



# The Highlands Voice

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

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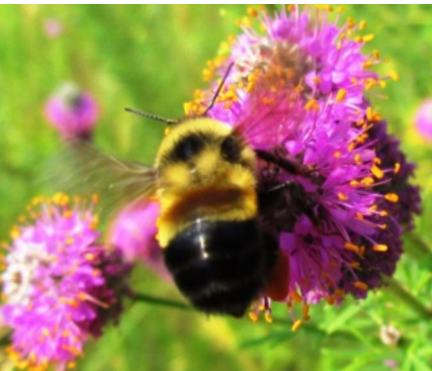
**Poor Plan to Protect Endangered Species**

## Another Delay for the Atlantic Coast Pipeline

By John McFerrin

The United States Court of Appeals for the Fourth Circuit has ruled that the Incidental Take Permit for the Atlantic Coast Pipeline is void because the limits set by the Fish and Wildlife Service’s Incidental Take statement are “so indeterminate that they undermine the Incidental Take Statement’s enforcement and monitoring function under the Endangered Species Act.”

The Endangered Species Act prohibits any “take” of a species which is listed as endangered. “Take” is defined in the Endangered Species Act (ESA) as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect any threatened or endangered species. Harm may include significant habitat modification where it kills or injures a listed species through impairment of essential behavior (e.g., nesting or reproduction).



While directly harming any endangered species is illegal, there are circumstances in which harm is allowed if the harm is not the focus of the activity but rather is incidental to the activity. In the case of the Atlantic Coast Pipeline, the goal of construction is not to “hunt, shoot, wound, kill, trap, capture, or collect” an endangered species. Rather, the developers want to build a pipeline, endangered species are in the way, and they may well be harmed by the construction.

Situations such as this are addressed by an Incidental Take Permit. An incidental take permit is required when non-Federal activities will result in a “take” of threatened or endangered wildlife. A habitat conservation plan (HCP) must accompany an application for an incidental take permit. The purpose of the habitat conservation planning process associated with the permit is to ensure there is adequate minimizing and mitigating of

**(More on p. 3)**

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## Thoughts from our president

By Larry Thomas

In addition to providing an abundance of rain, May has produced a flurry of information that will be of interest to West Virginia Highlands Conservancy members. Information includes:

### Monitoring the Atlantic Coast Pipeline

Rick Webb, WVHC Board Member and Committee Chair of the Pipeline Compliance Surveillance Initiative of the Allegheny-Blue Ridge Alliance (ABRA) has provided the following resource information. WVHC is a member of ABRA.

The Pipeline CSI, a program of the Allegheny-Blue Ridge Alliance (ABRA), has made the following online resources available to citizens who are contending with the Atlantic Coast Pipeline and other major pipelines in the central Appalachian region:

#### 1) Pipeline Incident Report form

An online submission form is available for citizen reports concerning stream impacts and noncompliance with environmental requirements for pipeline construction. The reporting form has been developed as a collaborative effort involving multiple organizations, and it can be used for submission of reports for different pipeline projects. Form submissions will be monitored by the Pipeline CSI, Mountain Valley Watch, Trout Unlimited, and the West Virginia Rivers Coalition. Each organization will address specific pipelines and will follow its own protocol for responding to incident reports, including follow-up investigation and submission of complaints to the regulatory agencies.

The Pipeline Incident Report form is available at [pipelineupdate.org/csi-reporting/](http://pipelineupdate.org/csi-reporting/). Other reporting methods provided by ABRA, including a hotline and a dedicated email address, as well as guidance for citizen observers, are also provided. Additional information and methods for reporting are provided by the other collaborating organizations.

#### 2) Rules for the Atlantic Coast Pipeline

Multiple agencies have been involved in the review and issuance of permits and approvals for the ACP. See [pipelineupdate.org/environmental-review](http://pipelineupdate.org/environmental-review) for access to regulatory agency websites and to environmental regulations and guidelines that apply to pipeline

construction in general. Access is also provided to ACP-specific project plans and to environmental-review and approval documents. In addition, project-specific requests for variances and exemptions, as well as inspection and enforcement documents, will be provided.

#### 3) CSI Mapping System

The CSI Mapping System is an online interactive map developed to support citizen oversight of the construction phase of the ACP. The mapping system includes 200 miles of the western mountainous section of the ACP. The mapping system provides the location of the ACP construction corridor and access roads, information concerning environmental risks and sensitivities, construction plans (“alignment sheets”), and water monitoring stations. The mapping system includes a layer that indicates the extent of tree felling, and thus, the extent of potential construction in the summer of 2018. The mapping system will also provide information related to CSI Incident Reports.

Mapping system users can select from different base maps, determine the layers that are displayed, access information about map features, and save PDF versions of their maps.

The CSI Mapping System is currently set to display locations of stream and wetlands crossings considered by the US Army Corps of Engineers prior to its issuance of the general Nationwide Permit 12. As indicated in the attached screen shot, information concerning the individual crossings, including identifiers (FeatID), can be accessed via popup windows. Although the Virginia DEQ is accepting comments on the adequacy of the NWP12 for protecting state waters in lieu of individual state review, the DEQ website that provides water body crossing information is not working. The CSI Mapping System provides access to the missing information. For more on this issue, see Calendar / Events at [pipelineupdate.org/csi](http://pipelineupdate.org/csi).

### Protecting Migratory Birds

**Does it or doesn't it?** The courts will now decide if the Migratory Bird Treaty Act extends to incidental take from industrial activities. Press release.

### Lawsuits Seek to Restore Protections for Migratory Birds

WASHINGTON (May 24, 2018) A coalition of national environmental groups, including American Bird Conservancy, Center for Biological Diversity, Defenders of Wildlife, National Audubon Society, National Wildlife Federation, and the Natural Resources Defense Council, today filed litigation, *National Audubon Society v. Department of the Interior*, in the Southern District of New York challenging the current Administration's move to eliminate longstanding protections for waterfowl, raptors, and songbirds under the Migratory Bird Treaty Act (MBTA).

In a legal opinion issued December 2017, the Administration abruptly reversed decades of government policy and practice — by both Democratic and Republican administrations — on the implementation and enforcement of the MBTA.

The Act's prohibition on the killing or “taking” of migratory birds has long been understood to extend to incidental take from industrial activities — meaning unintentional but predictable and avoidable killing. Under the Administration's revised interpretation, the MBTA's protections will apply only to activities that purposefully kill birds. Any “incidental” take — no matter how inevitable or devastating the impact on birds — is now immune from enforcement under the law.

The risk of liability under the MBTA has long provided the oil and gas industry, wind energy development companies, and power transmission line operators with an incentive to work with the U.S. Fish and Wildlife Service to minimize bird deaths. For example, in an effort to protect migratory birds and bats and avoid potential MBTA liability, the wind industry, conservation groups, and the U.S. Fish and Wildlife Service worked to develop comprehensive guidelines aimed to ensure best practices for siting and developing wind farms. The Administration's new policy eliminates this incentive for industries and individuals to minimize and mitigate foreseeable impacts of their activities on migratory birds, putting

(Continued on p. 4)

## More about the Pipeline (Continued from p. 1)

the effects of the authorized incidental take. The purpose of the incidental take permit is to authorize the incidental take of a listed species, not to authorize the activities that result in take.

The pipeline's construction imperils eight threatened or endangered species including a fish called the Roanoke Log Perch, two types of bats, and the Rusty Patched Bumble Bee that United States Fish and Wildlife Service added to the endangered species list just last year. In such a situation the developers would have to apply for an Incidental Take Permit and prepare a Habitat Conservation plan. The Fish and Wildlife Service would then set out a limit on the take and how the species would be protected. The appeals court panel found the agency's limit on the "take" -- which includes harassing, harming, wounding, killing, etc. -- of at-risk species was too vague and didn't satisfy basic legal standards.

### What does this mean?

Nobody knows for sure what it means, and the one who does know is not talking.

The developers are approaching this as a little bump in the road, a Rusty Patched Bumble Bee sized bump in the road. They say that endangered species do not live all along the proposed pipeline route. The developers intend to mark off the areas where those species are found. They will then avoid construction in those areas while they get this all straightened out. They will, however, continue construction in other areas.

The opponents of the pipeline disagree. They say that a legally sufficient

Incidental Take Permit is a necessary component of the approval of the pipeline. Without this, the approval of the pipeline is invalid and there should be no construction anywhere.

This confusion comes about because of the number of agencies involved and the relationship between those agencies. The big kahuna on the pipeline is the Federal Energy Regulatory Commission (FERC). It gets to say whether the pipeline as a whole is approved. At the same time, other agencies have a role. The United States Forest Service has to approve crossing of the National Forests. The United States Fish and Wildlife Service has to review its impact on endangered species and, if appropriate, issue an Incidental Take Permit. The United States Army Corps of Engineers has to approve stream crossings; states it goes through have to review it for violations of water quality standards.

The Federal Energy Regulatory Commission (FERC) has approved the pipeline. When it did so, however, it made the approval conditional upon approval from the other agencies which have a role. It said, if effect, that construction is approved once the developers have approval from the Forest Service, the Fish and Wildlife Service, the Corps of Engineers, etc. The opponents of the pipeline say that this approach makes the Incidental Take Permit one of the building blocks of the FERC approval. Since, as the Court ruled, the developers do not have a proper Incidental Take Permit, then they have no properly issued FERC approval. All construction should halt.

FERC has not said what it thinks, whether all construction should stop, etc. It doesn't help in the confusion that the Court has not yet done a full opinion. All it has issued so far is a single page order stating its conclusion that the limits set by the Fish and Wildlife Service are so indeterminate that they do not meet the requirements of the Endangered Species Act. The Court promised a full opinion later; when that comes it may, or may not, shed some light on whether all construction should stop.

### The big picture

This is just one more corner that the developers have cut on this project. Somebody called them on it; now they will have to go back and fix it. It is not the kind of thing that would kill the project. It would have a role in killing the project only if it is part of a project wide pattern. If, through the efforts of citizens, the diligence of courts, etc. the developers realize that the entire project must be done on the square, then it may become uneconomical to continue.

## A Happy Little Update

The May, 2018, issue of *The Highlands Voice* reported that one provision of the proposed farm bill would have opened up roadless areas on public lands to logging. That provision did not pass. Bad ideas don't die easily so it may reappear later but, at least for now, it is gone.

*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).

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.



## More from President Larry (Continued from p. 2)

already-declining populations of our nation's songbirds and other migratory birds at risk.

The MBTA also protects birds from fossil fuel development. Oil pits kill hundreds of thousands of birds — if incidental take liability is eliminated, industry need no longer take measures to protect birds from these hazards. In addition, when the 2010 BP Deepwater Horizon disaster spilled more than 210 million gallons of oil in the Gulf of Mexico more than 1 million birds were killed in the four years following the blowout. BP paid \$100 million in fines under the MBTA that supported wetland and migratory bird conservation. The new interpretation would bar the federal government from seeking such mitigation under the MBTA for devastating oil spills in the future.

*(The American Bird Conservancy, Center for Biological Diversity, Defenders of Wildlife and National Audubon Society are being represented in the litigation by the public-interest law firm of Meyer Glitzenstein & Eubanks LLP.)*

### The Conclusion in the legal opinion.

The text, history, and purpose of the MBTA demonstrate that it is a law limited in relevant part to affirmative and purposeful actions, such as hunting and poaching, that reduce migratory birds and their nests and eggs, by killing or capturing, to human control. Even assuming that the text could be subject to multiple interpretations, courts and agencies are to avoid interpreting ambiguous laws in ways that raise grave Constitutional doubts if alternative interpretations are available. Interpreting the MBTA to criminalize incidental takings raises serious due process concerns and is contrary to the fundamental principle that ambiguity in criminal statutes must be resolved in favor of defendants. Based upon the text, history, and purpose of the MBTA, and consistent with decisions in the Courts of Appeals for the Fifth, Eighth, and Ninth circuits, there is an alternative interpretation that avoids these concerns. Thus, based on the foregoing, we conclude that the MBTA's prohibition on pursuing, hunting, taking, capturing, killing, or attempting to do the same applies only to direct and affirmative purposeful actions that reduce migratory

birds, their eggs, or their nests, by killing or capturing, to human control.

## Land and Water Conservation Fund (LWCF).

Senator Joe Manchin and Senator Shelley Moore Capito are co-sponsoring bills to permanently reauthorize the Land and Water Conservation Fund. LWCF has provided funding for state and local parks for facilities and infrastructure upgrades as well as providing funding for national forests, parks, and wildlife refuges to buy land within their authorized boundaries. Please take the time to call both and thank them for supporting the legislation which has been so important to our West Virginia Highlands. Manchin 202-224-3954 Capito 202-224-6472

## Doubling the Size of Bear Rocks Preserve at Dolly Sods

From the Charleston Gazette Mail article.

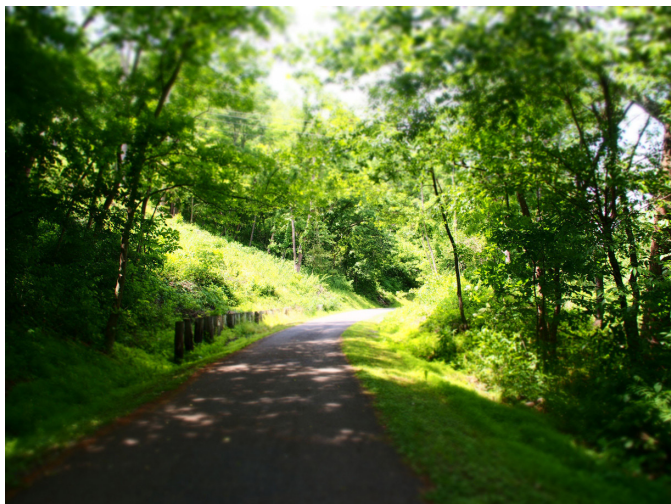
Nearly 2 square miles of land along the Allegheny Front, the eastern rim of the Dolly Sods plateau in Grant County, has been donated to The Nature Conservancy of West Virginia to add to the conservancy's existing, 477-acre Bear Rocks Preserve.

The 1,143-acre gift was made possible through donations from the Ann C. and Robert O. Orders Jr. Family Foundation and Maryland resident Dan Montgomery.

"For decades, we have worked with partners and supporters to protect the incredibly important Canaan Valley-Dolly Sods landscape as a keystone of the Central Appalachians," Thomas Minney, state director of the Nature Conservancy in West Virginia, said in a news release.

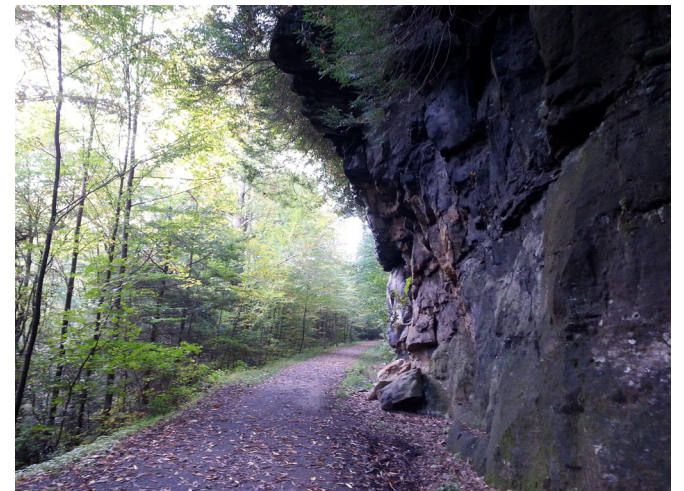
"The Allegheny Front property is a biologically important gem and plays an immense role in West Virginia's ability to support and promote tourism, provide drinking water and clean air to the Eastern United States and stand as a resilient stronghold for people and wildlife," Minney said.

Lots of good and potentially concerning information comes out every day.



## Celebrating National Trails Day

The first Saturday in June is National Trails Day. This year West Virginia Highlands Conservancy member Katherine McFerrin celebrated by running the Deckers Creek Trail Half Marathon along the Deckers Creek Trail in Preston and Monongalia Counties.





A case of tooting our own horn

## Our efforts made the Nature Conservancy addition possible

By George E. Beetham Jr.

This story begins in 2002 when a notice appeared in the Grant County Press about a wind farm that was to stretch from well north of Route 42 along the Allegheny Front to scenic Stack Rock, which is part of the Nature Conservancy's Bear Rocks Preserve. After reading it I recalled that the West Virginia Highlands Conservancy had worked to mitigate the visual impact of the Backbone Mountain wind farm.

I was not a member of the Highlands Conservancy at the time but I left a message on its website inquiring what it might be doing about this proposed wind farm. The late Peter Schoenfeld replied that they were not aware of this new development and asked for more details. Thus began my environmental stewardship.

I am not opposed to wind energy but I don't believe it should be located on mountain ridges. Locate it close to the centers where electric energy is most in demand, in or near cities. It makes no sense to locate these industrial facilities on the few mountains not destroyed by coal mining or fracking.

So I joined the Highlands Conservancy and found myself on the wind committee chaired by Mr. Schoenfeld. Our goal was not to stop the development, but to hopefully mitigate the impact. One issue that surfaced was the distance from wind turbines to where they can't be seen. The industry claimed that distance was five miles. We quickly determined that it was farther,

but how far? I was able to photograph the Backbone Mountain turbines from Deep Creek Lake in Maryland, a distance of about 32 miles. We knew the Public Service Commission (PSC) would not accept that distance, but it established that the turbines are intrusive on the horizon.

It happened that the PSC was revising its rules on wind farms and we

about two miles north of Stack Rock, farther than we had sought.

The wind farm was built and continues to generate power. But its impact was mitigated somewhat.

Now, 16 years after the newspaper notice, some of the land we saved has been donated to the West Virginia Nature Conservancy, it was announced last

month. The addition totals 1,143 acres, more than double the existing 477 acres of the Bear Rocks Preserve. According to Thomas Minney, state director, there are three parcels in the donation.

The largest consists of 546 acres along the Allegheny Front stretching for about a mile north of Stack Rock. That area will open to the public once trails are established and maps published, Minney said.

Of the two smaller parcels, not all will be open to



Photo by Kent Mason

got ourselves into the process. We also involved ourselves in the Allegheny Front permitting process.

Frank Young, the Highlands Conservancy president at the time, and Schoenfeld travelled to Charleston to present our case in person,

I did a map study showing that if the development were moved north by a little more than a mile, intervening knobs higher than the towers might obscure it from Bear Rocks. It would also move it away from Stack Rock.

The PSC was receptive to our efforts and visited Bear Rocks to see for themselves what the situation was. They evidently agreed with our position. The final order moved the southern limit to a point

the public, he said.

When those lands became available, "we moved quickly," Minney commented. "We were happy to do the transaction."

He said the additions preserve ecologically significant land: raptor migration habitat, wetlands, heath barrens, and a unique climate environment. It will serve as a science observation area.

"It's also a backdrop for a lot of recreational opportunities," he remarked.

For those of us who labored to keep that section of the Allegheny Front clear of development, there is the joy of seeing our efforts pay off in this one area. But there are many battles to come. There are many threats to the highlands of West Virginia. We won't win all the battles, but we will do what we can to save what we can.



# The Future: What will WVHC look like 10, 20 or 50 years from now?

By Frank Young

The WV Highlands Conservancy has endured for more than a half century. For an organization operated almost exclusively by volunteers, many “professionals” in non-profit organizational management training would have long ago written off WVHC as based on an unsustainable operating model.

WVHC’s operating model has been one of management of volunteers and volunteer committees by an unpaid board of directors elected from the organization’s membership. Board members are not recruited for their particular expertise in fundraising, nor litigation expertise (though some few have been lawyers), nor other expertise. Mostly they bring lay experience in advocating about environmental issues near and dear to their hearts.

WVHC has avoided (at least partially because of its economic limitations) the business model of hiring an Executive Officer or other staff to “direct” the affairs of the organization. Its staffing has been limited to a paid Membership Director and Editor of its monthly publication, *The Highlands Voice*.

The energy of the organization derives from and through various issue committees recognized by the Board of Directors and the President. These committees develop and function through the passion of people who are “riled up” about this or that issue- be it energy production related environmental issues (i.e.- coal and natural gas production contamination and destruction of natural features and systems), overall water quality, concerns about timbering in special places (i.e.- Blackwater Canyon), public lands management, construction of highways, and a plethora of other environmental concerns that often boil down to concerns about the overall quality of life we expect to enjoy in ‘Wild and Wonderful’ West Virginia.

Those passions have served to fuel this organization for more than 50 years, and without the need to hire professional executives to direct the organization.

I became President of WV Highlands Conservancy in 1998. My biggest initial concern was that I might stumble and steer the organization into a ditch, thus destroying its effectiveness. But I soon learned that we were not so fragile that a single board member- not even a President- would likely steer the organization into disorganization to the point of overall dysfunction. That’s because we run primarily on the passions of our committee activists and not on the “expertise” of a single Executive Director or President.

We sometimes liken WV Highlands Conservancy to a “platform” from which people with environmental concerns can launch their specific issue campaigns using WVHC’s existing organizational structure, limited budget and well established public credibility. The job of its Board of Directors and its officers has been to maintain the organizational “platform”. The energy to function on various issues comes from the issue committees staffed by volunteers with passion on those issues.

In late April we spent a day in a facilitated discussion about how WVHC might function and thrive into the future. It could be asked why we are having this discussion on the future of WVHC when we recognize that our first half century operating model has served us so well? Frankly, perhaps the simplest answer is that our pool of active board members and committee activists is graying (a euphemism for getting older) at a pace faster than younger people

are coming on board to carry new torches and passions to assure the health of the organization into the future.

As stated by WVHC President Larry Thomas in the May *Highlands Voice*, the mission of WVHC is that it “promotes, encourages and works for the conservation – including both preservation and wise management – and appreciation of the natural resources of West Virginia and the Nation. We focus primarily on the Highlands Region of West Virginia, but our work is for the cultural, social, educational, physical health, spiritual and economic benefit of present and future generations of residents and visitors alike.”

We agree that to fulfill our mission, WV Highlands Conservancy engages in five key activities:

1. We advocate for specific environmental concerns, including clean air & water, preservation of public lands, wise management of natural resources, and the health and welfare of our residents and visitors.
2. We ensure our natural resources are being protected by monitoring compliance with laws, agreements, and best practices associated with oil & gas, strip mining, and other activities that impact our state, and including initiating litigation to enforce compliance when necessary.
3. We partner with other organizations that support the preservation and wise management of our state’s natural resources by sponsoring events, education, and activism, including our long-term partnership with the Spruce Restoration Project.
4. We support lobbying efforts to raise awareness of environmental concerns and issues.
5. We educate residents and visitors on environmental issues through our monthly publication, *The Highlands Voice*.

So how does WVHC continue its mission in the face of an aging Board of Directors and without sufficient younger faces beaming with energy and idealism coming on board to pick up and carry our torches?

Throughout the facilitated discussion in late April, the outside facilitator suggested that what is needed most is for the organization to hire a Director or some other staff to help us carry on our work. We would need to expect such a Director to be paid a reasonable salary and with employment benefits. Having a professional Director would change the way the organization operates. That is why we are carefully considering it before we take any action.

At the April board meeting, the board reflected briefly on the discussions of the previous day, when we had a long, facilitated discussion on the future of the organization, possible hiring decisions, etc. Board President Larry Thomas appointed a committee to consider issues raised by the discussion, particularly policy on hiring decisions. It will consider how many people (one person with multiple duties, several part timers, contracting out some functions, etc.), job descriptions, and finances. Committee members are Marilyn Shoenfeld, Larry Thomas, Frank Young, John McFerrin, Beth Little, Jackie Burns (with possibly limited participation) and Hugh Rogers (resource person because he supervised our most recent hiring decision).

Stay tuned to *The Highlands Voice*. We will strive to keep members up to date on pending staffing and other basic organizational changes, if any.

Join Now !!!

Name \_\_\_\_\_

Address \_\_\_\_\_

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

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

Membership categories (circle one)			
	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

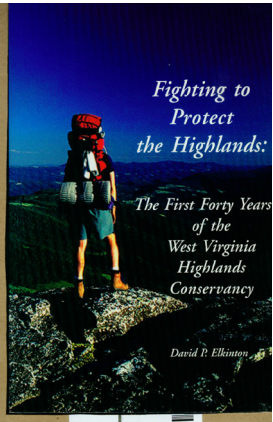
Mail to West Virginia Highlands Conservancy, P. O. Box 306, Charleston, WV 25321

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.

# Wildflowers in Spring

By Jackie Burns

Ah Spring. The days get longer. The birds sing sweetly. And the woodlands come alive with color as wildflowers bloom.

You probably know that woodland wildflowers sprout and grow early, before the leaves come out on the trees, while sunlight is still able to reach the forest floor. Different areas will have different displays. Broad flat leaves gather up as much sunlight as possible, feeding the roots: look for ramps, trillium and jack-in-the-pulpit under the trees. The finely divided leaves of squirrel corn, dutchman's britches and bleeding heart may be found near a woodland stream. Where mayapple leaves are in pairs, is there a flower or bud below them?

Spring beauty is abundant in the woods. Seems like violets and bluets are along edges everywhere. And that delicate blue beauty in your yard may be speedwell. Some flowers are on the forest floor where a pollinator could just walk into them, like wild ginger. Its purply-brown color blends so well with the forest floor that you won't see them unless you look carefully. There are many, many more. Perhaps I'll write more about them next spring.

Wildflowers are fun to find and enjoy. But why do they grow? What role do they have in the ecosystem? Natural Resources Conservation Service (NRCS) tells us that when plants grow where they are native, they tend to "require less water and fertilizer, are less prone to disease and are more tolerant of pests." Pollinators needing a boost after a winter without nectar can get it from these early bloomers. Herbivores and omnivores like us benefit from grazing on these early sprouts, eating some of their leaves, flowers and root tubers.

Even ants get involved. Many wildflowers grow a fatty deposit on their seed coat to feed the ants. Ants carry these seeds to their home, eat the fatty deposit or feed it to their young, then discard the seed with their 'trash'. This disperses the seeds, and adds fertilizer, helping the next generation of the plant to become successful. It is a symbiotic, i.e. mutually beneficial, relationship.

Tree roots help stabilize the soils, reducing erosion. The roots of wildflowers can mat with these tree roots, adding to their efficiency in reducing erosion. This improves the health of the soil, and of the nearby waterways.

Next year why not enjoy the wonders of early spring in the mountains with others. Each year, usually on Mother's Day weekend, folks gather at Blackwater Falls State Park for a "Wildflower Pilgrimage." We just had the 57<sup>th</sup> annual pilgrimage, so next year will be the 58<sup>th</sup>. The outings are all day affairs, which allows us to go far and wide.

Germany Valley, Cranesville Swamp and Spruce Knob are all within reach. To accommodate people of varying abilities, some trips don't involve much walking, while others hike all day. If you are new to this, there is a wildflower ID workshop to help you out. This event attracts some of the best botanists in our region, and some of the best birders to serve as leaders, and they are all volunteers! Each walk has at least one botanist and one birder as leaders. This event is co-sponsored by the Association of WV Garden Clubs and the West Virginia Division of Natural Resources. Brooks Bird Club provides the birder leaders.

I started helping with this event while working as a naturalist at Canaan Valley National Wildlife Refuge. Now that I am retired, I keep helping with this because I love it. It is a great gathering of people that love to get outside and explore nature. Plan now to join us next year.

## Resources:

Benjamin, Jocelyn. May 1, 2017. "Wildflowers Benefit Agricultural Operations, Ecosystems." Natural Resources Conservation Service blogpost. <https://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/newsroom/features/?cid=nrcseprd1326644>

<https://wvstateparks.com/event/west-virginia-wildflower-pilgrimage/>

<http://www.brooksbirdclub.org/wildflower-pilgrimage.html>

Photos by the author.

## Public Lands Advocacy Workshop Coming Up

Ready to take your public lands activism beyond writing letters to decision makers? Ready to inspire others in your community to act? You're ready to be a West Virginians for Public Lands volunteer leader. We have a fun daylong training to get you there. Whether you are new to volunteering or you are already a conservation leader, this workshop is for you. **No prior organizing or volunteer experience is required.**

During the workshop, you'll join volunteer leaders from across the state who are already successfully defending West Virginia's public lands. They'll help facilitate the workshop, and will share strategies that work and experiences from the field. Joining the volunteer leaders are Matt Kearns, WV Rivers' public lands campaign coordinator, who will provide background on public lands policy and legislation, and Megan Hamilton, WV Rivers' public lands volunteer coordinator, who will share tools for effective political advocacy.

**This free informal and interactive workshop takes place on Saturday, June 9,** in the meeting room of Parkside Place overlooking the Kanawha River in Charleston, WV. Ellen's Ice Cream will provide lunch and ice cream.

Sign up at <http://wvrivers.org/2018/05/volunteerworkshopcharleston/>



**Later in summer, there will be flowers in more open places, like fields and roadsides, but in the shaded woods, blooms will be hard to find. Here are a few flowers to look for in the months ahead.**



**St. John's Wort (left) will bloom in late summer wetlands. Look for Trailing Arbutus (right) in boggy places. It may not be still blooming, but the leaves will probably still be there.**



**Bleeding Heart – This may still be blooming in some places well into June**



**Look for Narrow Leaved Gentian (left) in mid-summer fields, then watch the bees climb into and out of them. Rhododendron (right) will be blooming soon.**





## Why We Joined

In April, 2018, the Board had a day long, facilitated discussion on the future of the organization, how we might change and adapt, etc. For more on the discussion, see the story of p. 8 of this issue.

As part of that discussion, Board members were asked to articulate why they joined. Here are some of the answers.

“I believe our state’s natural resources are the common wealth of our citizens, and we should work to preserve and protect them.”

“I understand the need for projects that are intended to advance economic opportunity in our state, but sometimes “advancement” comes with social costs that are too high, and I believe those costs are too high when projects compromise our air, water, public lands, and health.”

“West Virginia’s 1Highlands are the last remnant of the wildness that has earned our state the monikers of “Wild and Wonderful” and “Almost Heaven” and I want to protect that for my children, grand-children, great-grandchildren, and all future generations.”

“Many years ago, I moved to West Virginia to protect my health. It promised clean air, water, and additional natural resources that I couldn’t find in other states. I chose West Virginia as my home, and I want it to remain a healthy refuge for me, my family, and all fellow West Virginians.”

“I walk through the landscapes of West Virginia in awe of its beautiful mountains, rushing rivers, and vibrant wildlife. I want to preserve these features for generations of residents and visitors to come.”

“I want to be part of the legacy of honest, credible, honorable men and women who have worked to protect West Virginia’s natural resources, and WV Highlands Conservancy offers me that opportunity.”

“I want to save the natural habitat of the birds I love to watch, but that’s not the only environmental concern I have, and I appreciate that the WV Highlands Conservancy has maintained a broad focus and provided a platform for individuals to learn about and advocate for a wide range of environmental issues.”

## 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.

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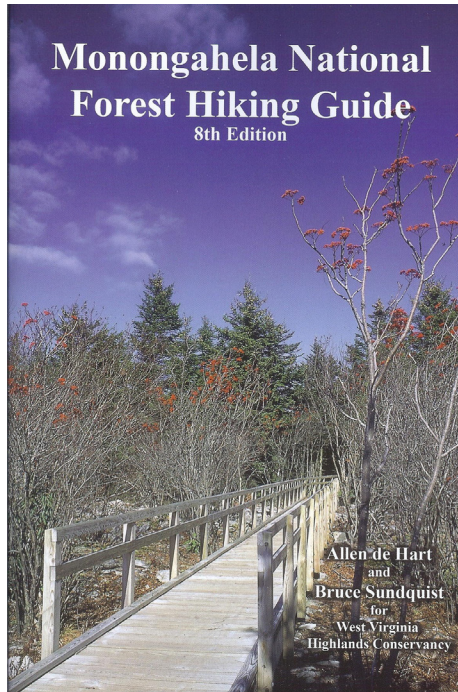
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## The Monongahela National Forest Hiking Guide

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 \$12.95 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.

### Baby Trees for Sale!

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For more information contact Dave Saville, [david.saville12@gmail.com](mailto:david.saville12@gmail.com), 304 692-8118

# Mountain Valley Pipeline to Get Closer Scrutiny at Stream Crossings

By John McFerrin

Because of Court and Agency action, the developers of the Mountain Valley Pipeline (MVP) may not be able to use an anticipated shortcut in getting approval for its crossings of four major streams and 587 smaller streams and wetlands in West Virginia.

## Background

Activities such as filling a stream or a wetland, crossing a stream or a wetland, etc. require a permit under the Clean Water Act. Many such activities apply for and receive an individual permit. To get an individual permit, someone must submit sight specific plans. Those plans are reviewed, and an individual permit is issued for specific activity on that sight.

There are some activities for which an individual permit is not required. This comes about because the United States Army Corps of Engineers has decided that there are some activities where the effect is small, and it is the same no matter where the effect is. When this happens, the Corps issues what it calls a Nationwide Permit. Anybody who wants to do one of the activities covered by one of these Nationwide Permits just has to announce that it is going to do something covered by the Nationwide Permit. Once it is approved to operate under the Nationwide Permit, it just has to follow the requirement of the Nationwide Permit and never has to apply for an individual permit.

Much to the horror of those concerned about the effects of the Mountain Valley Pipeline, there is a Nationwide Permit (Nationwide Permit 12) for pipelines. Even though the terrain it must cross assures that there has never been a pipeline like the, the developers has announced an intention to rely upon Nationwide Permit 12. This means that no agency will have to evaluate each stream crossing individually.

Being able to get multiple stream crossings approved without each one having to be reviewed individually is a substantial benefit to the company, a valuable shortcut.

## What happened

Since the developers of the Mountain Valley Pipeline had decided to rely upon Nationwide Permit 12, they were moving merrily along without any thought of having to subject their stream crossings to the greater scrutiny that would result from having to have the crossings approved individually. This all changed when citizen and environmental groups (and their lawyers with Appalachian Mountain Advocates) noticed that the stream crossings that the Mountain Valley Pipeline anticipated did not qualify for Nationwide Permit 12.

The flaw in the MVP's plan was that Nationwide Permit 12, with a condition that the West Virginia Department of Environmental Protection imposed, could only be used for projects that take less than 72 hours. The crossings of the Elk, Gauley, Greenbrier and Meadow Rivers will take four to six weeks. They take so long because they involve building a temporary dam that diverts the water, digging a ditch across the dry stream bed, laying pipe, and covering the pipe before releasing the stream.

The groups who were actively opposing this particular aspect

of the pipeline had previously filed an action in the United States Court of Appeals for the Fourth Circuit challenging the legality of allowing the MVP developers to use Nationwide Permit 12 for any of the crossings. In that case, they asked for a temporary injunction prohibiting the use of Nationwide Permit 12. The request focused on the four river crossings.

There is not any real doubt that MVP cannot do the crossings of the Elk, Gauley, Greenbrier and Meadow Rivers under the authority of Nationwide Permit 12. The conditions attached to that permit say it may not be relied upon for operations that take more than 72 hours. There is existing correspondence from the developers and the Corps of Engineers. It makes is clear that the plan all along was to take more than 72 hours to make these crossings.

On May 22, 2018, the Corps of Engineers suspended indefinitely the authorization of the four river crossings.

These are not, however, the only water crossings that the Mountain Valley Pipeline would have to make. There is a total of 591 stream crossings that the MVP would have to make in West Virginia. There is not any suspension of authority to make the crossings of streams other than the four rivers.

## Now what?

There are some possible outcomes. The citizen and environmental groups do not just contend that the use of NWP 12 is prohibited at the four named river crossings. They contend that its use is prohibited at all 591 stream crossings. If that is correct then the developers would have to get individual permits for each of the crossings. One possible outcome is that the Court could rule that the pipeline developers may not rely upon NWP 12 anywhere to authorize stream crossings.

Another possible outcome is that the West Virginia Department of Environmental Protection could change the conditions that it previously placed upon NWP 12. NWP 12 is applicable to pipelines all over the country; the requirement that activities authorized by NWP 12 be completed within 72 hours is not. The law allows states to place conditions upon reliance upon NWP 12 for stream crossings within those states. One of the conditions that West Virginia imposed was the 72-hour limit. If West Virginia imposed this condition, it might unimpose it. Since there was presumably some justification for the condition, it might be difficult to explain why that justification no longer applies.

As always, stay tuned.





A drake common merganser shoots some rapids on the Williams River, and a pair bonds in quieter waters. This site is high in the Monongahela National Forest of southern West Virginia. Ohio naturalist Jim McCormac was helping to lead a trip there as part of the New River Birding and Nature Festival recently. They we greatly enjoyed watching many of these big “goosanders” along this stretch of river.

Their presence marks environmental improvement. When West Virginia conducted its first breeding bird atlas, from 1984-89, no nesting common mergansers were recorded. Now, thanks to reforestation and cleanup of mining pollution among other factors, the big fish-eaters are once again common on many of the state’s streams.



## Highlands Conservancy Objects to FERC Policy

The West Virginia Highlands Conservancy has joined with some two hundred other organizations from all over the country in a letter to the Federal Energy Regulatory Commission (FERC) requesting what it fully comply with the National Environmental Policy Act.

The thrust of the National Environmental Policy Act is that federal agencies must consider the environmental impact of their actions. These actions include, in FERC’s case, approval of natural gas pipelines.

The thrust of the letter is that in its approval of natural gas pipelines, FERC has refused to consider the environmental impact of the upstream and downstream impact of those pipelines. FERC concedes that it has a duty to consider the environmental impacts of the pipeline itself. It has announced, however, a policy that it will not consider the environmental impacts of the extraction of the gas (particularly the extraction by fracking) or the impacts of its burning (particularly the impact that burning the gas has on climate change).

The groups believe that both the impacts of both the extraction and the burning of natural gas are reasonably foreseeable environmental impacts of pipeline construction. As such, NEPA requires that they be considered as part of the approval of a pipeline.

FERC announced this policy as part of a decision on a project in New York. It is a nationwide issue because FERC also announced that this would be its policy for all decisions on pipelines throughout the country.



# Tree Sitters Risk Lives on the Front Line

By Drew Philp

Way out in the Appalachian hills, on the line between Virginia and West Virginia, after an hour-long backwoods hike up Peters Mountain, an orderly clutch of tents were surrounded by a plastic yellow ribbon that read, “police line do not cross”.

Past that, a woman sat on top of a 50ft pole.

Opposite the knot of tents where the woman’s supporters kept 24-hour vigil lay an encampment of police, pipeline workers, and private security bearing floodlights, generators and hard, binocular-bespectacled stares.

At the time of our visit, she had been up there for more than 50 days and had vowed to not come down until the police extracted her – at great danger to her life – or until she was starved out. She ate only a tiny amount of food every day at 6 o’clock. The platform on which she sat was about the size of a bathtub.

On Wednesday 23 May, the protester, nicknamed Nutty, finally came down after a record-breaking 57 days spent in the trees – the longest monopod protest sit in US history – to stop a fracked natural-gas pipeline from being built through the state. Her final three days in the trees were spent without food.

“I was and remain tremendously grateful to have been able to make an impact in the struggle against the Mountain Valley pipeline,” she wrote in a statement to the Guardian upon her descent. “And am committed to continuing to participate in the global struggle against the processes of violent extraction, and against the structures of colonization, capitalism, white supremacy, and patriarchy it feeds.”

## It’s about the little guy

There are others, too, who remain in the forest and are still blocking construction by putting their lives on the line and refusing to move. On the far side of the mountain sits a man in a perch dangling from a tree. A bald gash of clearcut, about as wide as a truck is long, runs through the forest, up the mountain, and stops just at the tree from which he hangs. A handful of folks have also taken to the trees in a place called Little Teel Crossing, and just this Monday, a woman named Fern MacDougal made her new home in another aerial blockade on Peters Mountain.

A mother and daughter team, nicknamed Red and Minor respectively, came down from the trees after more than 30 days, on property that has been in their family for more than seven generations.

These activists hold the typical concerns of having a gas pipeline run through the yard: if it leaks it poisons the water, the font of the incredible biodiversity in the area; there’s a two-and-a-half-mile blast radius if it explodes; the pipeline is taking their land through eminent domain against their will for resource extraction that they feel will not benefit them or their neighbors.

But they also say this is about more than just a pipeline, built by Mountain Valley Pipeline LLC. It is, they say, also about the erosion of democracy and the natural world by money and the hunger for it. They see this pipeline as one more physical manifestation of the loss of personal agency in the face of an impersonal and uncaring government. They say it’s about the little guy – in this case almost all women – being pushed *too damn far* and being unable to take it any more.

From the top of her pole, across the police-mandated 150ft barrier, Nutty had explained herself, shouting to be heard: “We’re

dealing with an ecology of oppression and violent structures that are tied together and interwoven, structures that are opposed to human survival, freedom, autonomy and the land.”

## We just had enough

They say a squirrel used to be able to run clear from the Atlantic Ocean to the Mississippi river, branch to branch over the treetops, without ever touching ground. The Appalachian plateau makes you believe it. It’s beautiful and wild and alive.

“Eyes, in this region,” wrote Pulitzer prize winner James Allen McPherson, “are trained to look either up or down: From the hollows up toward the sky or from the encircling hills down into the hollows ... it is an environment crafted by nature for the dreamer and for the resigned.”

Burbling streams switchback through the mountains, and it’s on the banks of one of these fairytale waterways that Red and Minor sit in camp chairs, shoeless in the grass. They’re enjoying the afterglow of the “Mountain Mama” festival thrown to help with the court costs and fines incurred when they spent a month in the air.

“I just did what I thought I had to do,” said Minor.

Red works as a forklift driver and Minor is a bookkeeper for a small business. Both of their employers bent the rules so they could take to the trees and keep their jobs. Neither of them considered themselves “activists” before the pipeline and were unfamiliar with the concept of a “tree sit” until inspired in part by the folks over on Peters Mountain.

“Holy crap, that’s working, it can be done,” Minor reasoned.

Red spent 33 consecutive days suspended on a 4x8 sheet of plywood between an oak and a maple, and Minor 34 hanging from a single oak. But the activists’ resistance started almost four years before that. You don’t begin fighting a pipeline by sitting in a tree. Both list the steps they and others have taken to fight it: the comment periods unheeded, the independent environmental and archeological studies snubbed, the court challenges lost, the demonstrations ignored, the politicians petitioned and rebuffed.

None of these actions worked. And so they say they have to resort to non-violent civil disobedience to overcome what they see as a rigged system.

Virginia’s governor, Ralph Northam, took \$50,000 from MVP’s largest shareholder, EQT Corp, and another \$199,251 from Dominion Energy, major shareholder of the Atlantic Coast Pipeline being built nearby. The two Federal Energy Regulatory Commissioners who voted to approve the pipeline were appointed by Donald Trump, who has taken millions from energy companies, including NextEra donating a quarter-million dollars to his inauguration.

(Governor Northam’s office did not respond to a query asking if the near quarter-million dollars he has taken from energy companies building pipelines in his state have influenced any of his decision making.)

Activists also note the dozens of spills already happening each year; what they see as the arrogance of clearcutting trees before all permits along the route are secured. And while pipeline construction is said to bring economic benefit to the state, a common

**(More on the next page)**



## Tree Sitters Risk their Lives (Continued from previous page)

refrain among residents remains that license plates of pipeline trucks read Utah and Texas and Oklahoma. They add that this is all happening on land stolen from Native Americans during the European-American genocide of the race in the first place.

“[Mountain Valley Pipeline] knew they bought the legislature, they knew they bought the governor, they knew they bought the politicians, so they knew they could walk all over us,” said Red Terry.

Coles Terry, Red’s husband and Minor’s father, later led me to the edge of the stream. There aren’t a whole lot of places left in the US where you can drink water in its natural state, but it remains an American ideal to *drink right from the source*.

The water was cool and sweet and clean.

### I’m not here because I’m a tree hugger

Tree sits are often most closely associated with the environmental activism of the 1980s and 1990s opposing the clearcutting of old-growth forest in the American west. Activists understand they are using a non-movement protest tactic that has been used in freedom struggles across the world from lunch counter sit-ins and Rosa Parks’s famous “no”, to the anti-colonial struggle in India and Gandhi’s refusal to leave Bihar, or sit-down strikes during labor struggles as in the famous Fisher Body plant in Flint, Michigan.

Tree sits are particularly effective because it’s difficult to remove the person suspended in the air without endangering their lives. Activists often try to make the process of extraction as difficult as possible.

Nutty was not actually in a tree but atop what they call a “monopod” supported by guide wires and locked to a gate blocking a construction access road. If any of the wires had been disturbed, she could have come crashing to the ground and died.

There are two reasons protesters like her often use nicknames and wear a balaclava to hide their faces. The theory is, if the police don’t know who is blocking the road, it’s more difficult to compel tree-sitters from the sit with fines and other punishments.

Red and Minor finally came down after a judge agreed to fine each \$1,000 every day they remained in the trees, to be paid not to the state, to the commonwealth of people, but to the pipeline itself.

The second is because she maintained the fight is not about her or any one individual, but about an idea – and you can’t fine or jail or kill an idea.

Crucial to the tree sits are the support camps that surround them. On Peters Mountain there are two, one on each side of the state line, populated by a roving cast of supporters, mostly women, who by now almost live in semi-permanent camps in the Jefferson and Washington national forest. They took shifts watching 24 hours a day so the police and pipeline workers didn’t do anything to endanger Nutty’s life.

On the Virginia side the hike in from the road takes at least an hour each way over gnarly terrain, a path activists blazed parallel to a public road, now closed by the US Forest Service police.

They say the closure is to keep protesters “safe” but activists maintain it is to make resupplying the camps more difficult. Still, local citizens, many of whom didn’t consider themselves “activists” before the pipeline, hike out trash and hike in coffee, and baby wipes, and food, and cigarettes, and batteries, and school groups bearing supportive art made by children, and even hot meals, deer

ribs, ramps, spinach, and an entire Thanksgiving-style dinner with a tofu turkey.

There was a strange standoff between the support camp and the police across the boundary just a few yards away. The police antagonized the supporters with bright lights and generators and near daily pounds through the camp to count heads and tents and ask questions. The supporters gave it back to them, and attempted to alleviate Nutty’s boredom, with daily music and podcasts broadcast through a Bluetooth speaker they call “hellbender radio”, named for the local term for a particularly large river salamander.

One night, three supporters crossed the line and attempted to resupply Nutty and were all arrested.

Nearing Nutty’s 50th day in the monopod, we talked to three women were encamped, all for some time, and all from the area. “You can’t ask politicians whose livelihood depends on these projects to change it for you,” said Kim Ellis. “People have to be able to use their own power and change it for themselves.”

“Our politicians are bought and sold like any other commodity, and resisting in other ways that remove them from the process is very powerful and also liberating and empowering,” said a man calling himself Deckard on the West Virginia side of Peters Mountain.

He was echoed by a man calling himself Ink atop the trees at Little Teel Crossing, south-east of where Deckard hangs.

“For me, I’m not here because I’m a tree hugger,” he said over the phone. “I’m here because the world as it is structured is unendurable. Climate change, the genocidal war in occupied Palestine, policing in the ’hoods of the US, the carceral system, the massive experience of depression, listlessness, and anxiety, mass shootings, the rise of fascist and white supremacist organizations all are connected and imply the necessity for massive transformation – and that has to start with how you choose to make your life with other people and implies taking risk.”

He had been up in the trees a week, and police have only just set up their blockade. He will not get any more food aside from what he has with him until he touches ground. Along with the others now in the air, he stocked for a long, drawn out fight and has a long way to go.

**Note: This story originally appeared in *The Guardian*. Because of space considerations, this is an abbreviated version. To see the whole thing (including some cool pictures) go to <https://www.theguardian.com/environment/2018/may/26/tree-sitters-ap>**

### 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, United States mail to WV Highlands Conservancy, PO Box 306, Charleston, WV 25321.

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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