



# *The Highlands Voice*

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

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## The beat goes on

# Objections Continue to the Mountain Valley Pipeline

By Cindy Rank

Last month's *Highlands Voice* (October 2020) explained the legal challenge by WV Highlands Conservancy and seven co-plaintiffs to the recently reissued Army Corps of Engineers (ACOE) stream crossing permit for the Mountain Valley Pipeline to cross 1,000 streams along its 303-mile path through West Virginia and Virginia.

In late October the same set of plaintiffs challenged the **US Fish and Wildlife Service** approval and are seeking a stay from that agency based on what we contend is a flawed Biological Opinion.

Since the first opinion came out in 2017, the candy darter has been added to the list of endangered species. In seeking the stay, the groups also contend that the biological opinion failed to adequately consider how fish would be affected by increased sedimentation caused by the steel pipe crossing hundreds of

streams, or how the Indiana and northern long-eared bats would survive the clearing of forests they inhabit.

The environmental groups take issue with the conclusion that the colorful darter and the Roanoke logperch would not be adversely impacted by boring under the Gauley River in West Virginia and Stony Creek in Giles County.

As for bats, the letter states the Fish and Wildlife Service improperly downplayed the effects of cutting down roost trees to clear a 125-foot-wide right of way for the pipeline.

In addition to bats and fish, pipeline construction is likely to threaten two kinds of freshwater mussels — the clubshell and snuffbox.

The groups have also asked the **U.S. Court of Appeals for the Fourth Circuit** to review the biological opinion the Service

**(More on p. 3)**

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## Thoughts from our President

By Larry Thomas

WOW, October was certainly the time for visiting the highlands that we all love. Traveling through the mountains, as many others that I passed along the way were doing, one could observe Mother Nature's magical transition from summer to fall. I heard so many comments stating that this certainly was one of the best years for the fall foliage with all its vivid colors. Today as I look out across the mountains and see that we are well into the transition to winter, as most of the leaves have fallen from the trees.

Sadly, we had to cancel the planned Fall Review this year because of concerns with the Coronavirus. That did not stop the continued monitoring of the many activities and issues that continue to affect the Highlands reported here in *The Highlands Voice*.

### **Monongahela National Forest Project Reviews**

The WVHC Public Lands Committee continues to review the proposed projects in the Mon.

#### **Grassy Ridge Project Environmental Assessment (EA)**

Last month I mentioned that the Monongahela National Forest - Cheat-Potomac Ranger District was interested in receiving comments on the Grassy Ridge Project Environmental Assessment (EA).

The Grassy Ridge Project is a 5,545-acre project area located in Randolph and Pendleton counties on the Cheat-Potomac Ranger District and seeks to restore red spruce and regenerate hardwood and spruce-hardwood communities, as well as manage areas for wildlife. The project area is located near Spruce Knob Lake, just east of the town of Osceola. Full information concerning the project can be found at <https://www.fs.usda.gov/project/?project=56948>.

On October 28, WVHC filed specific comments and suggestions concerning the Draft Environmental Assessment. Concurrent with the comment letter, WVHC also submitted a Freedom of Information Act Request for missing information in the Regional Forester Sensitive Species – Wildlife section. On October 30, WVHC participated in a conference call in which it was agreed that the requested information will be posted on the above project site.

#### **The Administration Relaxing of Rules for Oil and Gas Drilling in National Forests**

The administration has released its plan to make it easier for companies to drill for oil and gas on U.S. Forest Service lands, sparking strong complaints from environmentalists. Comments concerning this proposed rule, the associated information collection, and/or the EA were to be received by 60 days from date of publication in the Federal Register. WVHC participated in a letter requesting a 90-day extension to the already-announced comment period related to these regulations to be filed November 2.

### **Atlantic Coast Pipeline (ACP) and Supply Header Project (SHP)**

On July 10, 2020, Dominion Energy Transmission, Inc. (DETI) filed a modification to the previous request for an extension of time, requesting a one-year extension for Atlantic Coast Pipeline, LLC (Atlantic) to implement abandonment and restoration of ACP project areas. DETI also reaffirmed its request for a two-year extension of time to construct and place into service portions of the Supply Header Project (SHP), as it continues to evaluate options

for use of SHP. The Federal Energy Regulatory Commission (FERC) on Tuesday, October 27 asked DETI, managing partner for the ACP and SHP, to provide it "a plan for disposition of ACP and SHP, including restoration activities." The requirements for the plan include all contemplated disposition and restoration activities for the ACP and the SHP. Activities should be identified by pipeline facility and by milepost and must include, at a minimum, the following:

1. A schedule identifying planned initiation and completion dates for all discrete phases of project disposition and restoration activities.
2. Identification of all areas where construction has started but no pipeline has been installed (i.e., areas that have been cleared or graded) and a description of how these areas would be restored.
3. Identification of all SHP components that DETI plans to place into service, and how those facilities would integrate with DETI's system.
4. Identification of all pipeline segments, buildings, foundations, fences, aboveground piping, belowground piping, and appurtenant facilities that would be removed or left in place. This must include a description how each facility would either be left in place or removed from the site, and what methods or procedures Atlantic/DETI would use to dispose of the materials that would be removed.
5. A plan for the long-term restoration of disturbed rights-of-way. This must identify the entity that will be responsible for completing and maintaining this restoration.
6. Discussion of the status of Atlantic's/DETI's consultation with landowners on matters pertaining to project disposition and restoration activities on their property, as applicable, including: a. preferences regarding treatment of pipeline segments that have already been installed (i.e., pipeline to be left in place or removed); b. preferences for removal of felled trees that have not been cleared; and c. preferences on how disturbed areas would be restored, depending on their land use type (e.g., forest, agricultural, etc.).
7. A table showing the federal, state, and local permits and approvals required for land-disturbing activities associated with project disposition and restoration. Include a discussion of the status of all required federal and state government Document Accession #: 20201027-3057 Filed Date: 10/27/2020 2 permit approvals and consultations. Include the agency and individual contacted, the date Atlantic/DETI submitted the application (or a timetable for the Atlantic/DETI submission), or whether Atlantic/DETI have received a permit.
8. The status of all historic properties requiring any further treatment or avoidance measures as well as a schedule and plans for fulfilling any remaining stipulations of the Programmatic Agreement executed to comply with Section 106 of the National Historic Preservation Act.
9. The status of the implementation of conservation measures and mitigation for ACP and SHP impacts (e.g., tree clearing, ground disturbance) on species protected under the Endangered Species Act.

The DETI was given 60 days to respond.

Those are just several of the many issues that WVHC is watching. Enjoy the Highlands Voice as we report on other issues in or affecting the Highlands and please stay safe during the start of the holiday season.

## More Mountain Valley Pipeline (Continued from p. 1)

relied on to decide that construction of the Mountain Valley Pipeline is not likely to jeopardize protected fish, bats and mussels.

### Where do things stand?

The **Corps stream crossing permit** case is ongoing and the 4<sup>th</sup> Circuit Court of Appeals has scheduled a hearing for early November. If granted the permit will affect the specific 1,000 stream crossing areas.

The **Forest Service approval** has yet to be decided for the pipeline to cross the Jefferson National Forest in southeastern WV and VA. The comment period on the new Forest Service environmental impact statement ends in mid-November and the Service anticipates a decision by years end.

If the **Fish and Wildlife approval** is granted it will impact much more of the construction area along the 303-mile pipeline path than either the stream or Forest crossings.

In addition to the West Virginia Highlands Conservancy, the groups taking part in these actions are Sierra Club, Appalachian Voices, Wild Virginia, the West Virginia Rivers Coalition, Preserve Giles County, Preserve Bent Mountain, the Indian Creek Watershed Association, Defenders of Wildlife, the Chesapeake Climate Action Network and the Center for Biological Diversity.



Site of the proposed crossing of the Gauley River.



This is the road leading to Bear Rocks on an early October day. The Forests exists, in part, for the enjoyment of the public. At the same time, overuse can diminish the solitude that is part of that enjoyment. Managing this use is one of the challenges the Forest Service faces.

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*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.

# West Virginia Highlands Conservancy Adopts Climate Change Policy

During its October meeting the West Virginia Highlands Conservancy Board adopted a policy on climate change.

The genesis for the climate change policy came from a poll of Conservancy members on their opinions on climate change. The poll found that 78 percent of Conservancy members were “very concerned” about climate change, and an identical percentage of Conservancy members wanted the Conservancy to develop and publish a policy on climate change. Following the survey, the Climate Change Committee began the process of developing the policy recommended by Conservancy members. Here are the highlights of the policy.

- The policy lists several impacts of climate change on the Allegheny Highlands, including warming temperatures, changing precipitation patterns (more rain and snow in the fall, winter and spring, less rain in the summer), and adverse impact on Eastern Brook Trout and other coldwater fisheries. The policy also recognizes several global impacts of climate change, including sea level rise, more numerous and more intense wildfires, and more severe hurricanes.
- The WVHC policy made several findings: that climate change is real; that its impacts are already occurring and will increase in severity until meaningful action is taken; and that mankind’s actions are a major contributor to climate change.
- The policy states that in developing solutions to climate change that we should “first do no harm” by preserving and protecting old-growth forest and other timber stands.
- The policy endorses the emission reduction targets developed by the United Nations’ Intergovernmental Panel on Climate Change (IPCC). The IPCC found that in order to avoid the worst impacts of climate change that carbon dioxide (CO<sub>2</sub>) emissions need to be reduced by 45 percent by 2030 and reach net-zero by 2050. (Note net-zero emissions means that there will continue to be emissions of CO<sub>2</sub> into the atmosphere in 2050, but more CO<sub>2</sub> will be removed from

the atmosphere -- by planting trees for example -- than is being emitted.) The Conservancy will support international agreements or treaties that move the world towards achieving these benchmarks.

- Nationally, the Conservancy will evaluate Congressional proposals to address climate change on whether they will reduce greenhouse gases by the benchmarks established by the IPCC: 45 percent reduction by 2030 and net zero by 2050. Proposals to address climate change could include a regulatory approach like President Obama’s Clean Power Plan, cap-and-trade initiatives, carbon fee and dividend approach, or the Green New Deal. “For the WVHC how emissions reductions occur is less important than assuring that significant greenhouse gas emissions reductions actually do occur; and occur as quickly as possible.”
- The policy also endorses a “just transition.” Under a just transition, those who are likely to be disproportionately impacted by initiatives to address climate change, and in particular coal miners and coal mining communities, are provided adequate resources in order to make this difficult but necessary transition.
- The policy concludes by reaffirming the Conservancy’s “historic role of protecting and expanding the forest of the Allegheny Highlands,” as one approach to addressing climate change.

Two important aspects of this policy are worth noting. First, the policy is grounded in science. The Intergovernmental Panel on Climate Change is the world’s preeminent climate research organization, comprised of thousands of climate scientists from across the globe. Embracing the IPCC’s findings is the cornerstone of the Conservancy policy. Second, creation of the policy was inspired by Conservancy members.

To see the entire policy, look on page 5.

## West Virginia Highlands Conservancy Adopts Single Use Plastics Policy

The single-use plastics policy is an attempt to move upstream in the effort that the Conservancy has mounted in recent years to “monitor pipeline construction, well drilling and fracking to conserve and protect our mountains, valleys, and streams.” It is one thing to oppose a pipeline. It can be even more effective to reduce the need for natural gas used in the production of plastics.

The heart of the Conservancy single-use plastics policy is one clear sentence: “It is the policy of the West Virginia Highlands Conservancy to change behaviors and policies to reduce and ultimately eliminate single-use plastics.”

In order to achieve this lofty goal, three specific activities are spelled out in the policy.

- “Educate West Virginia legislators and the public on the issue, developing strategies to reduce microfibers, supporting bag bans, and promoting convenient substitutes for all single-use plastics.”
- Request that participants at all WVHC functions only bring alternatives to single-use plastic to these events.
- Ensure that vendors that the Conservancy uses to help host events are aware of the policy and avoid single-use plastic for food and drink that they supply.

Plastics, and in particular single-use plastics, have become ubiquitous in our society, “entering the food chain, threatening wildlife, and damaging ecosystems.” Taking on this issue will require years of hard work. And yet the journey of a thousand miles begins with a single step, which is what the Conservancy has done. If you are interested in participating in the Conservancy’s fight to reduce the use of single-use plastics, contact Larry Thomas, President of the WVHC.

# West Virginia Highlands Conservancy

## Position on Climate Change

Naturally occurring greenhouse gases have been warming the Earth for millions of years. Without these naturally occurring greenhouse gases, such as water vapor and carbon dioxide (CO<sub>2</sub>), the Earth's climate, which is the average of temperatures taken across the globe over a number of years, would be 0° Fahrenheit (F) instead of the 59°F that we currently enjoy. However, since the 1850s with the beginning of the Industrial Revolution, mankind has discharged slightly more than one trillion tons of CO<sub>2</sub> into the atmosphere in addition to the naturally occurring greenhouse gases. Coupled with changes in land use, this vast increase in greenhouse gases is warming the atmosphere and changing the Earth's climate.

The changing climate is projected to have a significant impact on the Allegheny Highlands. For example:

- Warming temperatures. The Forest Service projects a 7.8°F increase in climate temperature by the end of the century in Central Appalachia under a continued high emissions scenario with the number of days above 95°F doubling by 2050.
- Changing precipitation patterns: The Forest Service projects a modest increase in total precipitation by the end of the century under a high emission scenario. However, they also project a change in when precipitation occurs with increases in fall, winter and spring, and a significant decrease in rain during the summer months (-4 inches, a 48 percent decrease).
- Degradation of coldwater fisheries: According to the Friends of Blackwater, Eastern Brook Trout are already gone from a third of their former homes in Appalachia, and other reports have found that suitable habitat in the Highlands for brook trout may disappear altogether by the end of the century under a high emissions scenario.

Climate change is a world-wide problem. Projected global impacts include sea level rise; melting glaciers around the world and melting ice sheets in Greenland and Antarctica; more intense and more numerous wildfires in the Western United States, Australia, Siberia and the Amazon; increases in the severity of hurricanes; as well as droughts in parts of the world reducing food production that could trigger mass migrations.

The West Virginia Highlands Conservancy (WVHC) finds that climate change is real, that its impacts are already occurring and will increase in severity unless meaningful action is taken, and that mankind's impact on the atmosphere is a major contributor to climate change.

The WVHC finds that in considering solutions to address the climate change emergency, we should first do no harm. Old-growth forest and other timber stands that are currently sequestering significant amounts of carbon dioxide should be preserved and protected as much as possible so that their CO<sub>2</sub> remains sequestered and not reemitted into the atmosphere. Additionally, the WVHC will continue its strong support and action of planting red spruce trees and other species in the Highlands and in other locations. Trees are an important mechanism to take already emitted CO<sub>2</sub> out of the atmosphere.

However, preserving trees, even old-growth forest, is not adequate as the sole means of addressing the climate change crisis. Meaningful reductions in greenhouse gases, such as CO<sub>2</sub> and methane, is essential. The UN Intergovernmental Panel on Climate Change (IPCC) has recommended that global CO<sub>2</sub> emissions be reduced by 45 percent by 2035, and that the world reach net-zero CO<sub>2</sub> emissions by 2050 in order to avoid the worst impacts of climate change. The WVHC endorses these emission reduction targets, and will support international agreements or treaties that move the world toward achieving these benchmarks.

Nationally, reductions in greenhouse gas emissions can be achieved in a variety of ways: through a traditional regulatory approach such as President Obama's Clean Power Plan, or through a cap-and-trade initiative, or through a carbon fee and dividend initiative, or through a Green New Deal-styled program. For the WVHC how emissions reductions occur is less important than assuring that significant greenhouse gas emissions reductions actually do occur; and occur as quickly as possible.

Any Congressional action to address climate change should include a "just transition" to ensure that those who will be disproportionately impacted by the transition to a low-carbon economy, in particular coal miners and coal mining communities, are provided adequate resources in order to make this necessary transition.

Accordingly, the WVHC Board of Directors will evaluate all climate change legislation being considered by Congress against these benchmarks: will this proposal reduce national CO<sub>2</sub> and other greenhouse gas emissions by 45 percent by 2035; will it achieve net-zero greenhouse gas emissions in the United States by 2050; and does it provide for a just transition.

As part of the global effort to reduce CO<sub>2</sub>, the WVHC will continue its historic role of protecting and expanding the forest of the Allegheny Highlands.

# Closing Dates Announced for Monongahela National Forest Recreation Sites

While most of Monongahela National Forest is open year-round, closing only when access roads are snow-covered, some developed campgrounds, picnic areas and both visitor centers are routinely closed from late fall through mid-spring.

Closing dates for recreation sites on the Cheat-Potomac Ranger District (304-257-4488) in the Petersburg and Seneca Rocks areas:

- Big Bend Campground – 10/31
- Dolly Sods Picnic Area – 12/1
- Forest Roads 19 & 75 in the Dolly Sods area – 12/31
- Gatewood Group Campground – closed
- Jess Judy Campground – closed
- Red Creek Campground – 12/1
- Seneca Rocks Discovery Center – closed
- Seneca Rocks Picnic Area – 12/1
- Seneca Shadows Campground – 10/31
- Spruce Knob Lake – The lake is open year-round. Toilets close 12/1.
- Spruce Knob Lake Campground – closed
- Spruce Knob Observation Tower – Area closes when snow covered. Toilets close 12/1.

Closing dates for recreation sites on the Cheat-Potomac Ranger District (304-478-2000) in the Elkins and Parsons areas:

- Bear Heaven Campground – 12/1
- Horseshoe Recreation Area – closed
- Stuart Recreation Area – closed

Closing dates for recreation sites on the Greenbrier Ranger District (304-456-3335) in the Bartow area:

- Gaudineer Knob Picnic Area – 12/1
- Island Campground – 12/1
- Lake Buffalo – The lake is open year-round. Toilets close 12/1.
- Laurel Fork Campground – 12/1
- Middle Mountain Cabins – 12/1
- Old House Run Picnic Area – 12/1

Closing dates for recreation sites on the Gauley Ranger District (304-846-2695) in the Richwood area:

- Big Rock Campground – 11/30
- Bishop Knob Campground – closed
- Cranberry Campground – 11/30
- Cranberry Glades Boardwalk – Area closes when snow covered. Toilets close 11/30.
- Cranberry Mountain Nature Center – closed
- Cranberry River Developed Dispersed Campsites – Area closes when snow covered. Toilets close 11/30.
- Falls of Hills Creek – Area closes when snow covered. Toilets close 11/30.
- North Bend Picnic Area – closed

- Summit Lake – The lake is open year-round. Toilets close 11/30.
- Summit Lake Campground – 11/30
- Williams River Developed Dispersed Campsites (downstream of Tea Creek Campground) – Toilets are closed.
- Woodbine Picnic Area – closed

Closing dates for recreation sites on the Marlinton-White Sulphur Ranger District (304-799-4334) in the Marlinton area:

- Day Run Campground – 11/30
- Highland Scenic Highway – Road closes when snow covered.
- Pocahontas Campground – 11/30
- Rimel Picnic Area – 12/31
- Tea Creek Campground – 11/30
- Williams River Developed Dispersed Campsites (#19 to #30 – sites near and upstream of Tea Creek Campground) – Toilets are closed.

Closing dates for recreation sites on the Marlinton-White Sulphur Ranger District (304-536-2144) in the White Sulphur Springs area:

- Blue Bend Recreation Area – 11/30
- Blue Meadow Group Campground – closed
- Lake Sherwood – The lake is open year-round. Toilets close 11/2.
- Lake Sherwood Recreation Area West Shore Loop – 11/2
- Lake Sherwood Recreation Area remaining campground loops – closed
- Lake Sherwood Recreation Area picnic area, picnic pavilion and swimming beach – closed
- Lake Sherwood Recreation Area boat ramp and trailhead – Open year-round.

Roadside camping, also called dispersed camping, is available in many areas of the Forest year-round. Contact the Ranger District near the location you would like to visit for more information. A list of offices can be found at <https://www.fs.usda.gov/detail/mnf/about-forest/offices>.

For more information about recreation sites visit <https://www.fs.usda.gov/recmain/mnf/recreation>.

## 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.

**Join Now !!!**

Name \_\_\_\_\_

Address \_\_\_\_\_

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

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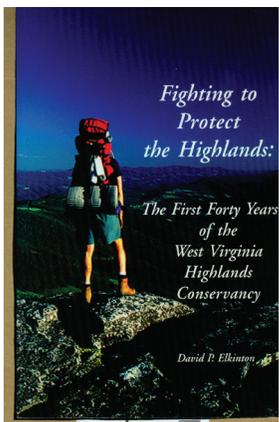
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**West Virginia Highlands Conservancy**  
**Working to Keep West Virginia Wild and Wonderful**

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 Dave Saville at [WVHC50@gmail.com](mailto:WVHC50@gmail.com).

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.

**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.

## What Would a “War on Coal” Actually Look Like?

By Mike Harman

If you are leaning toward giving the accusations of the West Virginia Coal Association and Chamber of Commerce any weight whatsoever regarding “Obama’s war on coal,” it would be instructive to examine a few facts. First of all, coal sales are down due to a reduced demand for electric power, which may be partly due to a struggling economy, but much more likely due to many customers finding ways to save energy and save money by becoming more energy-efficient.

Industry and commercial businesses are finding it very cost-effective to lower their energy bills with improvements in lighting, heating, cooling, and refrigeration. Homeowners are finding ways to cut their electric usage by switching to better lighting, newer furnaces, air conditioners and refrigerators. Those newer energy-using devices are much more efficient than the old ones, so they cost much less to run. Some customers are switching to natural gas for home heating and water heating, because it is cheaper than electric heat and creates far less pollution from coal mining and coal burning. Even some utility companies are switching to natural gas instead of coal for power generation.

In fact, in states where there are active programs to help customers save energy and money, the reduction in electric power demand is far outpacing the development of new power generating capacity. We just don’t need more coal-fired power plants. This is just normal market conditions doing its thing.

So, what’s really behind layoffs scheduled by Alpha mines, as reported in the Charleston Gazette and Daily Mail on August 1? According to Alpha’s own news release, the layoffs are primarily due to “persistently weak market conditions, including an excess supply of coal, weak demand, and depressed prices.” Looming regulations by the EPA may be a concern for the future, but that is not what’s behind the layoffs of over a thousand miners in southern West Virginia. As a famous Democrat once said, “It’s the economy, stupid!”



Photo courtesy of the Library of Congress

Given the coal industry’s tendency to hyperventilate at any opportunity to slam President Obama and the EPA, it’s a wonder we haven’t seen the same hysteria over the years as Americans move to make sense of our economy and system of justice. Looking back historically, a major battle in the war on coal may have been the enactment

of the child labor laws that were passed in this country during the Franklin D. Roosevelt administration. This act of Congress threw thousands of children out of work in the mines and cut deeply into coal company profits. Other coal war battles waged by Congress included the Coal Mine Safety and Health Act, the Black Lung Compensation Act, the Fair Labor Standards Act, Surface Mine Reclamation Act and the Forty Hour Work Week.

But to bring this a little more up-to-date, coal mining operations are under attack these days by individuals and organizations that are working to stop violations of the law or lack of enforcement of public regulations that are supposed to protect our water, land and air. A group called WildEarth Guardians has filed lawsuits in Montana,



Photo by Bob Gates

Colorado, and New Mexico based on evidence that government regulators are not enforcing the law, and have approved mining permits without involving the public. Just in the past five years, WildEarth Guardians has filed dozens of lawsuits and legal petitions against agencies that regulate mining on federal lands.

But a real war on coal would be something much different. It would entail sabotage against coal mine equipment and operations, such as derailing coal trains, blowing up bridges, blasting train tunnels, that sort of thing. Desperate people might attempt to mess with mine operations in any number of ways. They might take it on themselves to go after coal trucks and coal haulage roads, strip mine bulldozers, Caterpillar machinery suppliers, coal company law firms, or any number of collaborators in partnership with the coal industry.

People engaged in a war on coal would go after the boards and management of coal companies, their business relations, collaborative financial and accounting firms, sympathetic politicians, and so forth.

A real war on coal might look a lot like the war fought against mine unionization in West Virginia back in the early 1900s, when your chances of survival in a coal mine were worse than surviving in the military engaged in “real” war. That’s the war that was waged by

**(More on the next page)**

## More about the War on Coal (Continued from the previous page)

coal company security forces and federal troops firing on striking miners camped out in tents.

Ten thousand coal miners died from black lung disease in the 10-year period from 1995 to 2004. That's more than all the American lives lost in the George Bush wars since 2001. If there is a "war" going on in the mining industry, the body count is piling up entirely on the side of the mine workers, not the industry that finances and runs the mines.

I was very fortunate to have been a customer of our municipally-owned St. Albans Water Company in January when coal cleaning fluid leaked into the Elk River and destroyed the water supply for 300,000 West Virginians in nine counties, over a period of many weeks. It is only natural that people want to fight back.

Yes, maybe there actually is a "war on coal." But if so, it is being waged by thousands, and perhaps millions of Americans who are tired of paying too much for electric power and who manage

to see some light at the end of a long, dark, dusty, dank tunnel.

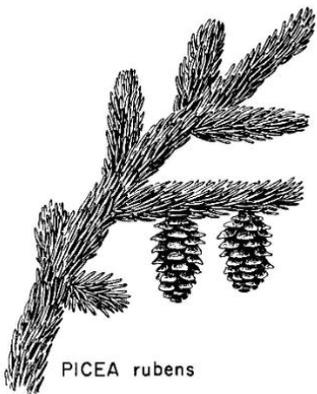
Almost every day, another depressing news report makes it crystal clear that coal's long legacy of catastrophic accidents, explosions, dam failures, tank failures, pipe failures, train wrecks, and climate disasters, is still throwing shadows over our lives. We can't wait another year, another week, or even another day for more of the same. We need to bring this nightmare to an end.

It's time for the people of this country to take back control over their own destiny. Over the land, the air, the water, the climate, and their elected representatives in government. This is what we call the commons. Nobody owns those things. They rightfully belong to the people who partake of them. I personally am tired of being told it can't happen, that the coal business is too powerful, that the energy bandits won't relinquish their grip. We owe it to ourselves and our posterity to take it back. The coal conglomerate has squandered

the opportunity to do things right, and they have earned nothing except to have that power taken away.

**Note: This was written in 2014, when the "war on coal" was at its height. To the extent that there ever was a "war on coal" President Trump declared a truce in March, 2017, when he did an Executive Order ordering all regulatory agencies to avoid "regulatory burdens that unnecessarily encumber energy production." To the surprise of no one who had been paying attention to markets (the kinds of observations made in this piece), the coal industry continued to decline about as it had when the "war" was on. It is nice to have a perspective from a time when the "war" was on, including discussion of what ails the industry, both during the "war" and now, after the truce. It first appeared in *The Spirit of Jefferson*, Charles Town, W.Va.**

## Red Spruce Seedlings Available for Spring 2021



The West Virginia Highlands Conservancy currently has a limited number of Red Spruce seedlings available for Spring 2021. Quality container-grown seedlings, grown from seeds collected in the West Virginia Highlands for forest restoration and research purposes.

When we have a surplus, we make them available to the public. All proceeds support our Red Spruce Ecosystem restoration efforts.

Quantities Limited

### Red Spruce (Picea rubens)

2 year plug, 10-15 inches tall. These quality container-grown seedlings are the same product we have been using in restoration projects very successfully for nearly 20 years. CASRI Partners have planted nearly a million of them!

***For 2021 we have an extraordinary opportunity to offer Red Spruce plugs from 5 different seed sources; Dolly Sods, Spruce Knob, Stuart Knob, Panther Knob and Top of Allegheny. Or you can order a mix of available sources.***

100 - \$250 (FOB Morgantown),

100 Shipped (via UPS) - \$300,

1,000 - \$1,250 (FOB Morgantown)

Plants are available for pick-up April 15-30, 2021 in Morgantown, WV.

Limited availability - Minimum order 100.

Trees can be purchased online at [www.wvhighlands.org](http://www.wvhighlands.org), or send a check to;

West Virginia Highlands Conservancy, PO Box 306, Charleston, WV 25321. Specify source preference.

For more information contact: Dave Saville at [david.saville12@gmail.com](mailto:david.saville12@gmail.com)

To learn more about the Red Spruce Ecosystem, and our efforts to restore it, visit; [www.restoreredspruce.org](http://www.restoreredspruce.org)

If you cannot use any spruce seedlings, consider donating.



## Trump Makes Water Demand of Farms Priority for New Office

By Ellen Knickmeyer

President Donald Trump on Tuesday created what he called a “subcabinet” for federal water issues, with a mandate that includes water-use changes sought by corporate farm interests and oil and gas.

An executive order from Trump put Interior Secretary David Bernhardt and Environmental Protection Agency Administrator Andrew Wheeler in charge of the interagency water body.

Establishment of a water subcabinet “will streamline decision-making processes” across federal agencies, the EPA said in a statement.

The first priority set out by the executive order is increasing dam storage and other water storage, long a demand of farmers and farm interests in the West in particular. That includes California’s Westlands Water District, the nation’s largest agricultural water district. Westlands was one of Bernhardt’s main lobbying and legal clients before his appointment to the Interior Department under Trump.

Asked about whether the move would benefit his old client or represent a conflict for Bernhardt, Interior Department spokesman Nicholas Goodwin said, “The Secretary is resolute in upholding his legal and ethical responsibilities.”

The Interior Department has said previously Bernhardt follows ethics rules and the law in federal government actions involving the water district and other past clients.

Environmental groups say the amount of water sought by corporate farming would leave habitats and wildlife without enough water to survive.

Another of the many directives for the new interagency is implementing a water reuse plan. Oil and gas companies have supported one aspect of the plan that could allow them to dispose of briny, often chemical-laden oilfield wastewater on crops or in aquifers.

**Note: This item came to us from long time member Marion Harless who spotted it in the Farm and Dairy Bulletin, published in Salem, Ohio. The part that many in West Virginia would find most alarming is the last paragraph. The Executive Order referred to in the story refers to implementing another plan, set forth in another lengthy document. Time and space considerations make review of all these documents impossible for this issue of *The Highlands Voice*. By next month it may be possible to do the more detailed study necessary to fully understand this story and tell us how much we have to worry.**

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## Mon National Forest Hiking Guide

Celebrating the 50th anniversary of the West Virginia Highlands Conservancy, the new edition of the treasured guide to every trail in the Monongahela National Forest features brand-new topographic maps and Kent Mason's gorgeous photos, all in color.

The Guide has been updated with the cooperation of National Forest District Rangers and Recreation Specialists to reflect changes in the past ten years:

- \* newly designated wilderness areas
- \* new trails near campgrounds and sites of special significance
- \* a new complex of interconnected trails on Cheat Mountain
- \* rerouted and discontinued trails
- \* ratings for difficulty, scenery, access to water, and much else

The definitive guide to the Mon adds a wealth of information about history, wildlife, and botany; safety, preparation, and weather; horseback and mountain bike riding and cross-country skiing; as well as sources of further information on the Forest and its environs.

The Monongahela National Forest has long been known as a 'Special Place'. The hiking, backpacking, and cross-country skiing opportunities it provides are among the best in the eastern U.S. New wilderness and backcountry trails have been added to the outstanding areas we have appreciated for decades – Otter Creek Wilderness, Dolly Sods Wilderness, Flatrock Plains, Roaring Plains, Blackwater Canyon, Spruce Knob, North Fork Mountain, Shaver's Mountain, Laurel Fork Wilderness, Cranberry Wilderness -- and there are lesser-known gems to be found in between.

Profits from the sale of these guides support a wide variety of worthy environmental projects for the West Virginia Highlands Conservancy.

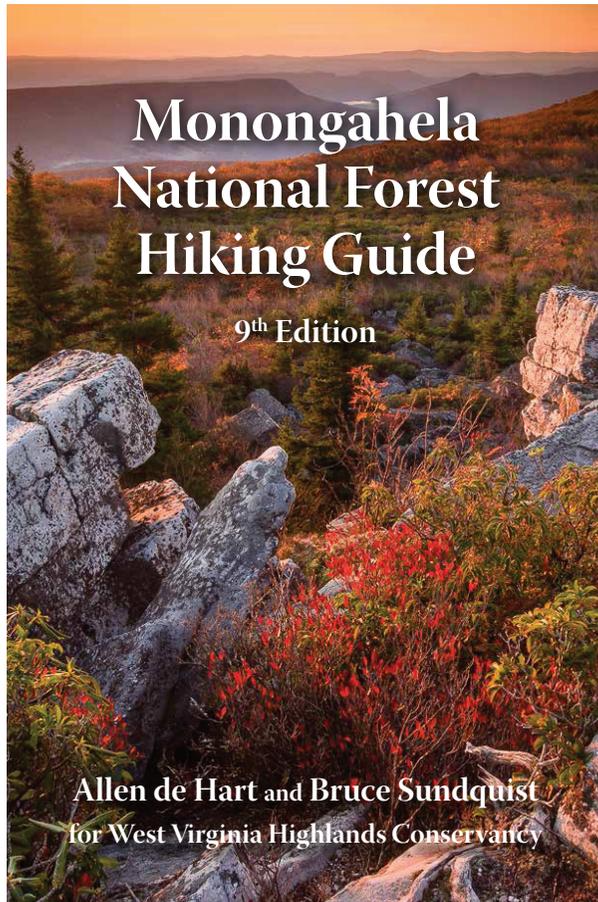
**Send \$18.95 plus \$3.00 shipping to:  
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**Charleston, WV 25321**

**OR**

**Order from our website at  
[www.wvhighlands.org](http://www.wvhighlands.org)**



### The Highlands Voice: It's Not Just for Reading Any More

*The Highlands Voice* is the main way that the West Virginia Highlands Conservancy communicates with its members. But we would like to communicate with more than our members. We have a valuable perspective and information; we would like to communicate with everybody. We still offer electronic delivery. If you would prefer to receive it electronically instead of the paper copy please contact Dave Saville at [WVHC50@gmail.com](mailto:WVHC50@gmail.com). With electronic delivery, you will receive a link to a pdf of the Voice several days before the paper copy would have arrived.

No matter how you receive it, please pass it along. If electronically, share the link. If paper, hand it off to a friend, leave it around the house, leave it around the workplace. It's not just for reading. It's for reading and passing along.

### BUMPER STICKERS

To get free *I ♥ Mountains* bumper sticker(s), send a SASE to P. O. Box 306, Charleston, WV 25321. 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.)



WEST VIRGINIA HIGHLANDS CONSERVANCY, PO BOX 306, CHARLESTON, WV 25321-0306 • [www.wvhighlands.org](http://www.wvhighlands.org)



## THE NATIONAL FOREST MAPPING PROJECT

The National Forest Mapping Project (NFMP) is a monitoring program to track proposed and ongoing projects in the three National Forests that are located within the Central Appalachian Highlands (Monongahela in West Virginia and George Washington and Jefferson in Virginia). The project is part of the Conservation Hub program of the Allegheny-Blue Ridge Alliance (ABRA). ABRA is a coalition of conservation groups in Virginia and West Virginia dedicated to promoting and protecting the ecological integrity of the Central Appalachian Highlands. The Conservation Hub is designed to significantly enhance the capabilities of environmental, conservation, and citizen groups to assess impacts of projects in the Highlands region and to help assure that the overall environmental integrity of the region is maintained.

The Central Appalachian Highlands is an ecologically unique area of remnant wild landscape and high-quality streams. Embracing the eastern half of West Virginia and the western third of Virginia, the area has some of the world's oldest mountains and is the habitat for a diversity of plants and animals that depend on the ecological integrity of the region's high-elevation forested watersheds. In a context of changing climate, the area represents an important refugium for many species and biological communities. The Highlands also contain the headwaters of some of the major river systems in the eastern United States, including the Potomac, James, Cheat, Greenbrier, Elk, Gauley, and New Rivers. The extremely steep slopes of the mountains, together with highly erodible soils and karst valleys, make the area among the most landslide-prone and hydrologically vulnerable in the country. These combined characteristics make the Central Appalachian Highlands worthy of special conservation attention.

### Why is the project needed and who will benefit?

The National Forest Mapping Project will support informed review of proposed Forest Service land and water management projects, as well as other public and private-use projects in the National Forests. At any given time, there are several dozen projects underway or under consideration within the three National Forests. The NFMP will provide valuable assistance to conservation groups throughout Virginia and West Virginia in keeping apprised of these projects and their impact on the region and the surrounding communities.

By combining a map-based clearinghouse for forest management and use proposals with access to critical environmental information, the NFMP will promote public and regulatory agency communication during the project review process. The NFMP will thus enable the kind of collaboration and shared responsibility that will be necessary if we are to preserve and protect the National Forests of the Central Appalachian Highlands.

### How will the project work?

The National Forest Mapping Project will provide an online Geographic Information System with selectable information layers,

including the locations of proposed and ongoing projects in the National Forests and the specific locations of project activities within project boundaries. The NFMP will also provide regulatory and environmental context with access to a range of additional information layers relevant to individual project review, including National Forest management prescriptions and environmental information such as land use and land cover, species and biological community status, geophysical and hydrologic properties, and ecological assessments and projections.

The NFMP will thereby help ensure that individual projects are not evaluated in isolation or without consideration of the cumulative impacts of multiple projects, past land use, and projected ecological change. In addition to map-based access to project details and related information, the NFMP will provide access to assessment and decision documents, including those required by rules that apply to the Forest Service and other agencies with review responsibilities.

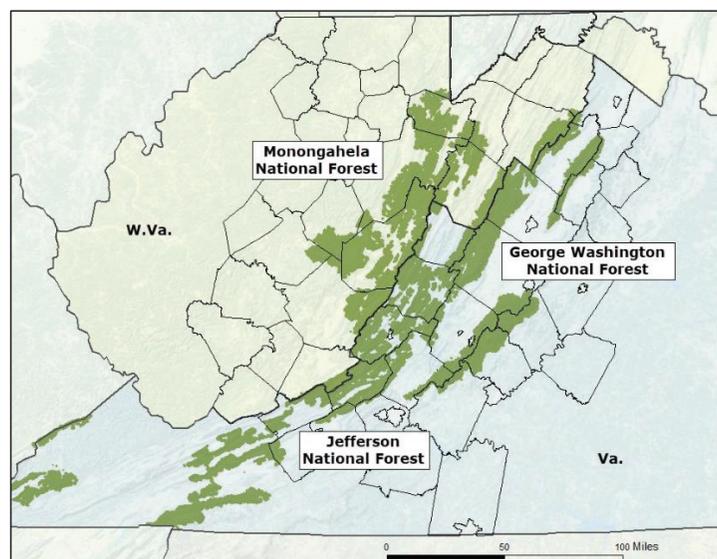
The NFMP will thus make available, in one place, the wide range of information concerning National Forest project plans, environmental conditions, and regulatory requirements that is needed for informed and effective project review but is ordinarily difficult to find and organize. The NFMP will make a new level of public involvement in National Forest planning possible. On the next page there is an example of a proposed project in the Monongahela National Forest that the ABRA Conservation Hub has mapped and is following.

### Going forward

The success of the Conservation Hub's National Forest Map Project will depend on the engagement of conservation groups and the concerned public who seek transparency, coherence, and objectivity in National Forest planning and management. A team representing ABRA member groups is coordinating development of the project.

*For more information about ABRA and the Conservation Hub: see <https://www.abralliance.org>*

*Contact: Dan Shaffer, [dshaffer@abralliance.org](mailto:dshaffer@abralliance.org)*



**National Forests of the Central Appalachian Highlands region, in relation to West Virginia and Virginia counties in the Conservation Hub's primary focus area. The National Forests represent the core of the region's natural landscape.**

On the ridges  
and north sides  
autumn's trees  
are just short of perfection.

One of the last tender winds is blowing  
maroon, yellow,  
red, and orange  
leaves asunder.

Hidden behind Lost Flats  
giant wind turbines are spinning,  
at their base  
and surrounding them  
the strippers are stripping.

Amazing how many miles of paradise  
thirty men can devour  
in a few short years.

The locals wave to each other on Greenbrier Road.  
The strippers do not.  
Instead they leave litter  
as their mark of passing by.

At the entrance to the mine  
a sign says:

YOU LITTER  
YOU'RE GONE!

—but as far as one can see  
One thing IS gone:  
THE MOUNTAINS.

One wouldn't think a Debbie Cake wrapper  
Go Mart cup  
or pop bottle  
would warrant termination  
in the expanse of total destruction,  
now would one?  
Just doesn't seem fair  
or right, does it?

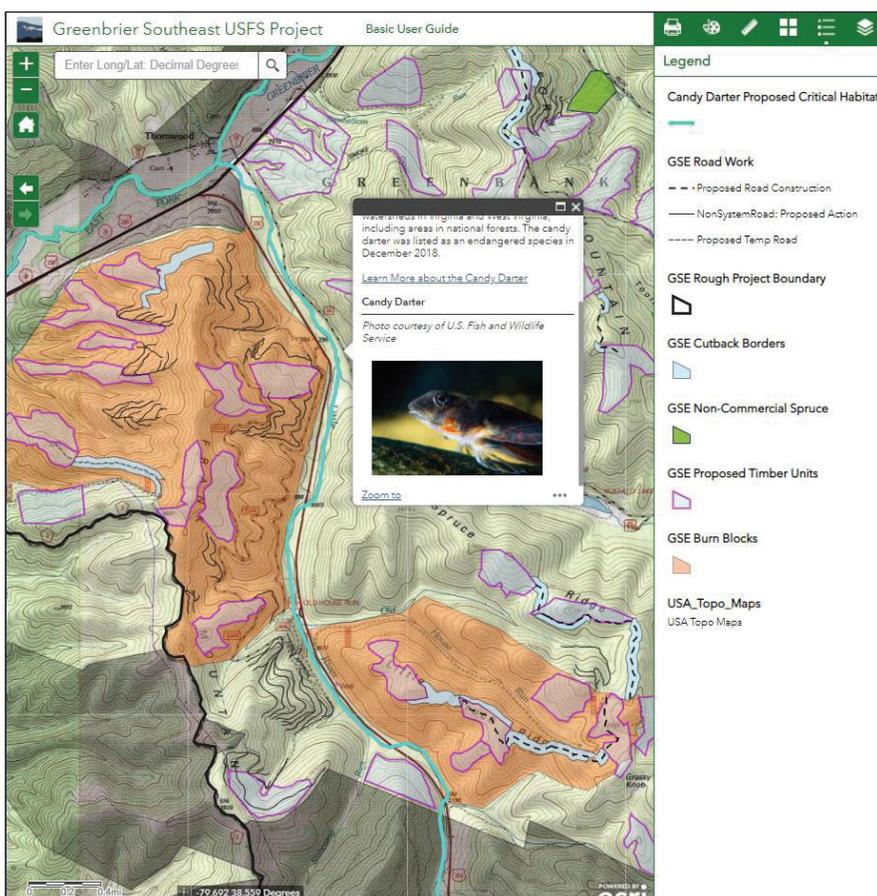
What a f'n joke.

Go ahead! Litter like crazy.  
Bring your garbage from home, your stained mattresses, spent  
roofing shingles, garage flotsam  
and throw it in the pit  
it won't matter a wit.....  
just a little spit  
into the howling winds  
of the un sacred mass of destruction

But on this side of the ridge  
Peace prevails  
for now.

And I remain hidden in it.

**Note:** This poem was submitted by a long time member with no title and a request that it be published anonymously. Since the author did not give it a title, it would be presumptuous for the editor to do so. So here it is, as submitted.



**A Conservation Hub map view depicting details of the Greenbrier Southeast (GSE) project in relation to proposed critical habitat for the endangered candy darter (*Etheostoma osburni*). The GSE project is a 16,888-acre Forest Service proposal in the Monongahela National Forest in the upper reaches of the Greenbrier River. The candy darter, which was listed as endangered in 2018, is associated with clean cool water and forested mountain watersheds. Its historically diminished geographic distribution indicates a loss of watershed and aquatic ecosystem integrity. As with other at-risk species and biological communities in the Central Appalachian Highlands, the future of the candy darter depends on informed conservation today.**

## Board Highlights

By John McFerrin

It was a strange, pandemic warped Board meeting with us all sitting snugly at home, watching each other on our computer screens. In spite of the oddness of the method and place (everywhere and nowhere) of the meeting, we still managed to learn some things and get some things done.

Because of the pandemic, we did not get to have an annual meeting. This means that the terms of some of our Board members expired and we had none to replace them. To fix this, Larry used the powers granted him by the bylaws to appoint Kent Karriker, Jackie Burns, Jim VanGundy, Randy Kessling, and Patricia Gundrum to serve as Board members until our next Annual Meeting, scheduled for the fall of 2021. We are also going to keep the same officers until the next Annual Meeting.

Larry reported that we are named as a beneficiary in an estate. There is litigation over the validity of the will so it is not clear what, if anything, we will receive.

We have received a questionnaire from the West Virginia Environmental Council about our legislative priorities for the 2021 Legislative session. Larry will fill it out.

Rick Webb made a presentation about the Conservation Hub. This is an effort to bring the expertise that was gained in the Conservation Surveillance Initiative to other projects. It is a way of gathering and presenting information, doing maps that have different layers to present different kinds of information. They learned how to do this through analysis and advocacy around the Atlantic Coast Pipeline. Now the goal is to make it available to such projects as the Forest Service's Greenbrier Southeast project, Corridor H, the Rocky Forge Wind Farm, or the habitat of the endangered Candy Darter. Read more about the project in the story on p. 12.

There is a cost to assembling this information for different projects, a cost that could be borne by those people or groups interested in a particular project. Rick thinks it would be appropriate for the West Virginia Highlands Conservancy to sponsor such an effort for the Monongahela National Forest although he did not make a specific funding request.

Perry Bryant presented on the activities of the Climate Change Committee. The Committee presented a proposed

climate change policy. It does not advocate for any specific proposal but rather advocates for following the science with a goal of a 45% reduction in carbon dioxide emissions by 2035. We adopted the policy on climate change as well as one limiting the use of single use plastics. Both of these policies are the subject of stories on pages 4 of this issue.

Perry also proposed that we allocate to the Climate Change Committee \$5,000 to use for educational materials and advocacy on climate change issues. There was no



motion or a vote but it was the sense of the meeting that this was a good idea and we should address this in the budget for 2021.

We had been noticing problems with overcrowding at Dolly Sods. Dave Saville had talked to representatives of the Forest Service. They don't have any specific plans to address the problem. They have a new tool for measuring such things as crowding, naturalness, and solitude that will help them figure out how to address the problem. It was his impression that the Forest Service would welcome some citizen advocacy on this issue. The Public Lands Committee will consider this.

Because the meeting was on line, we didn't have our usual reports from committees. Instead, committee chairs made written reports that were distributed before the meeting. In legislative news, Frank Young reported that much of the energy that usually goes into planning for the Legislature had gone into electoral politics, determining who will be in the Legislature. While West Virginia Highlands Conservancy doesn't do electoral politics, many of the people who volunteer with the Environmental Council are active. Once the election is over planning for the Legislative session will begin in earnest. In the meantime, the WV Environmental Council

is polling its member organizations for their most favored issues for legislative lobbying in 2021. Those issues will be refined for lobbying prioritization after the elections tell us the likely general environmental attitudes of incoming legislators, and their receptiveness to sound environmental policymaking.

Cindy Rank reported for the Extractive Industries Committee on controversies at various stages. The Mammoth project was the subject of a big story in the October issue of *The Highlands Voice*. She also reported on ongoing litigation at the Bluestone mine in McDowell County over selenium discharges. It is scheduled for hearing although settlement is always possible. She also reported on developments at the Leer mine and with the Mountain Valley Pipeline. Both of these are the subjects of stories elsewhere in this issue.

Kent Karriker reported on the activities of the Public Lands Committee. The Committee is participating to some extent in six different Forest Service projects. Since the projects are at different stages of planning, the participation is different in each. In some the Committee has managed to nudge the Forest Service in a more favorable direction. In others, it is still gathering information.

The Committee is also participating in West Virginians for Public Lands, is a meta-group composed of several environmental groups that have an interest in the management of West Virginia's public lands. The group is led by the West Virginia Rivers Coalition, which provides a paid staffer to coordinate the group (WVHC and others contribute funding).

### The Sun Will Come Out, Tomorrow

2020 has been a rough year so far as scheduling Board meetings or anything else. We're not giving up. We have scheduled Board meetings for 2021: January 17, April 18, July 17, and October 17. We will announce time and place and whether they can be in person or must still be on line as the dates get closer.

# Unconstitutional Tax Breaks, Pollution, and Economic Burden. Who Bears The Brunt?

By Dr. Christine Wimer, President Jefferson County Foundation

Why should large, wealthy corporations be treated like national parks? The short answer is they shouldn't, but they are in West Virginia.

Payments in Lieu of Taxes (PILOT) are payments made by a state or the federal government to local jurisdictions in which the state or federal government owns real property that is tax exempt because that property is owned by the government. These payments are made to offset the cost of providing services to this government land in the absence of the tax revenue that would be paid on it if it were owned privately.

This system has been co-opted to give massive tax breaks to large wealthy corporations and still allow them to "give" money to select entities or projects. In this way, these companies are able to save millions and save face. By contributing to publically popular items, these companies can have huge public relations wins that they can point to anytime their negative environmental or economic impacts are mentioned.

This works through a lease buy back system where the government takes ownership of the real property—usually land and equipment— of a company. This eliminates the property taxes due on the property. The property is "leased back" by the company usually for no cost, the service of some state backed debt, or the payment of the agreed upon payment in lieu. At the end of some agreed upon time, the company takes ownership of the property back, usually for \$1, and the property is again taxed, albeit at its depreciated value.

The Payment in Lieu is usually a fraction of what would have been paid by the company if the company had paid full taxes on its property. Also, the company usually directs the funds to certain projects that are well-known or popular with the public, perhaps an upgrade of a failing water system that is a well-known issue in a community. Unfortunately, in this way, other projects or services are deprived of the money they would have received if the company paid full taxes on its property. These projects or services have to do without or the remainder of the tax base has to cover the difference by paying more.

Companies try to convince the public that, if not for the PILOT agreement, the things the company contributed to—like the example of the water system—would never have had enough money to be completed. This is not true. In fact, had the company paid all the money due, there would be money, not just for the pet project, but for all the things that tax money pays.

These deals are sold as incentives for large companies to bring in "good paying jobs." Additionally, companies rarely provide the number or quality of jobs they promise. Research shows that companies would locate in the same place regardless of the incentives.<sup>1</sup> Worse yet, in West Virginia, these companies are often

1 Bartik, Timothy J. 2018. "Incentives and Local Job Creation." Policy Brief. Kalamazoo, MI: W.E. Upjohn Institute for Employment Research.

Bartik, Timothy J. 2018. "'But For' Percentages for Economic Development Incentives: What percentage estimates are plausible based on the research literature?" Upjohn Institute Working Paper 18-289. Kalamazoo, MI: W.E. Upjohn

not environmentally friendly, requiring more tax payer money to permit, regulate, and unfortunately, sometimes mitigate.<sup>2</sup>

The West Virginia constitution specifically requires that everyone be taxed equally. This system allows some entities to be taxed at a far lower rate than others, making these deals unconstitutional in West Virginia.

Rockwool, an insulation plant being built in Jefferson County, West Virginia, made just such a deal with the Jefferson County Development Authority (JCDA). However, after overwhelming public pushback and outrage, much of the JCDA resigned and was replaced. The deal was challenged in court and though the challenge was dismissed, it was found that the deal had never been finished. The new JCDA was not inclined to pass a new PILOT agreement. So the West Virginia Economic Development Authority (WVEDA) usurped the local control and made the deal with Rockwool.

In this deal, the WVEDA "buys" Rockwool's real property in Jefferson County for \$150 million in guaranteed loans funded by state backed bonds. Rockwool leases back the property for the cost of servicing the debt. At the end of 10 years, Rockwool buys back the property for \$1 and resumes paying taxes. In this deal, there is no provision for any payment in lieu of the taxes. This was removed when the deal went from the JCDA to the WVEDA.

These deals favor large corporations over startups and small businesses. Research demonstrates that new, large corporations typically depress local economies while startups and small businesses drive lower unemployment and higher wages.<sup>3</sup> In this way, political appointees pick winners and losers in the economy by handing out this corporate welfare.

Jefferson County Foundation is challenging the constitutionality of this deal in court. If successful, this will have statewide implications. We are confident that eliminating these deals will be better for local economies and the environment. Read more about this at [bit.ly/WVPILOT](http://bit.ly/WVPILOT).

Taxing polluting companies that are a drain on local economies the same way as national parks is wrong and, in West Virginia, is unconstitutional. Stand with Jefferson County Foundation, follow Jefferson County Foundation on Facebook, support its legal fund if you can, and monitor our Make a Difference page.

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2 Boettner T. 2019. PILOT Agreements Cost State Millions in Tax Revenue: An In-Depth Look at Longview Power Plant. <https://wvpolicy.org/pilot-agreements-cost-state-millions-in-tax-revenue-an-in-depth-look-at-longview-power-plant/> West Virginia Center on budget and policy.

3 Boettner T. 2019. PILOT Agreements Cost State Millions in Tax Revenue. <https://wvpolicy.org/pilot-agreements-cost-state-millions-in-tax-revenue/> West Virginia Center on budget and policy. Small Business is Good for Local Economies; Big Business is Not, Researchers Say, Business News Daily, 2020 Feb 26; <https://www.businessnewsdaily.com/1298-small-business-good-for-economy.html>

# 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 I ♥ 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