



# The Highlands Voice

Since 1967, The Monthly Publication of the West Virginia Highlands Conservancy

Volume 50 No. 11 November, 2017

## Federal Energy Regulatory Commission Approves the Atlantic Coast and Mountain Valley Pipelines

By John McFerrin

In two decisions issued together (two pipelines, two decisions) The Federal Energy Regulatory Commission (FERC) has approved both the Atlantic Coast and Mountain Valley Pipelines. The pipelines still need other approvals by state officials but, so far as FERC is concerned, the pipelines are approved.

While not articulating it this way, the decisions are based upon two principles. The first is that nobody wants a pipeline close to them but we've got to put them somewhere and this is as good a place as any.

The second is that the developers have looked at the environmental harms of the pipelines. There will be some environmental damage but (if the developers do what they said they will do and comply with the conditions FERC has set) the damage will be tolerable.

Throughout the review of the proposed projects many people had challenged the premise that we had to put them

somewhere. Many groups had submitted studies indicating that the pipelines were not needed. They pointed to such things as the rise of renewable energy and projections of demand for electricity that were lower than the developers had projected.

People had also pointed to the pipelines that already exist. There is already a pipeline—called Transco—that goes through the region and can meet much of the need. There are also improvements currently underway on the WB Xpress project, an expansion of the existing Columbia Gas Pipeline serving West Virginia and Virginia and connecting to Transco. Requiring just 3 miles of new pipeline, an additional compressor station and other modifications, this limited construction will add capacity nearly

equal to the ACP. There are also plans in the works to reverse the direction of Transco's flow of gas, making it able to supply more gas



Photo courtesy of Dominion Pipeline Monitoring Coalition

(More on p. 4)

### What's inside:

Thoughts from our President	2	Roster of officers	8	Glass museum	15
Methane rules surviving	3	Sadness	9	Best place to get stuff	16
Forestry legislation	5	Thanks for the 50 <sup>th</sup>	10		
Pipeline protest and FUN	6	Rock-paper-scissors for birds	11		
Readers write	6	Mine study update	12		
How to join	7	A reminder	12		
Get a history book	7	Get a Hiking Guide	13		
Poetry	8	Asking the Governor for help	13		
A book launches	8	Board highlights	14		

## Ramblin' the Ridges

By Cynthia D. Ellis

### Gerrymandering...or Mole Crickets?

It seems as if there's always a great deal that I want to learn about and share. But sometimes different topics wrestle for my attention. Mole Crickets pulled me one way. But, secondly, in November, political reforms vied for my time too.

Whoever heard of Mole Crickets? Who could pass up trying to find out more about a natural phenomenon, especially after seeing a cute mole-like face on an insect?

A story about Mole Crickets came my way on Mole Day, October 23---a day which has nothing to do with little mammals and is an entirely different digression. The stories about reforming American politics are constant.



Obviously, exploring crickets is appearing in first position in this column, even when conscience whispered that good governance is primary. After all, without governmental safeguards, crickets and all their kin could be in jeopardy.

But anyway, here is what anyone of us new to one species could find out.

These crickets are hard to catch, and they live in burrows on the edges of ponds and streams. Mole Crickets have the lowest song of our native crickets and each vocalization is actually 8 pulsed trills. [Song, and more, by West Virginian Wil Hershberger at <http://songsofinsects.com/crickets/northern-mole-cricket> ]

Tunneling is what they do well. Their body looks like a collection of spare parts, but is impeccably devised for burrow living. The wings are shortened, the form is bullet-

shaped and they have short, sturdy front legs well suited for digging.

Digging is what citizens are going to have to do to be active in ensuring that our government protects our environment. We regard the court system as one arena in which our causes have sometimes triumphed. Recently North Carolina is turning to politicized judicial races and we can remember our state's experiences concerning disclosure about campaign finances.

Here is what WV Citizens for Clean Elections has to say on the matter:

"In the past, West Virginia has been a leader in supporting a fair-minded judiciary. After a particularly egregious instance of secret money influencing the court, our state legislature enacted a landmark judicial public financing system to ensure our judges rule on the constitution and law, not based on special interest influence. They also passed a groundbreaking bill limiting contributions to independent groups and requiring the groups to disclose the identity of their controlling entities and donors. However, in recent years, new US Supreme Court rulings like *Citizens United* and the growth in new types of dark money spending

mean that these disclosure laws are not keeping up with the times. Our campaign finance disclosure laws must be revised."

More than one million dollars was spent in undisclosed funds with the West Virginia elections of 2107.

Efforts toward full disclosure are predicted to get little traction in 2018, as it is a state election year. But that does not mean we shouldn't keep bringing it to the attention of our lawmakers.

Gerrymandering, in addition to the matter of disclosure, is another area for concern.

We await a US Supreme Court decision regarding the partisan boundary making for voting areas...in this case, in Wisconsin. *Newsweek* magazine noted recently that district re-drawing by dominant political parties has come to mean that the

House of Representatives is "effectively selected by state legislatures every ten years, rather than elected by the people every two years."

Lots to learn. Makes a person want to go hide in a cricket burrow sometimes. But we'll continue to try to learn and share.

P.S.

We keep reminding you that we need volunteers. One person who heeded the call is our relatively new board member, George Hack. George read that we welcome folks to board meetings, so he came. And he came again. And then he offered his services as a board member. He listens intently and asks good questions. We appreciate his time with us.

Have you met our other new members on the board? Randy Kesling comes to us with background from Trout Unlimited. And Randy Rumer brings knowledge of karst areas and more through his affiliation with the West Virginia Cave Conservancy. There's two more helpful new contributors.

Finally, I will miss Dianne Bady. The founder of the Ohio Valley Environmental Coalition died last month, succumbing to cancer. Dianne was sweet, compassionate, and fierce. She persevered. Dianne made the world, especially our mountainous corner of it, a better place.



**The rule that would not die****Rule to Prevent Methane Waste on Public Lands Reinstated**

By John McFerrin

Once again the rule that would both reduce emissions and increase revenue from gas produced on public lands has survived Congressional and Legislative efforts to kill it. Last time it was the Senate to the rescue; this time it is a court. For now, at least, the rule survives.

**The problem**

The main manager of land that the federal government owns is the Bureau of Land Management, a part of the Department of Interior. Altogether it manages 245 million acres of land and 700 million acres of subsurface estate.

Much of this land has natural gas under it. In 2015 production from 96,000 onshore gas wells accounted for 11 per cent of the nation's natural gas supply. The production value of this oil and gas exceeded \$20.9 billion and generated over \$2.3 billion in royalties, which were shared with tribes, Indian allottee owners, and States.

One of the problems with this program is that we are wasting a lot of the gas. Some of it is flared (burned on site), vented (released to the atmosphere) or leaked. Gas that is leaked, flared, or burned is not sold, depriving the United States of royalties.

Royalty loss is not the only problem. The wasted gas harms local communities and surrounding areas through visual and noise impacts from flaring, and contributes to regional and global air pollution problems of smog, particulate matter, and toxics (such as benzene, a carcinogen). Vented or leaked gas contributes to climate change, because the primary constituent of natural gas is methane, an especially powerful greenhouse gas with climate impacts roughly 25 times those of carbon dioxide (CO<sub>2</sub>), if measured over a 100-year period, or 86 times those of CO<sub>2</sub>, if measured over a 20-year period. Thus, measures to conserve gas and avoid waste may significantly benefit local communities, public health, and the environment.

**The solution**

To fix these problems, the Bureau of Land Management proposed a rule that would require gas companies to stop or reduce the flaring, venting, and leaking at gas wells and compressor stations on public lands. After the public comment, etc. that is part of all rulemaking, the rule became final on January 17, 2017.

This was not entirely the Bureau of Land Management's idea. The Office of the Inspector General of the Department of the Interior (OIG) and the Government Accountability Office (GAO) had

both reviewed the leasing program and had raised concerns about waste of gas from Federal and Indian production.

Correcting the problem could be done at a relatively small net cost. The additional equipment and operational changes required to comply would have a cost. At the same time, the gas that had been wasted could be sold. According to Bureau of Land Management estimates, the value of the additional gas captured and sold would not entirely offset the additional cost of compliance. It estimates that gas company profits would decrease by an average of fifteen hundredths of one per cent as a result of the rule.

Problem solved. Less wasted gas, fewer methane emissions, United States gets royalties that otherwise would have just floated away on the winds.

**Unfixing the problem—first try**

On January 31 a resolution was introduced by Rep. Tom Cole (R-OK) voiding the rule. On February 2 it passed the House, with Congressmen Mooney, Jenkins, and McKinley all voting for it. An identical resolution was introduced in the Senate by Sen. Barrasso, (R-WY) with Sen. Capito (R-WV) as a cosponsor.

In the Senate, however, it was a different story. With Senator Manchin and three Republicans voting against, the resolution did not pass. The original regulation went into effect as planned.

**Unfixing the problem—second try**

In June, 2017, the Department of Interior announced that it was going to rescind the rule indefinitely. In doing so, it relied upon a provision of the federal Administrative Procedure Act which allows agencies to rescind rules which have not yet taken effect.

Litigation followed. In October, 2017, the District Court ruled that the Department of Interior could not rescind the methane rule. Because the rule had gone into effect in January the Department could not rescind it.

**Unfixing the problem—third try**

For now, the rule remains in effect. Having failed at the shortcut of just announcing that the rule was repealed, the Department has begun the formal process of repealing it. This would involve public notice, right to comment, etc.

We will eventually find out whether this will be three strikes and you're out or third time's the charm. For now, however, the rule remains in effect.

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.

*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 elsewhere in this issue. Electronic submissions 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](http://www.wvhighlands.org).

## FERC Approves Pipelines (Continued from p. 1)

to the region that would be served by the proposed Atlantic Coast Pipeline.

FERC rejected this approach in determining need. Instead, it relies upon there being customers who say they wish to buy the gas that the pipelines will transmit. If there are customers, then FERC assumes that the pipeline (or two pipelines) is needed. The developers of the Atlantic Coast Pipeline and the Mountain Valley Pipeline have submitted agreements with potential customers. The customers are subsidiaries or affiliates of the developers. FERC considered these agreements as the best evidence of need.

The FERC decision is also notable for what it does not contain. In comments upon the proposed pipelines, many had suggested that FERC take a more cumulative approach, looking at both existing pipelines and the need and impact for both new pipelines. FERC would have none of that. In the decision it declined to do what it called "regional planning." Instead, it takes what applications for new pipelines that come before it and decides on each application. If the developers say they have customers, then the pipeline must be needed and that's that.

Having satisfied what it sees as its primary duty and determined that the pipelines are needed, FERC moved on to determine that the collateral damage of the pipelines was tolerable. It described the environmental damage this way:

As discussed in more detail below, Commission staff considered specified impacts to be short-term to permanent, and forest fragmentation impacts to be significant. Commission staff concludes that constructing the pipelines in steep terrain or high landslide incidence areas could increase landslide potential, and, where waterbodies are adjacent to steep terrain, slope instability could have long-term and adverse impacts on water quality and stream channel geometry, and, therefore, downstream aquatic biota. Additionally, constructing the ACP Project facilities could significantly impact cave invertebrates and other subterranean species that occur in only a few known locations, and result in population-level effects on these species. For most other resources, impacts would be reduced to less than significant levels with the implementation

of mitigation measures proposed by the applicants and other mitigation measures recommended by Commission staff and included as environmental conditions in the appendix to this order.

FERC addresses these concerns in two ways. First, it considers the information and reaches the conclusion that the project is "environmentally acceptable." Second, it conditions this finding upon an assumption that the developers will build the pipelines according to a long lists of conditions that are appended to the decisions.

Doing things this way presents a difficulty. Many have long wondered just how developers intended to cross streams, lay pipe up and over steep terrain, operate in karst geology, etc. The approval doesn't say; neither have the developers. Instead, the approval decisions require that the developers file what is called an Implementation Plan which will explain how the developers plan to address these problems. The Implementation Plan will have to be filed with FERC before construction begins.

Doing it this way sidesteps the public. The Implementation Plans, which address many of the questions that concern the public the most, will be submitted to FERC and reviewed without any opportunity for the public to review or comment upon them.

### The dissent

Unlike most FERC decisions, this one was not unanimous. Commissioner Cheryl A. LaFleur voted against the approvals and filed a dissenting opinion. Much of her dissent was based upon what is for her, and many people, an unanswered question: These pipelines start in the same place and end up in pretty much the same place; do we really need two?

In the dissent she elaborated on her concern:

Deciding whether a project is in the public interest requires a careful balancing of the need for the project and its environmental impacts. In the case of the ACP and MVP projects, my balancing determination was heavily influenced by similarities in their respective routes, impact, and timing. ACP and MVP are proposed to be built in the same region with certain segments located in close geographic proximity. Collectively, they represent approximately 900 miles of new gas pipeline infrastructure through

West Virginia, Virginia and North Carolina, and will deliver 3.44 Bcf/d of natural gas to the Southeast. The record demonstrates that these two large projects will have similar, and significant, environmental impacts on the region. Both the ACP and MVP cross hundreds of miles of karst terrain, thousands of waterbodies, and many agricultural, residential, and commercial areas. Furthermore, the projects traverse many important cultural, historic, and natural resources, including the Appalachian National Scenic Trail and the Blue Ridge Parkway. Both projects appear to be receiving gas from the same location, and both deliver gas that can reach some common destination markets. Moreover, these projects are being developed under similar development schedules, as further evidenced by the Commission acting on them concurrently today.

The dissent identifies two alternatives that the FERC staff actually evaluated which would have eliminated this duplication. One would have been what was called the MVP Merged Systems Alternative. It "would be 173 miles shorter than the cumulative mileage of both projects individually. This alternative would also increase collocation with existing utility rights-of-way, avoid the Monongahela National Forest and the George Washington National Forest, reduce the number of crossings of the Appalachian National Scenic Trail and Blue Ridge Parkway, and reduce the amount of construction in karst topography."

The FERC staff rejected this alternative because, essentially, the two separate pipelines were already planned. Starting over with a merged route would have resulted in delays.

The FERC staff also considered a single pipeline alternative that would have used a single pipeline along the ACP route to deliver both the MVP gas and the ACP gas. This alternative would have eliminated all impacts along the proposed MVP route.

The dissent also questions FERC policy on evaluating the need for the pipelines. Although its written policy would allow it to consider more things, FERC has traditionally decided upon the need for the

**(Finishing up, really. A little more on the next page)**

## The Rest of the Pipeline Story (Continued from p. 4)

pipeline by looking at what it calls “precedent agreements.” These are essentially contracts in which customers agree to buy the gas that is delivered.

In this case, the pipelines have precedent agreements which show that there are customers for the gas. The precedent agreements by ACP largely involve selling gas to subsidiaries and related companies so that they are selling gas to themselves. The dissent suggests that the Commission should look beyond these agreements and consider more information before deciding whether there is a need for new pipelines.

### The future

Although FERC is finished, at least for now, with the Atlantic Coast Pipeline and the Mountain Valley Pipeline, that does not mean that they will be built. This decision will almost certainly be appealed.

There are also other battles. Environmental regulatory agencies in the three states that one or both pipelines will pass through must still certify that the pipeline will not degrade the waters of that state or cause a violation of state water quality standards. There are proceedings going on in West Virginia, Virginia, and North Carolina. There was a long story about this in the October, 2017, issue of *The Highlands Voice* if you still have that lying around or want to look at it on line at [wvhighlands.org](http://wvhighlands.org).

There is also the permission from the United States Forest Service to cross the Monongahela and the George Washington National Forests. The Forest Service has issued a preliminary approval. When that approval becomes final, there will almost certainly be an appeal.

Finally, there are rights of way disputes. A lot of landowners along both routes are fired up and will not surrender rights of way willingly or easily. Both pipelines face a series of battles. The FERC decision gives the developers the right to use eminent domain to acquire rights of way. This is a powerful tool which makes the battles easier for the developer but does not eliminate them.

In short, developers of both pipelines are doing their happy dances at the FERC approval and they have a right to feel encouraged. At the same time, it’s not over till it’s over and it’s not over yet.

## Resilient (?) Forests Act of 2017: a Bill Worth Watching

By John McFerrin

This summer’s wildfires have focused attention on forest management practices that could make fires less devastating. While there is widespread agreement that changes in forest management have that potential, this attention could also be an opportunity for those who seek to tilt management of the public lands toward more timbering.

One of these attempts is the Resilient Forests Act of 2017. The House Committee on Natural Resources says it “streamlines onerous environmental review processes.” The Committee assumes that, freed from onerous environmental review, managers of public lands and the timber industry could cooperate to usher in a new era of enlightened and effective forest management.

To accomplish this, the bill would largely undo the National Environmental Policy Act (NEPA) as it applies to certain forest management decisions. NEPA opens the door to public participation in major federal actions. One person’s “onerous environmental review” is another’s open and accountable government.

Among other things, the bill would

- Increase the size of logging projects up to 30,000 acres.
- Open the door for clear cutting of 10,000 acres for any purpose.
- Allows the opening of some roadless areas for roadbuilding and logging
- Allow herbicide spraying on over 15 square miles near rural/urban interfacing communities with minimal public notification and no analysis by the Forest Service as to the effects on human health and safety.
- Eliminate and/or constrain the ability of citizens to challenge federal forest management decisions in court.
- Eliminate judicial review of the chosen project.
- Exempt the Forest Service or the Bureau of Land Management from consulting with the U.S. Fish and Wildlife Service.

In addition to provisions on forest planning etc., the bill would also authorize a declaration of a natural disaster for major forest fires. This would allow funds that are now dedicated to such disasters as hurricanes, floods, etc. to be used to fight fires. Currently agencies faced with a major forest fire have to use money they would have spent on something else. This bill would make disaster relief funds available so that the agencies would not have to do that.

The bill has been approved by the House Committee on Natural Resources. It may be voted upon very soon, possibly by the time you read this. If it is unable to pass as a stand-alone bill, it is possible that its provisions will be attached to the Farm Bill. The Farm Bill funds and reauthorizes many agricultural programs. Although its exact language is subject to lobbying, negotiation, etc. every year, it affects such a big fraction of the economy that it is considered a “must pass” bill.

### Meanwhile, in state news

In September the North Carolina Department of Environmental Quality has rejected the Atlantic Coast Pipeline’s erosion and sediment control plan. While the rejection was a hopeful signal that the Department is taking its review duties seriously, it was far from a “hit the road, Jack, and don’t you come back no more, no more ...” kind of rejection. The problem was that the developers had not submitted sufficient information. The rejection letter listed three pages of ways in which the application was incomplete. If the developers turn in the information, the Department will take another look.

## An Open Letter to Governor Jim Justice

Office of the Governor  
State Capitol  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305

Honorable Governor Justice,

There are, and have been a number of plans for new electricity transmission lines and natural gas pipelines in West Virginia. The lines cross our beautiful mountains and damage our environment while exporting West Virginia's valuable resources: all to provide energy for new jobs in Virginia, North Carolina, Ohio, and beyond. Dominion Resources, Inc.'s press release announces that "ICF also found that more than 2,200 full-time, permanent jobs could be created in the two states because of the lower energy prices."<sup>1</sup>

Dominion Resources, Inc. says "Consumers and businesses in Virginia and North Carolina could save an estimated \$377 million annually in lower energy costs thanks to the proposed Atlantic Coast Pipeline, according to an analysis by Virginia-based consulting firm ICF International."<sup>2</sup> The same pipeline will eventually transmit natural gas to the Cove Point, Maryland liquid natural gas facility for export, and raise natural gas prices for all Americans.

You have a unique opportunity to minimize our environmental damage while creating jobs in West Virginia. Create two new laws. The first law being a substantial tax on all energy mined, drilled, or created in West Virginia, taxing both British Thermal Units (BTUs) and kilowatts. The second law creates an immediate refund of the tax for all energy used in West Virginia. This will be an incentive to move jobs to West Virginia, the source of energy instead of in other states. This would encourage the industries that want to use our gas, coal, and oil to locate here; bringing jobs and taxes. It might also make companies more responsible when they live where the energy is created, mined, or drilled. Very few people soil their kitchens.

As the transmission projects dwindle in size, or even prove uneconomical and are abandoned you save West Virginians the destruction of our beautiful state. Imagine... jobs and environment at the same time without hurting the West Virginia energy producing industries. This is a win – win – win for West Virginia.

I look forward to reading where you introduce and sign this legislation.

Respectfully,  
Tim McGowan  
Davis, WV

---

1 Source: <http://dom.mediaroom.com/2015-02-11-Atlantic-Coast-Pipeline-Estimated-To-Save-Consumers-Businesses-377-Million-Annually-In-Energy-Costs-Analysis-Says>

2 Source: <https://www.dom.com/corporate/what-we-do/atlantic-coast-pipeline/benefits-and-economic-impact>



The West Virginia Highlands Conservancy helped sponsor a recent anti-pipeline celebration focused on Monroe County, Peters Mountain, and the Greenbrier River. On October 7, a sunny Saturday, about a dozen groups hosted a day-long event at Camp Summers near Forest Hill, on the banks of the Greenbrier. Folks enjoyed a delicious buffet superintended by Ashby Berkley, enjoyed music by "Rush Run Philharmonic" and "Bicycle," and heard words of information and encouragement by representatives of the hosting groups. WVHC is grateful to member Mark Blumenstein for encouraging our participation.

**Join Now !!!**

Name \_\_\_\_\_

**Membership categories** (circle one)

Address \_\_\_\_\_

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

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

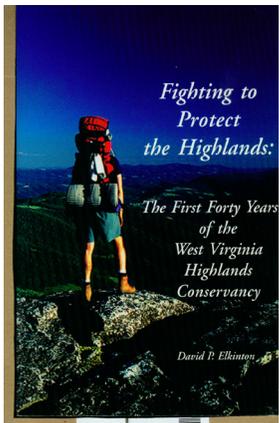
Mail to West Virginia Highlands Conservancy, P. O. Box 306, Charleston, WV 25321

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

You may also join on-line at [www.wvhighlands.org](http://www.wvhighlands.org)

**GET A GREAT HISTORY BOOK**

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.



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 \$15.95, plus \$3.00 shipping, visit the Conservancy's website, [wvhighlands.org](http://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 \$15.95 plus \$3.00 postage. We are offering it as a premium to new members. New members receive it free with membership.

Existing members may have one for \$10.00. Anyone who adds \$10 to the membership dues listed on the How to Join membership or on the renewal form will receive the history book. Just note on the membership form that you wish to take advantage of this offer.

**Tell a Friend!**

If you have a friend you would like to invite to join the West Virginia Highlands Conservancy just fill out this form and send it to West Virginia Highlands Conservancy, Box 306, Charleston, WV 25321.

Person you wish to refer: \_\_\_\_\_

Address: \_\_\_\_\_

Email \_\_\_\_\_

Your name: \_\_\_\_\_

Filling out the form, etc. is, of course, the old school way of doing things. If you prefer, just email the information to Beth Little at [blittle@citynet.net](mailto:blittle@citynet.net).

The way it works: Anyone you refer gets *The Highlands Voice* for six months. At the end of the six months, they get a letter asking if they want to join. If they join, we're happy. If not, then maybe next time.

**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.

## JUNCO

*Seen with the eye of contemplation, creatures are vestiges, the very footprints of God.*

-- St. Bonaventure

A gray bird in a red bush,  
 an empty stream of stones and brittle leaves,  
 a chattering song sung, then followed  
 by a silence that lifts up the sky,  
 lifts the sky with an echoing  
 that fills the world  
 as if the world  
 were no bigger than this room  
 and this room, porous with mystery,  
 and now shot with light,  
 becomes the place  
 within which I might walk  
 forever out of time  
 along a dry stream bed  
 behind the chattering of a bird,  
 this bird who,  
 no bigger than the palm of my hand,  
 seems to know the way  
 better than I.

By Marc Harshman

**Editor's Note: This poem was read aloud at the celebration of the life of Kaye Thomas, wife of Larry Thomas.**

### Still in need of something to read?

Longtime West Virginia Highlands Conservancy member and occasional contributor of poetry to *The Highlands Voice* Betsy Reeder has published her first novel—*Madam's Creek*. She is having a book launch from 1-3 on November 11 at the library in Hinton. There will be cookies.

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

PRESIDENT: Cynthia D. Ellis, 3114 Steel Ridge Road, Red House, WV 25168, (304) 586-4135, cdellis@wildblue.net  
 SENIOR VICE PRESIDENT: Larry Thomas, P.O. Box 194, Circleville, WV 26804, (304) 567-2602, larryvthomas@aol.com  
 VICE PRESIDENT FOR FEDERAL AFFAIRS: Marilyn Shoenfeld, 167 Balsam Way, Davis, WV 26260, (304) 866-3484, marilyn.shoenfeld@gmail.com  
 VICE PRESIDENT FOR STATE AFFAIRS: Frank Young, 33 Carnian Ford Road, Ripley, WV 25271, (304)372-3945, fyoung@mountain.net  
 SECRETARY: John McFerrin, 202 Van Tassel Court, Morgantown, WV 26508, (304) 291-8305, johnmcferrin@aol.com  
 TREASURER: Bob Marshall, 2108 Emma Road, Kenna, WV 25248, (304)545-6817, woodhavenwva@aim.com  
 PAST PRESIDENT: Hugh Rogers, 531 Moon Run Road, Kerens, WV 26276, (304)636-2662, hugh.rogers@gmail.com

DIRECTORS-AT-LARGE (Terms expire October 2018)  
 George E. Beetham Jr., 2819 Mt. Carmel Avenue, Glenside, PA 19038, (267) 252-3748, geobeet@hotmail.com  
 Jackie Burns jackie.burns@frontier.com.  
 Bill McNeel, 1234 Jericho Road, Marlinton, WV 24954, (304) 799-4369, wpmcneel@gmail.com  
 John Terry, 907 Grasslick Run, Montrose, WV 26283; farmerstwo@msn.com; (304) 637-3020  
 Randy Kesling, 116 Farm Meadow Drive, Bridgeport, WV 26330; (304) 622-5982; rkesling@MA.RR.com

DIRECTORS-AT-LARGE (Terms expire October 2019)  
 Adam Casseday, 212 Davis and Elkins St, Elkins, WV 26241, 304-636-4944, dr\_casseday@yahoo.com  
 George Hack; 510 HANNA RD; Bel Air, MD 21014; 443 742-0463 george.hack@db.com  
 LeJay Graffious, P.O. Box 69, Bruceton Mills, WV 26525, lejay@oldhemlock.org  
 Rick Webb, 481 Ravens Run Road, Monterey, VA 24465, (540) 468-2881, rwebb@virginia.edu

### ORGANIZATIONAL DIRECTORS

WEST VIRGINIA CAVE CONSERVANCY: Randy Rumer; 295 Caraway Lane Renick, WV 24966; (304) 497-2657rrumer@frontier.net  
 PITTSBURGH CLIMBERS: Buff Rodman, 32 Crystal Drive, Oakmont, PA 15139, (412) 828-8983, buffrodman@hotmail.com  
 BROOKS BIRD CLUB: Cynthia D. Ellis, 3114 Steel Ridge Road, Red House, WV 25168, (304) 586-4135, cdellis@wildblue.net  
 MOUNTAINEER CHAPTER TROUT UNLIMITED: Chris Byrd, 292 Magnolia Avenue, Clarksburg, WV 26301, (304) 622-3023, cbyrd@ma.rr.com  
 WEST VIRGINIA RIVERS COALITION: Don Garvin, P.O. Box 666, Buckhannon, WV 26201, (304) 395-0078, DSGJR@aol.com  
 FRIENDS OF THE LITTLE KANAWHA: Cindy Rank, 4401 Eden Road, Rock Cave, WV 26234, (304) 924-5802, clrank2@gmail.com  
 TEAM (Taylor Environmental Advocacy Membership): Beth Baldwin, 222 Westwood Ave Bridgeport, WV 26330; elbrn6e21@msn.com  
 ALLEGHENY HIGHLANDS ALLIANCE: Dr. Wayne C. Spiggle, 3987 Knobley Road, Keyser, WV 26762, 304-726-4868, wspiggle@mac.com  
 SHAVERS FORK COALITION: Jim Van Gundy, 210 Buffalo Street, Elkins, WV 26241, (304) 636-4736, jjvg01@gmail.com

### COMMITTEE CHAIRS

EXTRACTIVE INDUSTRIES COMMITTEE: Cindy Rank, 4401 Eden Road, Rock Cave, WV 26234, (304) 924-5802, clrank2@gmail.com  
 PUBLIC LANDS MANAGEMENT COMMITTEE: Marilyn Shoenfeld, 167 Balsam Way, Davis, WV 26260, (304) 866-3484, marilyn.shoenfeld@gmail.com  
 WIND ENERGY COMMITTEE: Peter Shoenfeld, 167 Balsam Way, Davis WV 26260, (304)866-3484, pshoenfeld@gmail.com  
 LEGISLATIVE COMMITTEE: Frank Young, 33 Carnian Ford Road, Ripley, WV 25271, (304) 372-3945, fyoung@mountain.net  
 ENDOWMENT FUND COMMITTEE: Larry Thomas, P.O. Box 194, Circleville, WV 26804, (304) 567-2602, larryvthomas@aol.com  
 RIVERS COMMITTEE: Vacant  
 HIGHWAYS COMMITTEE: Hugh Rogers, 531 Moon Run Road, Kerens, WV 26276, (304) 636-2662, hugh.rogers@gmail.com

### MISCELLANEOUS OFFICES

WEB PAGE – DIGITAL PUBLISHING: Dan Radmacher, (540) 798-6683, dan.radmacher@writingleft.com

### ADMINISTRATIVE OFFICES

MEMBERSHIP SECRETARY: Beth Little, 214 Black Gum Lane, Hillsboro, WV 24946, (304) 653-4277, blittle@citynet.net  
 HIGHLANDS VOICE EDITOR: John McFerrin, 202 Van Tassel Court, Morgantown, WV 26508, (304) 291-8305, johnmcferrin@aol.com

## A Giant, and a Friend, Passes

Born in Watertown, Wisconsin, Dianne was the oldest of eight children that Josephine and John McFarland would bring into the world, followed by Jerry, Betty, Linda, Hannah, Monica, Dan, and Laura.

Of growing up on a dairy farm, Dianne fondly recalled riding cows (and eventually horses) and picking asparagus at dawn before school (less fondly). From the McFarland family farm, she took a deep respect for the Earth—and a love for organic food—and from her family, she acquired a streak of stubborn love as broad and all-encompassing as the vast Midwestern plains.

At the University of Wisconsin, Dianne's studies—as she enjoyed remembering—were bathed in tear gas and protest, and at



Rutgers University, she pursued a doctorate in psychology. There she met her husband Richard Bady, and after she brought him back to Wisconsin, their son Aaron was born.

It was in Ladysmith, Wisconsin, that her life as an environmental activist began: When an enormous open pit copper mine was planned for her county, she sought out like-minded neighbors and together they organized to demand adequate health and safety regulations.

When she moved to West Virginia with her family, Dianne struggled at first to adapt to the mountains

that she would spend the rest of her life fighting to protect. She felt smothered by the hills and lost in the hollers and she was homesick for the great flat of Wisconsin. And then, one day, the mountains began to sing to her, as did the birds and the streams; she began to fill her life with flowers, and, since then, there has never been a day, in season, when she couldn't see daffodils, hostas, and daylilies from her home, or the ground where she would plant them.

Dianne was always been a gentle soul, with her flowers, her family, and her kitties. But when BASF announced plans to build a hazardous waste incinerator and landfill near Huntington, WV, in Haverhill, Ohio—facilities that would bring toxic waste to the Tri-State region from across the country—Dianne became a warrior. Along with a group of like-minded “living room” activists, she refused to believe that what the region needed was industrial poison, or that the best thing Appalachians could hope for was to be the nation's trash can. They won, and when the facility was never built, their struggle caught the attention of residents of Kenova, WV, who were suffering from industrial fallout from an Ashland Oil refinery. When

she joined them in their effort, and as she traveled the region and listened and learned and studied, she began to see the region as a mosaic of struggles.

In 1987, she formed OVEC, the Ohio Valley Environmental Coalition, a group of volunteers and weekend warriors that, over three decades, has grown to a fully-staffed, internationally recognized force for environmental justice, with Dianne at its center: founder, visionary, and leader.

Over the last three decades, OVEC has made it easier to breathe the air in the region, and safer to drink the water. A planned pulp-and-paper mill was never constructed in Apple Grove, WV, and never filled the Ohio River with dioxin and other carcinogens. But OVEC has worked on a host of connected issues, from election reform to clean energy technologies, like solar and wind. In particular, OVEC has worked to slow and control the plague of mountaintop removal coal mining, forcing rogue operations into compliance with the law and helping citizens empower themselves to speak up on the fates of their communities.

In her last years with the organization, Dianne turned her energies to the next fossil fuel frontier, the spider-web of natural gas pipelines slated to crisscross the state. It was her final obsession, and she has bequeathed it to us. Though Dianne suffered from three bouts with cancer in her life, even in her final days, she insisted on seeing a mirror of the struggles of other people. “If the Appalachian Storage Hub is built,” she demanded—with what breath she had left—“how much cancer will be caused by contaminated drinking water?”

Dianne McFarland Bady died after a short illness, but a long struggle. Her final days came much too soon, and we are bereft. But she departed with her friends and family at her side, and her soul was at peace. Although it took an incurable cancer to force her to finally retire, OVEC will continue and nothing can kill Dianne's vision.

Her family and community<sup>6</sup> mourn her loss and honor her memory and legacy. Her beloved dog Holly still waits, at home, for her return.

**Note: This first appeared on the website of the Ohio Valley Environmental Coalition.**

### Send Us a Post Card, Drop Us a Line, Stating Point Of View

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

## Giving Thanks ... for the 50<sup>th</sup>

By Cindy Rank

A great big **THANK YOU** from the planning committee for the 50<sup>th</sup> Anniversary blowout at Canaan Valley in September. It was a lot of work, but great fun.

It would be impossible to thank everyone individually without leaving someone out, but we want to at least mention and give thanks to the following:

--- to the Board for the ideas and suggestions offered from the first mention of having a 50<sup>th</sup> celebration back in 2015;

--- to the panelists and other presenters who gave of their time, sharing knowledge and insightful comments... for the music and memories and food for thought;

--- to the outings leaders and other volunteers who helped us enjoy the wonders of Canaan Valley, helped facilitate the weekend, and made every moment special;

--- to those who generously donated items for and those who made purchases from the silent auction;

--- to the many partner organizations who brought and shared information about their activities and mutual efforts on behalf of a healthy and safe environment;

--- to the staff at the resort for the accommodations, service, hearty breakfasts, breakout snacks, and great dinner buffet;

--- to the folks at White Grass for our box lunch delights Saturday and Sunday;

--- and of course, to Dave Saville hired late last year as our official Event Planner to polish and finalize details, to pull it all together and get the word out.

We hope everyone enjoyed the time to be immersed in the natural wonders and beauty of Canaan and Tucker County, to renew old friendships and make new ones, and to reflect on the Conservancy's achievements past and present -- from Friday night's focus on past successes involving Canaan Valley Wildlife Refuge and the Monongahela National Forest, to Saturday's attention to current and ongoing challenges of protecting our communities and land and water resources from indiscriminate development of coal and gas, to Sunday's exploration of climate concerns and options for living in harmony with our environment.

In her President's column in the October Voice Cindy Ellis reflected on some specific highlights of the weekend. Other members and friends emailed comments about the celebration. --- Below are some of our favorites.

P.S. -- Remember to check out the pictures from the event now posted on the Highlands Conservancy's website at: <https://wvhighlands.org/celebrating-50-years/>. And do please forward any additional photos you might want us to add.

~~~~~

Can you imagine West Virginia without the Highlands Conservancy? Neither can I. Places like Dolly Sods and Otter Creek are now part of our DNA as West Virginians, defining who we are and what we will pass on to our kids. You deserve a monument for 50 years of heartfelt, science-based advocacy for public lands, mining controls, and forest restoration...and your monument will not be cast in

bronze, but rather in the quiet of a starlit night above the spruce forest and in the brook trout tugging on the line.

~~~~~

The 50<sup>th</sup> Anniversary of the WVHC! An exciting time! I can think of no place I would rather be on September 15-17 than celebrating with the present generation of leadership and membership in Canaan. ... The WVHC has been central to preservation of places and areas that now serve as a backbone and manet for a thriving and growing tourism industry. (Not to mention places for members to "play.") The WVHC has also been instrumental in curtailing some activities that have deleterious effects on human health for everyone in West Virginia and those Americans living and working downwind. I hope the next 50 years are as productive as the last!

~~~~~

... [To] all who produced the wonderful and spectacular 50th Anniversary celebration, the 50th Anniversary Celebration was the first time I got to be with the WVHC since the early 1990s when I first learned about and joined the Conservancy. All in attendance were welcoming, friendly, and a pleasure to be with. Thanks for accepting me into your midst. It was a great pleasure to be with each and all of you.

It was an exciting pleasure for me to be so warmly welcomed by all the "heroes" I had read about in the Voice for maybe 30 years. They are better than I expected and are on the next level above "heroes". What would that be?

Each of the sessions I attended was excellent, none better than the other.

So many organizations do not survive 50 years. So many organizations do not study their concerns like the WVHC does. It is a model and the handbook is the Elkinton 40-year history.

... Somehow, it seems to me, the health and safety of the Highlands is inseparably connected to and dependent on the community spirit and economic prosperity of the whole Mountain State.

... be assured that I look forward to the Highlands' and WV's future, because the WVHC will at work.

And thanks again to all for the welcome I enjoyed at the 50th Celebration.

~~~~~

It was a real pleasure to meet so many of my heroes of the environmental effort here in WV. Loved it all -- the conversations, the talks, especially the Saturday evening panel, the bird walk, and my own solo wanderings into the forest. I only wish Wheeling weren't so far away, nor my schedule so full.

Wishing you all the best.

~~~~~

We really enjoyed the conference. The speakers were informative and interesting. We loved the chance to have a guided trip on the Blackwater river-it was spectacular.

The food and conference center rooms were nice (except the room was cold).

Thanks very much for everything!

**(More on the next page)**

## More About the Celebration (continued from previous page)

~~~~~  
 ... It was a pleasure to see old friends and meet new ones, and hear of the organization's recent accomplishments.

... the meeting was a great excuse for us to spend time in the Highlands. We visited Blackwater Falls, Davis, Thomas, Parsons, Elkins, and the top of Spruce Knob.

~~~~~  
 I liked the kayak trip a lot. Food was great. Cave trip was good. Andy's walk was good.

~~~~~  
 ... just read the write-up of the 50th. must have been great and made me homesick. ... wish I could have been there –

~~~~~  
 The Celebration was excellent. [We] had a great time, learned a lot & are still telling our friends about it. You [all] did a terrific job. Just hope we don't have to wait another 10 years for the next one! Maybe in 2022 for 55 years but on a scaled down version. We'd be happy to volunteer to help organize.

Especially enjoyed the Kayak trip & the Sinks of Gandy.

~~~~~  
 Thanks to everyone on the planning committee, I had a great time at WVHCs 50th. I particularly enjoyed the opportunity for an easy paddling trip on the Blackwater - even the not-so-easy haul around beaver dams & other obstacles. Thanks again to Chip Chase & Mary Wimmer for that trip. 10 years after my last visit WVHC is more vital than ever. I look forward to whatever the future brings.

~~~~~  
 Overall, a great celebration. Congratulations to the organizing committee for all the hard work.

A great combination of outings and skull sessions: always a hard balance at Conservancy events

Mollohan was a good choice of keynoter.

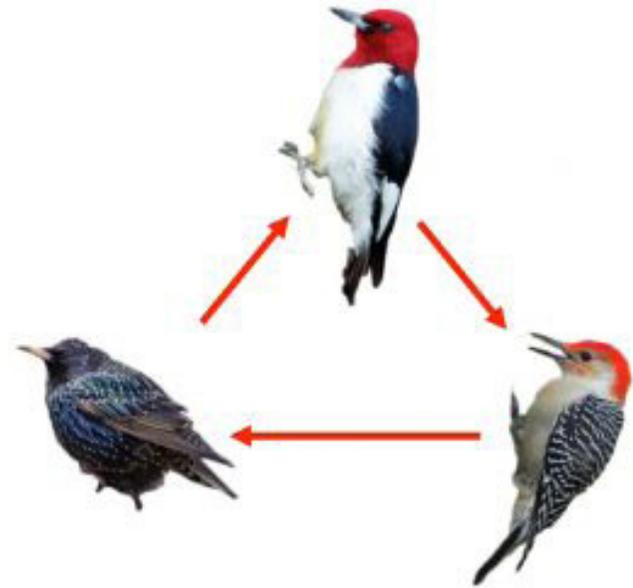
... loved the birding opportunities ... and enjoyed reconnecting with so many old-timers.

~~~~~  
 ... very well done. I especially liked the panel discussions, the slide show and the music..... especially liked the fella who demonstrated some of the atmospheric compounds using the tennis ball contraptions

## Watching Birds and Seeing Who's Boss

Through its Project Feeder Watch, the Cornell Laboratory of Ornithology has begun gathered data on what it calls "dominance hierarchy." This involves watching birds' behavior at feeders and learning who's got the 'upper wing' when it comes to competition at the feeder. Who gets displaced by whom? Is bigger always better? Do birds fight more with their own kind or other species?

From observations last year, they learned that European Starlings are dominant to Red-headed Woodpeckers, Red-headed Woodpeckers are dominant to Red-bellied Woodpeckers, and Red-bellied Woodpeckers are dominant to Starlings.



It's an avian variation on rock/paper/scissors.

The Cornell Laboratory has been conducting Project Feeder watch for over thirty years. People who feed wild birds have been reporting their observations to track trends in bird populations. This helps scientists better understand what happens to birds facing challenges such as climate change, disease, and habitat loss. Feeder Watchers can also contribute to new research on feeder-bird behavior. Although project Feeder Watch has been collecting data for thirty years, last year was the first time that it collected data on dominance hierarchy. It will take more data to confirm who is bossing who.

Now is the time to sign up for or renew participation in this long-running citizen-science project. Participants make two-day counts from November through early April. They can spend as much or as little time as they like collecting data, so it is one of the easiest projects to try. Even counting birds once or twice all winter is a valuable contribution. But many people love the project so much, they count birds every weekend.

If you want to participate, sign up online at [FeederWatch.org](http://FeederWatch.org) or call the Cornell Lab toll-free at (866) 989-2473. You have to step smart; the project starts November 11.

### My Adventure in Feeder Watching

When we first started feeding hummingbirds, our cat took a great interest, often approaching to within pouncing distance. Then the hummingbirds buzzed her, coming to within an inch of her face. She backed off to a respectful distance and never approached the feeder again. The hummingbirds went about their business, oblivious to her presence. From this I determined that hummingbirds have established a dominance hierarchy over cats, or at least over fat, happy cats who make their living being cuddly and asking for Meow Mix.

## Cancelling Study on Mining and Health: an Update

By John McFerrin

For years, and probably decades, coalfield residents have known in their bones that living near surface coal mines made people sick. This common knowledge began to be more focused in the early 2000s when more scientific studies began to appear documenting what people had long suspected to be true. The Ohio Valley Environmental Coalition maintains a list of studies on this topic. [http://www.ohvec.org/issues/mountaintop\\_removal/articles/health/index.html](http://www.ohvec.org/issues/mountaintop_removal/articles/health/index.html)

The earliest mention of these studies that I could find in *The Highlands Voice* archives was in May, 2009, when Julian Martin called readers' attention them in one of his articles. In November, 2012, the *Voice* reported that the West Virginia Highlands Conservancy and other groups had asserted in court that the United States Corps of Engineers should consider this evidence of health impacts in approving valley fills for strip mines. In March, 2015, West Virginia announced that it would study the effects of strip mining on health. It announced at the time that it would seek the help of federal scientific and regulatory agencies.

Finally, in August 2016, the federal Office of Surface Mining (a part of the Department of Interior) announced that it was going to have The National Academies of Sciences, Engineering, and Medicine conduct a study of the connection between surface mining and public health. Its mission would be to review the evidence and

determine what effect large surface mining operations have upon the health of those living nearby.

The study really got going in early 2017. It was having public hearings, listening to experts, etc.

The Department of Interior did not identify any other grant or cooperative partnership impacted by the review. The Department of Interior has declined to explain how or whether the money saved by not doing the study was spent.

Then things changed. Whether it was the effects of the 2016 election kicking in, a sudden spasm of fiscal responsibility, or any one of the myriad political winds swirling around Washington will never be clear. All that is known for sure is that in August, 2017, the Office of Surface Mining told the National Academies of Sciences, Engineering, and Medicine to stop work on the study. At the time the Academies announced that the Department of Interior had "begun an agency-wide review of its grants and cooperative agreements in excess of \$100,000, largely as a result of the Department's changing budget situation."

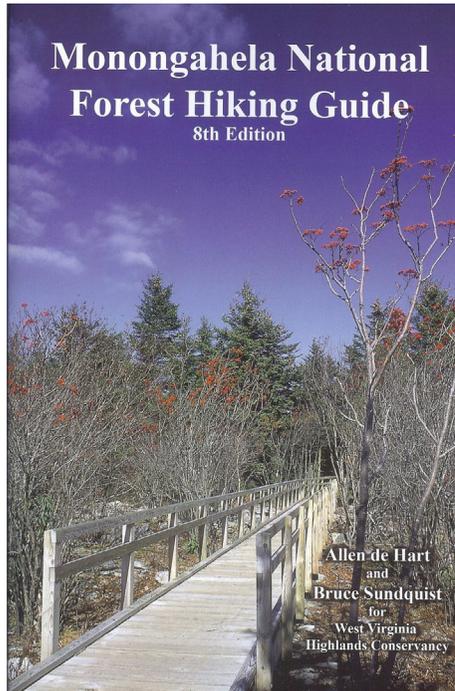
Since then nothing has happened. A spokeswoman for the Department of Interior said in October that "The Trump Administration is dedicated to responsibly using taxpayer dollars." She said that the study was put "on hold" as part of a department wide review of grants and cooperative partnerships exceeding \$100,000 that began in April.

The Department of Interior did not identify any other grant or cooperative partnership impacted by the review. The Department of Interior has declined to explain how or whether the money saved by not doing the study was spent.

### Lest we forget . . .



As my niece who was visiting from Minnesota and I approached the overlook at Coopers Rock, I could hear her gasp. She couldn't stop talking about how beautiful it was. This is the view we were seeing. Those of us who live here should never forget what an absolutely gorgeous state we live in.



## 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 \$15.95 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](http://www.wvhighlands.org)**

### 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](mailto:blittle@citynet.net). With electronic delivery, you will receive a link to a pdf of the Voice several days before the paper copy would have arrived. The electronic Voice is in color rather than in black and white as the paper version is.

### 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.



## Asking the Governor for Help

Twenty organizations (including the West Virginia Highlands Conservancy) have joined in a letter asking Governor Justice to take the lead in assuring that the Atlantic Coast Pipeline and the Mountain Valley Pipeline do not degrade West Virginia's waters.

The Federal Energy Regulatory Commission has recently approved these two pipelines (see story on page 1). This does not finally settle the question of whether they will be built and, if they are built, whether they will degrade West Virginia's waters. West Virginia has a role to play. Before the projects may be built West Virginia must issue what is called a 401 Certification. West Virginia must certify that the project will comply with state Water Quality Standards and "not potentially result in an adverse long-term or short-term impact on water quality.

As proposed, the pipelines will cross over caves, karst terrain, and groundwater systems. Together they will have an impact upon over 1,000 streams in West Virginia. They will require construction on steep slopes with highly erodible soils. Such construction is likely to cause runoff into streams, affecting aquatic life.

Reviewing such massive projects is no small task. The letter asks that the Governor take the lead in assuring that the West Virginia Department of Natural Resources devotes sufficient time and resources to assure that the reviews are thorough and that the waters of West Virginia are protected.

## Board Highlights

By John McFerrin

The Board of Directors of the West Virginia Highlands Conservancy met in October. Of course, we had most of the usual stuff—report from Membership Secretary (holding our own), report from Voice editor (wants articles), and report from Treasurer (nothing unusual). We also had reports of great progress on the new Hiking Guide and the seed of a new trail initiative.

The great progress on the Hiking Guide was in the report by Hugh Rogers. He reported that the 9<sup>th</sup> edition of the Hiking Guide is moving right along. He has been editing; Kent Mason has given us pictures to use; Colleen Anderson is working on layout. He had previously distributed the new cover photo to widespread oos and aahs. He is still getting and incorporating suggestions but at some point will have to stop. You have to stop editing sometime. There will be color pictures throughout.

Printing in color will make it cost more to print. Hugh has been looking at the prices of other guides and thinks that we could raise the price and still remain competitive. At a price of \$18.95, with the more expensive printing, we would make a little bit more per book than we are making now. So we decided to set the price of the 9<sup>th</sup> Edition of the Hiking Guide at \$18.95.

We hope and expect that we will be able to print the 9<sup>th</sup> edition by the end of 2017 although that is not certain. The new edition will probably be available for sale in early 2018.

We also had an inconclusive discussion of the electronic version. We are very nearly out of the CDs and don't know whether to try to make more, look into a digital download, or what. Beth Little is going to do some more investigation and we will take it up again.

The seed was an initiative on trail maintenance. Most people used to have the idea that the Forest Service should maintain the trails in the National Forests. Now it is becoming more and more clear that the Forest Service doesn't have the resources to do it. If the trails area going to be maintained regular people are going to have to do some of it.

One thing that would make it easier would be a clearinghouse for trail maintenance opportunities. There needs to be a way that people could report needs for trail maintenance, find out where maintenance is needed, or report that they had done some trail maintenance.

Adam Caseday had previously volunteered to interview District Ranger Jack Tribble. We expect that the issue of volunteer trail maintenance to come up and Adam hopes to raise the question of some sort of clearinghouse.

There ensued a long discussion of how we might accomplish this. There was talk of a website, a link, or some such thing. We did not arrive at a plan but did express interest in the topic and an

intention to revisit it as we have more information. Right now this is not a real initiative but more a tiny acorn or a mustard seed.

Moving along, Larry Thomas noted a difficulty with the views from the Spruce Knob observation tower. The trees surrounding the tower have grown so much that they are blocking the view. It would be possible to get the view back by cutting the trees but we don't want that. The other possibility is raising the tower so that it is once again above the trees. Larry is going to look into advocating for that option.

President Cindy noted that the 50<sup>th</sup> Anniversary celebration was "smashing." Thanks to all who worked on it, especially Cindy Rank. Cindy R. then noted the contributions of Jackie and Marilyn as well as the work Dave Saville did in the managing details.

Larry Thomas announced that he is collecting ideas on how we might best use the money that we received from the bequest. He will compile the information for future discussion.

In matters legislative, Frank Young was absent so we had no report. Larry reported on the situation at the West Virginia Environmental Council. It currently has no president and is reorganizing. There is a facilitated meeting scheduled for the near

future; it is hoped that this will help get it back on the path where it can be effective. Raising money for lobbying is always difficult. The West Virginia Highlands Conservancy is a major funder.

Larry Thomas expressed some disappointment that the lobby team did not make any progress on siting regulations. The proposal, which the Board has supported the last few years, does not oppose wind turbines. It just seeks

to make sure they are sited in the least objectionable locations and improve the process for making those decisions. For the last three years the Highlands Conservancy has made this a priority but there has not been any progress at the legislature.

Probably the biggest impediment to successful lobbying of the WV legislature on environmentally related matters is the now decades long political shift of the membership of the legislature from, in the early 1990s, having legislators willing to elect somewhat "progressive" leadership and then support that leadership by approving some numbers of relatively environmentally sound public policy bills, to today's pretty much legislative wall against green perspectives.

WV Environmental Council is in transition as it steers through the conservative Republican bluster and fog at the WV legislature.



**(And the highlights just keep on coming; see the next page.)**

## More Board Highlights (Continued from previous page)

For three legislative sessions in a row, our WVEC lobbyists have met a virtual wall of resistance to anything we see as positive.

After all this talk we needed a break so there was then had a brief respite for the celebration of Jean Rodman's birthday. We had brownies with a single candle (not her actual age; she is actually a few decades older). We sang Happy Birthday and, in Jean's absence, Buff Rodman blew out the candle.

Fun over; back to business.

Larry reported about a one hundred acres of old growth forest near Seneca Rocks. We considered whether we should support an effort to protect that area. Although there was no vote, it was the sense of the Board that we would support the effort.

Cindy Ellis updated us on the Columbia Gas Mountaineer XPress pipeline planned for the western edge of the state. She had attended a Save the Greenbrier rally and celebration in Summers County which WVHC cohosted and reported that it was a great event. She continues to attend meetings of the gas coalition.

Rick reported that the Federal Energy Regulatory Commission had given approval to the Atlantic Coast Pipeline and the Mountain Valley Pipeline. (See story on p. 1). Appeals of both are likely. The Forest Service is close to making a final decision approving the crossing of the Monongahela and Greenbrier National Forests. That decision will probably be appealed as well.

In some respects FERC's decision is faith based decision making. If plans for how the builders will cross streams, scale slopes, etc. have been developed they have not been made public. FERC's decision is based on the assumption that plans will be developed and that they will be effective.

There is already a meeting scheduled to plan how citizens will go about monitoring construction.

Cindy Rank reported on the Antero-Clearwater plant. It is supposed to receive waste water from gas drilling operations, treat it to levels suitable for reuse in fracing and possibly better, and dispose of the concentrated salts by-product in a very large salt land fill adjacent to the treatment facility. There is ongoing legal action over the plant and salt disposal.

In matters of Renewable Energy Larry had emailed a lengthy report before the meeting and reviewed some of the highlights pertaining to solar, wind, nuclear, and the Clean Power Plan.

Hugh reported that construction is ongoing in the middle of the previously approved section. There are still no final plans for construction around Blackwater, etc., a decision which will not be made for years.

The door prize was two bottles of Hawk Knob Hard Cider. Bill McNeel won.

### The Setting

We had our meeting at The Museum of American Glass in West Virginia, located in Weston. The museum has a mission to share the diverse and rich heritage of glass as a product and historical object as well as telling of the lives of glass workers, their families and communities, and of the tools and machines they used in glass houses. In addition to letting us use their meeting room, we got to wander among beautiful displays and even take a guided tour after the meeting. Many thanks to the Museum!



## Celebrating 50 Years T-Shirts!



**Heavy weight Black t-shirts  
with color "Celebrating 50 Years" logo  
S, M, L, XL & XXL. \$20 each, postage included**

**Also Available,  
21" square black bandana  
with color "Celebrating 50 Years" logo.  
\$5.00 postage included.**

# HIGHLANDS CONSERVANCY BOUTIQUE



- ▶ The baby shirts are certified organic cotton and are offered in one infant and several toddler sizes and an infant onesie. Slogan is "I ♥ Mountains Save One for Me!" Onesie [18 mo.]---\$25, Infant tee [18 mo.]---\$20, Toddler tee, 2T,3T,4T, 5/6---\$20
- ▶ Soft pima cotton adult polo shirts are a handsome earthtone light brown and feature the spruce tree logo. Sizes S-XL [Shirts run large for stated size.] \$ 25.00, 2XL \$26.50

To order by mail [WV residents add 6 % sales tax] make check payable to West Virginia Highlands Conservancy and send to West Virginia Highlands Conservancy, Online Store, PO Box 306, Charleston, WV 25321-0306

**The same items are also available at our on-line store: [www.wvhighlands.org](http://www.wvhighlands.org)**

## 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 \$18 by mail; **long sleeve** is \$22. West Virginia residents add 6% sales tax. Send sizes wanted and check payable to West Virginia Highlands Conservancy  
ATTEN: Online Store, WVHC, P.O. Box 306, Charleston, WV 25321-0306.



## HATS FOR SALE

We have West Virginia Highlands Conservancy baseball style caps for sale as well as I ♥ Mountains caps.

The WVHC cap is beige with green woven into the twill and the pre-curved visor is light green. The front of the cap has West Virginia Highlands Conservancy logo and the words West Virginia Highlands Conservancy on the front and I (heart) Mountains on the back. It is soft twill, unstructured, low profile, sewn eyelets, cloth strap with tri-glide buckle closure.

The I ♥ Mountains The colors are stone, black and red.. The front of the cap has ♥ MOUNTAINS. The heart is red. The red and black hats are soft twill, unstructured, low profile, sewn eyelets, cloth strap with tri-glide buckle closure. The stone has a stiff front crown with a velcro strap on the back. All hats have West Virginia Highlands Conservancy printed on the back. Cost is \$20 by mail. West Virginia residents add 6% tax. Make check payable to West Virginia Highlands Conservancy and send to West Virginia Highlands Conservancy, Atten: Online Store, P.O. Box 306, Charleston, WV 25321-0306