
- Does the administrative record of project applications indicate that the interim guidance has positively altered projects to protect migratory birds?
- What are the responsibilities of State wildlife agencies to protect migratory birds from impacts caused by wind energy projects located on non-federal lands? Do they have a regulatory or strictly consultative role?

Thank you for your consideration of this request. We would be pleased to meet with you to discuss further this request and to refine the scope of this analysis. To facilitate such a discussion, please ask a member of your staff to contact Mr. David Jansen at the Committee on Resources (226-2311) or Angela Ohm in Congressman Mollohan's office (225-4172).

With warm regards, we are

Sincerely,
NICKJ.RAHALL,!! Ranking Democratic Member Committee on Resources
ALAN B. MOLLOHAN Ranking Democratic Member Appropriations Subcommittee on VA, HUD and Independent Agencies

