

Non-Profit Org.
U.S. Postage PAID
Permit No. 2831
Charleston, WV



The Highlands Voice

The Monthly Publication of the West Virginia Highlands Conservancy

Volume 48 No. 11 November 2015

Conservancy Comments on Proposed Mining Rules

Last summer the federal Office of Surface Mining published what it calls a Stream Protection Rule. In October the West Virginia Highlands Conservancy made its own comments on that rule as well as joined in with comments made by others.

This rule started out as a revision of what was known as the Stream Buffer Zone rule. That rule had prohibited mining within 100 feet of streams. Because the valleys almost always include streams, West Virginia Highlands Conservancy and others had always interpreted a prohibition upon mining within 100 feet of streams as prohibiting large valley fills.

What started out as a revision of the old Stream Buffer Zone rule developed over the years into the current proposal: the Stream Protection Rule. To see some of this history, go to the August, 2015, issue of *The Highlands Voice*. The expanded rule modifies most of the rules promulgated under the federal Surface Mining Control and Reclamation Act which deal with water. Since the Act mostly deals with protecting water from mining, changing the rules that deal with water means changing most of the rules.

In its comments, the Highlands Conservancy focused upon the demise of the old (in place since 1983) Buffer Zone Rule. After over three decades of protecting streams by keeping mining away from them, the old Buffer Zone Rule has been eliminated by the new Stream Protection Rule.

The new approach is that it is the Office of Surface Mining's position, as set forth in the new Stream Protection Rule, is that it is acceptable to mine in, and destroy, streams so long as the company

monitors what it is doing and restores the stream when it is finished.

This is the point where the Highlands Conservancy most strongly disagreed with the Stream Protection Rule. In its comments it said,

The premise of a rule that allows streams to be destroyed is that they will be restored. This is not true. A drainage ditch is not a stream. Streams, including headwater streams, have multiple biological functions. There is no scientific evidence that a stream, once destroyed, can be recreated. Even were it theoretically possible, there is little indication that the mining industry will actually do it or that our current assortment of regulatory agencies will require it to do it.

Although the Highlands Conservancy objected to the loss of the 1983 Buffer Zone Rule, there were areas where it (and the groups it joined with) supported changes made by the Stream Protection Rule. The areas that the groups complimented were:

- Enhanced Monitoring Requirements. The proposed rule requires more extensive monitoring of water quality and stream flow in areas impacted by mining, including requirements to monitor for selenium, conductivity and other pollutants, as well as the presence of important aquatic species.
- Improved Analyses of Mining Impacts to Surface and Ground Water. Under SMCRA, before the regulatory agency issues a mining permit, it must prepare a "cumulative hydrologic

(More on p. 2)

What's inside:

Thoughts from President Cindy	2	Roster of officers	2	Poetry	14
Another tragedy on Mud Fork	3	How to join	9	Checking out the Sods	15
Board highlights	4	Get a history book	9	How FERC works	16
New Board member	5	A sad day	10	Cuteosity +++ (and a hat)	17
Intervening before FERC	5	Roster of officers	10	Judge considers company's fate	18
Still wondering about labs	6	Thanksgiving	11	Spreading the word	19
How WV rates	6	Whistleblower gets a break	11	Support us (no pain required)	19
Crows, Cacophony, and Combat	7	Dominion tries for shortcut	12	WVHC trading post	20
Help for the warblers	8	Get a Hiking Guide	13		
Pipeline route changing	8	History Museum	14		

Ramblin' the Ridges

By Cynthia D. Ellis

THANK YOU

A Pulaski can be heavy and cumbersome to use. Or at least it seemed so to me as a one-time volunteer with a trail maintenance crew. Most of us edged along, slowly leveling and tidying the forest path, while Diane, the best worker, forged ahead with fierce and steady strokes.

Remembrance of that effort came as I continued thinking lately of the theme of more recognition by WVHC for sharing some stories about facets of our mountain lives in addition to accounts of efforts litigious or regulatory.

Volunteers play a major part in our enjoyment of the wilds and the communities of the West Virginia Highlands.

We are grateful.

And so...

Thanks...to anyone who helps with the upkeep of any Appalachian trails. Thanks for clearing them, scouting them, and for taking care of signage. We appreciate the day hikers who routinely carry a folded trash bag for lugging out garbage left by thoughtless others.

Thanks...to campground hosts. Although they camp free, they more than pay back by their willingness to welcome visitors and do all manner of chores; some even clean outhouses.

Thanks...to anyone who introduces children to outdoor joys. It takes special talents and extra patience to be a mentor to youngsters in the woods.

Thanks...to all who share their wildlife knowledge with folks of any age. They teach us about pollinators, salamanders, valuable predators, trees and plants of every season, and more.

Thanks...to re-enactors and docents and staffs at commemorative sites. They paint a vivid picture of our mountain communities in the past and help us step back into history. Some are actors; some are handy with tools, and they tote and lift and hammer to keep little museums and restored homes and buildings in repair.

Thanks...to cavers who map the caves. Many also maintain that mapping survey data, and help erect gates and work with landowners. And they write about it, so anyone claustrophobic may get the thrills of caving without the chills.

Thanks to...anyone promoting diverse economies and sustainable small town life for their struggling communities. They look ahead and see sunny days.

Thanks for...amateur astronomers. They work in the heat and cold and stay up late to pursue their passion and introduce others of us to celestial wonders.

Thanks...to volunteers at national wildlife refuges. They count eagles, assist with displays, help with school groups, write for newsletters, maintain databases, work on native plant gardens and lots more.

Thanks...to individual and group watershed monitors. They test the waters, take out the trash, and host water festivals and learning sessions.

Thanks...to those who speak out. They use voices or their writing talents to promote and defend the mountains.

Thanks...to REI. This national outdoor outfitting company recently announced a new campaign to encourage folks to get outside...on Thanksgiving or the day after. They countered publicity over

consumer excesses on "Black Thursday" and "Black Friday" with their own promise to close their stores on the day after Thanksgiving, give employees a paid day, and encourage everyone to enjoy more time outdoors.

So whether you hoist a pen or a Pulaski, all of us who treasure our time and opportunities in the mountains and mountain communities send you commendation. We say Thank You.



A Pulaski

It is a trail-building and firefighting tool that combines an ax and adze. It is named for Ed Pulaski, an assistant ranger with the Forest Service in the early 20th Century.

Editor's note: Ax and adze are great Scrabble words. Both have alternate spellings so they are acceptable both with and without an e on the end, offering the combination of a big counting letter and flexibility.

Conservancy Comments on Mining Rules (Continued from page 1)

impact analysis" (CHIA) to ensure that the mining operation will prevent "material damage" to surface and ground water outside the permit area and will minimize such damage within the permit area

- **Restoration of Stream Functions.** The proposed rule requires mine operators to restore both the hydrologic form and ecological functions of stream segments disturbed by mining, consistent with the Clean Water Act. OSM has proposed a requirement that the restored stream be in good biological condition, i.e. sufficient to fully support aquatic life for existing and designated uses, as measured by an assessment of multiple biological and chemical indicators.

- **Improved Bonding Provisions.** The proposed rule strengthens bonding requirements, by requiring financial assurance that long-term pollution discharges will be treated. Current bonding rules do not address this huge long-term problem.

More Destruction in Mud

By Cindy Rank

By anyone's measure, members of the Miller/Caudill family formerly of Mud, WV are the salt of the earth.

Warm and welcoming, always happy to have visitors to sit a spell on the front porch of their summer home that was once the family homeplace before the coal company moved in.

Gracious and giving they are as quick to serve up a smorgasbord of country cookin' as they are to share stories of homecomings and evenings on the porch listening to the whip-poor-wills before the coal company moved in.

Friendly and feisty are the women who still plant potatoes and string beans for the annual canning fest just as they've done for decades before the coal company moved in.

Solid and steady, the family fought to hold onto the 75 acre homeplace when the coal company moved in and wormed its way in by convincing a number of the other heirs to sell the land then went to court in an effort to force the remaining heirs to sell.

The Lincoln County Circuit Court decision affirmed the company's right to take the property, but in 2004 the Millers won a WV Supreme Court order that overturned the lower court and ruled that the family could indeed maintain ownership.

As reported in the Charleston Gazette at the time, "justices said the lower court was wrong to discount the family's

"sentimental or emotional interests" in the property in favor of the economic concerns of a coal operator, saying that the Lincoln County Circuit Court decision, if allowed to stand, "would permit commercial entities to always evict pre-existing owners."

"For 100 years, Millers wife and family owned the 75-acre tract. The family homeplace included a farmhouse, built in 1920, several small barns and a garden.



John Caudill, a coal miner hurt in a mining accident in the 1930s, and his wife, Lydia Caudill, raised 10 children in the home.

"Arch Coal wanted to tear down the family's ancestral home to expand its Hobet 21 mountaintop removal complex. Under Hobet's plans, a valley fill and an impoundment pond would destroy and

inundate the farmhouse and outbuildings and bury the immediate surrounding land under the valley fill."

Today the family no longer lives there full time. But heirs spend many days and weeks despite the presence of the mine and valley fill a short walk up the holler.

In the latest turn of events just a couple weeks ago, the home was destroyed by fire. Our hearts go out to Leon and Lucille and their family.

I've watched as homes throughout the valley have disappeared over the past 20 years – first up Connelly Branch, a tributary to the Mud River, then most of the homes in the village of Mud, then Berry Branch, and most recently Stonecoal Branch. And now this standard bearer of the spirit of West Virginians who have stood against the power of the coal industry for generations has fallen into a pile of steaming ashes.

Anytime I've visited the area, alone or with others, alerts are quickly radioed around and company security has been quick to check on us to see what we were doing. One has to wonder where those eager eyes and ears were when the Caudill/Miller homeplace burned to the ground in mid October.

One thing for sure, if the giant squash and pumpkins we saw in the garden in late August were still around I'm sure they'd have a story to tell.

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. Submissions by internet or on a floppy disk 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.

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.

Board Highlights

By John McFerrin

The Board of Directors of the West Virginia Highlands Conservancy held its quarterly meeting in Elkins on October 18. We maneuvered through the usual reports on membership, the finances, etc. without incident.

Most of the meeting, however, dealt with things we are either doing ourselves or encouraging others to do.

We heard about progress on the new 9th edition of the Hiking Guide. Hugh Rogers, George Beetham, Cindy Ellis, and Frank Young have been working with Alan deHart, looking over the text and selecting the pictures. It will be ready to go to the printers soon.

We also heard of progress on whipping the web site into shape. The person we hired to whip it into shape is making great progress and should have it up and running in a month or two.

President Ellis detailed several "sign on" letters that we dealt with since the last meeting. The letters address matters in which we have an interest. We did not initiate the letters but support the goals of those letters. After consultation with the Executive Committee, Cindy indicated our support for the following letters or actions:

- A press release by Wild Virginia objecting to the efforts by Dominion to have the Atlantic Coast Pipeline regulated through a nationwide general permit under the federal Clean Water Act instead of having to seek an individual permit (see story on p. 12)
- Expression of concern over the proposed draft rules by the Environmental Protection Agency concerning control of selenium.
- Letter to the United States Forest Service from the Southern Environmental Law Center requesting a regional Environmental Impact Statement addressing all of the pipelines proposed for West Virginia and surrounding states. (See story in October, 2015, issue)
- A letter by Citizens Coal Council to President Obama asking that he consider a policy of reducing fossil fuel use.
- A letter from the Center for Biological Diversity to the United States Forest Service about a proposal to curtail the

ability of citizens to petition for protection of species under the Endangered Species Act.

- A letter to the West Virginia Department of Environmental Protection initiated by the West Virginia Rivers Coalition commenting on proposed water quality standards.
- A letter commenting on rules on Above Ground Storage Tanks.



- A letter initiated by the Wilderness Society in support of reauthorization of the Land and Water Conservation Fund.
- A letter initiated by the Choose Clean Water Coalition asking that the President's budget for fiscal year 2017 maintain current funding levels to support targeted conservation funding for the Chesapeake Bay.

We discussed our position on clean elections (donations disclosure, public financing, or related efforts to reduce the influence of money in politics, etc.). We had talked about this before and it had always been our feeling in the past that, although campaign financing, etc. had a substantial impact upon issues we address, it was not part of our core mission. We decided that, even if it was not something upon which we ever took a position, it would be acceptable to have references to clean elections on our Facebook page.

In issue reports, Hugh Rogers reported in highways that over at Corridor H there is something other than the same old, same old. The segment from Parsons to Davis (the one that could go through

Blackwater Canyon) has been awaiting a Record of Decision from the Federal Highway Administration for, lo, these many years. It has been so long that information in the last Supplemental Environmental Impact Statement is obsolete. Now, new surveys for endangered species along the proposed alignment in the Blackwater Canyon area have discovered colonies of Virginia big-eared bats in the general area of the coke

ovens. These bats, apparently immune to White Nose Syndrome, which has decimated other species, have become ever more precious. Finding them in the Blackwater historic district has raised the stakes for challenges to the highway department's preferred alignment.

In mining/extractive industries, Cindy Rank reported that we were participating in the bankruptcy proceedings of Patriot Coal because a consent decree and court order requiring cleanup of Patriot's pollution discharges may be affected. Patriot has proposed a deal which transfers the coal that can be profitably mined to Black Hawk Mining. There are also properties that essentially have no value because of the cleanup costs attached to those properties. Patriot proposed to transfer those and one profitable deep mine complex to Virginia Conservation Legacy Fund. The Fund hopes to continue mining the profitable properties and use the money to pay for cleanup on the other properties it acquires from Patriot. The Bankruptcy Court has approved this plan and there is not much we can do other than cross our fingers and hope it works. What it means for our agreement with Patriot is yet to be determined and we will be monitoring the situation.

We have agreed to join in with comments about the proposed Stream Protection Rule. We are not entirely enthusiastic about the Rule because it does away with the Stream Buffer Zone rule which has existed since 1983. That rule prohibits mining within 100 feet of streams. We would prefer retaining the 1983 rule. At the same time, the proposed Stream Protection Rule will make some positive changes in other areas so we are joining in comments that generally support it. (See

(More on the next page)

More Board Highlights

story on p. 1)

In matters relating to gas, we decided to intervene in proceedings before the Federal Energy Regulatory Commission concerning the approval of the Dominion pipeline.

Rick Webb reported on the multiple activities of the Dominion Pipeline Monitoring Coalition, of which West Virginia Highlands Conservancy is a member. The Coalition is involved in lots of monitoring and review, particularly of erosion and sediment control measures that Dominion hopes to have an opportunity to use along the route. The theme tying together these efforts is that state agencies are not going to be able to monitor the project, leaving Dominion to pretty much do as it pleases.

In matters legislative, Frank reported that the West Virginia Environmental Council had prepared a list of legislative priorities for the upcoming legislative session:

- Require an assessment of the impacts of siting industrial facilities upon public health
- Support Local Energy Efficiency Partnerships. This would establish a revolving loan fund for local governments, businesses, and individuals to finance energy efficiency projects.
- Support Wholesale Energy Facility siting regulations (including wind farms). There is a class of energy producers which sell only to wholesalers, not consumers. Because they are not selling to consumers, they are exempt from Public Service Commission oversight. This bill would direct the Public Service Commission to develop new siting rules for such exempt facilities, including industrial wind farms. Since the PSC lacks the expertise to make the technical decisions on siting, the bill would require it to seek the assistance of agencies likely to have that expertise.

In matters of wind, Larry Thomas reported on some developments, including a possible expansion of the Beech Ridge facility and the phenomenon of localities considering ordinances which would regulate the health and safety of wind turbine location.

In outreach, we noted that Cindy Ellis had tabled at an event at Marshall University. Jim Van Gundy and Jackie Burns had tabled at the Forest Festival in Elkins. We are thinking about what to do for the celebration of the 50th anniversary of the organization in 2017.

President Ellis drew for the Door Prize. It was a coffee mug from the West Virginia Mine Wars Museum. Larry Thomas won.



Board Welcomes New Member

The West Virginia Highlands Conservancy held its Annual Meeting in Elkins on October 18. Among the items of business was the election of Board members. Incumbents Dave Fouts, LeJay Graffious, Mike Withers, and Rick Webb retained their seats. The body also elected a new member, Adam Casseday.

Adam Casseday is a native of Randolph County and graduate of Elkins High School. He got a degree in Exercise Physiology in 2001 from West Virginia University and a Doctor of Optometry from Pennsylvania College of Optometry in 2005. Casseday resides in Elkins with his wife and son and is employed by Valley Health Care, Inc. in Mill Creek where he is the head of Optometry as well as Medical Director. Adam's interests outside of work include trail running, race directing (co-director for the Highlands Sky 40M and the WV Trilogy), trail maintenance and improvement, and advocating health and wellness through outdoor adventures. In 2011, he completed a supported thru-running of the entire Appalachian Trail. He recently spearheaded a successful effort to build an integrated trail system in a Wildlife Management Area in Elkins called Fox Forest. Casseday is also the vice president of the WV Mountain Trail Runners.

Welcome aboard!

Conservancy Intervenes Before Federal Energy Regulatory Commission

The West Virginia Highlands Conservancy (along with many, many other groups and individuals) has applied for intervenor status before the Federal Energy Regulatory Commission as it considers the proposal by Dominion Resources and its partners to build a natural gas pipeline from North Central West Virginia to Virginia and North Carolina.

As intervenors, the Highlands Conservancy will receive the applicant's filings and other Commission documents related to the case and materials filed by other interested parties. It will also be able to file briefs, appear at hearings and be heard by the courts if it chooses to appeal the Commission's final ruling.

In its Motion to Intervene, the Highlands Conservancy says that it protests because the proposed Atlantic Coast Pipeline "will have significant adverse impacts on a wide variety of environmental resources, will disrupt the traditional character of numerous communities and substantially lower property values in the vicinity of the project and the supply production areas, and will further commit the nation to long-term dependence on climate-altering fossil fuels."

The request for intervention was made in the Highlands Conservancy's behalf by Appalachian Mountain Advocates.

WV DEP Re-certifies Appalachian Laboratories

By Jim Van Gundy

As of August 27th, The West Virginia Department of Environmental Protection has withdrawn its revocation of certification for Appalachian Laboratories of Beckley. You may recall that the Department of Environmental Protection revoked the laboratory's certification a year ago in October of 2014, following the revelation that some of its employees had been falsifying water samples for the coal industry over a period of at least five years. According to Scott Mandirola, Deputy Secretary of WVDEP, the company has now taken the steps necessary to bring its operation into compliance with acceptable laboratory practices and so has therefore been re-certified by the State.

The reliability of self-reported water quality data from the coal and other industries has long been an area of concern for many in the environmental community and is an issue that was addressed by an article in last December's issue of *The Highlands Voice*, following the breaking of the Appalachian Labs scandal. The issue of data reliability was also a subject of discussion at this past September's meeting of West Virginia's Environmental Protection Advisory Council. At that meeting Deputy Secretary Mandirola explained the changes that Appalachian Laboratories has made in its operating procedures as well as steps taken by WVDEP to increase its own confidence in the water quality data it receives from wastewater permit holders via discharge monitoring reports (DMR'S).

According to Deputy Secretary Mandirola, Appalachian Labs has now instituted mandatory ethics training for its employees and has hired a full-time quality assurance/quality control manager that reports directly to the Laboratory's Board of Directors. The Lab has additionally enacted procedures to handle samples that have been improperly handled or transported and has improved their data recording practices in order to better track samples once they have arrived at the laboratory. They have also improved the training of the field personnel who collect, preserve, and transport samples to the laboratory. DEP has also aided the Laboratory in the revision of its Standard Operating Procedures for analyses.

DEP has also examined its own procedures concerning data reliability and has itself made certain changes in the way it does things. As of 2014 it has established a department-wide Quality Assurance Team of existing staff. In the words of Deputy Secretary Mandirola, the team's purpose is "to develop, enhance, promote, and implement an agency-wide quality assurance program (QA) program to ensure accuracy of environmental and related data. The Team establishes and conducts various training to enhance data integrity within the Department. In February 2015, to ensure continuity across the Division of Water and Waste Management, an employee was assigned to be the Division's full-time quality assurance person. "

Mr. Mandirola was asked if DEP has instituted any new procedures for screening the electronic data it receives from permittees for evidence of fraud. He responded that the system automatically error-checks and validates information submitted by a permittee and that there are further, more detailed automated validations that occur within DEP after the submittal. He added however that, "fraudulent reporting is more likely discovered during inspections and investigations."

As has been previously reported, the WV DEP's authority in the area of environmental laboratory certification does not include authority to inspect the laboratory's procedures for the field collection and processing of water samples. Although DEP has asked the Legislature for this authority, the Legislature has not yet seen fit to grant it. When asked if in the light of the Appalachian Laboratories scandal, DEP would again ask the Legislature for this authority, Mr. Mandirola responded that, "due to the overwhelming disapproval in the past, it has not been pursued at this time." One must wonder why our Legislators are so steadfast in their refusal to grant the DEP a power that would enhance, at little or no additional cost, its ability to detect fraud and to carry-out its legislatively mandated duty to protect the waters of the State.

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.

West Virginia's ranking in the American Council for an Energy Efficient Economy Scoreboard:

45th

In the scoring system used by the American Council for an Energy Efficient Economy, states are given points in different areas where they could be more or less energy efficient. The overall ranking is a result of the total of points accumulated. Massachusetts was first with 44 points. North Dakota was last with 4. West Virginia was 45th with 8 points, .5 points better than our 2014 ranking. We improved one spot from our 2014 ranking; Louisiana went down by three points, overtaking us in the race to the bottom.

Cacophony of Crow Voices

By Frank Young

Some of my earliest memories of living on a 102 acre farm in northern Kanawha County are about crows- and about the War on Crows my father and two older brothers fought each spring when the corn seed was just sprouting through the warming ground.

I like crows. Even this late in the fall, at daybreak I am still serenaded by the sounds of old Jackson County crow voices mixed with the voices of younger crows that are still learning how to “talk.” Crows are born as hatchlings in April and May in a big nest, usually high up in the tallest trees in the woods. (Are there any real forests anymore?)

It is easy to tell when crows have hatched. Within just a few days one can hear the young crows’ high pitched, whiny voices that can carry a half mile or further. Young crows grow fast. But their voices develop slowly. Within just a few weeks they climb out of the nest and sit and hop around on tree limbs. It’s a few more weeks before they take wing. To the untrained eye by mid- summer the young crows look about like their parents. But they don’t sound like their parents. Their still screechy, whiny voices contrast starkly with the lower pitched caw-caw sounds of the older crows.

No one where I live now makes “War on Crows”. I hear that the current fad is, instead, a War on Coal. So the local crows have become rather tame compared to the crows that survived armies of shotgun wielding farmers when I was young. And yes, when I came of age I joined that army. My mother would laugh when I would ride down a dirt road on my bicycle with a shotgun (unloaded, of course) resting across the handlebars, held there by two thumbs. I don’t recall that I ever shot a crow when my mode of transit to the woods was a bicycle. But on foot I could find and shoot a crow every now and then. One does not usually shoot crows by slipping up on them in their habitat. To shoot crows one needs to get to a known crow hangout first, hide, and keep quiet and wait on the first crow to arrive.

A tall, dead locust tree high on a hill became the sentry point for our Tupper Creek farm crow population. Year after year we would see the crows congregate there- first the sentry crow, and then, when the

vocal signal was given that “all was OK”, the other crows would arrive. One year dad and I noticed that a giant wild grapevine thicket had developed directly under this locust tree. It was so thick that one could hide right under that tree but out of the view of the crows sitting in the dead tree. When the first sentry came in and landed it was about 60 feet straight up from a hidden observer.

Dad would usually shoot one crow, then, figuring that they would stay away for the balance of the day, head to the house and hang it out in a cornfield as a warning to other crows to stay away. That didn’t really



work. But dad reasoned that it was logical that crows would not hang around other dead crows, so he continued the practice for many years. Now, I was a little more patient than dad. One Sunday I hid under that grapevine thicket and blasted three crows from that tree- not all at once, of course- but maybe an hour or so apart. From then on that crow sentry spot was used less and less by the crows, and was eventually totally abandoned by them.

Why did I like shooting crows? I don’t know. It was good, clean “sporting” activity. Dad praised me when I shot a crow. And even mom- who’d rather I’d not have been so fascinated with firing that old Iver Johnson 16 gauge shotgun (which had a terrible “kick”) seemed reasonably tolerant of my crow hunting activity..

Eventually I learned to respect, even to like crows. They were smart. They could

tell the difference between a person carrying a weed hoe in the cornfield and another person carrying a shotgun. Dad explained that was because those that did not learn that a shotgun was dangerous to crows did not live long enough to reproduce more such dumb crows. And so the crows of that era immediately scattered when someone with a shotgun appeared from a farmhouse.

Today I am awakened almost every day by the cacophony of crows soon after daybreak. I read that a cacophony is “a harsh, discordant mixture of sounds”. And that seems, to my human ear, to be so. But even discordant, it is music to my ears. Why do crows “talk” to each other in late summer and winter? I presume that they won’t be seeking mates until late winter or spring. But they often talk or sing right on anyway- especially just after daybreak.

Back in mid-summer I stayed overnight at a friend’s home beside a lake. I did not hear any crows there. But the dozens of geese on the nearby lake made for a melodious daybreak wakeup alarm as do our crows here in Jackson County.

Our Jackson County crows here are not spooked by everything that moves. They come right into our yard, ignoring our pretentious but harmless cat. Yesterday at the Ripley recycling drop-off location crows came to within maybe 20 feet of me.

They were tearing open bags of recyclable materials looking for edible morsels. It seemed that they sensed that I no longer made “War on Crows”. Or maybe they were of the surviving generations of “dumb” crows that had somehow not been annihilated by farmers with shotguns.



A Leg Up (or a wing up) for the Cerulean Warbler

The Cerulean Warbler is a migratory songbird of eastern North America and has its densest breeding populations in the Appalachian Mountains. It winters in South America and then comes here to nest and breed in the summer. Over the past century, habitat loss and changes in the composition and structure of the remaining forests in both North and South America has led to a sharp decline in the Cerulean Warbler population at a rate of three percent per year since 1966. Habitat loss in South America is due to conversion of native forests to farms and coffee plantations. Development, including mining, in forested areas of North America has resulted in habitat loss here as well.

Now there is a new program that will work to ameliorate this habitat loss. Kyle R. Aldinger just started a new position with the National Wild Turkey Federation as the "Cerulean Warbler Appalachian Forestland Enhancement Coordinator". What that long title means is that he will be working with a number of partners, including the Natural Resources Conservation Service, West Virginia Division of Forestry, among others, to improve mature forest habitat on private lands for Cerulean Warblers and other species. While the program is still in the planning stages, please he would love to hear from anyone interested in financial and technical assistance to manage your land for forest birds like Cerulean Warblers.

You may reach Mr. Aldinger at Mobile: 717-557-4835; Office: 304-284-7595, or kaldinger@nwtf.net

For detailed information about the initiative and Cerulean Warblers, please see this press release from the Appalachian Mountains Joint Venture (<http://amjv.org/index.php/news/520>) and these brief habitat management guidelines ([http://amjv.org/documents/Cerulean_FS_Foresters_Version_Final_\(1\).pdf](http://amjv.org/documents/Cerulean_FS_Foresters_Version_Final_(1).pdf)).



Dominion Changes Pipeline Route

Dominion Resources has filed additional information with the Federal Energy Regulatory Commission (FERC) for its Atlantic Coast Pipeline project. They propose changing the following:

- A variation designed to reduce potential impacts on Cheat Mountain salamander habitat in the Monongahela National Forest in Randolph County, West Virginia;
- A proposal to drill under Shenandoah Mountain in Highland and Augusta counties, Virginia. This is designed to avoid the habitat of the Cow Knob Salamander.
- A variation to avoid the proposed Warminster Rural Historic District, both along the James River in Nelson and Buckingham counties, Virginia;
- An alternate route to avoid crossing the Great Dismal Swamp National Wildlife Refuge. Dominion would drill under the Western Branch Reservoir as part of this alternative. The route would also avoid the Sunray Historic District.



Cow Knob Salamander

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 or by real, honest to goodness, mentioned in the United States Constitution mail to WV Highlands Conservancy, PO Box 306, Charleston, WV 25321.

Join Now ! ! !

Name_____

Address_____

City _____State _____ Zip _____

Phone _____Email _____

Membership categories (circle one)

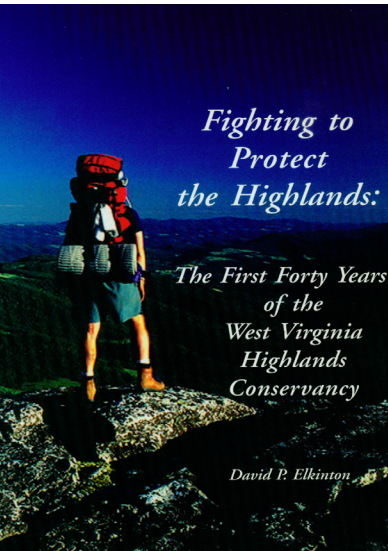
	Individual	Family	Org.
Senior	\$15		
Student	\$15		
Introductory	\$15		
Other	\$15		
Regular	\$25	\$35	\$50
Associate	\$50	\$75	\$100
Sustaining	\$100	\$150	\$200
Patron	\$250	\$500	\$500
Mountaineer	\$500	\$750	\$1000

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

GREAT HISTORY BOOK NOW AVAILABLE

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.



Learn about how the Conservancy stopped road building in Otter Creek, how a Corps of Engineers wetland permit denial saved Canaan Valley, and why Judge Haden restricted mountaintop removal mining. Also read Sayre Rodman’s account of the first running of the Gauley, how college students helped save the Cranberry Wilderness, and why the highlands are under threat as never before.

With a foreword by former congressman Ken Hechler, the book’s chapters follow the battle for wilderness preservation, efforts to stop many proposed dams and protect free-flowing rivers, the 25-year struggle to save the Canaan Valley, how the Corridor H highway was successfully re-routed around key environmental landmarks, and concluding with the current controversy over wind farm development. One-third of the text tells the story of the Conservancy’s never-ending fight to control the abuses of coal mining, especially mountaintop removal mining. The final chapter examines what makes this small, volunteer-driven organization so successful.

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 \$14.95, plus \$3.00 shipping, visit the Conservancy’s website, 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 \$14.95 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.

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. 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.

The Passing of a Friend

This month the West Virginia Highlands Conservancy was saddened by the death of its longtime member, web guru, and friend James W. Solley. He passed away on October 8 at his home in Alsace Township, Pennsylvania.

He was the husband of the late of Shirlene A. Solley, who passed away April 3, 2015. Born December 6th, 1946, he was the son of the late Cecil and Jane (Fritz) Solley. He attended Mt. Penn High School.

He drove tractor trailer for over 45 years, last working for Sheetz.

Surviving are his four children: Robert L. Solley, Germany; Kenneth J. Solley, husband of Gina, of Lititz; Heidi, wife of John Reigner, of Birdsboro; and Patrick T. Solley, husband of Heather, Oley.

There are ten grandchildren: Sean, Sarah, Lauren, Erin, Evan and Julia Solley, Seth, Phillip and Jonathan Reigner and Cole Mitchell. In addition, there are three great-grandchildren: Michael and Mitchell Miller and Conrad Solley. He was predeceased by a great-granddaughter, Elanor Solley. He is also survived by a sister, Beverly Rubright, and a nephew, Todd Solley.



He loved taking trips on his motorcycle with his wife to the Great Smokey Mountains of North Carolina and Blue Ridge Mountains of West Virginia. He and his wife also very much enjoyed the good old days with the “gang” from the Breeze Inn and Ye Olde Tavern; they were great friends.

Many of us in the Highlands Conservancy did not know Jim during most of his truck driving and motorcycle days. We knew him best as the webmaster and all around computer guru of the West Virginia Highlands Conservancy. He was unfailingly generous with his time and talents, offering advice to computer novices and experts alike. He kept our website running smoothly for years.

Jim did whatever computer alchemy was necessary to make the Conservancy’s Monongahela National Forest Hiking Guide available on CD. He had also mastered complicated computer mapping programs so that he could produce maps of places such as the Monongahela National Forest.

Jim was also a skilled citizen lobbyist. He was instrumental in helping to pass the Wild Monongahela Act, signed by President Obama in 2009, which protected nearly 40,000 acres of Wilderness in WV.

Before his “career” as a citizen lobbyist Jim was a faithful and fun backpacking buddy to many Conservancy members.

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

PRESIDENT: Cynthia D. Ellis, 3114 Steel Ridge Road, Red House, WV 25168, (304) 586-4135, cdellis@wildblue.net
SENIOR VICE PRESIDENT: Larry Thomas, P.O. Box 194, Circleville, WV 26804, (304) 567-2602, larryvthomas@aol.com
VICE PRESIDENT FOR FEDERAL AFFAIRS: Marilyn Shoenfeld, 167 Balsam Way, Davis, WV 26260, (304) 866-3484, marilyn.shoenfeld@gmail.com
VICE PRESIDENT FOR STATE AFFAIRS: Frank Young, 33 Carnian Ford Road, Ripley, WV 25271, (304)372-3945, fyoung@mountain.net
SECRETARY: John McFerrin, 202 Van Tassel Court, Morgantown, WV 26508, (304) 291-8305, johnmcferrin@aol.com
TREASURER: Bob Marshall, 2108 Emma Road, Kenna, WV 25248, (304)545-6817, woodhavenwva@aim.com
PAST PRESIDENT: Hugh Rogers, 531 Moon Run Road, Kerens, WV 26276, (304)636-2662, hugh.rogers@gmail.com
DIRECTORS-AT-LARGE (Terms expire October 2016)
George E. Beetham Jr., 2819 Mt. Carmel Avenue, Glenside, PA 19038, (267) 252-3748, geobeet@hotmail.com
Sara Bird, 127 East Main Street, Buckhannon, WV 26201, (304) 545-5695, sarapearlbird@hotmail.com
Jackie Burns jackie.burns@frontier.com.
Bill McNeel, 1234 Jericho Road, Marlinton, WV 24954, (304) 799-4369, wpmcneel@gmail.com
Peter Shoenfeld, 167 Balsam Way, Davis, WV 26260, (304) 866-3484, (301) 642-2820, pshoenfeld@gmail.com

DIRECTORS-AT-LARGE (Terms expire October 2017)
Adam Casseday, 212 Davis and Elkins St, Elkins, WV 26241, 304-636-4944, dr_casseday@yahoo.com
Dave Fouts, HC 80 Box 993, Maysville, WV 26833, (304) 749-8172, foutsberg@citlink.net
LeJay Graffious, P.O. Box 69, Bruceton Mills, WV 26525, lejay@oldhemlock.org
Rick Webb, 481 Ravens Run Road, Monterey, VA 24465, (540) 468-2881, rwebb@virginia.edu
Mike Withers, Rt 2, Box 328, Grafton WV 26354, 304-265-3750, 1nastynash@comcast.net

ORGANIZATIONAL DIRECTORS
NATIONAL SPELEOLOGICAL SOCIETY: Vacant
PITTSBURGH CLIMBERS: Buff Rodman, 32 Crystal Drive, Oakmont, PA 15139, (412) 828-8983, buffrodman@hotmail.com
BROOKS BIRD CLUB: Cynthia D. Ellis, 3114 Steel Ridge Road, Red House, WV 25168, (304) 586-4135, cdellis@wildblue.net
MOUNTAINEER CHAPTER TROUT UNLIMITED: Chris Byrd, 292 Magnolia Avenue, Clarksburg, WV 26301, (304) 622-3023, cbyrd@ma.rr.com
WEST VIRGINIA RIVERS COALITION: Don Garvin, P.O. Box 666, Buckhannon, WV 26201, (304) 395-0078, DSGJR@aol.com
FRIENDS OF THE LITTLE KANAWHA: Cindy Rank, 4401 Eden Road, Rock Cave , WV 26234, (304) 924-5802, clrank2@gmail.com
TEAM (Taylor Environmental Advocacy Membership): Beth Baldwin, 2594 Knottsville Road, Grafton, WV 26354, (304) 265-3029, elbrn6e21@msn.com
ALLEGHENY HIGHLANDS ALLIANCE: Dr. Wayne C. Spiggle, 3987 Knobley Road, Keyser, WV 26762, 304-726-4868, wspiggle@mac.com
SHAVERS FORK COALITION: Jim Van Gundy, 210 Buffalo Street, Elkins, WV 26241, (304) 636-4736, jjvg01@gmail.com

COMMITTEE CHAIRS
EXTRACTIVE INDUSTRIES COMMITTEE: Cindy Rank, 4401 Eden Road, Rock Cave, WV 26234, (304) 924-5802, clrank2@gmail.com
PUBLIC LANDS MANAGEMENT COMMITTEE: Marilyn Shoenfeld, 167 Balsam Way, Davis, WV 26260, (304) 866-3484, marilyn.shoenfeld@gmail.com
WIND ENERGY COMMITTEE: Peter Shoenfeld, 167 Balsam Way, Davis WV 26260, (304)866-3484, pshoenfeld@gmail.com
LEGISLATIVE COMMITTEE: Frank Young, 33 Carnian Ford Road, Ripley, WV 25271, (304) 372-3945, fyoung@mountain.net
ENDOWMENT FUND COMMITTEE: John McFerrin, 202 Van Tassel Court, Morgantown, WV 26508, (304) 291-8305, johnmcferrin@aol.com
RIVERS COMMITTEE: Vacant
HIGHWAYS COMMITTEE: Hugh Rogers, 531 Moon Run Road, Kerens, WV 26276, (304) 636-2662, hugh.rogers@gmail.com

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

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

Thinking About Thanksgiving

By Charlie Feldhake

Here we are in November. It is such a transition month, from the bright colors and harvest of October to the sometimes bleakness of December that requires Christmas decorations and lights to ameliorate. Time to put up the bird feeders, which will also benefit the squirrels, and finish splitting that last load of firewood. Get out the boots and winter coats, be thankful we have them and help provide for those that don't. Read a good book, and reflect on our part of where this planet is going for life in the future which includes remembering Mahatma Gandhi's sage advice "Live simply so that others may simply live".

Native Americans taught Europeans to use fish runs, where to hunt, grow the three sisters, (corn, beans, squash,) and how to survive in this unfamiliar land. We celebrate their help with Thanksgiving. We of European heritage also unfortunately thanked them by decimating their population and taking away their land. Thanksgiving is essentially a zero sum enterprise where some have a lot to be thankful for at the expense of others who were shortchanged. I was fortunate enough to be born of the benefitted class (although from later

immigrants) and was able to leverage it into a life for which I'm thankful.

I am thankful for the "Highlands Voice" and activists that facilitate its publication by working to protect people and natural environments. I am thankful for a son and daughter that do well in school and excel in swimming and dance respectively, and for my wife who is a conscientious middle school math teacher. Now that my body is aging and aching, I am thankful for the memories of climbing mountains, 100 mile bike rides, hikes by myself in wilderness, and beers with good buddies.

Moving on, the turtles are tucked away for the winter, the fruits and veggies canned or frozen, the lawn mower winterized, so it is time to sit and wait for-- -- Thanksgiving Day!

Oh the memories of the 50's and 60's and my grandmother's salads, roasted turkey, oyster stuffing, sweet potatoes, mashed potatoes, home-canned green beans and corn, cranberry sauce, fluffy wheat rolls, and spicy pumpkin and apple pies. After dinner the men-folk and children had to get out of the way during the aunts' clean up and snooze in the living room (a welcome punishment for eating too much).

Being the oldest grandson, I got to an age where I was drafted to dry dishes. My Grandfather (who was born in 1898, my son in 1998) always washed dishes and once I found a speck of food on a plate and called him on it. He gruffly informed me that "If a man can't dry a little food off a plate he isn't worth his salt".

There were rough spots this past year. My brother-in-law died of a rapid cancer (my older sister is an "Irish twin", we are the same age one month of the year). He never made much money, worked running programs for handicapped and mentally challenged adults. Yet his funeral was in a large church in Covington, KY and packed with many hundreds of people. Contrast this upbeat and gentle soul (who fought in the infantry in Vietnam) with the decadence of multi-millionaires and billionaires that just can't seem to have enough vacation mansions, personal jets, and yachts. But my kids are alive and thriving in West Virginia with two rescued dogs, turtles, guppies, and a little garden so our yearly WV circle is unbroken. I am thankful for the opportunity to be part of the circle.

West Virginia Whistle Blower Gets Protection

The West Virginia Supreme Court has ruled that an employee may not be fired for reporting that his employer was violating the West Virginia Water Pollution Control Act

The employee was employed by ArcelorMittal Weirton, a tin plate manufacturer. He was fired after complaining of some violations of the West Virginia Water Pollution Control Act by his employer. Prior to the firing, he had also called to the attention of the company various incidents which he believed to be violations of environmental laws.

He claimed that he was discharged because of his complaints about environmental violations.

Most employees are what the law calls employees at will. This means that they can be fired at any time for any reason or for no reason. In this case, the Court applied the "substantial public policy" exception to the employment at will rule. Under that exception, even an otherwise at-will employee may not be fired for doing something that advances a substantial public policy. In this case, the substantial public policy is enforcement of the Water Pollution Control Act.

A trial court will still have to listen to evidence and decide whether this plaintiff actually was fired for reporting an environmental violation. What the Supreme Court has said is that, if he was, then he was fired illegally. In doing so the Supreme Court made the world a little safer for employees who report their employer's violation of environmental laws.

Dominion Looks for Shortcut on Water Pollution Permit

Dominion Resources has asked the U.S. Army Corps of Engineers to use a process that will result in a less demanding review of its plans to build a pipeline from West Virginia to North Carolina. In this situation, the phrase “less demanding review” is a euphemism for just about no review at all.

In building its proposed pipeline from north central West Virginia to North Carolina, Dominion Resources will have to cross many streams. Before it can do that, federal laws require a permit from the U.S. Army Corps of Engineers (the Corps), prior to beginning any work in or over waters of the United States that affects the course, location, condition, or capacity of such waters, or prior to discharging dredged or fill material into U.S. waters. Regulatory programs that implement these laws are administered through permits issued by the U.S. Army Corps of Engineers (the Corps), which shares responsibility with the Environmental Protection Agency (EPA), under the authority of the Clean Water Act, the Rivers and Harbors Act, and the Marine Protection, Research, and Sanctuaries Act.

There are two types of permits. One is called a “general permit.” It is for actions that are similar and will have minor effects upon the waters of the United States. It usually takes the form of a nationwide permit that authorizes a category of activities throughout the nation and is valid only if the conditions applicable to the permit are met. The whole point of a general permit is to make things easier for companies or individuals who are all doing the same thing in the same way and having a minor impact upon waters. By its general permit program, the Corps seeks to avoid having to review permits for minor activities that can be easily controlled and have a minor impact upon waters.

To operate under this general permit, a company only has to inform the Corps of Engineers that it intends to operate under the general permit. The Corps then determines whether the proposed operation qualifies to be covered by the general permit. If the Corps decides that it does, then Corps scrutiny is largely over.

The second is an individual permit which requires site specific data on what actions are proposed. The Corps of Engineers would then review that data and

determine whether or not the pipeline, as proposed, could be constructed without unacceptable water quality. The United States Environmental Protection Agency would participate in the review. As part of granting an individual permit for stream impacts caused by construction of the Atlantic Coast Pipeline, the Corps would perform detailed and extensive analyses of the specific stream crossings and other pollution sources and, if they grant approval, require site-specific controls that are suited to the landscapes to be affected.

Whether a project is reviewed as an individual permit or qualifies for a general permit is important beyond just the increased scrutiny that individual permits get. Individual permitting includes a process which allows the public to have a role in decisions affecting their resources, with public notices, hearings, and the chance to comment to the Corps. If a company operates under a general permit, no public involvement is possible.

On September 15, 2015, Dominion Resources asked the U.S. Army Corps of Engineers to approve its proposed Atlantic Coast Pipeline (ACP) project under Nationwide Permit 12. Nationwide Permit 12 has been used to approve minor utility construction activities and most cross a single stream or a small number of water bodies. The ACP application lists over 500 sites where 42 or 36 inch pipes will cross waters. It has not been used to approve anything of the magnitude of the Atlantic Coast Pipeline.

“The Atlantic Coast Pipeline may have devastating effects on natural features in its path. It will cross many streams and wetlands, sometimes through trenches cut and blasted through stream bottoms,” according to Rick Webb, of the Dominion Pipeline Monitoring Coalition. “It will create runoff and erosion on steep mountainsides and affect sensitive cold water streams that contain native brook trout and other sensitive species. It will destroy large swaths of native plants and forests, cross sensitive limestone geological structures, and threaten water supply springs and wells.”

If construction of the pipeline is allowed, miles of huge open trenches may be open at any one time and the kinds of heavy rains and flooding recently

experienced in western Virginia will cause extensive erosion and pollution of downstream waters, with catastrophic results.

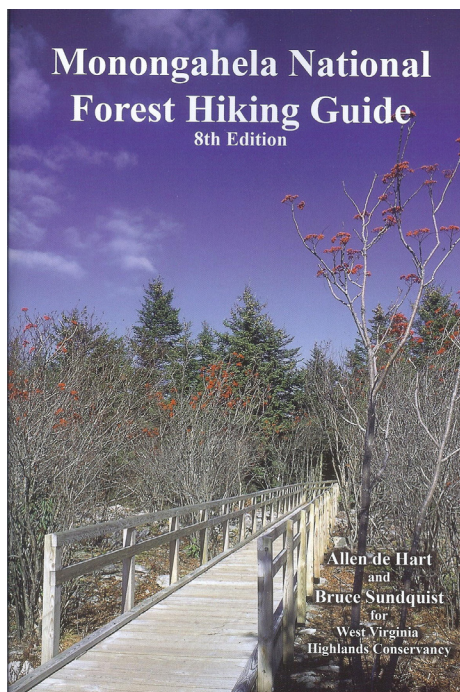
Twenty nine groups, including the West Virginia Highlands Conservancy, have joined in a letter to the Corps of Engineers to refuse to allow Dominion to operate under a general permit and require that it seek a site specific permit instead. They seek, instead, to have Dominion be forced to apply for an individual permit for its Atlantic Coast Pipeline project.

Nationwide Permits: They're Not Just For Pipelines Anymore

While Dominion seeks to qualify for consideration (or, more precisely, no consideration) of its proposed Atlantic Coast Pipeline under a nationwide permit, it is not the only kind of operation to do so. Ninety per cent of the activities the Corps of Engineers are approved through general permits. These are small and non-controversial.

Before 2012, the Corps of Engineers used a nationwide permit to approve valley fills associated with surface mining. In the greatest understatement since “General Custer had a little trouble with the Indians”, a 2012 report to Congress on the practice by the Congressional Research Service described the situation this way, “The use of nationwide permits to authorize coal mining activities has been and continues to be controversial, particularly in connection with NWP 21, which concerns surface coal mining activities.”

The nationwide permit that was used to authorize valley fills expired in 2012 and was not renewed.



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 \$14.95 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

8TH Edition Now Available on CD

WV Highlands Conservancy proudly offers an Electronic (CD) version of its famous Monongahela National Forest Hiking Guide (8th Edition), with many added features.

This new CD edition includes the text pages as they appear in the printed version by Allen deHart and Bruce Sundquist in an interactive pdf format. It also includes the following mapping features, developed by WVHC volunteer Jim Solley, and not available anywhere else:

- ☐ All pages and maps in the new Interactive CD version of the Mon hiking guide can easily be printed and carried along with you on your hike
- ☐ All new, full color topographic maps have been created and are included on this CD. They include all points referenced in the text.
- ☐ Special Features not found in the printed version of the Hiking Guide: Interactive pdf format allows you to click on a map reference in the text, and that map centered on that reference comes up.
- ☐ Trail mileages between waypoints have been added to the maps.
- ☐ ALL NEW Printable, full color, 24K scale topographic maps of many of the popular hiking areas, including Cranberry, Dolly Sods, Otter Creek and many more

Price: \$20.00 from the same address.

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.



These Free Random Joys

By Julian Martin

The first snow flakes.

The hemlock tree out near the woodshed under heavy snow and changing its beauty with the seasons.

Walking on crunchy dry snow under a star filled black night.

Feeling, hearing and seeing a rain storm move in.

A wave of warm air just before the rain storm.

Walking in the rain.

Living in West Virginia entertained by an amazing variety of weather

Hearing a whippoorwill out my kitchen window.

And Bull Frogs

A full moon

Stars on a moonless night,

Sunsets and sunrises, Orange and blue skies

Spring colors and Fall colors

A yard full of beautiful yellow dandelions

Walking in the woods, Blankets of moss to lie on, Wild flowers

Hickory trees, Oak trees, trees...

Rivulets trickling through ferns

Babies and toddlers full of happiness

Elizabeth Marie crunching ice under her boots.

Luke stomping mud holes

Jason suddenly noticing that it got dark when the sun went down

The smell of the barn at our home place

A good book

Basketball

The excitement of the first day of school.

Sharing in student discoveries

Bringing a shy grin to the face of a bashful student.

Learning from my students.

Walking to school every morning, people honking their horns and waving.

Reminiscing, Hugging, Kissing, Making Love

Cathedral Falls and Germany Valley

Friends

Mountains



Looking at West Virginia's Past

By Cynthia D. Ellis

The road is long---and, in part, narrow and winding---for almost anyone traveling to Matewan, West Virginia. But among the things making the trip worthwhile is a little jewel of a museum. The newly opened West Virginia Mine Wars Museum shows tremendous work and research, and encourages a visitor to experience a piece of our state's history that was deliberately hidden.

Matewan lies between steep green mountains and the Tug Fork River. There's a floodwall, and Kentucky is just to the west. Traveling to the town helps set the scene for understanding the region as it was at the time of the struggles between mine owners and miners in the 1920's. The town itself looks much the same as then, but also shows evidence of recent efforts to spruce up.

The Mine Wars museum occupies a store front on Main Street. Volunteers work at a reception desk and book sales nook. We were warmly greeted by Pat Brown, whose grandfather had been the area's first African-American store-owner, aided in no small part by his fluency in Italian and Spanish [with immigrant workers]. "Start right there and work your way around," she suggests, and we do.

Display cases, photographs, and printed descriptions are professionally crafted and mounted. Donated materials have obviously been keenly sought and are still being welcomed. We see item after item from the towns and from the work life of miners and their families nearby. We see rare video footage of Sid Hatfield and a replica strikers' tent.

Bullet casings and guns were part of the Mine War story and those are here. But one placard quotes a publication which decried the continued threat of mining that could disrupt the historical site at Blair Mountain. "Sadly further properly funded and directed professional excavation of the battlefield most probably will not happen again given the current fiscal climate, and the fact that the battlefield itself may very well become a victim to mountaintop extraction methods of coal removal before such searches could occur."

West Virginia's other history tour sites have proven popular. Few state leaders have fully capitalized on the potential for more. In Matewan, the folks who struggled with establishing the West Virginia Mine Wars Museum have forged ahead with a polished and well-thought-out tribute to an important part of labor history and have crafted a valuable traveling side-bar or destination.

Find out more at <http://www.wvminewars.com/>



Scoping out the Sods

By John McFerrin

We spent a day in Dolly Sods, walking the Rohrbaugh trail (3.6 miles) and Northland loop (.3 miles) before stopping off at the Bear Rocks overlook.

The Forest Service rates the Rohrbaugh trail as moderate and that was my experience. The trail surface was rocky; hikers have to step over and around many big rocks. It is uphill at the beginning but then flattens out. It is the kind of surface that one should expect; it's a wilderness, not a city park.

The trail starts out in a hardwood forest (mostly beech) but with a little elevation gain that gives way to pine and spruce. There are heavy woods on both sides of the trail. A little more than a mile out it runs through a rhododendrons thicket. After that there trail leads to some rock cliffs. The view is spectacular.

The Northland loop is my personal favorite kind of trail: interesting scenery plus interpretative signs. It is easy walking, not handicapped accessible by any means but about as easy as it gets in a wilderness area. The highlight for me was a huge bog. It is so unusual in West Virginia to see land that does not have trees growing on it. Unless it has been cleared for businesses, housing, etc. or there has been a strip mine, the whole state is a big forest. Yet there it was—a huge expanse of open land, full of interesting plants. The bog is so wet that it would be unpleasant (not to mention damaging) to walk on it so there is a boardwalk. Interpretive markers tell (among other things) about how the bog formed, the plants that live there, and why the nearby trees have limbs on all sides (unlike out at Bear Rocks).

There is only one word for the overlook at Bear Rocks: wow! Looking in one direction you can see, more or less,

forever. Ridgeline after ridgeline, there they are, all laid out before the horizon. It was past the peak of the migration season so we did not see entire kettles (a "kettle" is a group of migrating raptors; the term is usually reserved for groups of twelve or more) but we did see several hawks as well as ravens and turkey vultures. There were several of the signature "flagged" spruce, the ones with limbs on only one side because of the harsh winds and snow.

There is occasionally discussion of overuse of Dolly Sods. One of the oft mentioned benefits of wilderness is solitude. If everybody goes there, does it still have that value? On that score, our experience was mixed. At the Bear Rocks overlook, the parking area was about three quarters full. As we perched on our rock, we could have participated in the conversation of the party on the next rock. It's still a great view but if it's solitude you crave, check out an Obama for President rally in Boone County instead.

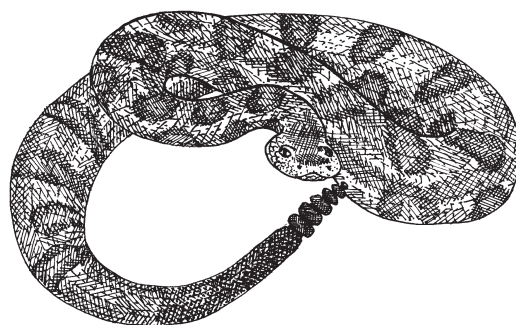
The trails, on the other hand, are another matter. We had the Northland loop all to ourselves. On the Rohrbaugh trail we met two people finishing as we began. Out on the trail we met a party of two and were passed by a party of three. It's not the monkish solitude that some crave but we always had the feeling that we were alone in the woods. It feels like the same phenomenon that plagues parks such as Yosemite where the valley becomes New York City west in the summer but the more remote and difficult to reach parts of the park are empty.

The single thing I brought away with from my trip was thoughts about how harsh the land is. Its elevation ranges from 2500 to 4700 feet above sea level. It snows up to seven months of the year. The vegetation, particularly up around Bear Rocks, looks

like what I saw in parts of Alaska. The trees have to huddle together for shelter. There may be places where it's summertime and the living is easy but not on Dolly Sods.

Things one reads about the area talk about the Dahle family who settled there in the late 18th century. They made a living grazing cattle and sheep and bequeathed their name (with an American spelling) to the area. They must have been a hearty bunch.

Dolly Sods is a great place to visit. You can see things there that you don't see other places in West Virginia, or in the eastern United States for that matter. It is no wonder that it is a federally protected Wilderness area.



The Federal Agency Behind the Gross Expansion of Fracking Pipelines

By Ellen Cantarow and Dory Hippauf

The Federal Energy Regulatory Commission (FERC), a national agency with wide jurisdiction over gas industry projects, used to be one of those unseen government organizations that go quietly about their business, creating no headlines and flying under the public radar. But mounting citizen alarm about the high-volume hydraulic fracturing industry has changed all that, and FERC's opponents have publicly accused the agency of being a spearhead for fossil fuel corporate domination of the United States and its resources.

Early opposition to shale drilling was restricted to protests against what is commonly called fracking - blasting chemical-laden water into subterranean rock to fracture it, forcing it to yield the methane (natural gas) it contains. But for the past several years there has been increased opposition to the major, ever-expanding fracking infrastructures over which FERC has jurisdiction - pipelines and the compressor stations that pack down fracked gas for its pipeline journeys.

FERC was founded in 1977 as an independent agency; its status updated nearly 11 years ago by the 2005 Bush-Cheney Energy Act to include jurisdiction over interstate electricity sales, wholesale electric rates, hydroelectric licensing, natural gas pricing and oil pipeline rates. FERC also reviews and authorizes liquefied natural gas terminals, interstate natural gas pipelines and non-federal hydropower projects.

Only one gas pipeline has been outright rejected by FERC in the past 10 years.

While FERC's own mission statement describes it as "an independent agency," it approves most of the projects that come to its door. In December 2012, after a 3-2 vote to license a major East Coast pipeline, the majority explained why so many corporations get its thumbs up: "Given the significant expense sponsors incur to prepare applications, there is no incentive for a project sponsor to present an application that cannot meet our standards for approval ... *the high approval rate for pipeline proposals demonstrates prudence on the part of the industry and consistency on the part of the Commission....*" [our emphasis]. Translation: money talks.

The 2012 statement was reconfirmed when an audience member at a July 2015 FERC "scoping" meeting asked a FERC representative how many pipeline applications FERC denies: "Very few," he answered. When asked to give an example of a single pipeline permit denied by FERC he replied, "Not off the top of my head." According to attorney and former FERC employee Carolyn Elefant, only one gas pipeline has been outright rejected by FERC in the past 10 years.

With the new fracking era have come increasing corporate requests to build new pipelines and compressor stations and expand old ones. Nationwide, FERC approved 119 natural gas interstate transmission pipelines from 2009 through July 2015, with another 43 pending final approval for 2015. In the state of Pennsylvania alone, the Department of Environmental Protection Secretary John Quigley estimates that Pennsylvania will have 20,000 to 25,000 miles of new gathering lines (these collect gas from multiple flow lines and send it to transmission lines). These are to connect with 4,000 to 5,000 miles of new interstate pipelines over the next 20 years.

Both compressor stations and pipelines have been shown to wreak potentially severe impacts to the environment and to human and animal health. Nonviolent protests against FERC's pro-corporate decisions have included national and local rallies, sit-ins and blockades of industry facilities.

In January 2015, FERC's former chair, Cheryl LaFleur, told attendees at a National Press Club lunch, "Pipelines are facing unprecedented opposition from local and national groups including environmental activists. These groups are active in every FERC docket [record of agency activities] ... at our open meetings demanding to be heard, and literally at our door ... so FERC won't be able to work. We have a situation here."

A Pipeline-Saturated Country

The natural gas market has a serious glut - all that gas and nowhere to go. According to the industry, even the nation's gargantuan pipeline system - more than 350,000 miles of gas pipelines that transmit gas from region

to region and an additional 2 million more miles of distribution and service pipelines running through thousands of cities and towns - can't handle or move natural gas fast enough. The industry's solution is to build more pipelines, which are going through residential and environmentally sensitive areas in communities. Companies seeking to build interstate natural gas pipelines must first obtain certificates of public convenience and necessity from FERC. Opponents of the pipeline expansions argue, among other things, that these expansions are neither convenient nor necessary for American gas consumption, but designed to facilitate US exports to Europe and Asia, not to Americans.

Following the Money

In its early days, FERC received its operating budget through federal general fund appropriations. FERC pays the money back to the US Treasury through annual charges and filing fees from the industries it regulates. It recovers the full cost of its operations through the annual charges and filing fees it imposes on the industries it regulates, as authorized by the Federal Power Act and the Omnibus Budget Reconciliation Act of 1986. FERC deposits this revenue into the Treasury as a direct offset to its appropriation.

At a July 15, 2015, FERC public meeting in Great Bend, Pennsylvania, in Susquehanna County, an audience member asked FERC environmental project manager Paul Friedman who funds the agency. "We are funded by Congress," Friedman replied. Asked in a follow-up question whether FERC received funding beyond Congress, he responded with a quick "nope," adding, "There's a misconception going around that we are funded by industry." He said FERC also charges fees to companies it regulates but that "those fees go directly into the US Treasury."

Grassroots opposition groups have burgeoned in unprecedented numbers all along pipeline routes.

Yet even if entirely funded by Congress, FERC's authority transcends federal, state and local governments. Citizens can appeal its decisions only through the agency's own

(More on the next page)

FERC and How it Works (Continued from previous page)

processes, which are so complicated that they require weeks of study. Attorney Anne Marie Garti, who in June 2012 cofounded the first pipeline protest organization, Stop the Constitution Pipeline, told a reporter three years ago, "I have some experience and training in environmental law and it took me a month to figure out the intricacies of FERC's process."

Undaunted, grassroots opposition groups have burgeoned in unprecedented numbers all along pipeline routes. Demonstrators have staged protests outside of FERC's offices singing a spoof of the Beatles' «Yellow Submarine» («We all know FERC's a rubber-stamp machine») while Jeff Tittel, director of New Jersey's Sierra Club, has coined the joke, «They're the Will Rogers of regulatory agencies. They never met a pipeline they didn't like.»

That jest is confirmed by FERC's pipeline project approval record. From 2009 through February 2015, FERC approved 119 pipeline projects with approximately 74 more pending. When asked if FERC has ever denied a pipeline project Friedman stated, «Yes, but very few.»

If FERC's own close relationships with the industry aren't manifested by corporate contributions to the agency, they show up clearly in the shuttling of the commission's officials to industry posts and back. Take former FERC acting chair Cheryl LaFleur who has held many industry positions over the past 25 years, including being president of Narragansett Electric Company and senior vice president of National Grid. Her predecessor, Jon Wellinohoff, resigned after accepting a position with the Portland-based law firm Stoel Rives LLP. The oiling of public relations in this particular case was highlighted by an Oregon business news report that exulted, "Portland-based law firm Stoel-Rives is bolstering its energy practice by bringing on a significant new name in the business: Jon Wellinohoff, the outgoing chair of the Federal Energy Regulatory Commission."

LaFleur gaveled her last public FERC meeting to a close in March 2015 following outbursts by a dozen protesters wearing matching red T-shirts, shouting, «Stop Construction at Cove Point,» a reference to a liquefied natural gas export shipping

terminal project in Lusby, Maryland. Security guards stepped in to empty the room in response to the «situation.» (LaFleur's term as FERC chair ended on April 15, 2015. She has made clear her intention to stay on as commissioner after she hands over the gavel to Norman Bay, a New Mexico law professor who served in the US Department of Justice from 1989 to 2001.)

Resistance to Rampant Pipeline Expansion

One of the more active groups to oppose FERC's ongoing pipeline permits is Beyond Extreme Energy (BXE.) "No new permits for fossil fuel infrastructure. Renewable energy NOW," reads the legend under its website's logo. BXE organized a weeklong nonviolent direct action campaign in November 2014 in Washington, DC. Reactions by FERC to further BXE activities have included one open meeting cancellation on the recommendation of the Federal Protective Service, a division of Homeland Security. FERC representatives screened attendees on the revised meeting date. Audience members pinpointed as potentially disruptive received a blue dot on their ID cards and were shunted into an overflow room to watch the hearing on a TV screen. One BXE member was arrested and charged with illegal entry but was later exonerated in a DC Superior Court trial. From September 8 to 25, the day after Pope Francis' speech to Congress, BXE conducted a fast, calling on FERC to stop issuing new permits.

Editor's note: For the last several months, each issue of *The Highlands Voice* has had at least one article which refers to the Federal Energy Regulatory Commission (FERC). This is an abbreviated version of an article published at <http://www.truth-out.org/news/item/33239-the-federal-agency-behind-the-gross-expansion-of-fracking-pipelines>. This portion describes in general terms how FERC works and makes some observations about the agency. The balance of the article discusses specific disputes over proposed pipelines. The entire article is a useful resource for knowing what pipeline related disputes are ongoing.

Ho, Ho, Ho!

Have a Holly Jolly holiday at our Online Store! Consider these gifts: Hiking Guides [books or CD's], History Books, Caps, Shirts [short-sleeved, long-sleeved, polo], Baby & Tot shirts, and stickers. Surprise someone with a gift membership to the West Virginia Highlands Conservancy! It is a great time of year to check out our wares!

Note: If you want to give a gift membership, you have to take an extra step on the page where you put in billing information. At the bottom just above where you click 'Pay' there is a field titled "Add special instructions to the seller" and a link called Add that you can click on and type up to 256 characters. To send a gift membership you have to put the recipient's name and address there.



FOLA – Stillhouse Branch Part 2

By Cindy Rank

Many of our legal and administrative actions taken to protect our valuable water resources and hold accountable coal mining companies that pollute streams go on and on over many months and sometimes years. In an attempt to keep our members informed about what the organization strives to do in this regard we often include periodic updates in *the Highlands Voice*.

This is one of those updates.

It pertains to a case against FOLA Coal Company, a subsidiary of CONSOL, and the conductivity pollution from the company's Clay and Nicholas County Surface Mine #3 that discharges to Stillhouse Branch of Twentymile Creek, a tributary of the Gauley River that flows into the Gauley at Belva, WV, approximately five miles upstream of Gauley Bridge in Fayette County.

Part 1 of the FOLA Stillhouse Branch story appeared in the February 2015 *Highlands Voice*. That article explained how U.S. District Judge Robert C. Chambers for the U.S. District Court for the Southern District of West Virginia in Huntington after considering days of testimony and mountains of legal and expert filings found that FOLA Coal had violated its water pollution discharge permit and impaired aquatic life in Stillhouse Branch by discharging high amounts of ionic pollution into the stream.

The article quoted portions of the January 27th court order that laid out in plain terms the problem emanating from the Stillhouse operation:

In multiple ways, the chemical and the biological components of the aquatic ecosystems found in Stillhouse Branch have been significantly adversely affected by Defendant's discharges. The water chemistry of this stream has been dramatically altered, containing levels of ionic salts—measured as conductivity—which are scientifically proven to be seriously detrimental to aquatic life. The biological characteristics of the stream have also been significantly injured, in that species diversity—and, in some areas, overall aquatic life abundance—is profoundly reduced. Stillhouse Branch is unquestionably biologically impaired, in violation of West Virginia's narrative water quality standards, with current WVSCI [WV Stream Condition Index] scores falling well below the threshold score of 68.

Losing diversity in aquatic life, as sensitive species are extirpated and only pollution-tolerant species survive, is akin to the canary in a coal mine. This West Virginia stream, like the reference streams used to formulate WVSCI, was once a thriving aquatic ecosystem. As key ingredients to West Virginia's once abundant clean water, the upper reaches of West Virginia's complex network of flowing streams provide critical attributes—"functions," in ecological science—that support the downstream water quality relied upon by West Virginians for drinking water, fishing and recreation, and important economic uses. Protecting these uses is the overriding

purpose of West Virginia's water quality standards and the goal of the state's permit requirements.

*The Court thus **FINDS** that Plaintiffs have established, by a preponderance of the evidence, that Defendant [Fola] has committed at least one violation of its permits by discharging into Stillhouse Branch high levels of ionic pollution, which have caused or materially contributed to a significant adverse impact to the chemical and biological components of the stream's aquatic ecosystem, in violation of the narrative water quality standards incorporated into those permits.*

On October 6, 2015 the court reconvened to consider appropriate measures the company could and should take to reduce the conductivity to legal limits and to allow for improvement in aquatic life in the affected waters.

Experts for the Plaintiffs (WV Highlands Conservancy, Ohio Valley Environmental Coalition and Sierra Club) explained how reverse osmosis is the most effective, if not only, treatment technology currently available for treating conductivity in discharges such as those at the FOLA Coal operation in Stillhouse Branch.

In an October 14th court order the judge recognized that at this FOLA Surface Mine #3 such a water treatment system could cost \$136 million to build, install, operate and maintain for 35 years.

The court further noted that the company proposed an alternative approach consisting of a series of "water management strategies" that they argued would cost less (some hundreds of thousands of dollars) but in their opinion would be adequate to meet the requirements of the law.

[On a personal note I must say that even having listened closely during the hearing to the detailed description and discussions of the company's proposal I have a difficult time believing these strategies are any more than a convoluted and complex series of experiments based on dilution being the solution to pollution, achieved by separating the surface runoff from the offending polluted water and pumping that bad water from one watershed to another, and if need be pumping Twentymile water or even Gauley River water 14 miles back to Stillhouse to ensure flow in Stillhouse.]

In addition to the testimony at trial, arguments for both approaches had been submitted in writing prior to the hearing and the judge in his October 14th order requested further legal documentation from FOLA to explain how their proposal would comply with Federal pollution laws.

FOLA has since submitted the required document and Appalachian Mountain Advocates (lawyers representing plaintiffs) have responded. Consideration of all is ongoing and further outcomes and final decisions will be reported in future issues of *the Highlands Voice*.

Spreading the Word

West Virginia Highlands Conservancy tabled at Marshall University's Memorial Student Center for "Loving Appalachia," an event sponsored by the school's Appalachian Studies group. There was a good turn-out of presenters and a continuing flow of foot traffic. Folks who paused at our booth included one who had worked for Appalachian Electric Power company; he defended Carbon Capture. Another was Richard, a retired minister who pastored in Kentucky. While there, he watched a mountain, across from his church, be dismantled by mountaintop removal mining. Positioned next to our table was one from a local food store, The Wild Ramp. Seated there was Brianna. We found that we had in common our participation in the Blain Mountain March, and she said that after the march she found that her grandmother had worked in a coal town company store. There's always someone who comes to our table who knows Julian; there was on this day too. Several students signed up for trial memberships. A dulcimer group played "Tis a Gift to Be Simple" and someone rode into the student center on a Segway Scooter board.

We also had a booth at the Mountain State Forest Festival in Elkins. We had visits from a large numbers of school kids, but a sizable number of adults as well, some of whom were interested in what we had to say. We gave out perhaps 150+ copies of The Highlands Voice.

Jackie Burns did an outstanding job on the designing and lay-out for the display panels on very short notice.



A Painless Path to Supporting the West Virginia Highlands Conservancy

The West Virginia Highlands Conservancy has registered to participate in the Community Rewards program operated by Kroger. This makes it possible for supporters to financially support the Conservancy by shopping at Kroger. Once a supporter has registered, Kroger will donate a small fraction of purchases to the Conservancy.

Our NPO number is 85577. You don't have to know this to register but it helps. If you don't know the number you have to search through the list of several hundred organizations to find WVHC. If you know the number you don't have to search.

The Directions (from Kroger)

TO USE THE KROGER COMMUNITY REWARDS PROGRAM:

- Register online at krogercommunityrewards.com
- Have your Kroger Plus card handy and register your card with your organization after you sign up.
- If you don't have a Kroger Plus card, you can get one at the customer service desk at Kroger..
- Click on Sign In/Register
- Most participants are new online customers, so they must click on SIGN UP TODAY in the 'New Customer?' box.
- Sign up for a Kroger Rewards Account by entering zip code, clicking on favorite store, entering your email address and creating a password, agreeing to the terms and conditions
- You will then get a message to check your email inbox and click on the link within the body of the email.
- Click on My Account and use your email address and password to proceed to the next step.
- Click on Edit Kroger Community Rewards information and input your Kroger Plus card number.
- Update or confirm your information.
- Enter NPO number or name of organization, select organization from list and click on confirm.
- To verify you are enrolled correctly, you will see your organization's name on the right side of your information page.
- REMEMBER, purchases will not count for your group until after your member(s) register their card(s).
- Do you use your phone number at the register? Call 800-576-4377, select option 4 to get your Kroger Plus card number.
- You must swipe their registered Kroger Plus card or use the phone number that is related to their registered Kroger Plus card when shopping for each purchase to count.

WVHC could not expect all our members or supporters to both participate and choose WVHC as their charity. There are many worthwhile organizations on the list. At the same time, we hope that enough people will sign up to make this a small but steady source of funding.

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.]---\$20, Infant tee [18 mo.]---\$15, Toddler tee, 2T,3T,4T, 5/6---\$18
 - Soft pima cotton adult polo shirts are a handsome earthtone light brown and feature the spruce tree logo. Sizes S-XXL [Shirts run large for stated size.] \$18.50
 - Order now from the website!
- Or, 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

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 \$15 by mail; **long sleeve** is \$18. 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