



The Highlands Voice

The Monthly Publication of the West Virginia Highlands Conservancy

Volume 43

No. 9

September, 2010

THE LAST HURRAH (MAYBE) FOR A DEAR FRIEND

By John McFerrin

With his recent unsuccessful bid to succeed the late Robert C. Byrd as United States Senator, we may have seen the last run for office by the venerable warrior Ken Hechler. Instead of seeking political office and bounding around like some seventy year old, the ninety five year old Hechler may have to content himself with reading, writing, speaking, getting arrested, and other pursuits more suitable to his age.

Even if this was his last race, Mr. Hechler has had a good long run, especially on issues that are important to The West Virginia Highlands Conservancy.

Mr. Hechler served in Congress from 1959 until 1977. He was the Highlands Conservancy's friend even before we were born. In 1964 he voted for the Wilderness Act, a vote which he later described as one of the two of which he was most proud (the other was in support of the Coal Mine Health and Safety Act in 1969). From the time the Highlands Conservancy was born in 1967, that Act was an important part of our efforts to protect the highlands.

Throughout his career in Congress, Mr. Hechler support policies to protect West Virginia's land and water. In 1969 he called for a state wide ban on coal mining of any kind in the Monongahela National Forest. In 1972 he introduced bill in Congress to ban all surface mining and ban coal mining in wilderness areas.

In the spring of 1970, Mr. Hechler introduced a bill in Congress

to designate as wilderness Otter Creek, the Cranberry Backcountry, and Dolly Sods.

In 1973 he presented testimony to the United States House of Representatives in favor of including Shavers Fork in the Wild and Scenic River System.

In 1972 he opposed the Rowlesburg dam on Cheat River. At the time he said, "This project threatens to flood a large, productive section of Tucker County and ruin the beautiful Cheat River—one of the few remaining wild rivers in the eastern United States."

When the federal Surface Mining Control and Reclamation Act passed Congress in 1977, Mr. Hechler was a reluctant supporter. He would have preferred to ban strip mining altogether.

Even after leaving Congress in 1977, Mr. Hechler continued his work on issues that are important to the Highlands Conservancy. He served as West Virginia Secretary of State from 1985 until 2001. While no longer as influential in matters legislative as he had been in Congress, he continued to speak out.

In 1998, then Governor Cecil Underwood appointed a commission to study mountaintop removal mining. Although the commission was largely a sham, it did hold hearings all around the state. One fixture at the hearings was Ken Hechler. He came to every one, railing against mountaintop removal mining.

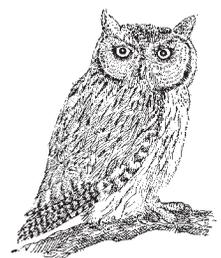
(More on p. 12)



What's inside:

Thoughts from President Hugh	2
Roster of officers	2
Coal company gets comeuppance	3
Canaan Valley	4
How to join	6
Get a history book	6
Outings	8
Taking care of trout	9
Get a Hiking Guide	10

Poetry	11
Letters from readers	12
North Fork Mountain	13
Mountain Biking	14
Gas wells in Chief Logan?	15
More poetry	15
What to do with coal ash?	16
Helping Chesapeake Bay	16



From the Heart of the Highlands

by Hugh Rogers

Shale Game

Here we are, playing catch-up again. In the southern coal fields, mountaintop removal, “strip mining on steroids,” went way beyond what the Surface Mining Control and Reclamation Act had contemplated; now, in the northern gas fields, we have drilling on amphetamines—and our regulatory system is likewise crippled and confused.

The fossil fuels that were easy to get have, for the most part, been gotten. Miners and drillers are going after thinner seams and tighter reservoirs. Their method is similar: blasting. What the miners do with dynamite, the drillers do with “slick water” injected into the shale at tremendous pressure. The chemistry is sophisticated (and hazardous) but the process is brute force.

This hydraulic fracturing, or “fracking,” opens fissures in the shale (and beyond); they are propped open with sand so the gas can escape. Since the Marcellus, the most important gas-bearing shale in New York, Pennsylvania, and West Virginia, is more than a mile beneath the surface; and since most wells turn to the horizontal after reaching that depth; and since each well must be fracked multiple times, using millions of gallons of chemical-laden water, the process is extremely expensive. But the big investment can bring a big payoff, especially if the costs to human health and the environment can be left for others to pay.

Josh Fox, a stage and film director living in New York, heard about the Marcellus Shale when a gas company land man called about leasing his family’s property near the Delaware River in Pennsylvania. Neighbors had been signing for thousands of dollars plus royalties. The house his parents had built in 1972 could have used some work.

“The gas companies were saying you’re going to make money,” said Fox in a recent interview. “This is a minor invasive process and there’s going to be no problems,’ and then when I started to investigate it there were problems in air pollution, water contamination, people feeling completely overrun.”

Some of those people in a nearby town where drilling had begun could ignite their tap water with a match. What a visual! Fox decided to film his investigation. The result, “Gasland,” won a special jury prize at this year’s Sundance Film Festival, it’s running on HBO, and on Sunday, August 22, Fox brought it to Buckhannon for an audience of more than 300. The West Virginia Highlands Conservancy co-sponsored the event with West Virginia Rivers Coalition and West Virginia Surface Owners Rights Organization.

Fox is on his fourth cross-country tour. The first took him to Wyoming, Colorado, Texas, and Louisiana, where the shale gas boom had begun. He had a notion that the problems encountered out West and down South could be addressed in Appalachia before the boom. Since completing the film, Fox has been traveling with it. His question-and-answer period was a lively and useful complement. Later this fall, the film will open in theaters around the country.

The gas industry is concerned. The day after it was shown in Buckhannon, a full-page ad, “Gasland Debunked,” appeared in the local paper, the Record Delta. Josh Fox had seen it before: it was originally produced by Energy-in-Depth, a public relations and lobbying outfit funded by the American Petroleum Institute. Their

(More on p. 7)

Roster of Officers, Board Members and Committee Chairs and Board of Directors

PRESIDENT: Hugh Rogers, Moon Run, Kerens, WV 26276, (304)636-2662, hugh.rogers@gmail.com

SENIOR VICE PRESIDENT: Buff Rodman, 32 Crystal Dr., Oakmont, PA 15139; (412) 828-8983; buffrodman@hotmail.com

VICE PRESIDENT FOR STATE AFFAIRS: Julian Martin, 1525 Hampton Rd., Charleston, WV 25314, (304) 342-8989; martinjul@aol.com

VICE PRESIDENT FOR FEDERAL AFFAIRS: Marilyn Shoenfeld, HC 70 Box 553, 23 Sands Springs Lane, Davis, WV 26260, (304) 866-3484, marilyn.shoenfeld@gmail.com

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

TREASURER: Bob Marshall, 886-Z Divide Ridge Road, Kenna WV 25248 (304)545-6817, woodhavenwva@aim.com

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

DIRECTORS-AT-LARGE (Terms expire October 2010)

Don Gasper, 4 Ritchie St., Buckhannon, WV 26201; (304)472-3704

Bob Gates, Box 5130, Charleston, WV 25361; photonzx@ntelos.net.

George Beetham, geobeet@hotmail.com

Bill McNeel, 1118 Second Ave., Marlinton, WV 24954, (304)799-4369; wpmcneel@gmail.com

Peter Shoenfeld, HC 70, Box 553, Davis, WV 26260, (304) 866-3484, (301) 642-2820; PShoenfeld@gmail.com

DIRECTORS-AT-LARGE (Terms expire October 2011)

Bob Henry Baber, 207 Howard St., Glenville, WV 26351, (304) 462-0320, mayorbobhenrybaber@yahoo.com

Dave Fouts, HC 80, Box 993, Maysville, WV 26833, (304) 749-8172, foutsberg@citlink.net

Larry Thomas P.O. Box 194, Circleville, WV 26804, (304) 567-2602, larryvthomas@aol.com

Carter Zerbe, 16 Arlington Ct., Charleston, WV 25301, (304)343-3175; scz3667@aol.com

Mike Withers, Rt 2, Box 328, Grafton WV 26354, 304-265-3750, 1nastynash@comcast.net

ORGANIZATIONAL DIRECTORS

NATIONAL SPELEOLOGICAL SOCIETY: Robert (Bob) Handley, HC 67 Box 508 Renick, WV, 24966 497-2266; leatherwing@frontiernet.net

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

BROOKS BIRD CLUB: Cindy Ellis, RR 1, Box 163, Red House, WV 25168 (304) 586-4135; cdellis@wildblue.net

MOUNTAINEER CHAPTER TROUT UNLIMITED: Chris Byrd, 292 Magnolia Ave., Clarksburg, WV 26301 Tel. (304) 622-3023 <cbyrd@ma.rr.com>

WEST VIRGINIA RIVERS COALITION: Don Garvin, P.O. Box 666, Buckhannon, WV 26201; (304) 472-8716; DSGJR@aol.com

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

TEAM (Taylor Environmental Advocacy Membership): Beth Baldwin, Grafton, WV 26354, 304-265-3029, elbrn6e21@msn.com

COMMITTEE CHAIRS

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

PUBLIC LANDS MANAGEMENT COMMITTEE: Marilyn Shoenfeld, HC 70, Box 553, Davis, WV 26260, (304) 866-3484, (301) 642-2820; Marilyn.Shoenfeld@gmail.com

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

WIND ENERGY COMMITTEE: Peter Shoenfeld, HC 70, Box 553, Davis, WV 26260, (304) 866-3484, (301) 642-2820; PShoenfeld@gmail.com

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; hugh.rogers@gmail.com

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

MISCELLANEOUS OFFICES

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

WEB PAGE: Peter Shoenfeld, HC 70, Box 553, Davis, WV 26260, (304) 866-3484, (301) 642-2820; PShoenfeld@gmail.com and Jim Solley, jmessolley@comcast.net

ADMINISTRATIVE OFFICES

ADMINISTRATIVE ASSISTANT: Beth Little, HC 64, Box 281, Hillsboro, WV, 24946 (304) 653-4277; blittle@citynet.net

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

Judge Orders Treatment of Selenium Pollution**MINING COMPANY HELD IN CONTEMPT**

By Ken Ward

A federal judge has held Patriot Coal in contempt of court and ordered the company to install equipment to clean up selenium pollution at two of its operations in Southern West Virginia.

U.S. District Judge Robert C. Chambers gave Patriot's Apogee Coal subsidiary 2 1/2 years to install treatment systems at its Ruffer Mine in Logan County and at the Hobet 21 complex along the Boone-Lincoln county border.

Chambers also ordered Patriot to post a \$45 million letter of credit to ensure the treatment systems are installed and said he plans to appoint a special master to oversee the matter.

Ruling from the bench during an afternoon hearing in Huntington, Chambers sided with environmental groups who have been pushing for the coal industry to clean up selenium violations across the state's southern coalfields.

"This will be the first time selenium is treated in this state, and it should be a lesson to both the Department of Environmental Protection and the coal industry that it must be treated," said Margaret Janes, senior policy analyst for the Appalachian Center for the Economy and the Environment. "The results of this case clearly show that the cost of mining high-selenium coal seams exceeds the profits."

Joe Lovett and Derek Teaney, lawyers from the center, had sued Patriot on behalf of the Ohio Valley Environmental Coalition and the West Virginia Highlands Conservancy over repeated selenium violations at the St. Louis-based company's mines.

Officials from Patriot could not immediately be reached for comment Tuesday evening.

Selenium, a naturally occurring element found in many rocks and soils, is an antioxidant needed in very small amounts for good health. In slightly larger amounts, selenium can be toxic.

Selenium impacts the reproductive cycle of many aquatic species, can impair the development and survival of fish, and can damage gills or other organs of aquatic organisms subject to prolonged exposure. In humans it can cause deadly kidney and liver damage, as well as damage to the nervous and circulatory systems.

In 2003, a broad federal government study of mountaintop-removal mining found repeated violations of water quality limits for selenium. The following year, a U.S. Fish and Wildlife Service report warned of more selenium problems downstream from major mining operations.

Since then, coal lobbyists have tried unsuccessfully to weaken the state's selenium limits, but have persuaded the DEP to repeatedly delay compliance deadlines. The Obama administration's U.S. Environmental Protection Agency has begun to object to those delays, and is considering issuing an even tougher selenium standard.

In the hearing, Chambers had combined two cases against Patriot over selenium discharges from its mines in Southern West Virginia. One case concerns continuing selenium violations at the Hobet 21 complex. In June, Chambers ruled against the company regarding Hobet 21, but did not immediately say what Patriot must do about the problem.

The other case concerns Patriot's Ruffner Mine. Environmentalists wanted the judge to hold the company in contempt for not meeting a court-approved April deadline to clean up that operation's selenium discharges.

This story previously appeared in The Charleston Gazette.



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 the 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.

WILDERNESS DESTROYED, AND RECLAIMED

By George E. Beetham Jr.

In 1746, Thomas Lewis was a member of the first expedition that climbed the Allegheny Front onto the plateau above. He left an account of what he found in his journal:

“ . . . the swamp, (which is very uncommon in places of ye kind) is prodigiously full of rocks and cavities, those covered over with a very luxuriant kind of moss of a considerable depth. The fallen trees, of which there was great numbers and naturally large, were vastly improven in bulk with their coats of moss. The Spruce pines of which there are great plenty, their roots grow out on all sides from the trunk a considerable height above the surface, covered over and joined together in such a manner as makes their roots appear like slimey globs. The Laurel and Ivy as thick as they can grow whose branches growing of an extraordinary length are so well woven together that without cutting it away it would be impossible to force through them . . . from the beginning of the time we entered the swamp I did not see a plane big enough for a man to lie on or horse to stand . . . Never was any poor creature in such a condition as we were in, nor ever was a criminal more glad by having made his escape out of prison as we were to get rid of those accursed laurels.”

A century later, the setting had not changed at all. In 1852 David Hunter Strother, better known by his nom de plume, Porte Crayon, left this account:

“In Randolph County, Virginia, (In 1852, what is now West Virginia was part of Virginia, and Randolph County extended into present day Tucker County) is a tract of country containing from seven to nine hundred square miles, entirely uninhabited, and so savage and inaccessible that it has rarely been penetrated even by the most adventurous. The settlers on its borders speak of it with a sort of dread, and regard it as an ill-omened region, filled with bears, panthers, impassable laurel-brakes, and dangerous precipices. Stories are told of hunters having ventured too far, becoming entangled, and perishing in its intricate labyrinths. The desire of daring the unknown dangers of this mysterious region, stimulated a party of gentlemen . . . to undertake it in June, 1851. They did actually penetrate the country as far as the Falls of the Blackwater, and returned with marvelous accounts of its savage grandeur, and the quantities of game and fish to be found there.”

The plateau of which they both wrote is better known to us as the Dolly Sods, Canaan Mountain, and Canaan Valley. Dolly Sods is an elevated, dissected plateau as is the Stony River Valley to the north. Both are part of the larger Allegheny Plateau which extends westward. The plateau rises at the Allegheny Front, the point where the folded Appalachians to the east end and the plateau begins. The plateau geologically is a gently

undulating plain of nearly horizontal rock strata. Coal seams, as well as gas and some oil, lie beneath the plateau.

By the time Strother wrote about the plateau, logging had already begun, although on a relatively small scale. By 1880 Henry Gassaway Davis began construction of the West Virginia Central and Pittsburg (sic) Railway from a junction with the B&O Railroad near Piedmont, running up the valley of the North Branch of the Potomac. The railroad reached coal mines owned by Davis near Elk Garden, then pushed up the valley to Fairfax, then down to the new towns of Thomas and Davis.

Eventually the West Virginia Central and Pittsburg Railway descended down the Blackwater Canyon to Parsons, and from there to Elkins. It was later absorbed into the Western Maryland Railway. Besides accessing coal fields, the line opened up the plateau to logging. Logging companies flooded into the region in the mid 1880s. By about 1920, the land had been stripped of timber. Fires flared up in the slash left by the logging companies, burning the soil down to rock and mineral soil.

Meanwhile, coal mining continued along the railway. By the mid-20th Century, strip mining began to replace underground mining. Mining moved up onto the plateau, and a coal-fired power plant was built in 1965 near Stony River, which was dammed to form Mount Storm Lake.

In the early 1930s, West Virginia Route 93 was constructed between Scherr, below the Allegheny Front to the east, and West Virginia Route 32 between Davis and Thomas, cutting across the Stony River Valley and the plateau to the west. Originally, the route



Canaan Valley

Photo by George Beetham, Jr.

(Continued on p. 5)

MORE ABOUT WILDERNESS DESTROYED, AND RECLAIMED (Continued from p. 4)

traversed a wilderness of forests and bogs. Beaver built lodges along aptly named Beaver Creek, which flows southwestward into the Blackwater River.

When I drove through in the early 80s, I remember thinking that the area should have been incorporated into the Monongahela National Forest. The land was then in the hands of a corporation, and there were no trespassing signs posted by the Western Maryland Railway which had owned the land before that. Despite the wild character of the land, it was held for mining coal. The mining even then was spreading its way toward the highway, just out of sight beyond the trees.

The scene has changed drastically. A motorist driving along Route 93 today will hardly think about wilderness. At the western terminus, a county landfill and industrial park are located adjacent to the road. Strip mines appear in various stages of mining activity – some “reclaimed” and seeded, others where mining is just beginning. At Gatzmer, a large strip mine and coal processing plant loom over the road.

There is the Mount Storm Power Plant and to the east of that the large, commercial Shell/NedPower wind farm along the Allegheny Front. A large swath of land was recently cleared for the new TrAIL power line, and four-lane Corridor H will eventually parallel two-lane Route 93.

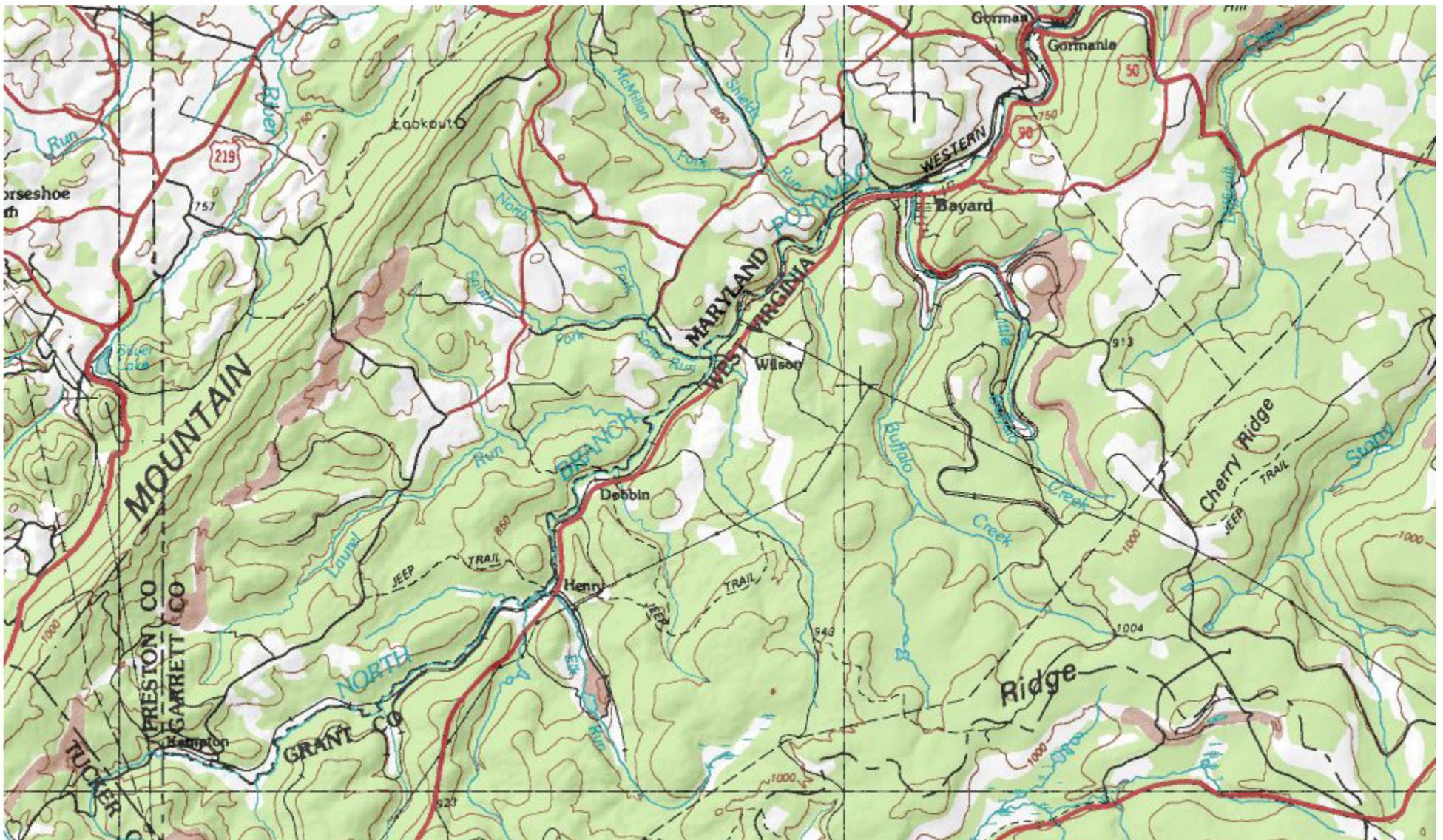
To an environmentalist who virtually watched the destruction as it occurred, this represents a battle lost. But in a larger sense, it was a battle never fought. The land was always owned by coal companies, holding companies, or the railroad. It was always

intended to be mined. The West Virginia Highlands Conservancy fought some battles against individual mining permits in an effort to protect streams, but was unsuccessful. Protecting the entire plateau was virtually impossible.

Despite this, there have been successes nearby. What we know as Dolly Sods North was deeded over to the Forest Service in the 1990s and was recently added to the Dolly Sods Wilderness. The Nature Conservancy purchased and protects Bear Rocks, perhaps the point where Thomas Lewis first observed the plateau. The upper part of Canaan Valley is now the Canaan Valley National Wildlife Refuge – a huge expanse of forested valley and bogs. The Canaan Valley Institute purchased and protects a small portion of that land.

The ravages of the logging at the turn of the last century have largely healed. A second growth forest crowns much of the land. Where land was cleared by livestock grazing, red spruce and balsam firs are coming back. The meadows will eventually disappear into forest with the exception of the bogs. Even now, there are places where Thomas Lewis would again lament “those accursed laurels.” To the north though, scars will prevail for years, perhaps centuries, into the future.

Route 93 provides something more than a lamentable loss. It shows in graphic detail what might have been had the environmental battles for Dolly Sods and Canaan Valley not been won. We might mourn the loss of more wilderness, or we might appreciate the wilderness we saved. Visiting both places shows why we choose to fight in order to protect what we can.



Join Now !!!

Name _____

Address _____

City _____ State _____ Zip _____

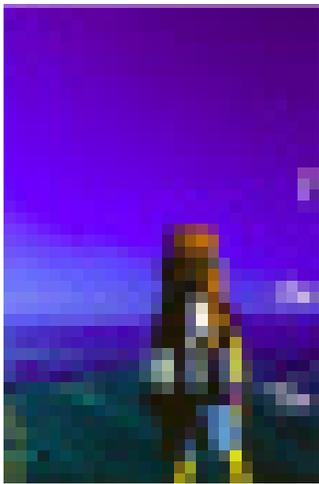
Phone _____ E-Mail _____

Membership categories (circle one)

	Individual	Family	Org
Senior	\$ 15		
Student	\$ 15		
Introductory			
Other	\$ 15		
Regular	\$ 25	\$ 35	\$ 50
Associate	\$ 50	\$ 75	\$ 100
Sustaining	\$100	\$ 150	\$ 200
Patron	\$ 250	\$ 500	\$ 500
Mountaineer	\$500	\$ 750	\$ 1000

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

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



GREAT HISTORY BOOK NOW AVAILABLE

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

Learn about how the Conservancy stopped road building in Otter Creek, how a Corps of Engineers wetland permit denial saved Canaan Valley, and why Judge Haden restricted mountaintop removal mining. Also read Sayre Rodman's account of the first running of the Gauley, how college students helped save the Cranberry Wilderness, and why the highlands are under threat as never before.

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

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

518 pages, 6x9, color cover, published by Pocahontas Press
 To order your copy for \$24.95, plus \$3.00 shipping, visit the Conservancy's website, wvhighlands.org, where payment is accepted by credit card and PayPal.

Or write: WVHC, PO Box 306, Charleston, WV 25321. Proceeds support the Conservancy's ongoing environmental projects.

SUCH A DEAL!

Book Premium With Membership

Although *Fighting to Protect the Highlands, the First 40 Years of the West Virginia Highlands Conservancy* normally sells for \$24.95, we are offering it as a premium to our members. Anyone who adds \$10 to the membership dues listed on the How to Join membership form (right up there) will receive the history book for free. Just note on the membership form that you wish to take advantage of this offer.

This offer is available to current members as well as new members. Current members may add \$10.00 to the amount they pay when they renew their memberships and receive a book as well.

HATS FOR SALE

West Virginia Highlands Conservancy has two models of caps for sale.

One is khaki and the pre-curved visor is forest green. The front of the cap has West Virginia Highlands Conservancy in gold above *We □ Mountains*. The heart is red; and lettering is black.

The other model is tan with a muted green pre-curved visor. The front sports the lovely, in color, logo that appears on the VOICE masthead. Beside the logo is "West Virginia Highlands Conservancy" in green. The lower back of the hat has the *We □ Mountains* slogan.

Pictures of both appear on our website www.wvhighlands.org. Both are soft twill, unstructured, low profile with sewn eyelets, cloth strap with tri-glide buckle closure. Cost is \$15 by mail. West Virginia residents add 6% tax. Make check payable to West Virginia Highlands Conservancy and send to Jaames Solley, P.O. Box 306, Charleston, WV 25321-0306

HUGH FINISHES UP (Continued from p. 2)

charges and his responses, “Gasland Affirmed,” can be tracked at Gaslandthemovie.com.

Beyond the obvious spin, misstatements, and outright lies is disagreement over who has the burden of proof. Suppose neighbors never had methane in their water until the drilling started: does it make a difference whether the methane came from the shale or from another formation closer to the surface? Should they have to prove it was caused by the fracking, or should the company have to disprove it? How far do the fissures extend? Who knows the geology better? Can we trust them?

In southern Upshur County, about ten years ago, Halliburton’s red trucks crawled the roads, pounding the berms, doing rough seismic surveys. Although many wells have been drilled and some have already come online, Dawson Geophysical continues to probe an eight-square-mile area, drilling 20-foot test wells every 150 feet on a closely drawn grid. They set off explosives and read the results. The geology is still being mapped.

But the boom has begun, and no one knows how big it will be. One well site per square mile has been typical for other shale gas regions. In Colorado and Wyoming, whole valleys are filled with the wells and associated facilities.

People from Upshur, Doddridge, Harrison, Lewis, Wetzel, and Randolph counties gave the film a standing ovation, and then asked questions and shared experiences for an hour afterward. Everyone knew that our Department of Environmental Protection was unprepared. More than a thousand Marcellus wells are producing already, and many more are underway, but we have no more than 21 inspectors to keep track. But supposing we had a hundred more inspectors, what laws and regulations would they enforce?

West Virginia is way behind the curve, but so are New York, Pennsylvania, and the federal government. The Environmental Protection Agency has barely begun a study of hydrofracturing. New York’s state senate passed a bill for a moratorium on drilling in New York City’s watershed, and it’s likely that the state assembly will agree. A general moratorium on this kind of drilling until the EPA study is done would be sensible. We can wait for the Marcellus gas. The industry, of course, is unsympathetic. And the legislature . . . well, I could repeat the previous sentence.

Every well converts a couple of million gallons of fresh water

into toxic fracking fluid. Thus, the Highlands Conservancy has so far focused on water regulation: what sources should be permitted? how much may be withdrawn? where to dispose of the fluid that returns—laden with radioactive material and heavy metals in addition to what was sent down the pipe?

According to Josh Fox, though, air quality problems may be worse than the water pollution. At every stage—drilling, pumping, compressing, transporting—condensation is vented and chemicals are released. Usually it can’t be seen without an infrared camera—unless, as sometimes happens, a toxic cloud settles. Several noxious gas releases have been brought to the attention of the DEP by the Wetzel County Action Group.

DEP’s Office of Oil and Gas has been conducting a “Program Review” on the complex issues raised by the Marcellus boom and will make recommendations to the next legislature. The three hundred-plus citizens who saw “Gasland” were already on alert; they’ll have to maintain that condition into 2011. It should be enough to recall this summer’s warnings: moderate drought made running water even more precious; the drilling disaster in the Gulf of Mexico showed us the risks of high-tech gas recovery; and the injection of millions of gallons of frack fluid into old wells triggered earthquakes in Braxton County.

See the movie and check out the web site. Josh Fox knows that while a picture is worth a thousand words, words are still necessary.

Coda: My neighbor Marion Harless challenged the filmmaker about his final images, which implied that wind turbines should replace gas-fired power plants. Fox replied that he had begun work on a new film on alternative energy: “I’m looking into the wind.” He may discover that they’re inseparable.

Rick Webb (VAwind.org) has pointed out that for electricity grid operators, reliable generation capacity must be available to meet total expected demand. To balance or offset the fluctuations caused by intermittent generation from wind turbines, they need supplemental, rapidly dispatchable, backup generation capacity. “Gas-fueled turbines, which can be quickly switched on and off, are the most likely source of that backup capacity.” Thus, as more wind turbines come online, more gas turbines will be built—and this is happening already.

BUMPER STICKERS



To get free *I ♥ Mountains* bumper sticker(s), send a SASE to Julian Martin, 1525 Hampton Road, Charleston, WV 25314. Slip a dollar donation (or more) in with the SASE and get 2 bumper stickers. Businesses or organizations wishing to provide bumper stickers to their customers/members may have them free. (Of course if they can afford a donation that will be gratefully accepted.)

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

West Virginia Mountain Odyssey



Outings, Education and Beyond

Sat. Sept. 4 to Mon. Sept. 6 ~ Backpacking on Red Creek/ Roaring/ Flatrock Plains of Monongahela National Forest. This is one of the highest, most rugged, and most scenic parts of the West Va. Highlands. Lots of spectacular views. Prior backpacking experience is required because the Plains are no place for beginners - even for leisurely trips like this one. We will cover only about 16 miles total, because there is so much to see and do that we will need lots of time to explore. We will start at the upper trailhead of South Prong Trail, then take Hidden Passage Trail to Seneca Meadows where hopefully we can camp at the Rim campsite right on the Eastern Continental Divide. This is one of the most spectacular campsites on the MNF. The tenting area offers a 3000 vertical ft. view of the North Fork of the South Branch of the Potomac. Seneca Rocks, the Fore Knobs and some remote high mountain pastures are also far below us. Further east can be seen most of North Fork Mountain, and numerous ridges beyond to the Shenandoah Mountains on the far horizon. A view into the deep, steep-walled, wild canyon of the headwaters of Roaring Creek is near the water supply. Coyotes may serenade us in the late evening. Day 2 will take us up Roaring Plains Trail to the Spruce Campsite on the rim of the deep, wild and steep-walled Long Run. It, too, is on the Eastern Continental Divide. Mt. Porte Crayon and Haystack Knob can be seen along the rim of Long Run, and the venturesome may attempt an ascent of Mt. Porte Crayon (West Va's 7th highest mountain). The "roaring winds" are often experienced in the Spruce Campsite in late evening. Not far from the campsite is an overlook that looks down on Dolly Sods Wilderness, Cabin Mountain, Canaan Valley, and Allegheny Front. Day 3 will take us down Boar's Nest Trail and across South Fork of Red Creek (water levels permitting). Weather (even summer weather) on this high part of the Eastern Continental Divide can be severe. We need to be cautious. Limit: 10. Contact Bruce Sundquist at 724-327-8737 or bsundquist1@windstream.net. A detailed trip sheet plus road directions plus topo maps will be provided.

Saturday-Monday, September 04 to 06, 2010 (Labor Day Weekend). Roaring Plains Base Camp Backpack and Day Hike, MNF, WV. Backpack in 2.5 miles and set up a base camp at the Hidden Passage. Day 2, strenuous 12-14 mile day hike along the canyon rim. Lots of boulder fields and fantastic views. Day 3, Backpack back out the way we came in. Pre-registration required. Contact Mike Juskelis at 410-439-4964 or mjuskelis@cablespeed.com.

Saturday-Tuesday, September 18 to 21, 2010. Lake Sherwood, MNF, WV. Car Camping and Day Hiking. The first hike (11 miles/ moderate) will start at the campground and will follow the eastern shore of the lake and the western ridge of the valley. A short drive will be required to set up an 11 mile, moderate shuttle hike through the newly proclaimed Big Draft Wilderness Area featuring the beautiful Anthony Creek. Pre-registration required. Campsites are first come, first served. Contact Mike Juskelis at 410-439-4964 or mjuskelis@cablespeed.com.

Saturday September 25: Red Spruce Restoration volunteer opportunity, 10 am at Canaan Valley National Wildlife Refuge. Join us and help plant 5,000 red spruce seedlings. Contact Dave Saville at (304) 284-9548 for more information.

Saturday-Monday (or Tuesday), October 09 to 11 (or 13), 2010. Cooper's Rock State Forest, WV. Car Camping and Day Hiking. As of now this is a three day trip with an 8 mile circuit hike within the park to visit the Cheat River and a vista. It is possible this will be extended an extra day if more good hiking is close by. Pre-registration and campsite reservation is required. Contact Mike Juskelis at 410-439-4964 or mjuskelis@cablespeed.com.

Open Dates: Visit Kayford Mountain south of Charleston to see mountain top removal (MTR) up close and hear Larry Gibson's story about how he saved his mountain, now almost totally surrounded by MTR. Bring lunch for a picnic on Larry's mountain. Call in advance to schedule. Julian Martin (304) 342-8989; martinjul@aol.com or Larry Gibson (304) 542-1134; (304) 549-3287.

TROUT BARRIERS AT CULVERTS

By Don Gasper

In years gone by many streams were trout only for all, or most, of their length. Because of extensive cover, the water was too cool to support species other than trout. Other species—some of whom feed on trout—could not exist in the cooler waters where trout thrive.

With the timbering and other human interference, much of the cover was removed on lower reaches of many streams. The resulting higher temperatures made them less hospitable to trout and more suited to species that either prey on trout or compete with them.

Now that some of the cover has begun to return, we now have an opportunity to connect what had been isolated populations of trout. "Connectivity" of long isolated small brook trout populations is recognized as a fishery management goal.

The U.S. Forest Service guidance has long noted that road culverts can be barriers to the upstream movement of trout and other coexisting species of fish. Because of the goal of connectivity, the removal of barriers has been accelerated.

While connectivity is certainly a worthwhile goal, the existing barriers (culverts, dams or waterfalls) are often vital to the existing brook trout population. They protect them from warmer water minnows below.

First of all, barriers do not completely isolate upstream from downstream populations. With barriers such as waterfalls, movement from above is not impeded. Headwaters and small tributary spawning and "feeder streams" are important, valid, brook trout population dynamics.

The head most 2.3 miles are "native brook trout only" stream reaches. (These are the miles shown on county highway maps.) They are cool enough that they are not hospitable to creek chubs, cottus, dace, and darters. As a result, these species are not present. In recent years limited data indicates this has been extended generally to 2.5 miles due to the improved shade.

Stream canopy has closed over the still small streams making them cooler. Brook trout can now inhabit larger pools downstream than the tiny headwater pools above that they have for so long been restricted to. In the headwaters drying up and predation by raccoons, etc. has historically reduced trout numbers.

The idea of extending and by doing so then "connecting" mobile * brook trout populations is a second valid and important concept. If one tiny population is lost, the stream segment can be reinvaded and repopulated by the larger and connected population. However, from "connectivity" has come a blanket approval and promotion of barrier removal. Culverts, particularly, have been surveyed and many blockages are scheduled for removal without adequate information on general and specific population dynamics.

For all the value that connectivity can have, it is not the wisest policy in all circumstances. If there is complete connectivity, "brook trout only" headwaters within two and a half miles can become dominated by creek chubs and in the next mile brook trout can be eliminated. These "brook trout streams" average only three miles long, during the summer months, today. In early spring, some brook trout are found three more miles below this. However, two shaded streams rightly called "brook trout streams" extend for ten miles in the summer.

The literature recognizes this. Always, today, along with the paragraph on connectivity, the literature contains one sentence that

notes barriers to the upstream movement of fish may be useful to fishery biologist.

There are examples of when barriers have been used to good effect. In the Smoky Mountains barrier falls are used to prevent rainbow trout entry. In Big Run of the North Fork brook trout were able to inhabit lower, though no cooler reaches, that were dominated by creek chubs and other warmer water competing and predator fish - when these were removed above an improved barrier falls with a toxicant.

On the Monongahela (in another way, because the warmer water fish are less acid tolerant than brook trout) trout competitors have also been eliminated from a number of streams. The remaining brook trout grow rapidly, from 4 inches in June to 8 inches in October, occupying the larger lower warmer pools. Good growth occurs because there are no competing fish species; even their own numbers are limited to reinvading four inch brook trout from a less acid source. The brook trout will occupy as much as 10 miles in these streams in summer when all streams are less acid and become habitable again.

The elimination of warmer water fish species has long been accomplished by biologist using a very effective fish toxicant above barriers to prevent fish reentry. It is called "stream reclamation", because originally these same reaches where so cool that only brook trout were present. In a predicted warming climate this fishery management tool becomes more important. With the toxicant, lower "Brook Trout Only" reaches, just above the barriers, can become very productive. Though still only 15 pounds per acre, only brook trout flesh is produced, and they can support four times more harvest and be more "resilient". Better survival makes "brook trout only" reaches more effective as sources of small brook trout that are "feeding" into the reaches below, as no warmer water minnow predation is present.

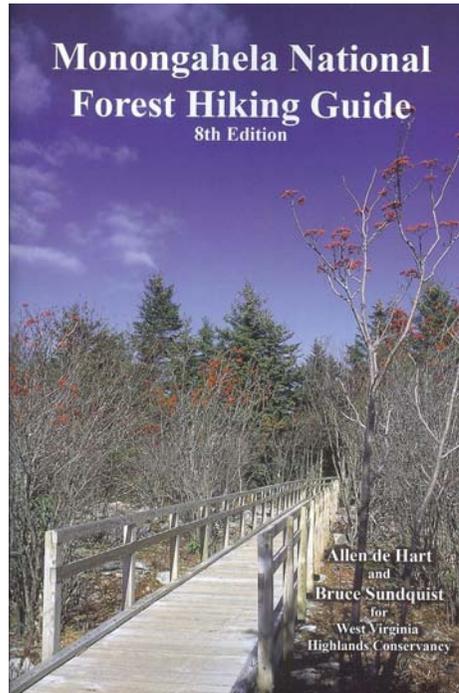
Perhaps all successful brook trout reproduction takes place above the predation of the creek chub.

It is true that, in the fall, large spawners are often found below barrier falls, culverts and dams. Although they spawn, their reproduction is probably eaten in May by the warmer water minnows that share this reach with the trout. This lower population is reproductively "fed" from above.

When constructing a barrier, the barrier should ideally allow this lower trout population 100 yards, or more, entry below the barrier and the "trout only" reach above. - like Three Spring Run was. It is a cool escape from the even warmer lethal summer water below.

A barrier pool itself can be quite large and, with overhead cover, an important refuge, anchoring some of its mobile population. Because the segment of the stream above the barrier can be made trout only, it can be effectively "feed" the stream segment below the barrier with young. Trout below then remain a component among the warmer water species.

While connectivity is a valuable goal, barriers have their place as well. A great deal of site specific information is required prior to barrier removal or construction. Projects should be detailed and advanced only when consensus support is obtained.



The Monongahela National Forest Hiking Guide

By Allen de Hart and Bruce Sundquist

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

Send \$14.95 plus \$3.00 shipping to:
West Virginia Highlands Conservancy
P.O. Box 306
Charleston, WV 25321
OR
Order from our website at
www.wvhighlands.org

New 8TH Edition Now Available on CD

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

This new CD edition includes the text pages as they appear in the printed version by Allen deHart and Bruce Sundquist in an interactive pdf format. It also includes the following mapping features, developed by WVHC volunteer Jim Solley, and not available anywhere else:

- All pages and maps in the new Interactive CD version of the Mon hiking guide can easily be printed and carried along with you on your hike
- All new, full color topographic maps have been created and are included on this CD. They include all points referenced in the text.
- Special Features not found in the printed version of the Hiking Guide: Interactive pdf format allows you to click on a map reference in the text, and that map centered on that reference comes up.
- Trail mileages between waypoints have been added to the maps.
- ALL NEW Printable, full color, 24K scale topographic maps of many of the popular hiking areas, including Cranberry, Dolly Sods, Otter Creek and many more

Price: \$20.00 from the same address.

Speakers Available !!!!!

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

T- SHIRTS

White, heavy cotton T-shirts with the **I ♡ Mountains** slogan on the front. The lettering is blue and the heart is red. "West Virginia Highlands Conservancy" in smaller blue letters is included below the slogan. Short sleeve in sizes: S, M, L, XL, and XXL. Long sleeve in sizes S, M, L, and XL. **Short sleeve** model is \$12 total by mail; **long sleeve** is \$15. West Virginia residents add 6% sales tax. Send sizes wanted and check payable to West Virginia Highlands Conservancy ATTN: James Solley, WVHC, P.O. Box 306, Charleston, WV 25321-0306.



The Poetry Corner

Nostalgia

By Betsy Reeder

This expanse of asphalt
 Acre upon acre of asphalt
 Sprawling like a lava field in summer sun
 An unforgiving landscape between congested traffic
 And what used to be a wooded ridge
 Now forested with Walmart and Lowes looking down
 On a kingdom of drug stores—
 I counted three in their shadow—
 Cell phone stores
 Department stores
 Auto parts stores
 Cinemas
 Fast food joints
 Car dealers
 A custard stand,

Where once there were trees, no doubt a stream
 Or two, emerald shade
 Possums and hounds nosing about
 Birds of bright feathers
 Replaced by a handful of surly starlings

Imagine moccasins navigating a deer path strewn with chestnuts
 The way laid down a thousand years before
 Shouts of children on bucking sleds
 A first kiss on a porch swing
 A barefoot girl on a bare-backed pinto pony
 The call of a whip-poor-will
 A young fist holding buttercups
 A nursing calf

What madness of mind overtakes me as I forage
 A gleaming aisle of monotone tiles?
 Seeing what was, not is
 I walk over rotting roots, corpses of worms,
 Shards of wagon wood,
 And small white bones.
 Vestiges of places one beloved
 Perfectly flattened to convenience—
 How easily my buggy rolls!

Heading home
 I search the faces flashing by like river rocks
 Behind windshields throwing light,
 Every one unsmiling—like mine—
 And marvel that not one of us
 Is weeping.

Or screaming.

PROTECT US FROM OURSELVES

By Peter Lord

Man is driven by two basic urges –
 By sex and by wealth's demand.
 Laws protect women from sexual assault,
 But not so well rape of the land.

But not so well rape of the land:
 The desecration of ridges and valleys
 By mountain top removal,
 A destructive form of surface mining,
 To get at West Virginia's coal;

And the use of hydraulic fracturing
 To extract gas from Marcellus shale
 Affects surface and groundwater resources
 On a truly monumental scale.

When a bill to regulate water use,
 Which passed the House eighty-nine to 8,
 Was killed by a Senate committee,
 Blame fell on industry dictate.

New restrictions on surface coal mining
 Suggest limits on "fracking" for gas
 Will follow sooner or later
 To prevent industry's efforts to trespass

On the natural environment
 And to protect those who live on the land.
 It's part of our social contract
 To ensure that such threats are banned.

PPL, July 2010

Our Readers Write

The Byrd, the Road, and the Cardinal

Thanks to Hugh Rogers for his column in the July Voice tracing Senator Byrd's role in West Virginia environmental issues. I had almost forgotten about the meeting Hugh and I had with him regarding Corridor H. As Hugh pointed out, we were lucky enough to get the meeting because I'd worked with Byrd and his staff in the early 1980s to save the Amtrak Cardinal, which runs through southern West Virginia

"It is not new!" Byrd contradicted Hugh's statement that new times demand new approaches. Byrd was clinging to the idea that federal money, no matter how it was spent, was good for West Virginia. That was his goal. Our citizens group Corridor H Alternatives was pesky enough to get in his way by telling him Corridor H would do more harm than good.

Even though we didn't stop all of Corridor H between Elkins and Virginia, our battle did serve to educate more people about transportation and the use of land and fuel. Corridor H is a convenience in the sections that have been built, but the traffic volume through the mountains east of Elkins still does not justify its completion. Particularly damaging is the section that would go through the Mon Forest and separate the twin tourist towns of Thomas and Davis. Fortunately, federal money for this section doesn't seem to be available anytime soon. Corridor H Alternatives and Stewards of the Potomac Highlands continue to monitor the project.

New highways bring sprawl development which requires people to use autos. Instead, we need a convenient nationwide system of trains and buses, which get more people where they need to go with a minimum of carbon fuel use and pollution.

We have a rail passenger group now with a Facebook presence called Friends of the Cardinal, based in Charleston, working to get daily service for our train. We are affiliated with the National Association of Railroad Passengers, www.narprail.org Please join us in supporting our Cardinal, one of Senator Byrd's best contributions.

Bonni McKeown
Charleston, WV

Send us a post card, drop us a line, stating point of view

Please email any poems, letters, commentaries to the VOICE editor at johnmcferrin@aol.com or real, honest to goodness, mentioned in the United States Constitution mail to WV Highlands Conservancy, PO Box 306, Charleston, WV 25321.

MORE ON MR. HECHLER (Continued from p. 2)

In 1999 Mr. Hechler spoke against mountaintop removal at the Rally for the Mountains in Charleston. That same year he was there for the rally kicking off the Walk for the Mountains (a 490 mile walk by Larry Gibson, Mitchell Stanley, and Julian Martin across West Virginia to raise awareness of mountaintop removal mining).

Later that year he was shoved, kicked, and tripped during a march to Blair Mountain to commemorate miners past and present. At the time he was a mere sprout of 84.

In 2009, Mr Hechler was part of a group objecting to the Massey coal silo located right behind Marsh Fork Elementary School in Raleigh County. Rather than enter the Massey property, the group engaged in civil disobedience by sitting down in the road. This got Mr. Hechler and about twenty nine other people arrested.

The Highlands Conservancy has honored Mr. Hechler in a couple of ways. First, we made him a lifetime member. We have done this fewer than five times in our history and only for those who have rendered exemplary service to the Conservancy.

The second honor is more subtle. Although nobody planned it this way, *Highlands Voice* articles railing about do nothing politicians often contain the phrase "with the notable exception of Ken Hechler."

Even if Mr. Hechler is finished so far as public office is concerned, it has been a good, long run. Fifty plus years of fighting for the land and people, nothing to sneeze at.

Note: Much of the material for this story came from *Fighting to Protect the Highlands: The First Forty Years of the West Virginia Highlands Conservancy* by Dave Elkinton. Without that book, this article would not have been possible.

The Way the Voice Works

The Highlands Voice is the official publication of the West Virginia Highlands Conservancy. While it is the official publication, every story in it does not represent an official position of the Conservancy. While all of our members share the general goal "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", our members often have differing views upon the best way to do that.

As a result, stories in *The Voice* often reflect different points of view. As just one example, notice that the *Voice* has had two stories in the last two months on wilderness designation for North Fork Mountain. One was for it, one against. Because the Board has never spoken on the question, neither is the Conservancy's official position.

The Conservancy itself only speaks through its Board. The only stories that reflect the official policies of the Conservancy are those reporting Board actions, including litigation positions we have taken, comments on proposed regulations, etc.

NORTH FORK MOUNTAIN DOESN'T NEED WILDERNESS DESIGNATION

By Michael Gray. Smoke Hole Canyon resident, outdoorsman, and rock climber

As a veteran rock climber who has hiked, camped and climbed his way across most of the Lower 48 in the course of the last four decades, I understand how attractive *the perception of a* Wilderness designation can be. But, as is so often true in life, perception and reality are quite different things.

When someone enthusiastically endorses a political proposal, then admits that they stand to profit from that same idea, that makes them a lobbyist in my book. And I don't endorse looking to lobbyists, no matter how good their stated intentions or where they stand in the political spectrum, for guidance in making decisions about public lands. I look at the impact of the decision, its support in the community, and its source.

While the selling of this proposal may be *coordinated* the WV Wilderness Coalition, its birthplace was, in fact, the office of a lame-duck Grant County politician looking to make up ground after losing the primary... and THAT comes straight from **my** contacts in the Monongahela National Forest.

If you doubt this assertion, just look at the boundaries of the proposal. A Wilderness designation that lies strictly in one county and doesn't include the highest and wildest parts of North Fork Mountain's acreage? If this is the brainchild of a conservation/wilderness advocacy group, shouldn't it show more concern for our watersheds, instead of immediately capitulating to tourism and the sport fishing industry and completely neglecting the area that drains into Smoke Hole Canyon, a VAST habitat and home to a major tributary of the Potomac? Wouldn't an idea that originated with conservation-minded outdoorsmen include the entire mountain? Even given the benefit of the doubt, ask yourself this: if a politician truly cared about the North Fork and the mountain above it, wouldn't he work with his fellow reps to protect the **entire** region?

Designating the Grant County portion of North Fork Mountain a Wilderness **WILL NOT** protect it from mining widgets-drilling operators. It *will* increase the likelihood that those operators will drill on private land, many parcels of which are still included within the National Forest and/or border the proposed Wilderness. And,

Wilderness or not, the federal government will still have the ability to sell the mineral and gas rights *under* the land to the highest bidder (check out the facts about the gas reserves under the Otter Creek Wilderness as an example).

North Fork Mountain is worth saving... disingenuous politicians, not so much.

The underpaid, understaffed, overworked folks at the MNF are doing a great job of maintaining and protecting our WV public lands. If you want to protect North Fork Mountain, vote to put more money in their budget, more resources in their hands, and more NFS Law Enforcement officers in the field... and let the politicians fend for themselves.



North Fork Mountain

Photo Courtesy of Troy and Rusty Lilly, www.forestwander.com

Leave a Legacy of hope for the future

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

Voice Available Electronically

The Highlands Voice is now available for electronic delivery. You may, of course, continue to receive the paper copy. Unless you request otherwise, you will continue to receive it in paper form. If, however, you would prefer to receive it electronically instead of the paper copy please contact Beth Little at blittle@citynet.net. Electronic copies arrive as e-mail attachments a few days before the paper copy would have arrived

MOUNTAIN BIKING IN WEST VIRGINIA

By Dave Cooper

Upon re-reading my last month's essay about mountain biking at Snowshoe ski resort in West Virginia, I realized that I had been overly critical and kind of hard on Snowshoe. As I said, it's a great place to ski and the fact that there weren't many people around on top of the mountain on a Wednesday in June is really no surprise – it's a ski resort. I'm sure that there is some good mountain biking somewhere on this mountain, I just muffed the trip and that's not Snowshoe's fault.

If you are looking for some really great low-key mountain biking in West Virginia – I mean the kind of biking that an average cyclist can do – then this little essay is for you.

I have always been a bit turned off by the way mountain biking has been marketed: young guys and gals flying through the air covered in mud and blood. Most people don't even realize that mountain biking can be something else entirely. And just about anybody in decent physical shape can do.

I ride on old logging roads, I ride on gravel roads in the Smokies and the Red River Gorge in Kentucky, I ride on Forest Service roads, I like to ride where the four-wheelers ride, and so on. I like to explore, and get a little lost. I'm just not real fond of riding on single-track.

Most of us have ridden rail trails at one time or another, and West Virginia's got some great ones. After leaving Snowshoe, I drove down to Cass and started wandering along until I found a campsite at Seneca State Forest off Route 28 in Pocahontas County. Man, is this place hard to find at night! The camping was only \$12, but it is in a deep hollow and the whole place was so saturated with recent rainfalls that it was a bit wet and soggy for my tastes.

I had a quick dinner and went straight to the tent. I lay there pondering my unsuccessful attempt to mountain bike at Snowshoe, and just as I was almost asleep, I suddenly heard this wonderful sound. It was coming from another campsite down the road, and it was – some kind of a flute, I think. It sounded like a wooden flute perhaps, maybe some kind of pan pipe. Anyways it was a stunningly beautiful sound, and he played it soft and low and sweet, for about 15 minutes. Then, it stopped.

I applauded loudly from inside my tent, and when I stopped clapping I heard a distant man's voice say "Thank you." Then I went to sleep.

West Virginia is a pretty cool place sometimes.

The next day I went back to Cass and started mountain biking down the Greenbrier River Rail Trail from the northern terminus, Milepoint 80. I rode at a fast pace 25 miles to Marlinton. Darn, this is such a great rail trail. I always tell people this is one of my favorite rides and they have got to do it if they live in West Virginia. There are tunnels, the river is sparkling and winding, the views are spectacular, the surface quality of the trail is excellent and well-maintained, they have nice campsites – with a water pump - along the trail about every 8 or 9 miles, so hiking this trail is an excellent option. It goes 80 miles to Lewisbug, but the upper 60 miles are the best scenery. Fantastic ride, highly recommended.

I was breaking in a new mountain bike and I had some saddle soreness from 50 miles to Marlinton and back on the Greenbrier, so I sat out the next day and didn't ride. I just found a warm spot on top of a mountain at the end of a dead-end gravel road and sat there. Later that day I did a few short hikes in the Gaudineer Knob area, and was sad to see so many dead spruce trees in the "Virgin Red Spruce" loop trail. But the view from Gaudineer Knob was very memorable,

and I was struck by the lack of any visible signs of humans from this point: no telephone lines, road cuts, fire breaks, or cell towers. I'm fairly sure that there is almost nowhere in Kentucky where you can look off the top of a mountain and not see any signs of humanity.

I even told my friend Julian Martin that that the view from Gaudineer Knob made me understand why people are opposed to wind towers in the northern part of West Virginia. It's a rare sight anymore in the eastern United States.

I stayed in the riverside campground in Durbin the next night, and enjoyed some good food and a taste of small town life at Durbin's friendly family-owned restaurant on the main highway in town. The next day, I set out from Durbin on the West Fork of the Greenbrier River trail and this ride was the highlight of the whole trip. This is such an amazingly beautiful ride. I only saw one other group the whole way – folks on horseback, and they were having a high time. I also saw a couple of fly fisherman and found a great swimming hole, I mean a four-star swimming hole.

This is the upper part of the Greenbrier River, before it gets to Cass. I never saw another biker on the whole ride and was just overcome with the beauty of the place. I only rode it halfway, so that I would have a reason to come back. Next time I'm bringing Patty and we are going to check out that swimming hole!

When I got back almost to Durbin I spied a rope swing hanging from a tree above the river just above town. Now I am a sucker for a rope swing, but there were two young fellows fishing in the same hole as the rope swing. I got off my bike and walked to the fishermen and told them how much I love rope swings. I asked if they would let me have a couple jumps into their swimming hole.

"Sure!" he said with a smile. "We aren't catching anything no-hows."

I love West Virginia!

BROCHURES

The West Virginia Highlands Conservancy has joined with the Sierra Club, Coal River Mountain Watch, Ohio Valley Environmental Coalition, West Virginia Rivers Coalition, Appalachian Voices, Kentuckians for the Commonwealth, Keeper of the Mountains Foundation and Christians for the Mountains 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, 1525 Hampton Road, Charleston, WV 25314.

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

More Poetry

WHAT THEY LEARNED THERE

Gradual clarification by stillness
comforts all in the four quarters
turning endlessly like a wheel

wind rises clouds condense
thunder rumbles rain falls
The carved and polished return
to simplicity

— Ed Zahniser

CROW'S DOUBLE-TALK WHEN I BRING UP ANTS

Ants have an altruism gene but by turns
they are Earth's most warlike species,
E.O. Wilson said. Bert Hölldobler mostly agreed.
Darwin suspected as much but didn't yet
know about genes then. And Henry Thoreau
presaged the American Civil War reporting
the War Between the Ants—not Blue and Gray
but Red and Black. Ants combine the traits of liberals
and conservatives. They should be the National Insect
like Crow should be the National Bird. Crow told me so:
“We've never been on the Endangered species List,”
Crow said, “Nor the Threatened Species List.
We've never even been a Species of Concern.”
Crow attributed this listlessness to his diet
of corn, America's most subsidized crop.
But he didn't know how closely I'd watched him
yammer away in late spring with songbird nestlings
on his breath or stand on our office window ledge
eating nestlings of pigeons, those aliens from cliffs
In Norway who spread their way around the world
when higher and higher buildings started to emulate
Norwegian cliffs where no crows live.

— Ed Zahniser [ed_zahniser@nps.gov]

GREATEST SHOW ON EARTH

By John McFerrin

On September 22, 2010, at 10:00 a.m. the West Virginia Supreme Court of Appeals will hear the battle by the West Virginia Highlands Conservancy, the Friends of Blackwater and Cordie Hudkins (a retired Chief of the West Virginia State Park System in the West Virginia Division of Natural Resources) to prevent drilling for gas in Chief Logan State Park.

For the details of the case up to now, see the stories in the October, 2009, and July, 2010, issues of *The Highlands Voice*. In a nutshell, the Highlands Conservancy, Friends of Blackwater, and Mr. Hudkins oppose drilling for gas in Chief Logan State Park in Logan County. In a companion action, the Sierra Club also opposes it. Even the Department of Energy and the Division of Natural Resources oppose it.

Because Cabot Oil and Gas has a lease from the mineral owner (Lawson Heirs) to drill for gas on the Park, the Circuit Court in Logan approved the drilling. The Supreme Court will consider whether the Circuit Court in Logan was correct.

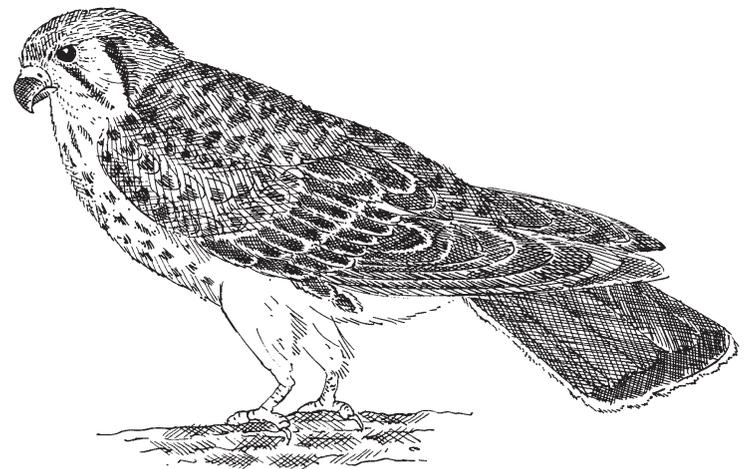
The action would also affect all other state parks as well, potentially clarifying the law to make it clear that state law prohibits oil and gas drilling in state parks. This is significant not only for Chief Logan State Park but for the other parks where West Virginia does not own the mineral rights--Babcock, Blackwater Falls, Canaan Valley, Cedar Creek, Pipestem, Twin Falls and Watoga.

Court convenes at 10:00 a.m. although this case may not be the first on the docket. Arguments are broadcast on the internet. To learn how to watch go to <http://www.state.wv.us/wvsca/Webcast.htm>

If you watch, either in person or on the web, you will notice that there are a gaggle of lawyers. Since you can't tell the players without a program, here it is:

Astride his great steed, helmet gleaming, lance at the ready, is Tom Rodd, lawyer for the West Virginia Highlands Conservancy, Friends of Blackwater and Cordie Hudkins. Beside him, also ready for battle, is William DiPaulo, lawyer for the Sierra Club. Also at their end of the field are Raymond Franks, lawyer for the West Virginia Department of Energy and Thomas Smith, lawyer for the West Virginia Division of Natural Resources.

At the opposite end of the field stand Timothy Miller, lawyer for Cabot Oil and Gas, and Larry George, lawyer for Lawson Heirs.



EPA TO HOLD PUBLIC HEARINGS ON PROPOSED COAL ASH REGULATIONS

The U.S. Environmental Protection Agency (EPA) is hosting seven public hearings on the agency's proposal to regulate the disposal and management of coal ash from coal-fired power plants. EPA's proposal is the first-ever national effort to ensure the safe disposal and management of coal ash from coal-fired power plants.

Each hearing will begin at 10:00 a.m. and continue until 9:00 p.m. with a break at noon and 5:00 p.m. local time. The hearings will continue past 9:00 p.m. if necessary. People who wish for a guaranteed slot to speak must register no later than three business days before each hearing. Additionally, walk-ins and written comments will be accepted at each hearing. The agency will consider the public's comments in its final decision.

- August 30: Hyatt Regency, 2799 Jefferson Davis Highway, Arlington, Va
- September 2: Grand Hyatt, 1750 Welton Street, Denver, Colo.
- September 8: Hyatt Regency Dallas, 300 Reunion Boulevard, Dallas, Texas
- September 14: Holiday Inn Charlotte (Airport), 2707 Little Rock Road, Charlotte, N.C.
- September 16: Hilton Chicago, 720 South Michigan Avenue, Chicago, Ill.
- September 21: Omni Hotel, 530 William Penn Place, **Pittsburgh, Pa.**
- September 28: Seelbach Hilton, 500 Fourth Street, Louisville, Ky.

To pre-register to speak at the hearings, please call (703) 308-8429 or sign up online at <http://www.epa.gov/epawaste/nonhaz/industrial/special/fossil/ccr-rule/ccr-form.htm>

The need for national management criteria and regulation was emphasized by the December 2008 spill of coal ash from a surface impoundment near Kingston, Tenn. The proposal will ensure for the first time that protective controls, such as liners and ground water monitoring, are in place at new landfills to protect groundwater and human health. Existing surface impoundments will also require liners, with strong incentives to close these impoundments and transition to safer landfills which store coal ash in dry form. The proposed regulations will ensure stronger oversight of the structural integrity of impoundments and promote environmentally safe and desirable forms of recycling coal ash, known as beneficial uses.

EPA has proposed two main management approaches, one of which phases out surface impoundments and moves all coal ash to landfills; the other allows coal ash to be disposed in surface impoundments, but with stricter safety criteria.

More information about the proposed regulation: <http://www.epa.gov/coalashrule>.

To view the chart comparing the two approaches: <http://www.epa.gov/coalashrule/ccr-table.htm>

A NEW CHESAPEAKE BAY RECOVERY STRATEGY

A Summary by Don Gasper of an article in the "Chesapeake Bay Journal"

President Obama has issued a Chesapeake Bay Executive Order, charging the U.S. Environmental Protection Agency to develop and coordinate a Chesapeake Bay "recovery strategy." In May, 2010, EPA administrator Lisa Jackson, announced such a plan.

The 64,000 square-mile watershed is to be restored with a cooperative, coordinated, transparent program with considerable federal funding. Federal lands will lead the way, and funds will be targeted where they will do the most good -- polluted areas, areas of high runoff, areas with the highest potential for restoring fish and wildlife, and habitats in lands most in need of protection.

There will be much local involvement in goal setting. The goals are to restore water quality, habitats, fish and wildlife, conserving lands, and increasing public access. Success will alternately be measured by the vitality and richness of fish and wildlife and the health and well being of citizens. The landscape restoration will include rivers and streams, even headwater trout streams. And areas in headwater streams will be conservation priorities.

The US Fish and Wildlife Service will work with partners to identify priority watersheds and undertake restoration actions such as planning riparian forest buffers, excluding livestock and restoring stream channels.

The strategy calls for "Smart Growth" to avoid landscapes that are threatened by rapid and poorly planned development which is tearing at the fabric that defines the region and supports a way of life. About 100 acres of farmland and forest are lost every day in the Chesapeake watershed. Presently, 2.5 million acres important to water quality are left unprotected, with only about 19% of the watershed permanently protected. Under the new "recovery strategy", 2 million more acres of high conservation forest will be protected by 2025. This includes 695,000 acres of forest producing high quality water.

Finally, a "Chesapeake Treasured Landscape Initiative" is to be established. It would expand land conservation and public access and priority landscapes. The U.S. Department of Agriculture would coordinate federal attempts to protect these areas. Under the proposed initiative, by 2025 there should be 300 new public access sites in the Chesapeake Bay area. Currently there are 764 public access sites in Maryland, Virginia, Pennsylvania, and the District of Columbia.

EPA will establish two-year milestones to be met, and an annual action plan will be prepared. The first action plan may be ready this September.

This is an important initiative not just for the Chesapeake Bay, but also for West Virginia. Hopefully, it will lead to a top down stream channel hydrological recovery that will reduce erosion and sediment and improve habitat.