

## **FOR IMMEDIATE RELEASE**

### **West Virginia Property Owners Seek a Halt to Construction of TrAIL and Clearing for PATH**

#### ***Allegheny Energy Ignoring PSC Orders to Protect Streams and Minimize Forest Clearing***

**Tucker County, West Virginia. October 19, 2009** – A group of property owners petitioned the West Virginia Public Service Commission (PSC) on Monday to halt clearing and construction by Allegheny Energy for their TrAIL 500 Kv transmission line. Local land owners claim that existing PSC orders that were designed to protect streams are not being followed and that Allegheny has already begun clearing the PATH 765 kV transmission line right-of-way in locations where the two lines are designed to run next to each other.

In a 2008 order, the West Virginia Public Service Commission ordered Allegheny Energy to minimize forest clearing and protect streams during construction of TrAIL. Local land owners have discovered evidence that Allegheny Energy is ignoring these orders. They have found that:

- \*Heavy equipment has been driven through the North Branch of the Potomac River during right-of-way clearing.
- \*The right of way has been stripped to bare earth in many areas.
- \*Trees are being leveled unnecessarily and Allegheny is ignoring PSC orders to leave trees in valley bottoms.
- \*Forest land is being cleared to twice the width of the approved right-of-way to accommodate construction of an additional transmission line that has not yet been approved by the state.

For details of the above violations and for photographs, see the the following paragraph:

In recent weeks, the petitioners have found that requirements of the PSC August 2008 order have not been followed by Allegheny Energy. They found: that Allegheny Energy has been clearing their right-of-way in a manner that resulted in heavy equipment

driving through the North Branch of the Potomac River (see photos: <[http://www.lic.wisc.edu/users/Trail/P8165140\\_tag.jpg](http://www.lic.wisc.edu/users/Trail/P8165140_tag.jpg)> and <[http://www.lic.wisc.edu/users/Trail/P8165138\\_tag.jpg](http://www.lic.wisc.edu/users/Trail/P8165138_tag.jpg)>); that in some areas Allegheny has removed every piece of vegetation, down to bare soil, across the entire 200 foot right-of-way (see photos: <[http://www.lic.wisc.edu/users/Trail/DSC07134\\_tag.jpg](http://www.lic.wisc.edu/users/Trail/DSC07134_tag.jpg)> and <[http://www.lic.wisc.edu/users/Trail/DSC07100\\_tag.jpg](http://www.lic.wisc.edu/users/Trail/DSC07100_tag.jpg)>); and that Allegheny has cleared trees to valley bottoms and at stream crossings even though the electric lines would be more than 100 feet above the ground and above the height of the trees (see photo: <[http://www.lic.wisc.edu/users/Trail/DSC07218\\_tag.jpg](http://www.lic.wisc.edu/users/Trail/DSC07218_tag.jpg)>). Aerial photographs taken during an October 11th fly-over by a volunteer pilot working with LightHawk obtained photographs of where Allegheny has cleared a 350 to 400 foot wide right-of-way up and over Backbone Mountain (see photo: <[http://www.lic.wisc.edu/users/Trail/PA110080\\_tag.jpg](http://www.lic.wisc.edu/users/Trail/PA110080_tag.jpg)>). The PSC approved Allegheny's TrAIL application for a 200 foot right-of-way, not 400 feet. However, Allegheny has applied to the PSC for permits for another transmission line called PATH, which would run parallel to the TrAIL line over Backbone Mtn.. This PATH transmission line has not yet received any permits.

The petitioners are asking the PSC to order a halt to construction of the TrAIL transmission line until compliance issues can be fully investigated by the PSC and until Allegheny shows that it intends to comply with the requirements of the PSC orders. They are further asking that Allegheny be ordered to halt all clearing for their PATH line until they have completed the permitting process for that line.

A leader in protecting the state's natural environment for more than 40 years, the West Virginia Highlands Conservancy (WVHC) (<http://www.wvhighlands.org>) is also disturbed at the disregard for environmental protection and non-compliance with PSC orders demonstrated by Allegheny Energy. WVHC power line committee spokesperson Frank Young said, "It is outrageous that Allegheny Energy so disregards Public Service Commission directives and so recklessly and unnecessarily disturbs what remaining natural resources there are in the vicinity of its power line construction." Thom Hildebrand, a recently retired Lt. Colonel in the Air Force, who owns land in Hardy County said: "It does not appear Allegheny took the Commission's requirements very

seriously. They have not minimized the impacts. In fact, they've constructed numerous large access roads for their convenience that are far away from the easement areas. In other areas, they cut everything in sight down to the bare soil, reducing mature forest to pulverized dust." Donna Printz, whose house is approximately a half mile from where Allegheny has cleared a 400 foot wide right-of-way up the side of Backbone Mountain said: "The destruction I see on this great mountain breaks my heart. The erosion into the streams really worries me." John Coleman, a biologist whose family has a farm in Tucker County said: "There isn't much to stop the soil from washing into the streams now. It's too bad, these are some great native trout streams and folks around here have been working hard over the years to protect them." He went on to say: "They told the PSC and the public that they would leave as many trees as possible especially in the valley bottoms and near streams. That would have been a big help in protecting the streams."

For a brief background on the TrAIL project and these violations see:

<[http://www.lic.wisc.edu/users/Trail/TrAIL\\_background.pdf](http://www.lic.wisc.edu/users/Trail/TrAIL_background.pdf)>

LightHawk is a non-profit organization that organizes flights to support environmental protection. LightHawk's mission is to champion environmental protection through the unique perspective of flight. [www.LightHawk.org](http://www.LightHawk.org)

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**additional links:**

pictures of the violations referenced to maps:

<<http://www.lic.wisc.edu/users/TrAIL/>>

copy of the complaint filed with the PSC:

<[http://www.lic.wisc.edu/users/Trail/Complaint\\_2009-10-19.pdf](http://www.lic.wisc.edu/users/Trail/Complaint_2009-10-19.pdf)>

multiple blog articles on TrAIL:

<http://calhounpowerline.wordpress.com/?s=TRAIL>

[http://wvhighlands.org/wv\\_voice/?s=transmission&x=0&y=0](http://wvhighlands.org/wv_voice/?s=transmission&x=0&y=0)

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