



# The Highlands Voice

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

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## Land and Water Conservation Fund Reauthorized

The United States Senate has permanently authorized the Land and Water Conservation Fund. Both Senator Capito and Senator Manchin supported the Fund. The Fund collects revenue from offshore drilling and uses it to fund major national parks and wildlife preserves, as well as local baseball diamonds and basketball courts. For more background on the Fund, see the box on page 3.

The Fund began in 1965 but was not permanently authorized. Its authorization had to be periodically renewed. It most recent lapsed in September, 2018, due to the partial government shutdown and other disputes.

Congress is now set to reauthorize the fund in perpetuity. It will no longer have to be renewed from time to time. The Senate bill must still be approved by the House of Representatives. It has wide support there and is expected to pass.

Although the Fund will be authorized and can continue to exist, the legislation does not make spending on the Fund mandatory. Congress still must make appropriations to the Fund.

Congressional funding for the program has “fluctuated widely” since its inception in 1965, according to a 2018 Congressional Research Service report. Less than half of the \$40 billion that has piled up in the fund during its five decades of existence has been spent by Congress on conservation efforts.

Although many members of Congress (including Senator Joe Manchin) support mandatory funding, that was not included in the bill and would have to be included in other legislation.

Reauthorization of the Land and Water Conservation Fund was not the only thing the bill accomplished. The 662 page bill also protecting millions of acres of land and hundreds of miles of wild rivers across the country and establishing four new national monuments honoring heroes including Civil War soldiers and civil rights icon Medgar Evers.

More specifically, it

- Adds over 367 miles of rivers to the National Wild & Scenic Rivers System
- Adds over 2,600 miles of new trails to the National Trails System
- Designates 694,000 acres of new recreation and conservation areas
- Provides over 42,000 acres of new additions to the national park system
- Creates four new national monuments
- Provides direction to all federal departments and agencies to facilitate the expansion and enhancement of hunting, fishing and recreational shooting opportunities on federal lands.

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## Thoughts from our President

By Larry Thomas

February has been an interesting month for the environmental community both federally and within West Virginia.

### The Natural Resources Management Act

Congress has passed the Natural Resources Management Act, which is touted as one of the largest land conservation packages in a decade to protect and invest in America's public lands. We need to thank both West Virginia senators, Manchin and Capito as well as all three representatives, McKinley, Miller and Mooney, all of whom voted for the legislation. Contact information at <https://www.senate.gov/> and <https://www.house.gov/>

The legislation provides:

- Permanent reauthorization of America's most important conservation program, the **Land and Water Conservation Fund**, but not the needed funding which we must now push for during the budget process.
- Renewal of the **Every Kid Outdoors** program, which helps kids from all backgrounds experience our national parks.
- Permanent protection of **2.3 million acres of wilderness and other lands and waters**.
- Protection of sensitive places including the otherworldly California desert, precious lands just north of Yellowstone National Park, Washington's lush Methow Valley and New Mexico's iconic Rio Grande del Norte—among many, many others.

Quoted from the Statements of Jamie Williams, president of The Wilderness Society:

"This is the most sweeping public lands protection bill in a decade and a testament to the nation's commitment to conservation. Conserving more than two million acres of the nation's wild lands is a tremendous gift to future generations. In addition, permanently reauthorizing LWCF is a huge accomplishment that will be felt in every state. This legislation reflects the vast majority of Americans who want enduring conservation of our public lands and waters. Passage of this bill provides a hopeful sign that the new Congress can and will step up to meet our nation's pressing environmental challenges."

and

Sierra Club Executive Director Michael Brune

"It's rare to see Congress act in an overwhelmingly bipartisan manner, but today reminds everyone that the protection of our public lands isn't a red or blue issue, it's an American one. The Sierra Club applauds Congress for passing the largest single wilderness bill in a decade. This is a historic day for the American people and for the public spaces we all enjoy and explore. This well-negotiated compromise will have positive, lasting effects for generations to come. Our members and allies have put in years of work to reach this moment and we are grateful for the congressional leaders

who worked diligently to pass this historic legislation."

Certainly, this is legislation that will be great for America as well as for West Virginia.

### Forest Service Projects

The Public Lands Committee continues to monitor the Forest Service projects in the Monongahela National Forest for which WVHC has submitted comments concerning what are considered major flaws in terms of protecting sensitive resources and potentially conflict with the Forest Plan. WVHC received the following from the Forest Service concerning the Spruce Mountain Grouse Management Area.

"We are in the process of finalizing the environmental assessment for the Spruce Knob Grouse Management Area NEPA project and will soon be preparing the draft decision. We've made some modifications to our design features and mitigation measures in response to comments and would like to provide you an opportunity to share that information with you in person at our Parsons office, Thursday, March 7<sup>th</sup>"

A representative of the Public Lands Committee will attend the meeting.

### Proposed Big Run Pump Storage Project in Tucker County, West Virginia

The January 3, 2019 United States Department of Agriculture, Forest Service second comment letter to FERC stated:

"Our assessment remains unchanged; the Big Run Project is not consistent with the management goals, objectives, and standards identified in the Forest Plan for Management Prescriptions 8.2 and 4.1. Therefore, should FreedomWorks apply for a special use permit to the MNF, it is unlikely that a special use permit would be issued for the Big Run Project."

FERC has sent a letter to the Forest Service asking that if FreedomWorks, LLC files for the special use permit, would the Forest Service issue the permit. To date the Forest Service has not responded. A response is expected shortly.

### West Virginia Legislature

Following the West Virginia legislature this year has been very interesting. The West Virginia Environmental Council (WVEC) lobby team is doing a great job in keeping up with and reporting on legislation of concern. You can keep up with their activities and reports at <https://wvecouncil.org/>.

There have been many concerning bills that were introduced with various outcomes. Look for a separate report on legislative actions in the April Voice.

March promises to be another busy month for the Conservancy and we will keep you informed, as events occur, through the Voice.

## The Land and Water Conservation Fund—a Little Background

The Land and Water Conservation Fund (LWCF) was created by Congress in 1965. It represented a bipartisan commitment to safeguard natural areas, water resources and our cultural heritage, and to provide recreation opportunities to all Americans. National parks like Rocky Mountain, the Grand Canyon, and the Great Smoky Mountains, as well as national wildlife refuges, national forests, rivers and lakes, community parks, trails, and ball fields in every one of our 50 states were set aside for Americans to enjoy thanks to federal funds from the Land and Water Conservation Fund (LWCF).

The Land and Water Conservation Fund uses revenue from offshore oil and gas. Every year, \$900 million in royalties paid by energy companies drilling for oil and gas on the Outer Continental Shelf (OCS) are put into this fund. The money is intended to create and protect national parks, areas around rivers and lakes, national forests, and national wildlife refuges from development, and to provide matching grants for state and local parks and recreation projects.

While these royalties are available every year to go to the Land and Water Conservation Fund, the process is not automatic. Congress still has to appropriate it.

Around the country, the LWCF program has permanently protected nearly five million acres of public lands including some of America's most treasured assets such as Grand Canyon National Park, the Appalachian National Scenic Trail, the White Mountain National Forest, and Pelican Island National Wildlife Refuge, the nation's first federal refuge.

In West Virginia, the Land and Water Conservation Fund (LWCF) has provided funding to help protect West Virginia's most special places and ensure recreational access for hunting, fishing and other outdoor activities. Public lands such as the Canaan Valley National Wildlife Refuge, Harpers Ferry National Historic Park, Monongahela National Forest, Chief Logan State Park, and New River Gorge National River have all benefited. Forest Legacy Program grants, funded under LWCF, help protect working forestlands while enhancing wildlife habitat, water quality and recreation at places such as the Potomac River Hills in Morgan County. Since 1965, more than \$243 million dollars in LWCF funds have been spent in West Virginia on more than 500 projects, both on state and federal lands. This includes improvements to local parks and public spaces in 54 of our state's 55 counties.

The LWCF state assistance program provides matching grants to help states and local communities protect parks and recreation resources. Running the gamut from wilderness to trails and neighborhood playgrounds, LWCF funding has benefited nearly every county in America, supporting over 41,000 projects. This 50:50 matching program is the primary federal investment tool to ensure that families have easy access to parks and open space, hiking and riding trails, and neighborhood recreation facilities.

Over the life of the program, more than \$3 billion in Land and Water Conservation Fund grants to states have leveraged more than \$7 billion in nonfederal matching funds. But funding levels have been unpredictable and the average annual appropriation since fiscal year 1987 is only \$40 million—despite the need for millions more.

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

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

### 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.

*The Highlands Voice* is published monthly by the West Virginia Highlands Conservancy, P. O. Box 306, Charleston, WV 25321. Articles, letters to the editor, graphics, photos, poetry, or other information for publication should be sent to the editor via the internet or by the U.S. Mail by the last Friday of each month. You may submit material for publication either to the address listed above or to the address listed for Highlands Voice Editor elsewhere in this issue. Electronic submissions are preferred.

*The Highlands Voice* is always printed on recycled paper. Our printer uses 100% post consumer recycled paper when available.

The West Virginia Highlands Conservancy web page is [www.wvhighlands.org](http://www.wvhighlands.org).

The West Virginia Highlands Conservancy is a non-profit corporation which has been recognized as a tax exempt organization by the Internal Revenue Service. Its bylaws describe its purpose:

The purposes of the Conservancy shall be to promote, encourage, and work for the conservation—including both preservation and wise use—and appreciation of the natural resources of West Virginia and the Nation, and especially of the Highlands Region of West Virginia, for the cultural, social, educational, physical, health, spiritual, and economic benefit of present and future generations of West Virginians and Americans.



# Mining and Public Health: Congress Wants to Know What Happened

By John McFerrin

The Natural Resources Committee of the United States House of Representatives has renewed its interest in the connection between strip mining and public health and why the United States Department of the Interior suddenly stopped a study of the connection. Its Chairman and the Chair of the Subcommittee on Energy and Resources have sent a letter to the Department of the Interior asking why it precipitously ended its study into the effects of mountaintop removal mining on public health.

## A little history

For a long time, the West Virginia Highlands Conservancy as well as other people have been concerned with the problem of large strip mines making people sick. *The Highlands Voice* has had articles about it since at least 2009. In November, 2012, we published a listing of the then-existing studies on the correlation between large strip mines and illness. (*The Highlands Voice*, November, 2012, [www.wvhighlands.org/2012/](http://www.wvhighlands.org/2012/)). In March, 2015, Cindy Rank did a story for *The Highlands Voice* headlined *Human Health Impacts of MTR: What Will It Take?* [www.wvhighlands.org/2015/](http://www.wvhighlands.org/2015/). In it she detailed efforts that had been made, with mixed success, to address this problem. We have also contended in court cases that regulators had a duty to consider the health impacts of mining in deciding whether to issue permits.

Finally, in August 2016, the federal Office of Surface Mining (a part of the Department of Interior) announced that it was going to have The National Academies of Sciences, Engineering, and Medicine conduct a study of the connection between surface mining and public health. The Academies were founded to provide objective, nonpartisan advice to lawmakers. While the Office of Surface Mining would fund the study, neither the agency nor the coal industry would be represented on the study panel. This was supposed to ensure that the study would produce an objective assessment of the impacts of large surface mining upon public health.

At the time the study was announced a news release from the OSM cited a "growing amount of academic research" that suggests "possible correlations" between increased public health risks and living near mountaintop removal sites. The agency said there was a need to examine existing studies, identify research gaps and look for "new approaches to safeguard the health of residents living near these types of coal-mining operations."

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

Things changed in August, 2017. The Office of Surface Mining told the National Academies of Sciences, Engineering, and Medicine to stop work on the study. At the time the Academies announced that the Department of Interior had "begun an agency-wide review of its grants and cooperative agreements in excess of \$100,000, largely as a result of the Department's changing budget situation."

In early 2018, the National Academies announced that it had formally disbanded the study. It had become clear that the Office of Surface Mining of the Department of the Interior would not provide any more money. The committee working on the project

was released and the project terminated. While the Academies were eager to continue, the Department of the Interior ended all funding, making completing the study impossible.

The National Academies sought private funding without success.

The Inspector General of the Department of the Interior looked into this matter in 2018. In its report it concluded that the Department of the Interior never conducted a budgetary review and could not provide any criteria for deciding which grants would be continued.

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

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

## Now what has happened

The Committee on Natural Resources of the United States House of Representatives wants to know what's going on.

The Committee has requested a long list of documents from the Department of the Interior/Office of Surface Mining. It asks for (a) communication between the Department and those doing the study; (b) records of what it did with the money that was allocated to this study and why the Department did not spend the money on the health study; (c) communications between Department officials and coal company executives about the study.

In addition to its general request for communication with coal company executives, it names three Department of the Interior officials and asks for their communications specifically. It also asks for communications with Peabody Energy and the Heartland Institute. The Heartland Institute is a conservative or libertarian think tank. It identifies itself as "globally recognized as the leading think tank promoting skepticism of man-caused catastrophic global warming."

The Committee had sent letters in August and October, 2017, making requests for similar information. It did not receive a substantive response. Now that leadership has changed in the House of Representatives the response may be different this time.

## For related information

The Ohio Valley Environmental Coalition keeps a list of studies examining the effects of strip mining on public health. To look at its list, go to <http://ohvec.org/mountaintop-removal-articles/health/>.

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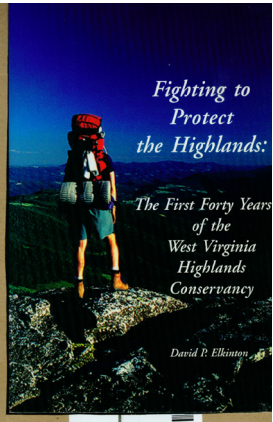
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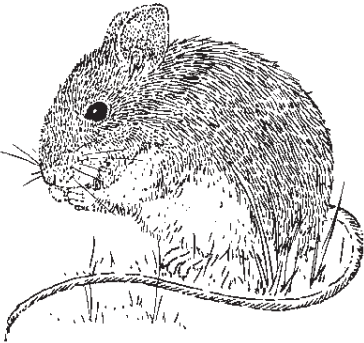
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The way it works: Anyone you refer gets *The Highlands Voice* for six months. At the end of the six months, they get a letter asking if they want to join. If they join, we're happy. If not, then maybe next time.





# Orchid Plants in Winter

By Patty Gundrum

Two orchids are evident in West Virginia during the winter. Putty Root (*Aplectrum hyemale*) and Crane-fly Orchid (*Tipularia discolor*) produce a single leaf in autumn which persists all winter.



Putty root leaf

The leaves of both orchids are more conspicuous than the flowers. Putty root produces an elliptical and wrinkled green and white striped leaf while the crane-fly orchid's leaf often has distinctive dark purple spots above and bright purple below.

With both orchids, the persistence of the leaves in the winter affords the plants an advantage of greater available light during a time when the deciduous trees are leafless. The carbohydrate produced during photosynthesis supplies the underground corms with carbon rich nutrients for flower production in the late spring and summer. Two corms attached by a small rhizome are associated with each plant, one produces the flower, the other the leaf. As late spring and summer approach, the leaf withers and the flower stalks begin to appear.

Like many orchids, flowers will not occur every year. But when they do, crane-fly orchids produce a

flowering stem from July to September. The flowers are greenish-brown with a nectar spur and are numerous on the stem. The flowers are pollinated by moths which insert their proboscis into the nectar tube transferring pollen in the process.

Putty root's flowering stem appears in May. The flowers are similar to that of the crane-fly orchid but without the nectar spurs. Putty root is likely self-pollinating perhaps due to lack of nectar spur, thereby not attracting as many pollinators.



Crane-fly orchid flower with nectar spurs

The common name of puttyroot is due to the sticky substance found in each corm which was historically used to mend pottery.

The primary mode of reproduction by both orchids is through vegetative/clonal production of new corms each year. With infrequent seed capsules produced on the flowering stem through pollination, there is likely to be little genetic variability with both plants.



Crane-fly orchid leaf



This huge mudslide is one of hundreds generated by the 165-mile long construction of the MXP---the Mountaineer XPress Pipeline in 14 counties in western West Virginia. This slide occurred in northern Putnam County. Impacts included closure of the road below and sedimentation of a stream in addition to the evacuation of family residences and the subsequent relocation of two families and the loss of traditional family property. There was compensation but this was tragic for all involved and it is a pointed example of the multiple harms of this project.



# EPA Proposes New Rule Limiting Its Oversight

By John McFerrin

The West Virginia Highlands Conservancy has joined with three hundred other organizations in opposing a proposal by the United States Environmental Protection Agency to reduce its oversight of the issuance of “dredge and fill” permits.

Although the rule would apply to all EPA decisions, in West Virginia it would have the greatest impact in how strip mining is regulated.

Among the approvals necessary for a surface mine is a permit from the Corps of Engineers for what is known as a “dredge and fill” permit, authorized by Section 404 of the federal Clean Water Act.

Authorization by the Corps of Engineers is not, however, the end of the story. Under Section 404 of the Clean Water Act, the Environmental Protection Agency has the authority to review permits issued by the Corps of Engineers and refuse to approve the activity where the environmental impacts are truly unacceptable.

This review of permits only rarely has any impact upon the whether the permit is issued. In more than two million Section 404 actions in the forty six years of the Clean Water Act's existence, the EPA review has resulted in the project being stopped only thirteen times. Each of those that was challenged in court was upheld.

Now the EPA wants to restrict this oversight so as to limit even more the review by the EPA of permits issued by the Corps of Engineers.

## Why does this sound familiar?

If this sounds familiar, it is because the regulation that EPA has proposed changing was involved in the controversy over the Spruce No. 1 mine in Mingo County that raged a few years ago.

In that case, the United States Army Corps of Engineers had issued a “dredge and fill” permit that would allow for filling of streams with a valley fill, part of a mountaintop removal operation.

After the Corps of Engineers approved the permit, the Environmental Protection Agency used its authority under Section 404 and refused to approve it. Such a move was not totally unexpected since the EPA had expressed reservations while the Corps of Engineers was reviewing the application.

In refusing to approve the Spruce No. 1 Mine, EPA explained its decision. “The proposed Spruce No. 1 Mine would

use destructive and unsustainable mining practices that jeopardize the health of Appalachian communities and clean water on which they depend,” said EPA Assistant Administrator for Water Peter S. Silva. “Coal and coal mining are part of our nation's energy future and EPA has worked with companies to design mining operations that adequately protect our nation's waters. We have a responsibility under the law to protect water quality and safeguard the people who rely on clean water.”

The Environmental Protection Agency did not take this action precipitously. Throughout the history of the Spruce No. 1 Surface Mine Corps of Engineers permit, EPA had raised concerns regarding adverse impacts to the environment. It had never said that it considered the mine to be environmentally acceptable.

There were appeals of EPA's action, including a petition to the United States Supreme Court. When the Court of Appeals upheld EPA's action and the Supreme Court refused to review it that was the end.

If you want a longer version, see stories in the April, 2014, issue of *The Highlands Voice* (<http://wvhighlands.org/Voice%20PDFs/VoiceApr14.pdf>) and the August, 2014, issue. (<http://www.wvhighlands.org/Voice%20PDFs/VoiceAug14.pdf>.)

## What's happening now

The Environmental Protection Agency has proposed changing its rules in a way that limits the times when the EPA may review an action by the Corps of Engineers. The proposed rule change would also prevent any regional EPA office from refusing to approve a permit; refusals would have to be approved by headquarters.

Had the proposed rule been in effect when the Spruce No. 1 mine was being considered EPA could not have stepped in and prevented the destruction to waters and communities.

In opposing the rule change, the groups contend a couple of things. First, the present system is working. In over two million cases, only thirteen have been stopped. Whenever any of these disapprovals was challenged, the courts upheld them.

Second, the proposed rule change is contrary to the Clean Water Act. The Act says that that EPA may disapprove a project “whenever” the Administrator determines

that the discharge of dredged material would cause an unacceptable adverse impact on “municipal water supplies, shellfish beds and fishery areas (including spawning and breeding areas), wildlife, or recreational areas.” A regulation cannot limit the EPA's authority to certain times when the statute itself says it can exercise that authority “whenever.”

## For a Better Understanding

At the time the Spruce No. 1 mine was being considered it was, to say the least, controversial. It was routinely cited as Exhibit 1 in the War on Coal, a prime example of the arbitrary and job killing EPA, etc. Cindy Rank wrote an excellent explanation of the EPA's refusal to approve the permit; it first appeared in the February, 2011, edition of *The Highlands Voice*. The controversy went on for years. When it arose again in 2012, *The Highlands Voice* reprinted the article in its April, 2012, issue.

If you really want to understand this issue, read that article. It is available on the website, [www.wvhighlands.org](http://www.wvhighlands.org).

## VOICE AVAILABLE ELECTRONICALLY

The Highlands Voice is now available for electronic delivery. You may, of course, continue to receive the paper copy. Unless you request otherwise, you will continue to receive it in paper form. If, however, you would prefer to receive it electronically instead of the paper copy please contact Dave Saville at [WVHC50@gmail.com](mailto:WVHC50@gmail.com); With electronic delivery, you will receive a link to a pdf of the Voice several days before the paper copy would have arrived. The electronic Voice is in color rather than in black and white as the paper version is.

## Court Refuses to Rehear Pipeline Case

The United States Court of Appeals for the Fourth Circuit has refused to rehear the case which disapproved of authorizations the Atlantic Coast Pipeline had received to cross the Appalachian Trail and the Monongahela and George Washington National Forests.

There are fifteen judges on the Court. Typically only three hear each case. When a litigant is dissatisfied with the ruling of the three, it may ask that all fifteen consider the case.

That is what happened here. In December, 2018, the Atlantic Coast Pipeline lost before the three judge panel. It asked that the entire Court hear the case; the Court said no.

This is not a big deal. Rehearing is routinely asked for and pretty routinely denied.

The much bigger deal is that the three judge panel decided as it did. For details of that decision, see the January, 2019, issue of *The Highlands Voice*.

## Previews of Coming Attractions

There was a lot of activity at the West Virginia Legislature. The end of the session is only about a week away. Everything is changing so quickly that nothing written now will be accurate by the time the *Voice* is printed and mailed.

Instead of including anything about the Legislature this time we will wait until next month. By then the session will be over and we can report on what happened.

## BUMPER STICKERS

To get free **I ♥ Mountains** bumper sticker(s), send a SASE to P.O. Box 306, Charleston, WV 25321. Slip a dollar donation (or more) in with the SASE and get 2 bumper



stickers. Businesses or organizations wishing to provide bumper stickers to their customers/members may have them free. (Of course if they can afford a donation that will be gratefully accepted.)



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## Monongahela National Forest Hiking Guide

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

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

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

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

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

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

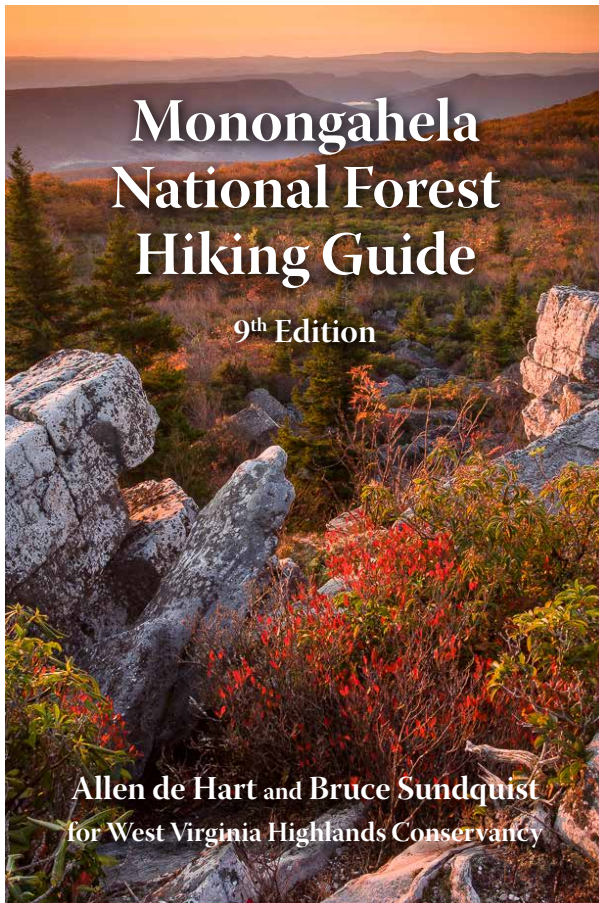
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## Dave Saville Saves the World\*

A new study suggests that trees are our most powerful weapon in the fight against climate change. Massive restoration of the world's forests would cancel out a decade of carbon dioxide emissions.

In the past, scientists had assumed that there are fewer trees in the world than there actually are. Ecologist Thomas Crowther and his colleagues have published research indicating that there are three trillion trees in the world. This is seven times more than in previous estimates.

The same research identifies areas where more trees could be planted. It does not include areas that are currently occupied by cities or agriculture. The research identifies room for an additional 1.2 trillion trees in parks, woods, and abandoned lands.

Dr. Crowther contends that undervaluing trees means scientists have also been massively underestimating the potential for forests to combat climate change.

For example, Project Drawdown is a group that compares the merits of different emission-cutting techniques. With the method it uses (there are others) it currently places onshore wind power and improved recycling of refrigerators and air conditioners at the top of its list of emission cutting techniques. According to Dr. Crowther, if the planting of trees were undertaken, it would far outstrip the carbon dioxide cutting of these two.

The British publication *The Independent* recently featured a story on Dr. Crowther's research. To read the whole thing, go to <https://www.independent.co.uk/environment/forests-climate-change-co2-greenhouse-gases-trillion-trees-global-warming-a8782071.html>. To see the research paper itself, go to <https://www.nature.com/articles/nature14967>. Warning: the paper is dense and technical and may tell you more about trees and mapping than you really wanted to know.

*\*The Highlands Voice acknowledges that the headline is an exaggeration, perhaps even approaching fake news. Dave does, however, represent the West Virginia Highlands Conservancy in the Central Appalachian Spruce Restoration Initiative (CASRI). In that capacity he has planted a lot of trees and organized the planting of a lot more. He has also participated in tree planting projects in Kenya. It's not exactly saving the world but it's not nothing either.*

# Enerblu Cancels Plan to Build Factory on Mountaintop Removal Mine Site in Kentucky

By Dave Cooper

I was saddened to read in the February 6 Lexington Herald-Leader that the Enerblu battery plant project proposed for Pikeville in eastern Kentucky has fallen through. In the article “Enerblu suspends plans for hundreds of jobs in state,” by Will Wright and Bill Estep, the company press release noted a “series of unexpected geopolitical factors.”

Some have speculated that ‘geopolitical factors’ refers to President Trump’s tariffs on imported steel that would be needed to build the factory. However, the lithium battery storage industry is growing and changing at a rapid pace, thanks to Elon Musk and Tesla, so it could mean something else. At any rate, Enerblu’s primary investor has pulled out.

Enerblu wants to build – in America - electric vehicles such as school buses, airport shuttles, delivery vans and so on using their lithium titanate battery technology, which they claim has faster charging times. These batteries could also be used for energy storage facilities tied to wind farms, and for military applications.

This is a discouraging moment for anyone who cares about clean energy and economic development in Appalachia. Enerblu had planned to hire 875 people at good salaries, and announcement of the project had brought some much-needed hope and optimism to Pike County. A major clean energy plant in eastern Kentucky could transform the mindset and politics of the region, and help wean it from coal addiction.

Enerblu had planned to build a 60,000 square foot plant in the Kentucky Enterprise Industrial Park, located on a reclaimed mountaintop removal mine site called Marion Branch. (I have been to this site: we planted tree seedlings there with students from Xavier University and Green Forests Work).

However, difficulties have arisen with the site preparation: Enerblu’s co-founder Xavier Guerin has said “It’s very difficult to build on old mines. Every week we have meetings with the architects. They keep finding new issues.”

Mountains in eastern Kentucky with underground mines sometimes have mine cracks – holes in the earth – from subsidence. Underground mining is an inexact process, and the land above can sink over time, especially with longwall mining and retreat mining, which removes the supporting pillars that hold up the roof.

In surface mining, dozer operators move vast amounts of rock and earth, and the only compaction is from the weight of the dozer tracks, rolling back and forth over the rubble. While this weight is considerable, the goal of surface mining is to remove the coal as quickly and cheaply as possible – it isn’t to properly compact the soil for some future factory buildings. That is someone else’s problem.

But oh, how the coal industry has misled the public. The former heads of the Kentucky Coal Association have repeatedly told us that mountaintop removal is good for economic development because it creates usable flat land for development: “We’re creating land for sustainable development for future generations,” said KCA President Bill Caylor in 2005. In 2009, Joe Lucas of the American Coalition for Clean Coal Electricity, said “In many places, mountaintop mining, if done responsibly, allows for land to be developed for community space.”

Yet we have seen site problems at the Big Sandy Federal Penitentiary (aka “Sink Sink” prison) built on a former mountaintop removal mine in Martin County, schools built on former mine sites where the doors won’t close properly (McDowell County, West Virginia) highways with huge wallows (the new section of US 52 between Williamson and Matewan, West Virginia), and on and on.

Adding to the sense of disappointment is the recent decision by AppHarvest cancelling their plans to build an enormous greenhouse operation on the same Pike County site. The company has decided to build instead near Morehead, so at least there will still be jobs for eastern Kentucky, but not in the coalfields. AppHarvest, which plans to hire 140 workers and invest \$60 million dollars, said the Pike County industrial park land was not suitable to build something “as fragile as a greenhouse,” according to a Lexington Herald Leader story dated January 4.

Fortunately, the tanker truck manufacturer SilverLiner is going ahead and building their new plant in the Pike County industrial park, promising 300 jobs, but to me the most hopeful proposal is the one by Adam Edelen, a Democratic candidate for governor: A 50-100 megawatt solar installation on top of a former mountaintop removal mine in Pike County. Solar panels do not care if the land subsides a little bit, and the project would reportedly train 400 former miners to install solar panels. There are already some solar panel installations in the former Harlan County mining towns of Benham and Lynch, Kentucky – I think there are more public installations of solar panels in Harlan County than in Lexington/Fayette County, which should give our Lexington city leaders pause.

Lithium mining for batteries is a fast-growing industry, because these batteries are being used in power tools, laptops, cars, buses and many more applications. Lithium is an element which is extracted primarily in Bolivia, Chile and Argentina. Mining companies drill into underground pools looking for lithium-rich brine, pump it to the surface and let the brine evaporate in the sun, to concentrate the lithium. Workers sometimes stand in the brine and shovel the evaporated salts into trucks for further concentration processes. Although there is a lot of lithium in the earth, problems arise with the mining companies demand for water in arid parts of South America. Indigenous groups state “We can’t eat batteries.”

Lithium is also an anti-depressant prescribed by psychiatrists. I won’t be surprised to read, sometime in the near future, about the health effects on the lithium miners.



## Nothing There

By Marion Harless, West Virginian

"Well," they said.

"We'll put it there. There's nothing there."

Sowbugs and spiders,  
Salamanders and song sparrows.  
Solomon's seal, spignet, Sambucus.  
Skunks and skinks.  
Sanicle, 'sang, Sanguisorba, Sorbus.  
Sleep site of ursine sow.  
Squirrels of every sort. Sirtalis.  
Scrub pine, scrub oak, squirrel corn.  
Sweet gum, sour gum, sour grass, sweet grass.  
Sweet flag, sweetbriar, sweet fern,  
Sweet Cicely, sourwood. Starwort.  
Sarvis, stitchwort, spiderwort, swallowtails,  
Spicebush, sumac and sycamore.  
Shaggy manes, shrews, solitary bees.  
Sky skimming swifts and scaly skittering swifts.  
Silver-haired bats in shagbark shelters.  
Spleenwort in sweet soil. Selaginella,  
Sharpshin and shrubby St. Johnswort.  
Snowbirds and sometimes siskins,  
Snowshoe hares and spruce.  
Shiners, salmonids, sculpins and sunfish,  
Striders, sideswimmers.  
Soft-shell, stinkpot, snapper.  
Somatochlora, stoneflies, synurella.  
Salix, streamsides, shorelines, sandspits.  
Sandpipers, shitepoke and snipe.  
Sulphurs, Strymon, skippers, sphinx moths.  
Sorrel, stonecrop, sparrow hawks.

Snowberry, strawberry, sassafras, sarsparilla.  
Sphagnum, sundew, steeplebush, sedges.  
Slate slab, sandstone sculpture, shale slope,  
Shield ferns, Silphium, screech owls.  
Seeps, springs, swamps, spring peepers.  
Sougs, sinks, stalagmites, stalagmites.  
Smartweed, smokebush, silverrod, snails.  
So many more.  
Sunset serenity. Sunrise serenade.  
So much more.

"Well," they said.

"There's nothing there that matters. We'll put it there."

Scared away –  
Scattered, separated, stressed, starved.  
Shoved away –  
Snapped, split, shattered.  
Scraped away –  
Smashed and smothered.

"Well," I said.

"Finally, they're right. There's nothing there."

Stripped bare, smoothed out.  
Shade and shadow banished.  
Stormbeaten.  
Sunbaked.  
Silent sterile soil.

Nothing.

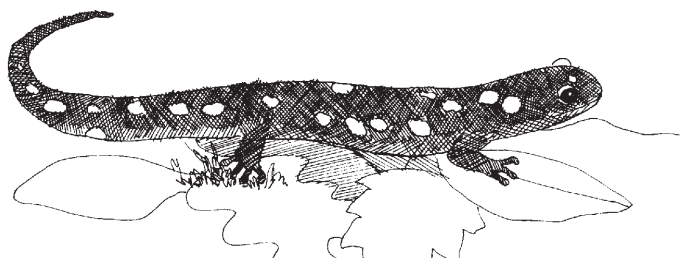
### ***The Inspiration***

This poem has been in the *Voice* before, in March, 2015. It is well worth repeating. The inspiration for including it again came from this note from a reader:

Dear Highlands Conservancy,

With the passing of Pulitzer Prize winning poet Mary Oliver on Jan. 17, nature poetry has been much in the news. So I want to tell you that the very best nature poem I have ever read—it is framed and hanging on my bookshelf—appeared in *The Highlands Voice* by Marion Harless called "Nothing There." Just the letter S! So much there! And the poet doesn't tell how to feel . . . just lets us see and smell and hear and feel ourselves. Brilliant.

Thanks, Meryl Hall



# HIGHLANDS CONSERVANCY BOUTIQUE



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

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

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

## T- SHIRTS

White, heavy cotton T-shirts with the **I ♥ Mountains** slogan on the front. The lettering is blue and the heart is red. “West Virginia Highlands Conservancy” in smaller blue letters is included below the slogan. Short sleeve in sizes: S, M, L, XL, and XXL. Long sleeve in sizes S, M, L, and XL. **Short sleeve** model is \$18 by mail; **long sleeve** is \$22. West Virginia residents add 6% sales tax. Send sizes wanted and check payable to West Virginia Highlands Conservancy ATTEN: Online Store, WVHC, P.O. Box 306, Charleston, WV 25321-0306.



## HATS FOR SALE

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

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

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