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Persistence Pays Off in Coal Ash Permit Delays

Petra and John Wood

In the July/August *Sierran*, you read about the massive inputs of coal combustion waste (aka, fly ash) on minelands around Morgantown. On about 3,500 acres in three watersheds, up to 10,000 tons/acre — amounting to a 10-foot thick layer of coal ash over the entire surface — have been added during reclamation as a supposed beneficial use to reduce acid mine drainage (AMD). There is abundant evidence, however, that it does not necessarily reduce AMD. At the same time, it does reduce air quality and especially water quality because toxic metals and total dissolved solids (TDS) leach from fly ash dumped in minefills.

Several new mine permits proposing to dump ash are in the works, including the New Hill West and Coresco permits.

Status of New Hill West permit

When the National Pollution Elimination Discharge System (NPDES) permit was approved for this 225-acre mine in 2010, Sierra Club and Appalachian Mountain Advocates challenged the permit in an appeal before the WV Environmental Quality Board (EQB). To prevent degradation of water quality in Scott's Run before the hearing could be held, a stay on the permit was requested and granted in November 2010.

A 4-day EQB hearing in early December 2010, featured expert witnesses who presented scientific evidence that high TDS, conductivity, and sulfates can impair aquatic life, which is a violation of the Clean Water Act and of the WV Narrative Water Quality Standards (WQS). The WQS specifically state that NPDES Permit limits must ensure compliance against discharges of "... materials in concentrations which are harmful ... to ... aquatic life" (47 C.S.R. § 2-3.2.e) or that cause "significant adverse impact to the ... biological components of aquatic ecosystems ..." (47 C.S.R. § 2-3.2.i).

In March 2011, the 5-member EQB unanimously found that DEP's issuance of the permit was unlawful, that they failed to include enforceable effluent limits sufficient to ensure protection of water quality standards, and that discharges from the New Hill West surface mine have the reasonable potential to cause or contribute to degraded water quality.

The EQB remanded the permit back to DEP to set appropriate and enforceable limits for conductivity, sulfate, total dissolved solids, manganese, and selenium.

But even though the EQB decision was based on scientific evidence and the law, the WVDEP and the mining company appealed the decision to circuit court. Interestingly, the circuit court did not actually make a ruling on this appeal. Instead, in late September 2011, Judge Stucky remanded the case back to EQB with the following statement, "The EQB shall provide written supplemental findings detailing a reasoned and articulate decision in the Final Order. Additionally, these findings should include guidance to calculate threshold values for regulating conductivity, TDS, and sulfate."

In the meantime, the mining company filed an appeal to the EQB to lift the stay on the permit so that mining can commence. Additionally, their lawyers argue that because the company is losing \$2 million a month in revenue, Sierra Club should have to post bond in this amount (see <http://blogs.wvgazette.com/coalattoo/2011/10/11/judge-sends-patriot-permit-back-to-eqb/>).

At this time, the EQB has not made a final ruling on the stay or the bond and has asked the lawyers for all parties to provide input on how to proceed with Judge Stucky's order. Apparently, this is an unusual ruling and the EQB is "feeling its way" on how to proceed. It does appear that the issuance of a valid NPDES permit for this mine will be delayed.



Mine complex about 3 miles in length visible from I-79 just north of Morgantown. Part of New Hill West permit area is in the lower left of this photo.

Status of Coresco permits

Two permits are in play at sites near Madsville. One is an existing 140-acre ash dump. An application for renewal of this permit is pending even though there is evidence that the site is degrading water quality and is contributing to air pollution problems.

A new 338-acre Surface Mining Control and Reclamation Act (SMCRA) mine permit application is pending, even though the application specifically states that there will be **NO** coal mining. The application proposes to dump about 86 million tons of fly ash over 25-30 years, which will result in an unlined and uncovered ash pile 500 feet thick. This site, if permitted, will simply be a way for area power plants to dump their waste for free rather than have to pay for liners and treatment of run-off that would keep toxic metals and TDS out of our surface and ground water.

Sierra Club members and local residents requested a public meeting with WVDEP to allow public input on this permit application. The meeting, held on Monday, Oct 17, was attended by about 20 citizens, Delegates Fleischauer and Manypenny, and several media representatives. The over-riding theme of comments from attendees was that these sites are fly ash dumps that degrade our environment, affect human health, and should not be permitted under SMCRA. Sierra Club chair Jim Sconyers released the news that the Sierra Club, the West Virginia Highlands Conservancy, and the Fort Martin Community Association filed notice of intent to sue Coresco and affiliated company and property owner Mepco for violations of the Clean Water Act and the Surface Mining Control and Reclamation Act.

CALENDAR

- Nov 5** Chapter ExCom Meeting
— Berkeley Springs, Gary Nelson's home
- Nov 6** Tar Sands Protest in Washington, DC
- Nov 10** Mon Group Meeting, Morgantown
- Dec 8** Next Newsletter Deadline
- Dec ?** Mon Group Meeting, TBD
- Jan 21** Chapter ExCom Meeting
— Morgantown, home of Jim Kotcon & Candice Elliott



Explore, enjoy and protect the planet

Marcellus Legislation Grinds Gears Moving Forward

Chuck Wyrstok

The road to meaningful Marcellus drilling regulation is rife with potholes and ruts, much like the local roads torn up by the hundreds of heavy trucks moving rigs, water, chemicals and sand to and from drilling sites across West Virginia.

Here's a roadmap. The Marcellus Select Committee is working with a bill that passed the State Senate this past regular session but died in the House of Delegates. It is considering a series of more than twenty amendments so that a consensus can be reached for a new bill in the next regular session or a possible special session before the end of this year.

At meetings on Oct. 12 & 13, the ten Delegates and Senators — a mix of citizen advocates and obstructionists, some of whom want realistic guards in the law and others who think the government should function as a chamber of commerce — sparred politely. There are the minions of industry who would just as soon say there is risk to everything, so let 'er rip. They wouldn't mind an industrialized countryside spiking local businesses. And then there are people of conscience.

Prior to October, the Committee had managed to pass more than twenty amendments, many of them quite good (see <http://www.legis.state.wv.us/committees/interims/committee.cfm?abb=Marcellus>). Currently, they have expanded the buffer zone between Marcellus shale wells and homes, livestock, and drinking water from 200 feet to 625 feet. Other provisions keep drilling wells 250 feet from drinking wells or springs, 1,000 feet from public water supply intake points and 300 feet from a recognized trout stream. The committee also agreed to allow the DEP secretary to increase this spacing if scientific evidence shows unacceptable health risks to residents of the nearby house. Delegate Barbara Evans Fleischauer proposed that amendment while also advocating, without success, for larger buffers.

Advocates stood their ground on the \$10,000 drilling application fee (even though DEP head Randy Huffman gave up yardage by reducing his request to \$5,000), compromised on water protection and casing requirements, and put off final discussion of surface-use agreements.

The committee heard from Marion County resident Casey Griffith, who said the dream house he built with his wife has been ruined by a well site about 200 feet away. Around-the-clock noise, dust churned up by well construction, and waste gas burned off at the site are among his family's concerns, he said (see related story, this page).

'There's just no escape'

Amendment will address well placement

David Beard

The Dominion Post

This article first appeared in The Dominion Post on Sunday, Oct 9, 2011, and is reprinted here with permission.

Casey and Stacie Griffith built their dream home at the back of a Marion County hollow in 2005.

In 2009, their hollow turned into an industrial zone. On the hill next to and just above their home is a Marcellus well pad permitted for six wells. At the front edge of their yard on what once was field, is a freshwater impoundment and what will be a graveled staging area for heavy equipment.

"There's just no escape," Stacie said. "You just can't stand to view it every day. It's every day, it's all day, it's every conversation, it's every phone call, it's every picture, it's every videotape. It just consumes you."

The Legislature's Joint Select Committee on Marcellus Shale is preparing to meet twice this week during interims. An amendment it will debate is well spacing. The amendment proposes, among other things, that no well pad be located within 1,000 feet of an occupied dwelling.

The Griffiths' story illustrates why this is being debated.

State code now requires wells — not pads — to be 200 feet from dwellings.

The one completed well on the pad above the Griffiths — called the Donna pad

for the landowner who recently sold the site to Waco — meets that requirement.

But some rough work with a tape measurer — what could be accomplished without trespassing — suggests the pad's edge is closer to 100 feet from the Griffiths' home.

Stacie Griffith: 'This is all I get done'

Sometimes, the traffic and noise and construction carry on from 9 a.m. to 6 p.m. Other times, it's 7 a.m. to 9 p.m. When drilling begins shortly, it will be 24/7 as Waco Oil & Gas drills a number of vertical holes. Then there will be a short break, as bigger equipment comes in to drill the horizontal legs.

Every day, Stacie, a middle school physical-education teacher, hoses the dust off their porch. Every day, they meet Marcellus rigs on the road that's not quite two lanes wide. Although the company rigs are supposed to yield, they often don't. So the Griffiths have to stop or pull off into the ditch or back up hundreds of feet to a wide spot.

One recent day, a rig refused to move over and destroyed the \$450 mirror on Stacie's pickup. She showed a letter from Waco's insurance company refusing to pay for the damages. They are thankful that Waco's partner in the operation, Charleston-based Energy Corporation of America, has agreed to replace the mirror.

"All of this has consumed our life," Stacie said. "This is all we talk about." She

Co-chairs Manchin and Facemire said they believe the committee can handle the final amendments, including inspector qualifications, Karst cavern drilling, and surface use agreements, in one last meeting around Oct. 22 in order to pave the way for a November special session.

So, in the next months, if the Select Committee agrees on a bill, the legislature will take it up and decide the overall impact — five-acre drill pads, trees and pastures leveled for roads to handle heavy equipment and huge trucks, waste pits the size of football fields filled with toxic flowback, choking air pollution, 24-hour noise, ruined water wells, spills, fires, and explosions. Are they up to it? Maybe they can benefit from some citizen input.

What You Can Do

- We are keeping those interested abreast of what's being done (or not done) at the Capitol by email because we want our voices to be heard as soon as they are needed. If you are not yet signed up, we need you. Please send an email to outreach@marcellus-wv.com to join the push. You may call members of the Select Committee on Marcellus toll-free at 877-565-3447. Senator Facemire is Co-Chair along with Senators Facemyer, Klempa, Palumbo and Snyder. Delegate Manchin is Co-Chair along with Delegates Fleischauer, Anderson, Ireland and Tom Campbell. Tell them you want the strongest possible regulations and nothing less.

- Encourage your County Commissioners to take the Wetzel County Marcellus drilling tour, provided by folks there whose lives have been profoundly affected by the drilling rush. Pocahontas County Commissioners who made the trip went home with a graphic impression of what the future might hold. More info on this at outreach@marcellus-wv.com or 877-252-0257.

- Check out WV Sierra Club's Marcellus ad campaign at www.keepWVbeautiful.com

A few choice excerpts from the mid-October meetings:

Marion County resident Casey Griffith testified, "I want to encourage you guys to make a smart decision on behalf of your constituents," urging them to approve a 1,000-foot buffer zone. "My agenda is to protect other residents from what my wife and I have had to tolerate for two years." A gas company drilled a well 120 feet from the dream home he and his wife built and the family has suffered disruption and turmoil since 2009.

Marcellus, continued on p. 3

all questions to the company vice president or operations manager, who were both out of the office.

Lawmakers look to tweak bill

The Marcellus Committee is working to amend a draft regulatory bill, based on failed Senate Bill 424, in preparation for a possible special session in November. This amendment, presented by the five House members, also deals with well pad distances from water wells and springs, and livestock shelters.

Some members have suggested a shorter distance, maybe 700 feet.

The Griffiths would prefer a mile. Casey admits that's not realistic. But he suggests contacting gas industry executives and seeing how many have wells 200 feet from their doors. The word "unreasonable" crops up several times.

"I challenge any of them to come to my home during active operations and look me straight in the face and say, 'Yeah, it's OK,'" he said. "If you're going to put your child down for a nap, or bedtime, 200 feet is so unreasonable."

Multiacre, multi-well Marcellus operations are the same as the old, small-footprint vertical wells that also dot the Plum Run area.

Amendment, continued on p. 3

Marcellus, continued from p. 2

Delegate Woody Ireland, R-Ritchie, voiced his impatience with the delays the committee has faced. "We need to set things and get on down the way. We have piddled around, if you will, with this whole affair for a number of months now. ... Let's get on down the road." He expressed frustration that neither the DEP nor the industry has any hard data regarding noise, volatile organic compounds, or dust and air pollution. "We're trying to deal with an issue we don't know anything about."

DEP Secretary Randy Huffman balked at a legislative rule proposal, saying his staff lacks the experts on health issues. Committee co-chair Delegate Tim Manchin, D-Marion, corrected Huffman, pointing out that code requires the DEP to address health issues. And Delegate Bill Anderson, R-Wood, added that Huffman could use permit fee increases to hire or contract someone for the job.

Del. Mike Manypenny, D-Taylor, who sat in on the committee meetings, said, "I think one of the things we really need to do to correct this problem is to require best management practices," with closed-loop systems to avoid dispersal of chemicals, fumes, dust and particulate matter.

Sen. Karen Facemyer, R-Jackson, opposed the drilling application fee increase. "What is the rush on this?" she asked. The bill still has to go through both chambers at a special session. "If we can get by with a couple hundred or a couple thousand dollar fee, as opposed to \$10,000, why not do that? Why are we always assuming that the industry is the bad guy? We're trying to make this state a business-friendly state."

Sen. Orphy Klempa, D-Ohio, who devised the amendment up for reconsideration, opposed Facemyer. "The rush is, this has been going on for two years, almost three. Constituents call. There's no comfort level that the environment's being protected correctly. You get a sense of urgency. I don't think two years and three years is rushing anything."

Drillers are working the Northern Panhandle, he said. "They're up there going guns ablaze. There's money to be made in this. This \$35,000 permit for six wells on a site isn't going to run the industry out of the Northern Panhandle, but it will give the people I've been sent down here to represent a sense of security and sense of knowing that they're being protected."

The committee approved the higher fees by a vote of 8 to 1, with only Facemyer voting against.

Amendment, continued from p. 2

"This has been going on for 2 1/2 years. It's a whole different beast," Casey said. "It has to be a minimum of 1,000 feet. This is just unreasonable. One thousand feet is by no means unreasonable on either side."

Rick Humphreys, the Griffiths' friend, neighbor and distant relative by marriage, is part of the conversation. His home sits farther up the road, and just 30 feet off the road. Every day, he hears the rigs' jake brakes as they pass.

When he retired from the Army — as a lieutenant colonel — he had a choice of settling here or on 60 acres he owns near Clarksburg. He picked here. "I did it for the ambience."

Now he wonders why. But he won't move. People always ask him about moving, he said.

"If you don't like it so much, why don't you move," they ask. "Why should I have to move? I was here first. It belongs to me."

Humphreys fumes over the state of property rights. West Virginia's surface rights are severed from the mineral rights, and mineral owners are allowed reasonable access to the surface owner's land to develop their minerals.

"A police officer can't enter your home without a warrant, but a company can drive through your yard with impunity," he said. Of course, the companies are just doing what's legal. "I'm more angry at the politicians who are responsible to do something and won't. ... We shouldn't have to suffer like this, to live in a place we worked for and bought."

Barring some pressing health concern that could arise, Stacie and Casey don't want to move, either.

Stacie said: "There's sentimental value here. We'd never be able to replace it."

Casey said: "People don't understand the sentimental value. It's not going to happen."

Stacie said: "How do you put a value on sentimental things? I don't want to put a value on it. I don't want to sell it."

View from the Chair — *Jim Sconyers*

Is This What Democracy Looks Like?

You've probably heard the chant at demonstrations or on the news: "This is what democracy looks like!"

I ask: "Is this what democracy looks like?"

Bob Henry Baber, the Mountain Party's pro-environment candidate for governor, was barred from the gubernatorial campaign debates. Seems that debate organizers arrogated to themselves the decision of whom citizens and voters should hear from.

Is THIS what democracy looks like?

WVU slaps down its own researchers. Health researchers at WVU, our flagship university, have been conducting groundbreaking research. Their reports have detailed the alarming levels of death, disease, and birth defects in the southern coal fields, far in excess of those in communities elsewhere. But it seems that the top brass at WVU didn't like those results. WVU officials in effect publicly repudiated the researchers and the damning results of their work. Apparently the University disowned conclusions deemed critical of coal. Surprised?

Oh, but wait. Now WVU has announced a new "official" project. This is called an initiative on how to get on with drilling for Marcellus gas — "with a minimum of damage to the environment" (sic). It will be helmed by — wait for it — Professor Tim Carr, the notorious shill for industry. This is the same Professor Carr who twisted and distorted and obfuscated at a series of "informational" public meetings earlier this year, meetings sponsored by — you guessed it — WVU Extension. Carr's presentations were so biased in favor of industry and negligent of real citizen concerns that numerous complaints were made.

So, is THAT what democracy looks like?

West Virginia's Congressional House members and junior senator fall all over themselves to do the bidding of King Coal. Lately they jumped for joy over a court decision that may make it easier to destroy streams and communities via mountaintop removal coal mining. And then we see Congressman McKinley taking the lead to prevent regulation of coal ash, which he either knows or has every reason and responsibility to know poisons groundwater and poses the risk of catastrophic dam failure at gigantic ash ponds. These folks seem to have no idea of what "representation" means.

Now, is THIS what democracy looks like?

Democracy — is it one of those things you have difficulty defining, but you know it when you see it? You see it when our leaders and institutions work together for a better life and a better world. I hope you have a chance to see it — sometime.

Nominations Needed for December ExCom Elections

The Monongahela Group is made up of about 400 members who live in Monongalia, Marion, Preston, Taylor, and Harrison counties. The Executive Committee (ExCom) consists of five members from the Group elected to two-year terms. Three positions are up for election this December, with Rodger Dotson and Gwen Jones continuing their terms.

According to our ByLaws, and to introduce new blood into the group, we need a total of at least five candidates to make it an official ballot. The candidates must agree to serve if elected, and must be members of the Sierra Club.

The Group ExCom meets about four times per year to discuss conservation issues and plan program meetings. They also make decisions about the direction of the group and authorize spending from our budget. We usually have evening meetings in the Morgantown area, but could adjust that to accommodate a member who lived farther away.

If you or someone you know would make a good candidate, please send your nomination and a brief statement (about 100 words) explaining why you would be a good candidate to: Sally Wilts, sallywilts@yahoo.com or 304-379-7567 **before November 15**.

Nominations are also needed for the **Chapter ExCom** and may be sent to: Karen Grubb, karen.grubb@fairmontstate.edu or 304-367-4878.

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Your e-mail address could make the difference!

The more members we can contact quickly to take action on fast-paced and ever-changing Marcellus Shale legislation, the more effective we will be.

Please request to be put on our list now:

outreach@marcellus-wv.com

Report on CCL Meeting in San Francisco

Gary Nelson, WV Chapter Delegate

Here are highlights from the Sept 21-24 Meeting in San Francisco of the Council Club Leaders (CCL), at which I represented West Virginia.

Two resolutions important to WV passed

The first resolution by NY to allow chapters to ban hydrofracking was passed with no amendments, 34 to 22. WV co-sponsored the resolution. NY delegates say the resolution will pass their chapter and be approved also by their state government, putting gas drilling on hold for NY. We should do the same.

The second resolution by TX passed, 56 to 4, with two amendments, allowing more funds to study gas hydrofracking.

Other Resolutions

- A resolution to study the adverse effects of global population increases passed.
- A resolution to elevate the anti-nuclear program passed.
- A resolution requiring donors of free phone books to pick up used phone books passed.
- A resolution to end the Sierra clean business program failed to pass, 48 to 10. (WV voted to end the program.)
- A resolution to have the club review its policy on civil disobedience passed, 35 to 21.

- A resolution to have the club get a mechanism to address region-wide, multi-chapter conservation issues was amended, but failed to pass, 28 to 24.

- A resolution to have amendments of by-laws filed one month prior to the CCL national meeting passed, 54 to 0.

The following members were elected to the Sierra Club board:

David Griggs, TX (already on board)
Susan Martin, NM / TX
Matt Urban, DE (already on board)
John Spahr, WY

I talked with Spahr about how gas drilling is polluting Wyoming's air and water. Wyoming is a sparsely populated state with only one house representative, yet they have air pollution from gas drilling. They have a state law that does not allow leaks from gas drilling and an environmental agency that inspects every well, yet they have water pollution from gas drilling leaks. John says that high-pressure gas from hydrofracking leaks up through miles of cracks in the rock and pollutes the water and air. If Wyoming cannot prevent high-pressure gas leaks from polluting water and air even with state government and environmental agencies on the side of conservation, what chance does West Virginia have for stopping leaks from hydrofracking?

If you have questions, you may contact John at lodgepole@tetonnm.com.

Keystone XL Pipeline for Tar Sands a Bad Idea

Jim Sconyers

Tar sands — even the name is nasty, as is its name-sake.

The western Canadian tar sands are the latest, and largest, “play” in world energy exploitation. In short, vast amounts of fossil fuel, second only to the Saudi oil pools, are bound up in thick, viscous gooeey sand. It is “cooked” in place to enable it to be piped out. Then it is proposed that the goo will be piped across the American heartland to refineries in Texas, from where it would be exported.

The icon of the tar sands is known as the Keystone XL Pipeline. This pipeline would cross many of America's most outstanding rivers — the Yellowstone, for example — and aquifers such as the Ogallala, an unparalleled source of irrigation and drinking water. The risks from tar sand spills are obvious and ominous.

The dirty tar sands, along with the energy intensive processes required to extract and refine them, mean that this material will generate much more greenhouse gas than ordinary oil. But that's only part of the problem.

Bill McKibben, climate crusader, and James Hansen, leading NASA climate scientist, put it this way.

McKibben: “The Keystone Pipeline would also be a fifteen-hundred mile fuse to the *biggest carbon bomb on the continent*, a way to make it easier and faster to trigger the final overheating of our planet, the one place to which we are all indigenous.”

Sierra Club Stands in Solidarity with Occupy Wall Street Protests

Sarah Hodgdon, Conservation Director, and Dave Scott, Vice President for Conservation

For the past several weeks Occupy Wall Street protesters have peacefully held vigil in support of a broad vision for financial, political, and environmental reform in America. From this creative hub of activity, a diverse group of students, members of labor unions, environmentalists, and concerned citizens have helped this grassroots protest spread to more than 1,400 events nationwide. Many Sierra Club staff and volunteer leaders have participated in and/or lent support to these demonstrations standing up for the end to corporate greed. The demands and values of the protesters are very much in line with Sierra Club's strategic priority of confronting the power of the coal and oil industries.

Volunteer leads and staff around the country have requested that we make clear where the Sierra Club stands on these protests. This memo is designed to provide our initial thinking and guidance.

In a vibrant democracy, peaceful protest and demonstration is among the highest form of citizen engagement in the democratic process. Since the founding of our republic, ordinary citizens have accomplished extraordinary things by joining together to express their convictions. It is our heritage to speak truth to power, and our nation's historic respect for peaceful dissent has helped the United States enact civil rights legislation, promote human rights internationally, and end unjust wars. Citizen engagement has brought this country out of its darkest hours and helped us fulfill our promises of justice and equality to millions.

The Sierra Club affirms its support for the exercise of political expression through the Occupy Wall Street protests. Corporations that pollute our air, land and water, that put greed ahead of community good, public health and the nation's economic well-being must be held fully accountable. In our work around the country, we have seen first-hand how international coal and oil companies have wrecked communities, polluted our environment, and dominated the political process. We stand with Occupy Wall Street protesters in saying “enough.”

Finally, we want to make clear to all Sierra Club staff and volunteers, that you are authorized to participate in lawful and peaceful Occupy Wall Street protests in the name of the Sierra Club.

The corporate accountability message these protests are carrying fits very well with our strategic priority of confronting the power of coal and oil and contribute to our strategic priorities of building a movement and fostering key partnerships. We will shortly be providing further message guidance and support materials to help the Sierra Club add its voice to this powerful choir.

If you have questions regarding our position, please feel free to contact Bob Bingaman at bob.bingaman@sierraclub.org or 202-977-7904.



Climatologist Jim Hansen, on having any chance of getting back to a stable climate: “The principal requirement is that coal emissions must be phased out by 2030 and unconventional fossil fuels, such as tar sands, must be left in the ground.” He added, “if the tar sands are thrown into the mix it is essentially **game over**.”

In other words, bringing the tar sands online perpetuates America's addiction to oil and undermines the clean energy alternatives that would bring genuine energy security and forestall or reverse looming climate devastation.

Tar sands activism culminated this summer in the largest environmental civil disobedience in decades. More than 1200 people (including many Sierra Club leaders and members, acting as individuals since the Club embraces “all legal means”) were arrested in weeks of sit-ins at the White House. They were sending President Obama the message: do not approve this pipeline. A new massive protest is scheduled for **Sunday, Nov 6**, with citizens peacefully and lawfully surrounding the White House with the same message. More information can be found at www.tarsandsaction.org. No arrests are expected in this action.

President Obama makes the decision on the pipeline. Congress has no role. The State Department has managed to add more than a whiff of scandal to the mix, with improper favoritism and conflict of interest in giving its approval, required because of the international nature of the proposed project.



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| Life | <input type="checkbox"/> \$1000 | <input type="checkbox"/> \$1250 |
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| Student/Limited Income | <input type="checkbox"/> \$25 | <input type="checkbox"/> \$35 |

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2011 Award Recipients at SierraFest: John and Petra Wood, Duane Nichols, and Regina Hendrix

Six Receive “Unsung Heroes” Award

Jonathan Rosenbaum, Awards Committee Chair

Heroes come in many forms. *Unsung* heroes often don't deliberately choose their calling, but rather are chosen by their circumstances. This year's awardees were taken from a pool of candidates who are current Sierra Club members and who have never previously received a State Chapter award.

Kevin Foose, a tireless volunteer, has been a *tour de force* in increasing our membership and maintains a Facebook page for the Chapter which now boasts over 1,100 people. He continues to work toward establishing a Sierra Club group in Charleston and has been invaluable in our green initiative. As a member of the Energy Committee and as an electrician, he is constantly pushing for renewable sources of electricity. As a relatively new volunteer with our Chapter, Kevin hit the ground running and hasn't stopped yet.

Tom Shipley literally gave up a business in Florida to come back home to vigorously fight a plan for building a sewage facility right over a karst field along Shavers Fork near his family homestead. Using almost all his life savings, he initiated a campaign that after nearly two years was able to demonstrate that a membrane system at SnowShoe would be an appropriate solution. He is an amazing hero, and his zero-percent-pollution mentality is a timely message when you consider the present threats from Marcellus Shale drilling in our state.

Duane Nichols seems to be involved with every issue imaginable, always willing to lend his expertise for the benefit of the environment.

He has helped form and has been active on citizens' committees ranging from Citizens for Alternatives to Longview Power, now the Mon Valley Clean Air Coalition, to the Cheat Lake Environment and Recreation Association (CLEAR). He is active on the WVSC Energy Committee and is now the co-chair of the WV/PA Water Compact, which has been very busy with a multitude of watershed issues that beset our state. He even blogs occasionally on Marcellus shale issues.

As a retired Chemical Engineer he has an impeccable scientific approach to issues. It's hard to even begin to calculate how much Duane has accomplished, or how much he continues to do. While songs haven't been written about Duane yet, we recognize him for his heroic deeds.

Regina Hendrix may seem like a mother hen, providing comfort to everyone she meets, but she is a force to be reckoned with when it comes to Mountain Top Removal issues. She made her voice heard as an active lobbyist while living in Charleston, and maintains her close ties with leaders in the MTR community. Regina was a key organizer of the recent march commemorating the 90th anniversary of the Battle of Blair Mountain. Regina's passion for doing what is right for our ecosystem makes her an effective voice for the mountains and a significant hero in our state.

Petra and John Wood have been extremely active for a number of years in fighting the Coresco fly ash impoundment that directly impacts the air and water near their home (see page 1 for details of their struggle). Their biggest victory to date has been the delay of the New Hill West Surface mining permit; however, WVDEP is now challenging this. The job of hero for the environment never really ends; their battle is ongoing and their persistence, undaunted. They truly deserve to be included in the songs of heroes of the Mountain State.

Solar Energy: What a Source of Power

Michelle Liefke, MTV Solar

Thomas Edison was noted to say, “We are like tenant farmers chopping down the fence around our house for fuel when we should be using Nature's inexhaustible sources of energy — sun, wind and tide. I'd put my money on the sun and solar energy. What a source of power! I hope we don't have to wait until oil and coal run out before we tackle that.”

Is there an insured investment that can combat an economic crisis and secure an energy future? We may not know the future of the stock market. But there is a sustainable solution to grow American jobs and a healthy financial future along with providing domestic, clean energy. It's solar energy.

How long have we been renting energy from utility companies? If we were given the option to eliminate some, or all, of our energy bills and own our energy within seven years, would we? Today, there are excellent incentives, thanks to federal and state initiatives. With the ever-increasing price of fossil fuel energy, many have chosen to invest in their own roof or ground space. In these times, people find it liberating to be an independent power producer and, at the same time, empowering to contribute to a more stable American economy. Whatever the reason for considering a solar energy system, it is more affordable now than ever to be empowered by the power of the sun. Sunlight is a free and infinite resource. It only needs to be collected.

If you are interested in exploring the possibility of adding solar power to your own home, here are two companies you might want to consider contacting for further information:

PIMBY (Power in My Backyard), based in Thomas, WV, has been installing photo voltaic and wind turbine systems in our state for several years. More information is available at the company's website: www.getpimby.com. Or, you may contact owner/operator Matt Sherald at: matt@getpimby.com or 304-704-5943.

Mountain View Solar & Wind, based in Berkeley Springs, WV, is currently offering a price break to Mountain State Sierrans and others who sign a contract with them before January 31, 2012. All those participating will be included in a Group Purchase Program to take advantage of bulk order pricing. The more panels purchased during this program, the better the collective price will be for those who are registered. For more details on the Group Purchase Program, please contact Michelle Liefke at 240-818-8333 or 877-96-SOLAR, or via e-mail at: michelle@mtvsolar.com. More info about the company can be found at their website, www.mtvsolar.com.

SierraFest 2011 in a Nutshell

For those who couldn't attend, here are highlights from SierraFest 2011, held Sept 30–Oct 2 at Camp Caesar in Cowen, Webster County.

Friday Evening

Ed Wiley gave a moving talk about his years-long quest for justice at Marsh Fork Elementary, where his granddaughter and other children got sick from nearby coal plant operations and lived in the shadow of a potential disaster from a gigantic coal sludge pond looming directly over the school.

After Ed's talk, we viewed the film *On Coal River*, which tells Ed's ultimately successful story.

Saturday

We started the day with a fun musical-chairs type icebreaker that got people up, talking, and learning about each other!

Our kick-off speaker, **Deb Nardone**, Sierra Club Natural Gas Reform Campaign Director, brought us up to date on national Sierra Club's gas campaign and energy policy, while we brought her up to date on the West Virginia Chapter's work on gas here. Deb is relatively new to national staff, and it was a nice opportunity to get to know her.

Delegate **Barbara Evans Fleischauer** briefed us on the progress of the Marcellus shale gas bill and Select Committee. She especially focused on the amendments. Twenty-two amendments strengthening the bill had been passed at that point, with four more pending.

Artist **Ann Payne** shared her very original art project memorializing the species wiped out at Dunkard Creek. Project artists created ninety varied and creative works, each illustrating one of the extirpated species.

Outings Chair **Dan Soeder** trained new leaders for our statewide outings program. Welcome, new leaders! Watch for more great outings.

Tim Guillefoile of the national Sierra Club Water Sentinels program told us all about this effective grassroots volunteer water monitoring program. With training and simple equipment, volunteers can provide vital information about water quality in areas of interest.

After lunch, attendees chose one of several short sessions to attend. **Dan Soeder** went over the best outdoor gear to have for different types of outings. **Mike Costello** of the West Virginia Wilderness Coalition shared ambitious plans for wilderness and other protective designations for our outstanding public wildlands. **Beth Little** briefed us on the latest developments on Marcellus Shale issues.

Awards Chair, **Jonathan Rosenbaum**, gave moving testimonials while presenting the annual West Virginia Sierra Club awards to the hugely deserving recipients.

After a delicious and filling dinner, we congregated to hear our keynote speaker, archeologist **Harvard Ayers**, give a fascinating account of the years-long battle to preserve famous (infamous?) Blair

Mountain, site of the pivotal Battle of Blair Mountain that strove to protect coal miner rights in 1921.

Singer-songwriter **Kate Long** shared her talents with us between speakers. Heartbreaking, inspiring, or funny; a capella or with guitar or autoharp, Kate sang her beautiful songs and let us sing along.

During the V-I-C-T-O-R-Y Session, we asked folks to share important recent victories.

Patience Wait and Keryn Newman, The PATH slayers gave a sometimes hilarious account of their long and successful battle to kill the unneeded and ill-conceived PATH power line.

Pam Nixon, WVDEP Environmental Advocate, told of the history of **MIC** (that killed thousands at Bhopal) in Charleston and the long struggle to get this potentially catastrophic poison out of West Virginia.

Petra and John Wood recounted their ongoing efforts to keep **toxic coal ash** out of their community in northern West Virginia.

Derek Teaney of Appalachian Mountain Advocates shared the “inside story” of the many victories his group has won representing Sierra Club on **Mountaintop Removal and other coal mine issues**.

Sunday

Silent Auction Wrap-up: The auction was a lot of fun, as well as a financial success. Folks are now eating, wearing, carrying, sleeping in, and paddling their auction prizes!

Upcoming Mon Group Meetings

Thurs, Nov 10, 6:30 pm
Friends Meeting House, Morgantown

We will share a potluck Harvest Supper together and watch *The Last Mountain*. This film is about Coal River Mountain and the fight by its communities to fend off mountaintop removal so that the mountain can survive and their lives can continue. For further info, contact Sally Wilts, [304-379-7567](tel:304-379-7567)

December meeting Time and Place TBD

Holiday open house in Morgantown to show off some of our work and accomplishments.

Please contact the Editor for submission guidelines or advertising rates.

Contributions to the newsletter may be sent to the Editor at

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Morgantown, WV 26508

Deadline for Jan/Feb issue December 8

Opinions expressed in the **Mountain State Sierran** are those of the contributors and do not necessarily reflect the opinions of the Sierra Club. This newsletter is published bimonthly by the WV Chapter of the Sierra Club and distributed to all paid members.

Perspectives on Outings

My Favorite Hike — *Dan Soeder* Outings Chair

Several of us were chatting recently at SierraFest about our favorite hikes. Everyone who has done some outdoor activities has collected many experiences that are mundane, some that are interesting, and a few that are spectacular. The spectacular ones stay with you for a long time, and can be retrieved like a favorite old book and savored in a quiet moment.

These thoughts were triggered by Pam Peitz remarking that she and a friend were planning an autumn hike on Mount Washington in the Presidential Range in New Hampshire. This happens to be one of my favorites. I hiked this area with my brother about ten years ago – we met up in the Appalachian Mountain Club lodge at Pinkham Notch, and left the next morning to hike to the top of the mountain. My late brother Jim had been a pretty rigorous hiker, doing a lot of strenuous trails out west and in Alaska, many of them solo. He bragged about going from the south rim of the Grand Canyon down to the Colorado River and back in one day, waltzing right past the trail sign posted by the National Park Service, which states that this is NOT considered a reasonable day hike. Not by most people, anyway.

So we ended up following a group of goofy French Canadians who were merrily singing folk songs in undecipherable, archaic French as they sauntered out of the AMC lodge and slogged uphill to Tuckerman Ravine. We chatted with some of them on the way, and they turned out to be pretty cool, if still a bit goofy. The ravine is misnamed – rather than the narrow, steep valley one might expect, it is instead a broad, bowl shaped feature called a cirque. These bowls were formed during the Ice Age as a glacier accumulated on a mountainside, and scooped out a round valley below it. Knife-edge ridges between adjacent cirques are known as arêtes, and if three of these ridges join up to form a pyramidal central peak, it is called a horn, as in the Matterhorn. A lake that occurs inside a cirque is a tarn, and ridges of soil and rock left behind by the melting glacier are called moraines. I love glacial terms – everything always sounds so exotic.

There was no tarn in the ancient cirque forming Tuckerman Ravine, just brush and grasses. The trail skirted one edge of the bowl, and then began a vertical ascent up

the headwall of the cirque. This was an amazing climb on stone steps set into the bedrock, with no guardrail, nothing to hold onto, and a thousand feet of empty space yawning out below us. Once we got out of the cirque, the remainder of the hike was a boulder hop across large rocks paving the mountaintop like some giant's idea of a cobblestone road. This part was actually quite tiring. The rocks were close enough together that they had to be gone over rather than around, but far enough apart that you couldn't just step from one to another – hopping was required. When we finally got to the top, people who had come up via the auto road were surprised to learn that we had walked. Their cars all had bumper stickers that said "This car climbed Mount Washington." I never did find any similar sticker for hikers. Still, there is no view on the Mount Washington auto road that comes close to resembling the scene from the stone stairway at the headwall of Tuckerman Ravine.

We noodled around the trails on top of Mount Washington for awhile and visited the weather observatory famous for foul weather (it is built like a bunker), before heading back down by another route along a ridge. There was no way I was going to hike face first down the headwall of Tuckerman Ravine. At least when hiking up, I could focus on the stone stairway. Going down required looking at (or at least acknowledging the presence of) a lot of empty space. I'm not usually afraid of heights, but this was special.

I never did get any of my pictures back from this hike. I had sent the film to be developed at a photo lab in Connecticut, and as best I could ever determine, my returning pictures were in the New York City post office transfer station inside the World Trade Center on September 11, 2001. So for me, this hike really does exist only as a memory.

I have other favorite hikes in the Spring Mountains of Nevada, the Sedona area in Arizona, the Grand Canyon, Death Valley, Yosemite, a few places in Hawaii and even several trails in West Virginia, like Dolly Sods and Blackwater. So what is your favorite? Think about it, and maybe suggest it as an outing. We'd all enjoy the memories, I'm sure.

See you outside!

Report on Mon Group's October Meeting

Sally Wilts, Group Chair

The Mon Valley Clean Air Coalition and the WV Chapter of Sierra Club sponsored a public informational meeting about the air pollution associated with shale drilling and processing on October 13. Joe Osborne, legal director for the Group Against Smog and Pollution (GASP) in Pittsburgh, was our speaker.

The most significant air pollutants generated by Marcellus Shale operations are volatile organic compounds (VOCs), nitrogen oxides (NOx), and a variety of air toxics such as benzene, toluene, and hydrogen sulfide. The amount of pollution that gas extraction and processing creates when all of these emissions are added together can be so overwhelming that areas with previously pristine environments fail to meet air quality standards, endangering the health of inhabitants.

In the Dallas-Fort Worth area, located in the Barnett Shale gas play, annual NOx and VOC emissions from the oil and gas sector exceed emissions from all motor vehicles. A 2008 analysis by the Colorado Department of Public Health and Environment concluded that smog-forming emissions from Colorado's oil and gas operations exceed motor vehicle emissions for the entire state.

In addition to being unhealthy in their own right, NOx and VOCs react with other compounds in the atmosphere to produce ozone and particulate matter. Much of the Northeastern U.S. already fails to meet federal health-based standards for ozone and particulate matter. The U.S. Environmental Protection Agency has recently proposed new rules to reduce air pollution from hydraulically fractured gas wells. EPA estimates that if these rules are adopted, air pollution from these wells will be reduced by more than 25 percent. Industry could save \$30 million annually by using technology already available.

The Group Against Smog and Pollution, Inc. (GASP) is a Pittsburgh-based non-profit citizens group working for a healthy, sustainable environment. Founded in 1969, GASP serves as a watchdog, educator, litigator, and policy-maker on many environmental issues with a focus on air quality in southwestern Pennsylvania. For more info, go to: www.gasp-pgh.org.

WVU SSC Update

Hannah Spencer

The Sierra Student Coalition at WVU has been hard at work this semester. Our main environmental concerns have been focused on two prominent issues in the state: Mountaintop Removal Mining and Marcellus Shale Drilling.

We are working closely with WV4MOM (West Virginia for a Moratorium on Marcellus) on natural gas drilling issues and are planning events to raise awareness of the environmental hazards presented by Marcellus drilling.

We also recently went on an outing to Kayford Mountain in southern West Virginia. A group of WVU SSC students attended the Changing of the Leaves Festival on Larry

Gibson's property. As an individual attending this event, I can honestly say it was eye-opening. We all agreed the scale of mountaintop removal mining does not become realistic until it is seen right before your eyes. Larry Gibson was a great speaker and we enjoyed the tour he led around his property. After attending this event, we all had new ideas to bring to the club meetings and we are excited to see the results of our future actions through the school year.

We expect to hold several events throughout the year and involve our group in the fights against Marcellus Shale Drilling and Mountaintop Removal Mining. Stay tuned for more updates!



View of MTR operation from Kayford Mountain. photo by Hannah Spencer

Upcoming Outings — Winter / Spring

Sat, Nov 5

Greenbrier State Forest, Hart's Run

rated easy — Follow the Hart's Run trail two miles along picturesque Hart's Run in an area of big white pines and mixed deciduous forest. This area offers many possibilities for easy hikes. Meet at Picnic Shelter #1, Greenbrier State Forest at 10 AM. Exit I-64 East at White Sulphur Springs, turn right 3 miles. Contact leader to register.

Leader: Frank Gifford, 304-653-4742, entropypawsed@gmail.com

Nearest town: Lewisburg, WV

Web info: www.greenbriersf.com

Sat, Nov 12

Cooper's Rock Autumn Adopt-a-Trail Service Outing

rated easy to moderate — This will be our third 2011 trail maintenance on Sierra Club's adopted Intermediate Cross Country Ski Trail at Cooper's Rock State Forest. The fall clean-up emphasizes clearing the fallen leaves, drainage restoration and trail clearing. Trail length is 0.6 miles and total hiking length is a 1.25 mile loop. Volunteers should wear sturdy boots and carry work gloves, water, and snacks. Adults and adolescents are invited and those under 18 years of age must be accompanied by a parent or a legal guardian. Volunteers will be required to sign a standard Sierra Club Liability Waiver and a DNR Volunteer Work Program Agreement. Please pre-register with the leader.

Leader: Ann Devine-King, 304-594-2636, atdking@gmail.com

Nearest town: Morgantown, WV

Web info: www.coopersrockstateforest.com

Sat, Nov 12

South Boundary Trail of Big Draft Wilderness

rated strenuous — 10 miles.

Leader: Frank Gifford, 304-653-4742, entropypawsed@gmail.com

Nearest town: White Sulphur Springs, WV

Web info: www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5090648.pdf

Sun, Nov 13

Valley Falls State Park

rated moderate — Hike down to the waterfalls on the Tygart Valley River between Grafton and Fairmont. This little-known and somewhat tucked away state park has arguably one of the prettiest waterfalls in the state. We will meet at the picnic area, view the falls and do several loop hikes through the park.

Leader: Dan Soeder, 304-568-2164, Dan.Soeder@sierraclub.org

Nearest town: Grafton, WV

Web info: www.valleyfallsstatepark.com

Sat, Nov 19

Black Rock and Annapolis Rock

rated moderate — Start at the AT trailhead off White Oak Rd in Smithsburg, hike up the Thurston Griggs trail to the Pogo Campground, go south on the AT to Black Rock and Annapolis Rock, which both have great views of the valley below. Total distance around 6 miles; some sections with rocky footing. Meet at 10 AM at the Food Lion in Smithsburg, MD.

Leader: Pam Peitz, 240-818-6554, pampeitz@comcast.net

Nearest town: Smithsburg, MD

Web info: http://rohland.homedns.org/at/state/state_detail/AT_state_detail.aspx?stateID=2%20§ionID=17

Sat, Dec 31

Deckers Creek and Caperton Trails

rated moderate — Finish off 2011 with a brisk walk on the Morgantown waterfront trails. Meet at Ruby McQuain Park in downtown Morgantown at noon for several out and back hikes totaling about six miles. Dress for the weather. Optional pub stop afterward for a hot toddy to warm up.

Leader: Dan Soeder, 304-568-2164, Dan.Soeder@sierraclub.org

Nearest town: Morgantown, WV

Web info: www.montrails.org

2012 Outings

Sat, Jan 21

Cacapon Resort State Park

rated strenuous — Although this hike covers a distance of only about 7 miles, it will be strenuous with steep uphill and downhill. Hiking time is about three hours. Please contact trip leader for details if you are unsure of your stamina. Dress for the weather, and bring plenty of water, lunch and snacks. If there is snow or ice, hiking poles are a good idea. Meet in the lodge at Cacapon Resort State Park at 10 AM (there is no admission charge to enter the park).

Leader: Pam Peitz, 240-818-6554, pampeitz@comcast.net

Nearest town: Berkeley Springs, WV

Web info: www.cacaponresort.com

Sat, Feb 11

High Rock

rated moderate — This is an out-and-back, approximately 5.5 miles roundtrip, fairly steep hike with easy footing on the AT. The hike starts on MD 491, and will last about 2.5 hours. Bring a snack or lunch for eating at the top on the rock outcropping, which has a great view. Meet at the Food Lion on Rt 64 in Smithsburg at 10AM. Contact leader for details.

Leader: Pam Peitz, 240-818-6554, pampeitz@comcast.net

Nearest town: Smithsburg, MD

Web info: www.summitpost.org/south-mountain



Hikers learn about Fort Martin Power Plant's new scrubbers on June outing along Morgantown Rail Trail.

Maryland Chapter Outings

Our neighboring chapter to the east has an active outings program, with many trips coming into West Virginia or western Maryland. These outings, by highly experienced leaders, range from easy to strenuous, and are open to everyone. Join an outing by checking out their calendar at

maryland.sierraclub.org

Allegheny Group Outings

Sierra Club members in the Pittsburgh area belong to the Allegheny Group. They have a moderately active outings program as well as links to other local outdoor activities. Visit their website for an outings calendar and more details at

alleghenysc.org

Potomac Region Outings (PRO)

This is an activity section of the Sierra Club Virginia Chapter, with an extensive outings program run by leaders who live in and around the Washington, D.C., area. A calendar of activities, information and updates can be found on their website at

www.sierrapotomac.org

West Virginia Chapter Outings

For updated listings of outings sponsored by the West Virginia Chapter, check our Chapter website at

westvirginia.sierraclub.org

Sat, Feb 18

X-C skiing at Blackwater Falls State Park

rated moderate — Cross-country ski on five to six miles of trails in Blackwater Falls State Park and Monongahela National Forest. The route will be from the Blackwater Falls Trading Post parking lot to Pase Point, with overlooks and great views of Blackwater Canyon. This outing is not for beginners; some moderate skill level on X-C skis is needed to enjoy this trip. All participants must supply their own equipment. Please pre-register with leader; outing will begin at 10 AM.

Leader: Brent Carminati, 304-567-2865, brentcar1@frontiernet.net

Nearest town: Davis, WV

Web info: www.blackwaterfalls.com

Sat, Apr 21

Laurel Fork Special Management Area

rated easy to moderate — Six mile loop day hike on trails following old railroad grades along two mountain streams with mini waterfalls and cascades. Most of the trail is easy, with an elevation change of about 700 feet, a few small creek crossings, some rocky areas of the trail, and one short switchback elevation drop. This is a great hike for beginners, but there is a limit of 10 participants. The hike will start at 10 AM in the Locust Springs Picnic Area off Rt 28 at the Pocahontas/Pendleton County lines. Contact leader for details.

Leader: Brent Carminati, 304-567-2865, brentcar1@frontiernet.net

Nearest town: Thornwood, WV

Web info: www.patc.us/hiking/destinations/va_lauref.html

Sat, May 19

Spruce Knob/Seneca Creek Backcountry

rated moderate — Enjoy a scenic 8-9 mile loop hike atop the tallest mountain in West Virginia. The hike will start at 10 AM on the Lumberjack Trail near the crest of Spruce Knob, then take the Huckleberry Trail down to the Seneca Creek Trail and return. Lumberjack and Seneca Creek trails are fairly level and easy trails; the Huckleberry section has a moderately steep downhill grade with rocky areas. Hike is okay for beginners. Participants should bring rain gear, lunch and water, and wear sturdy footwear. Camping is available nearby at Spruce Knob Lake. Please pre-register with the leader.

Leader: Brent Carminati, 304-567-2865, brentcar1@frontiernet.net

Nearest town: Whitmer, WV

Web info: Search Google for Spruce Knob-Seneca Rocks to get Forest Service websites



Abbreviations Used

| | |
|------|--|
| AMC | Appalachian Mountain Club |
| AT | Appalachian Trail |
| GWNF | George Washington National Forest |
| JNF | Jefferson National Forest |
| MG | Monongahela Group |
| MNF | Monongahela National Forest |
| NPS | National Park Service |
| NRA | National Recreation Area |
| NWR | National Wildlife Refuge |
| PFD | Personal Flotation Device (lifejacket) |
| SF | State Forest |
| SP | State Park |
| SNP | Shenandoah National Park |

Sierra Club Liability Policies For Chapter Outings

Sierra Club outings are open to everyone, members and non-members alike. Each outing is intended to be a wholesome, safe, and enjoyable experience in the outdoors. Participants must have suitable clothing, gear, and stamina, and are encouraged to select activities that match their individual abilities for outdoor adventures.

The Club offers a variety of outings from "easy" to "moderate" to "strenuous" that suit all activity levels. The difficulty of each outing is clearly designated in the announcement. Reservations are generally not required unless noted, but the outing leader may be contacted in advance for questions about the terrain, the difficulty and recommended gear.

Activities are normally held "rain or shine," but may be postponed at the leader's discretion for safety reasons in the event of inclement weather. Participants are reminded that all outdoor activities carry a degree of risk, and some take place in locations where professional emergency medical aid may be two or more hours away. People with health concerns should consult a physician to determine the advisability of participating in these or similar activities. The leader is responsible for the safety of all participants, and has the final authority to decide whether or not an individual may participate on a specific outing. Sierra Club safety policy requires that helmets be worn on bicycling outings, and a personal flotation device (PFD) be worn when using personal watercraft such as kayaks or canoes.

Unless noted in the announcement, Club outings are intended for adults. Children and

dogs are not normally permitted, unless an outing is so designated. Minors (under 18 years of age) must be accompanied by a parent or a legal guardian, or they must have both 1) a signed permission slip, and 2) the leader's prior consent to participate in the Club outing. Sierra Club outings officially begin and end at the trailhead.

Travel to the official starting point and back, even from an advertised meeting place, is the sole responsibility of each participant. While the Club encourages car-pooling, such arrangements are strictly between the riders and the drivers, and are not a part of the outing. Participants assume full responsibility and liability for all risks associated with such travel.

All participants on Sierra Club outings are required to sign a standard liability waiver, which can be viewed on the web at www.sierraclub.org/outings/chapter/forms or by calling 415-977-5630.

The Sierra Club does not charge for chapter outings, although payment of park entrance fees, a share of campsite rental costs, permit fees, equipment rental charges, etc. may be required from the participants. The Sierra Club practices "leave-no-trace" trail techniques, including hiking and camping on durable surfaces, minimizing campfire impacts, packing out all trash, respecting wildlife, being considerate of other visitors, and leaving the environment as it was found.

The Sierra Club's California Seller of Travel identification number is CST 2087766-40. Registration as a seller of travel does not constitute approval by the State of California.



Sierra Club

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www.westvirginia.sierraclub.org

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(Put name of recipient under subject)
Messages for legislators can be left at:
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Mail address:
Member, WV Senate or
House of Delegates
Bldg 1
State Capitol Complex
Charleston, WV 25305

website: www.legis.state.wv.us
has contact information for all state
legislators



Explore, enjoy and protect the planet

Preserve the Future

Not everyone can make a large gift to protect the environment during their lifetime, but you can preserve the environment for generations to come by remembering Sierra Club in your will. There are many gift options available. We can even help you plan a gift for your local Chapter.

For more information and confidential assistance, contact:

**Sierra Club
Gift Planning Program**
85 Second St, Second Floor
San Francisco, CA 94105
gift.planning@sierraclub.org • (800) 932-4270

For planned giving in West Virginia, contact Paul Wilson at 304-725-4360

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