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Festival celebrates eventual return of Duke Lake

By C.R. Nelson For the Observer-Reporter newsroom@observer-reporter.com June 21, 2013 Publication: Observer-Reporter (Washington, PA) Page: 1B Word Count: 784

WIND RIDGE □ When National Sierra Club board member Robin Mann stood up at Ryerson Station State Park June 16 to share the good news, she had to talk above the rumble of a convoy of shale gas tanker trucks on Bristoria Road.

The sound carried across the grassy field that was once Duke Lake and echoed through Park Pavilion Two, where Mann was speaking.

It□s official, she informed the crowd that gathered around her, some still munching hotdogs and homemade cake. □Duke Lake will be restored. The dam should be completed by 2017.□

There was plenty of applause and some long faces □ especially among the kids. Four years is a long time to wait to get your lake back.

Mann was at the park to help the community celebrate its seventh annual Dryerson Festival. This summertime get-together with a mission to not forget Duke Lake began in 2005, when the dam on Duke Lake developed dangerous cracks. The decision to draw down was made and the dam was breached July 29, sending waters rushing downstream that stranded thousands of fish and other lake dwellers in the process.

Shocked neighbors and their kids who loved to fish and boat on what they considered □their lake□ scrambled to save what fish they could in hastily rounded up coolers that were taken to nearby ponds. But in the end, only a few were rescued and grief and anger turned into resolve to restore the lake.

That first year mourners set up cardboard tombstones in the parking lot of the park office and walked with lit candles to the dam and back. This year's event celebrated another kind of dry. After days of rain, the sun was shining as diehard fans of Duke Lake gathered to hear the good news, then march to the broken bulwarks of the dam with a big banner urging the powers that be to hurry up and "Dam it!"

Festival sponsors Coalfield Justice, Wheeling Creek Watershed Conservancy and the Sierra Club were there with the latest news about the legislative process between the Department of Conservation and Natural Resources and Consol Energy regarding the dam's damage and who would restore it.

"We've been involved for nearly a decade and we will continue to work to ensure that this beautiful public resource does not become another casualty of industry," Coalfield Justice executive director Patrick Greuter said. "The return of Duke Lake is long overdue. Like many of you, we also recognize that the settlement terms are not ideal. The settlement agreement is available on our website or in our office if you don't have access to the Internet."

Pavilion Two was surrounded by pop up tents and bustling with activity. Musician Tom Breiding played his guitar and sang original songs under the shade of a nearby tree as the festival happened around him. The Dryerson mascot, a beaver with a hardhat and T-square was there on paper for kids to color and a canoe sat beside the field that was once a lake, waiting for photo-ops.

Coalfield Justice members in colorful T-shirts passed out information about the dam settlement and signed up new members. Their information put events into a timeline that summed years of litigation:

"In 2008, DCNR filed a lawsuit against Consol for damages to the dam, but a court ordered DCNR to file a claim with DEP.

"In 2010, DEP issued an order finding Consol's activity at Bailey Mine responsible for damage to the dam, but Consol appealed the order.

□ In 2012, Judge Renwand visited the park to view the damage and a public meeting was held Jan. 26, 2013.

□ On April 24, the settlement between DCNR and Consol was announced. Consol withdrew its appeal and DEP withdrew its order. The settlement agrees that Consol will pay \$36 million to the Commonwealth and build the dam by 2017, finish a maintenance building in the park and eventually grant eight land parcels to DCNR after gas drilling has occurred.

□ In exchange, DCNR will lease all the gas rights under Ryerson Station State Park, with no surface drilling or water drawn from the park. Additionally, DCNR will allow longwall mining of 548,000 tons of coal at the Bailey East longwall panel 4L.

□ There are things you can do, □ new CCJ community organizer Veronica Coptis of Graysville said. □ Call DCNR and ask where they stand with the gas lease and the coal conveyance and if there will be public participation as they negotiate. You can keep an eye on the permits that are filed with the DEP, or conduct stream monitoring to evaluate water quality issues that may arise as a result of new shale gas drilling, especially at the headwaters of Duke Lake. But most of all, keep using the park! □

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