

West Virginia Highlands Conservancy
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The Highlands Voice

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STREAM Act Signed into Law

By Susan Rosenblum and Olivia Miller

Acid mine drainage is a devastating environmental issue with which the citizens and environmental organizations in the state of West Virginia are, unfortunately, all too familiar. On Dec. 29 promising news for acid mine drainage treatment efforts was received with the news of President Joe Biden signing into law a provision known as the Safeguarding Treatment for the Restoration of Ecosystems from Abandoned Mines (STREAM) Act—rounding out 2022 on a positive note for combating acid mine drainage in West Virginia.

The STREAM Act authorizes states and tribes to allot up to 30 percent of their annual abandoned mine land funding from last year's Infrastructure Investment and Jobs Act into an interest-bearing account for acid mine drainage treatment. Unfortunately, it did not allow

for states to direct funds it provides for cleanup into set-aside accounts that cover acid mine drainage treatment costs. The Infrastructure Investment and Jobs Act provided an additional \$11.3 billion dollars for the Abandoned Mine Land Reclamation funds available for state use.

In March 2022, United States Senators Bob Casey, D-Pa., and Mike Braun, R-Ind., and U.S. Representatives Matt Cartwright, D-Pa., and David McKinley, R-Wv.a, introduced the STREAM Act via Senate Bill 3957 and House Bill 7283.

The bills proposed an amendment to the Infrastructure Investment and Jobs Act to allow 30 percent of annual grant funding to be

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Thoughts from our President

By Larry Thomas

It is amazing how fast 2022 has flown by and it went out with a bang as temperatures in much of the highlands dipped below zero accompanied by strong winds creating extreme wind chills for close to a week. I hope that despite the harsh weather conditions that everyone had an enjoyable holiday season.

During 2023 it is critically important that we continue our fight to preserve and protect the highlands for the future, focusing on new and exciting opportunities. We must also continue to monitor unresolved issues that we have been working on and that have been reported in *The Highlands Voice* throughout the past year.

The Conservancy's many accomplishments during 2022, as well as many informative articles, have been reported in each month's issue of *The Highlands Voice*. I hope that you have had the opportunity to read each monthly issue from front to back. Our committees did not slowdown in our mission to work for the conservation, appreciation, and ecologic integrity of the natural mountain landscape—the highlands—of West Virginia.

We realize that the Conservancy's successes were made possible by the 55 plus years of continued support from our loyal members and supporters, and for that we are most thankful. Thanks to that wonderful support, we have been able to continue the long-successful programs such as holding industries responsible by restraining out-of-control mountaintop coal mining, Marcellus Shale drilling, mega gas pipelines and working to reduce their impacts, protection of our public lands and wilderness areas, protecting clean air and water, review and reporting on issues related to climate change and engaging state and federal lawmakers on issues important to the Conservancy.

That continued support also allows us to tackle new problems as they arise such as the conditions that surfaced with increased use of the Dolly Sods Wilderness and the proposed use of Off-Road Vehicles on West Virginia's public lands. The list continues to grow and grow.

While the issues might change from year to year, our methods remain fundamental. With member and supporter support, we can expose problems, educate members and supporters, the public, and policy makers, research better alternatives, and use our collective voice. Our historic record of successes, and our vision for the future, reinforce our efforts on behalf of what we all have grown to love, respect and appreciate.

During the summer and fall this past year, we were able to reinstate the outings program with four great outings and conducted a great Fall Review, all of which were well attended. The committees are already working on both for 2023. Follow our activities in each month's issue of *The Highlands Voice*.

We have also enjoyed the highlands we are working so hard to protect, whether it's the vast Monongahela National Forest, the spec-

tacular Canaan Valley National Wildlife Refuge, or other highland's locations. I hope that you can get out and enjoy our highlands and join us at our Fall Review or the outings, workshops, or public meetings.

The Conservancy's mission is even more urgent than ever before. Threats to our highlands, clean air, clean water and wildlife keep increasing at an alarming rate. We have found that when it comes to protecting and preserving our highlands, fearlessness and persistence pay off and our pledge is to continue the fight.

Stay safe and as we move into this new year, I want to take this opportunity to wish everyone a healthy, happy and prosperous 2023.



Blackwater Falls blanketed in a winter snow. (Olivia Miller)

More on the STREAM Act (Continued from page 1)

deposited by a state into an acid mine drainage abatement and treatment fund for the purposes of building, operating, maintaining, and rehabilitating acid mine drainage systems.

House Resolution 7283 passed the House of Representatives on July 29, 2022, with a bipartisan 391 to nine vote. S. 7283 passed the Senate on Dec. 15, 2022, and was equally supported by Democrats and Republicans with the noted leadership of West Virginia Senators Manchin and Capito. However, S. 7283 included amendments that allow the funds to also be used for the prevention, abatement and control of mine subsidence or coal mine fires.

The Abandoned Mine Land Reclamation Program provides annual grants to states to assist in the remediation of abandoned mines that threaten the environment and public health and safety with the release of acid mine drainage.

Water treatment systems that are built to remediate acid mine drainage require development, ongoing operation and maintenance costs that last far into the future.

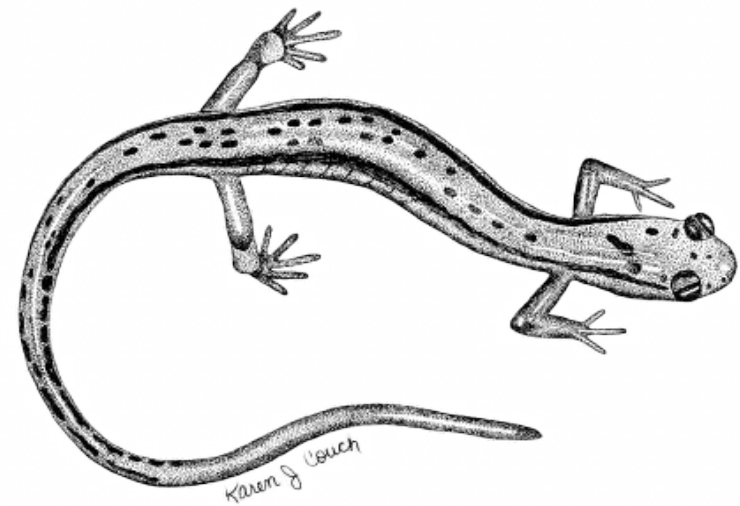
Fortunately, the Abandoned Mine Land Reclamation program allows states to set aside up to 30 percent of their annual AML grant in interest bearing accounts that can be used for future long-term acid mine drainage remediation costs.

The release of acid mine drainage has severe and long-lasting effects on rivers, streams and their ecosystems, as well as groundwater and downstream water supplies.

According to the West Virginia Department of Environmental Protection, nearly 2,500 miles of West Virginia streams and waterways have been degraded by acid mine drainage. Estimates made by the Office

of Surface Mining and Reclamation for cleanup of drainage in streams range in the billions of dollars.

The vibrant orange water commonly seen in waterways around the state is one of the most visible and harmful impacts of coal mining to the environment and human health. The passage of the bipartisan STREAM Act will help restore safe drinking water, bolster outdoor recreation and improve the health of our watersheds.



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.

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

The West Virginia Highlands Conservancy web page is www.wvhighlands.org.

U.S. Fish and Wildlife Service Reclassifies Northern Long-eared Bat as Endangered



A northern long-eared bat shows symptoms typical of white-nose syndrome.
(Steve Taylor/University of Illinois)

WASHINGTON—On Nov. 29, 2022, the U.S. Fish and Wildlife Service announced a final rule to reclassify the northern long-eared bat, a species native to West Virginia, as endangered under the Endangered Species Act (ESA). The bat, listed as threatened in 2015, now faces extinction due to the rangewide impacts of white-nose syndrome, a deadly disease affecting hibernating bats across North America. The rule takes effect on January 30, 2023.

The growing extinction crisis highlights the importance of the ESA and efforts to conserve species before declines become irreversible.

“This listing is an alarm bell and a call to action,” said U.S. Fish and Wildlife Service Director Martha Williams. “White-nose syndrome is decimating cave-dwelling bat species like the northern long-eared bat at unprecedented rates. The Service is deeply committed to working with partners on a balanced approach that reduces the impacts of disease and protects the survivors to recover northern long-eared bat populations.”

Bats are critical to healthy, functioning natural areas and contribute at least \$3 billion annually to the U.S. agriculture economy through pest control and pollination. The northern long-eared bat is found in 37 states in the eastern and north central United States, the District of Columbia, and all Canadian provinces from the Atlantic Coast west to the southern Northwest Territories and eastern British Columbia. These bats mostly spend the winter hibernating in caves and abandoned mines. During summer, northern long-eared bats roost alone or in small colonies underneath bark or in cavities or crevices of both live and dead trees. They emerge at dusk to fly primarily through the understory of forested areas, feeding on insects.

White-nose syndrome, the disease driving their decline, is caused by the growth of a fungus that sometimes looks like white fuzz on bats’ muz-

zles and wings. The fungus thrives in cold, dark, damp places and infects bats during hibernation. Impacted bats wake up more frequently, which often results in dehydration and starvation before spring arrives. Bats are the only species of wildlife known to be affected by white-nose syndrome, which has been confirmed in 38 states and eight Canadian provinces.

White-nose syndrome has spread across nearly 80% of the species’ entire range and is expected to affect 100% of the species’ range by the end of the decade. The change in the species’ status comes after an in-depth review found that the northern long-eared bat continues to decline and now meets the definition of an endangered species under the ESA. Data indicate white-nose syndrome has caused estimated declines of 97 to 100% in affected northern long-eared bat populations.

The change in status from threatened to endangered, when final, will nullify the prior 4(d) rule that tailored protections for the species when it was listed as threatened. The Service recognizes that the change to endangered status may prompt questions about establishing ESA compliance for forestry, wind energy, infrastructure and other projects in the range of the northern long-eared bat.



(USFWS)

Community Solar in West Virginia?

By John McFerrin

Whenever there is discussion of capturing more sunshine to make electricity, someone always points out that doing that on the scale necessary to operate an entire power grid would take a tremendous amount of land. They make calculations, talk about farmland that would have to be covered in solar panels, etc.

This is all just a matter of perspective. From the ground, it may look as if we would need to cut down forests, cover farmland, etc. From the perspective of a Blackpoll Warbler (or any migrating bird), it is different. They see acres and acres of rooftops, just sitting there, waiting for solar panels. What we must do is make things easier for those who want to cover these acres of rooftops with solar panels.

We took one step years ago with net metering. Any homeowner or business that wants to install solar panels can do so and still remain connected to the electricity grid. If the homeowner's panels produce more electricity than the homeowner needs, the excess goes back to the grid. If the panels produce less, the homeowner draws electricity from the grid. The homeowner only pays if the electricity he takes from the grid is more than the electricity his panels contributed to it. The Public Service Commission has rules controlling how this works.

We took another step last year with legislation on Power Purchase Agreements. Before the legislation, the net metering option was only available to home and business owners who could afford the up-front cost. This eliminated solar panels as an option for many people. The Legislature fixed this by making it possible for a company to install panels at its expense on someone's house and then sell that electricity to the homeowner.

Now is time for the next step: **community solar**.

Community solar allows entities with big roofs—a business, a parking garage, a church, a medical center—to install solar panels on those roofs and then sell the power that it doesn't use. For example, a business with a big roof and no shade trees anywhere nearby could cover that roof with solar panels. With such a big roof, it would produce more electricity than it needed. It could then sell the right to use the excess.

Community solar would not be restricted to existing roofs. It could be constructed as a free-standing entity. People could buy shares in the electricity produced by a free-standing community solar operation just as they would in one installed on an existing rooftop. If West Virginia allowed community solar, freestanding community solar operations would probably be more common than those on big roofs.

As a practical matter, any community solar operation could not sell electricity to consumers directly. In addition to the legal barriers, there would be the practical problem of having to string wires, etc., to deliver the elec-



(Moritz Kindler/Unsplash)

tricity. Instead, the excess electricity produced would go back into the electrical grid. Consumers would buy shares of the excess electricity produced by the business, the church, etc. They would then be credited on their electric bills in proportion to the shares they owned in the community solar operation.

This opens up the possibility for all manner of people to have solar power who cannot have it now. Even though renters do not have their own roofs where they could install their own solar panels, they could buy shares of the electricity produced from some big building or freestanding entity. Those who lived in shady spots where solar panels are not possible could buy shares. Those who could not afford the up-front investment in solar panels could buy shares.

It also opens up the possibility of savings for consumers. Estimates are that consumers could save about ten percent on their electric bills by enrolling in community solar.

It also jump starts the use of solar power in West Virginia. West Virginia currently has dramatically less use of solar power than other states, including surrounding states. In 2021 West Virginia was 49th in the United States in solar jobs per capita. 21 other states (including Virginia and Maryland) and Washington, D.C., have community solar legislation and policies. Community solar would help West Virginia catch up.

Even if this sounds like a good idea, it can't happen in West Virginia under existing law. In West Virginia, electricity is sold by regulated monopolies (mostly Appalachian Power and Mon Power). They are regulated by the Public Service Commission which sets rates and controls many aspects of their operations. As regulated monopolies, they control the poles, wires, etc., that a community solar operation would need to distribute electricity to its members.

This is where the Legislature comes in. Before community solar can become a reality in West Virginia, the Legislature would have to change the law. It would have to authorize community solar and require the Public Service Commission to adopt rules setting out how the monopolies it regulates (mostly Appalachian Power and Mon Power) would have to cooperate with community solar operations.

A bill to authorize community solar was introduced during the 2022 session of the West Virginia Legislature. It did not pass. There will almost certainly be a similar bill introduced in 2023. The West Virginia Highlands Conservancy, the West Virginia Environmental Council, as well as other groups have made enactment of community solar legislation a legislative priority for the 2023 session.

WV Parks System is Worth Protecting (Opinion)

By Robert Beanblossom

West Virginia has always been a relatively poor state with an economy largely based on the extraction of natural resources — especially coal. Consequently, the state government has historically struggled to provide its citizens with even the most basic of services.

Even today, West Virginia consistently ranks near the bottom whenever any parameter of social well-being is measured and continues to slide into economic oblivion.

The state's dismal economic picture over the years, however, also has spurred attempts to diversify the economy by developing and expanding its state parks and forests system during three distinct eras. As a result, West Virginia can boast of a system second to none in the United States.

The first era was the Great Depression. Upon entering once in 1933, President Franklin Roosevelt rapidly sought passage of his Emergency Conservation Work Act (later known as the Civilian Conservation Corps) to employ millions of unemployed young men for needed conservation work. Most states, including West Virginia, moved quickly to take advantage of the new law.

Herman Guy Kump, a conservative Democrat, took office as West Virginia's governor the same year and, according to some historians, had to be carried kicking and screaming into Roosevelt's New Deal. Nonetheless, he advocated for the creation of a Conservation Commission and expansion of the parks and forests system.

In February 1934, Kump appointed Col. H.W. Shawhan as the commission's first director and, in April of that year, the Legislature quickly appropriated \$75,000 for the purchase of land. In combination with additional federal funds, Shawhan used this money and directed the purchase of 102,000 acres and, with the aid of about 28 Civilian Conservation Corps camps, he supervised the development of 18 state parks and state forests created during his tenure.

World War II brought a halt to all

further development. But, after the war, mechanization of the coal industry resulted in massive unemployment in the state's coalfields. Economic diversification became a major topic in the 1952 governor's race.

William C. Marland, labor's candidate that year, promised to seek legislation to sell revenue bonds to expand West Virginia's state parks and forests system. Winning the general election that fall, he had the necessary legislation drafted soon after assuming office.

The 1953 Legislature responded to his request, and bonds were sold to construct Blackwater Falls, Mont Chateau and Cacapon State Park lodges, numerous modern cabins, swimming pools and other recreational amenities.

Marland was a brilliant man — well ahead of his time. Unfortunately, his career was cut short by alcoholism. He left the public eye and relocated to Chicago, where a reporter found Marland driving a taxi for a living in 1965.

West Virginia's coal economy continued to decline during the 1950s. In 1948, 125,669 miners were employed in the state. By 1960, that number had fallen to 48,696. As the new decade dawned, the state was in dire economic straits, especially Southern West Virginia.

Sen. John F. Kennedy of Massachusetts was running for president against Hubert H. Humphrey of Minnesota that year. Kennedy was a Catholic, and conventional political wisdom then was that a Catholic could not be elected to the office of president.

Kennedy and Humphrey faced off in a heated primary in Wisconsin. Kennedy won, but it was not enough to allay voter concerns about his faith.

West Virginia's primary was next and, given that the state was over 97% Protestant, it was a real test of the religious issue. Kennedy won, but, perhaps more importantly, he also was deeply touched by the poverty and the destitute towns and communities he'd

encountered while campaigning here. A few months after taking office, he signed into law a bill that was destined to pour millions of dollars into economically depressed states like West Virginia.

William "Wally" Barron was elected governor the same year Kennedy became president and, unlike previous governors, placed a federal liaison in Washington to take advantage of this new federal money. That individual — Robert McDonough — had directed Kennedy's primary campaign.

One idea being pursued was to seek a portion of this federal money to again expand the state parks and forests system. McDonough was getting nowhere with unreceptive, lower-level federal bureaucrats who were none too keen on the idea.

Barron went to Washington and, with McDonough, went to meet with Kennedy. According to Barron, Kennedy picked up the telephone and called the "proper person" and simply said, "The governor of West Virginia is coming over there, and I want you to tell him that he is going to get the money for his parks." (Specifically, \$24 million, or \$239 million today).

Barron later served a term in federal prison for bribing a juror.

The third wave of development resulted in Pipestem, Twin Falls, Canaan Valley, the lodge at Hawks Nest and expansion of Cass Scenic Railroad to Bald Knob.

Today's state parks and forests are some of West Virginia's greatest assets. Even though some funding has been made available lately for needed improvements, the system has faced a series of attacks under the administration of Gov. Jim Justice. His administration tried a couple of years ago to open our state parks to logging. To be clear,

(Story continued on page 14)

Heads up!

WVHC is Going Digital

By Cory Chase, Program Director

The West Virginia Highlands Conservancy has communicated with its membership through The Highlands Voice for decades, but there's a new kid on the block. Since the Conservancy hired me (Cory Chase) as program director, Crys Bauer as membership and fulfillment secretary, and our latest hire Olivia Miller as communications director, there has been ongoing discussion about branching out into digital means of communication, including emails to our membership. If you are like me, though, you aren't crazy about emails and you possibly spend a fair amount of time unsubscribing and deleting them, let alone reading them. Dreadful first-world problems, no doubt!

But hear me out: we promise to never spam you; we won't share your information with anybody; we will only send pertinent updates and information about important issues. As much as we'd love for you to support our work, we also won't send donation requests on the daily.

The main reason we want to communicate with our membership is to provide more opportunities for engagement, fellowship and education. Part of our mission is to empower and encourage our membership through quality content and building the conservation community.

Here is what you should expect:

- Updates on our calendar of events like outings, our Annual Fall Review, and partner events
- Legislative updates and action alerts during the winter months
- Opportunities to engage with our Dolly Sods Trail Stewards program and our citizen science water monitoring program
- Discounts on swag: hiking guides, shirts, hats, stickers, etc.
- Educational material about issues in West Virginia
- And more...

Of course, any and all of you are welcome to jump ship whenever you'd like. We can't make you read or receive our communications (thank goodness) and we most certainly respect your privacy. Although we do hope that you'll find our communications to be timely and relevant and we welcome member's ideas, suggestions and criticisms.

In addition, here is a link to sign up to a free six-month trial of The Highlands Voice that we would love for you to share with family and friends who may like to keep up with us: <https://bit.ly/highlandsvoice>

Also, here is another link for folks to sign up for our email list, too. <https://bit.ly/WVHCemail>

So now that you've been alerted to our upcoming email program, are you more excited or less excited to be a member? Feel free to let me know at director@wvhighlands.org and as always, thank you for your support and interest in the Conservancy.

44th

The American Council for an Energy Efficient Economy has ranked the state of West Virginia 44th in its annual State Energy Efficiency Scorecard. For the past two years, West Virginia has maintained its spot at 48th. The 2022 rankings present a four spot jump.

Although it does represent marginal progress, it is not worth bragging over as West Virginia still lingers among the state's with the lowest utility sector investments in energy efficiency nationwide. California is leading the charge in first place, while Wyoming clocked in dead last as the least energy efficient state in the United States.

Dolly Sods Road Closure

Extreme winter weather was felt across the highlands in the days leading up to Christmas. Temperatures dropped well below zero across West Virginia and a wind chill of -42.5 °F was recorded at Mt. Storm. The damage from the storm prompted the Monongahela National Forest Service to issue road closures for Forest Service Roads 75 and 19 into the Dolly Sods Wilderness Area on Dec. 19, 2022.

According to an update by the Forest Service, following the storm, staff monitored road conditions to find stranded vehicles, people, and several trees across the roads. It is unclear at this time when the roads will reopen to vehicles. Please monitor the Forest Services' Facebook page for updates @MonongahelaNF

It's *That* Serious: A Collection of Comments on Corridor H

By Hugh Rogers

Since the partial settlement of a federal lawsuit allowed construction to resume on Corridor H, West Virginia's Division of Highways (DOH) has spent its appropriations building west as far as Davis and east as far as Parsons. Meanwhile, as required by the agreement, it studied alternatives to fill the gap between. The main obstacle was the National Register of Historic Places-eligible Blackwater Industrial Complex (BIC) from Thomas south along the North Fork of the Blackwater River.

It has tossed aside those alternatives as not worth the cost of protection for the whole environment, physical, historical, recreational, and economic. Pushing ahead with its Original Preferred Alternative, slightly Revised (the ROPA), it faces objections from some of the same groups that sued in 1996. And more.

The settlement was only "partial" because both sides could opt out. If the DOH could convince a town council in either Thomas or Davis to accept the original route, it could proceed with planning in that direction. But if the ROPA does not comply with "any applicable law," plaintiffs may sue again.

Also, groups or individuals who were not parties to that lawsuit are not bound by the settlement. Specifically, they can argue that the DOH must consider upgrading existing highways—the "improved roadway alternative"—for at least part of the Parsons-Davis project.

On September 12, the DOH hosted a "workshop" at Blackwater Falls State Park, the site of their announcement of the project's "re-start," three years before. Comments were invited (again), and will be responded to in a Supplemental Environmental Impact Statement (SEIS). However, the most common reaction to the 2019 presentation, "Where are the alternatives to the ROPA?" got no answer in 2022. Instead, the DOH offered a few tweaks to its favored alignment.

Nevertheless, groups dedicated to environmental protection are nothing if not persistent. And comments do lay the groundwork for litigation, if necessary. Here are summaries of comments we submitted and some from organizations we admire.

WV HIGHLANDS CONSERVANCY:



Corridor H construction in Holly Meadows, December 2022.

We were plaintiffs in the 1996 lawsuit and parties to the 2000 settlement agreement. In our opinion, the BIC is protected by federal law from intrusion by any federally-funded highway project. We think it should be protected for other reasons as well. As the DOH is required to update its EIS because the last one, more than fifteen years old, is "stale," it must consider significant changes in the area's socio-economic situation. A thriving tourism-based economy would be set back by a highway's impacts on the BIC, the state park, the national forest, the trails, and the general character of the Thomas-Davis connection.

We know the completion of the Corridor from the east as far as Davis has helped to attract more visitors. Where it stops now brings people to the doorstep and doesn't wreck the house.

We think it should offer an exit there for Davis and Canaan Valley, then veer west to an exit for Thomas and a bypass around the town. This Northern Route would keep trucks off Thomas's main street—a major concern—while

offering visitors direct access to its restaurants, shops and galleries.

Admitting that its ROPA would do nothing to divert trucks from Thomas, DOH added a "truck route" completely separate from the Corridor. It would cause new safety problems at its intersections. Putting the trucks back on Rt. 32 to access the Corridor, it would also be incompatible with Thomas's city plan, which envisions a "greenway" between the towns.

Our Rivers Committee pointed out the ROPA's threats to pristine mountain streams, especially considering the numerous violations of water pollution control regulations that have continued during construction of the next section west, Kerens to Parsons. Another issue, acid mine drainage (AMD), was raised by several commenters.

FRIENDS OF BLACKWATER:

(Comments continued on next page)

Corridor H Comments (continued from previous page)

Protecting the area they're deeply involved with, FOB commented on the ROPA's impacts to the historic district, as well as to trails they have already built and those they have gained funds to build.

They pointed to specific sources of AMD that would be exacerbated by the proposed alignment. For many years, FOB has worked with the Department of Environmental Protection (DEP) on a treatment facility that wasn't designed to handle an increased flow. Other issues they raised included damage to public lands, and habitat for endangered species.

FOB said the northern route would avoid many of these concerns and obviate the need for a separate truck route. Finally, as they were not limited by the settlement agreement, they were free to urge the many advantages of a less destructive three-lane highway through the National Forest.

CORRIDOR H ALTERNATIVES:

CHA, the lead plaintiff in our lawsuit, raised fundamental questions including the purpose and need for the road: Virginia has no plans to continue the Corridor from the state line to I-81, so it has lost its original purpose; traffic counts do not and will not justify such a large project. And they made the point about a revived economy that would be crippled, not encouraged, by the wrong alignment.

On water quality, CHA commented on downstream effects of sedimentation and AMD. It reminded DOH of the organization's complaints about "gross underestimation" of excess waste (excavation) on other sections, and questioned recalculated estimates that supposedly reduced the cost of the ROPA by many millions.

CHA pointed to the difficult geology underlying the ROPA, both mountainside (the unstable Mauch Chunk formation) and mountaintop (the acid-producing Upper Freeport Seam, long mined for coal). And it disagreed with assurances that the ROPA would not affect Big Run Bog, a National Natural Landmark.

WEST VIRGINIA RIVERS COALITION:

WVRC's comments began with the "history of non-compliance with water pollution con-

trol permits," focusing on the past five years on the Kerens to Parsons project. The list would have been much longer had they covered Bismarck to Davis (the assault on Beaver Creek) and all the sections before that. How could they not have serious concerns about potential impacts from construction on this even more difficult section?

The route from Parsons to Davis involves both high quality, Tier 3 streams and others much abused by mining. DOH claims that impacts to the former would be temporary. WVRC disagrees. Converting intact forest at the headwaters to a highway corridor, thus increasing temperature and altering hydrology, cannot help but permanently impair the streams' water quality. That is exactly what is prohibited by our state antidegradation rule. With impressive restraint, the Coalition said, "It is not clear to us how this permanent degradation can be allowed . . ."

Turning from waters so pristine they may not be abused to waters so abused they must not be made worse, WVRC cited DEP records from the Abandoned Mine Lands program. The ROPA would cross several "problem areas" where pH has been measured below 4.0. Disturbing those areas with blasting and construction would cause additional water pollution.

The comments concluded with concerns about impacts to public use and enjoyment of "iconic" public lands.

FRIENDS OF THE CHEAT:

Where WVRC's water quality concerns were largely based on evidence of DOH's failures, FOC's concerns arose from its special mission, and the inadequate assurances found in DOH's earlier environmental documents. FOC has been working for 28 years to remediate the damage of AMD and improve water quality on the Cheat River. They do not want the gains that took so much effort to be undone by misplaced construction.

Based on that experience, FOC asked sharp questions: (1) What will the DOH do to avoid exposure of coal seams and acid drainage in the earliest design phase? (2) What wa-

ter quality standards will DOH be held to if and when acid drainage is produced? Who will monitor its compliance? (3) How will DOH find the necessary space to treat acid drainage, given the constraints of the ROPA's topography? (4) How will the necessary treatment be paid for? What sources of funding can be guaranteed after construction is finished?

They were not reassured by the overly casual plans for dealing with AMD found in previous EIS's: postponing exploratory boring until the final design stage, and blithely declaring that their 1995 survey of AMD conditions between Buckhannon and Elkins told them what to expect for the rest of Corridor H. That's simply not true. FOC offered examples from the DEP's "problem areas" list also cited by WVRC. DEP monitoring has found that flows of polluted water from abandoned mines in the Thomas-Davis area averaged 10 times as much as Buckhannon-Elkins.

FOC knows from bitter experience the cost in money, time, and space to treat AMD adequately. From its position downstream, it fears the possible impacts of haste, ignorance and lack of care.

In conclusion, the Friends suggested a northern alternative is likely to produce less acid drainage—although it too would traverse the Upper Freeport coal seam. [Note: much of that would be encountered in the western section of Alternative 1D, which will have to be redesigned anyway.] They proposed geotechnical boring on both routes, comparison of expected acid drainage, determination of anticipated costs from each, and thus an informed choice. No matter how or where it will be built, they urge that first of all, adequate funding be secured for acid drainage treatment "into perpetuity."

I would add that the comparison of alternatives suggested by Friends of the Cheat is no more than what NEPA requires of a thorough Environmental Impact Statement.

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

The Highlands Voice is the main way that the West Virginia Highlands Conservancy communicates with its members. But we would like to communicate with more than our members. We have a valuable perspective and information; we would like to communicate with everybody. We still offer electronic delivery. If you would prefer to receive it electronically instead of the paper copy please contact Crys Bauer at membership@wvhighlands.org. With electronic delivery, you will receive a link to a pdf of the Voice several days before the paper copy would have arrived.

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

BUMPER STICKERS

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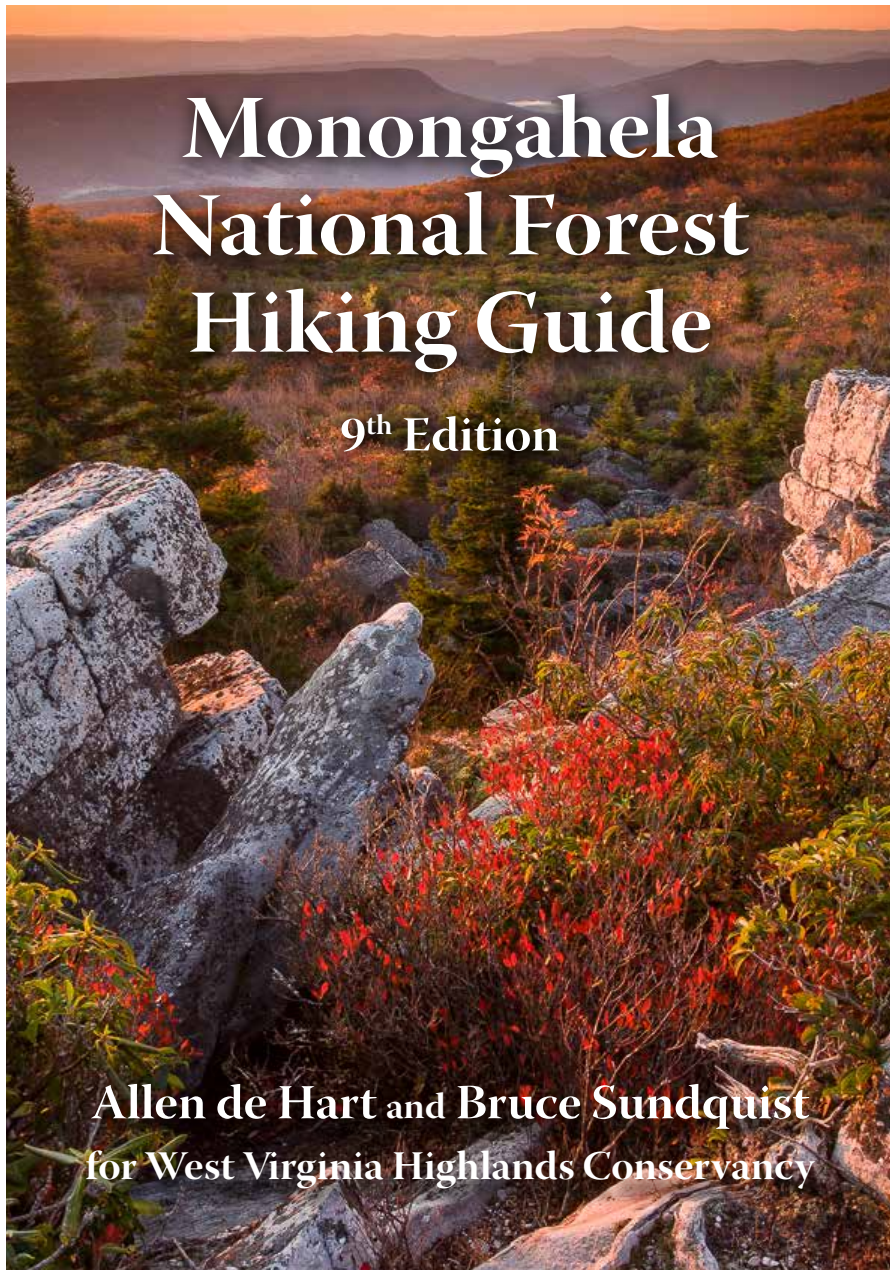
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Mon National Forest Hiking Guide



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

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

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

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

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

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

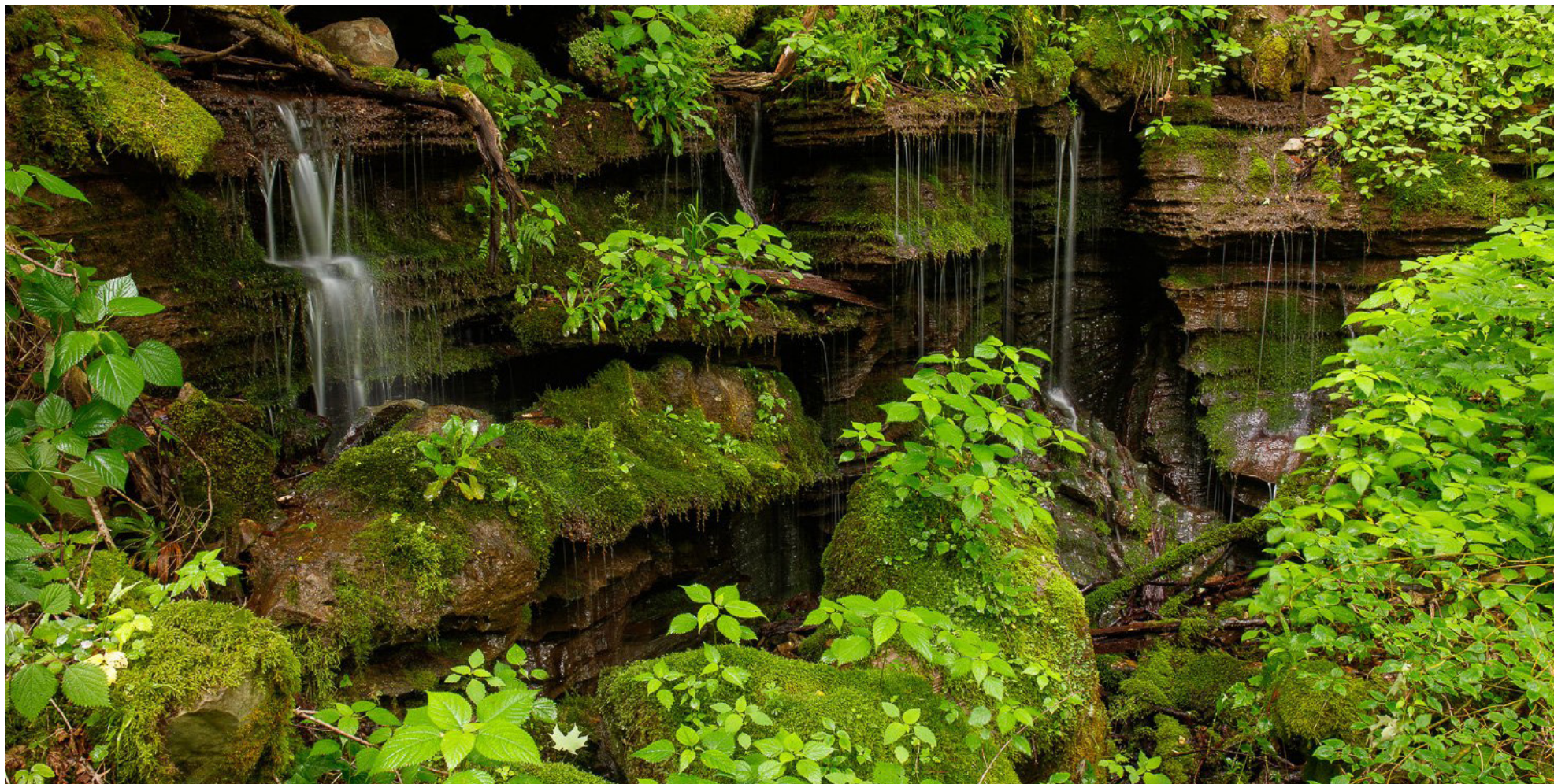
Send \$18.95 plus \$3.00 shipping to: West Virginia Highlands Conservancy, P.O. Box 306, Charleston, WV 25321 OR Order from our website at www.wvhighlands.org

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.

There Were No Flowers: Ethical Nature Photography

By Dave Johnston



(Dave Johnston)

Ever since the advent of photography, photographers have been taking and sharing pictures of the astonishing beauty of our natural world. Early photographers of the American West, such as William Henry Jackson and Carleton Watkins, influenced the establishment of our first national parks, and 20th century photographers like Ansel Adams helped make the protection of natural areas part of our national fabric.

But in the age of social media, pandemic-driven pilgrimages to the wilderness, and the ubiquity of affordable-yet-sophisticated cameras that put the ability to make fine images in nearly everyone's hands, nature photographers face new ethical considerations about how to obtain, share, and promote their images. These factors combine to make the use of photography as a

tool of conservation—and not exploitation—more important than ever.

Erik Stensland is a prominent Colorado-based photographer specializing in the stunning vistas of Rocky Mountain National Park. A few years ago, he ventured out to one of his favorite spots, a remote location he knew would have an awesome display of flowers against a mountainous backdrop. But when he got there, he was stunned, albeit in an unexpected way. “There were no flowers,” he recounted. “Everything had been trampled.”

Reflecting on what had happened, Stensland realized that he himself had contributed to the area's degradation. He had photographed it many times, published his images, and described the location in various media postings. Not surprisingly, other photographers

and members of the public were eager to experience the scene and photograph it for their own portfolios. While attempting to share the majesty of a special place, he had inadvertently introduced it to herds of others who would eventually overwhelm it.

Stensland's experience was the genesis of Nature First, a grassroots movement of photographers committed to practicing their craft in a way that avoids contributing to the degradation of natural areas while actively supporting preservation of the environment. Nature First has grown from a small group of photographers into a volunteer-based nonprofit organization with 4,700 current members throughout the U.S. and 70 countries.

(Story continued on next page)

Nature First Principles (continued from previous page)

Stensland joined with other photographers who shared observations and experiences about how photography, sometimes their own, had contributed to the spoiling of natural areas. Convinced that nature photography could be compatible with a light touch on the environment they consulted with the National Park Service and other land management agencies about how the physical and cultural impacts of photography could be reduced.

Out of the discussion evolved the Nature First Principles, a framework for applying key considerations to various aspects of nature photography. Similar in concept to the seven principles of Leave No Trace, these core concepts are meant to guide responsible photographers toward developing sustainable, low-impact practices that will help preserve the natural world and avoid actions that could lead to further restrictions on photography. They can be applied by professional photographers, avid amateurs, and even casual vacationers sporting a smartphone. Their scope is not limited to any geographic area and they are just as useful in deserts, mountains, aquatic environments, and the rugged hills of the Alleghenies.

PRIORITIZE THE WELL-BEING OF NATURE OVER PHOTOGRAPHY

Our goal to use nature to express our artistic vision is a privilege, not a right. “Getting the shot” should never have priority over respecting the integrity and preservation of natural features and ecosystems that sustain them. The very reason we are nature photographers is to support nature. Everything we do should be consistent with that, and nothing in the process should contribute, even indirectly, to harm of the natural world. This is the core concept on which the subsequent principles are built.

EDUCATE YOURSELF ABOUT THE PLACES YOU PHOTOGRAPH

Being aware of the characteristics and processes at work in the places you visit not only helps protect them, but informs your photography as well. Some areas are more sensitive than others and may require special considerations; other areas may require complete absence of human visitation during certain periods such

as nesting seasons, flower blooms, or specific weather conditions. Designated wilderness areas have a special need for care and sensitivity to preserve the natural environment with minimal evidence of human presence. Knowledge about your environment is essential to both stewardship and photographic communication.

REFLECT ON THE POSSIBLE IMPACT OF YOUR ACTIONS

While trampling sensitive plants has an immediate impact, not all consequences of your actions are as obvious but can still be harmful. Keep in mind that your pictures will influence others—both photographers who may want to replicate your image and others who just want to visit the location. Your actions by themselves may be innocuous, but the cumulative effects of others doing the same may add up to real harm. Keep that in mind when setting up or posting a photograph. Also note that not all impacts are physical. Actions such as flying a drone, blocking trails, creating noise, or light painting may negatively affect the experience of other visitors, and can even influence the behavior of wildlife. Thinking through the potential outcomes of your actions, including those resulting from a chain of events, is one of the keys to photographic stewardship.

USE DISCRETION IF SHARING LOCATIONS

In the age of social media and instant sharing, consider how and when to post or publish images and their locations. Your pictures of a new and photogenic place could spread rapidly. Once a location is revealed, it may be overwhelmed with visitation beyond its ability to withstand and recover. Your visit may have had little impact, but that of many visitors (not all of them as careful as you) may be catastrophic. Consider not disclosing the location of sensitive areas, or giving only general geographic reference, unless the area is already well-known and unlikely to be impacted. Be mindful of seasonal effects, such as flower blooms or fall color, and consider a strategic delay in posting your image to avoid fueling a trend-driven rush.

KNOW AND FOLLOW RULES AND REGULATIONS

We have all experienced the certainty that the perfect composition is on the other side

of that fence, or just beyond that “Restoration Area” sign. It’s tempting to break the rules just a little, with the rationalization that it’s just one time, and the perfect picture will advance appreciation of the natural area. But the reality is you probably aren’t the only one, and doing so leads other photographers to assume this is normal and accepted with consequential cumulative impact. This is particularly true for federally designated wilderness areas, which are set aside to allow natural processes to carry forward with as little evidence of human presence as possible, and to be enjoyed as wilderness by visitors seeking immersion and solitude. The original legislation and supporting regulations for wilderness prohibit mechanical equipment and motorized transportation, including the operation of drones. As enticing as it may be to get a never-before-seen perspective on a wilderness, drones are inherently incompatible with wilderness, affect the experience of both other visitors and the natural residents, and cannot be legally operated within wilderness boundaries.

ALWAYS FOLLOW LEAVE NO TRACE PRINCIPLES & LEAVE PLACES BETTER THAN YOU FOUND THEM

Just like all visitors to natural places, photographers should know and apply the seven principles of Leave No Trace. Prepare for your visit so that your own safety, as well as the integrity of the environment, is not compromised. Travel lightly, on durable surfaces where possible, and avoid expanding already-disturbed areas. Avoid manicuring the site by removing branches or moving rocks. Respect the habitat of the resident plants and animals, even the ones you can’t see, and be mindful of the reaction of animals to your presence when photographing them. Camp with as little impact as possible, foregoing a fire or burning only small-diameter, dead and down wood. Don’t disturb rocks to make rock stacks or camp furniture—many critters live under them. Respect the privacy of other visitors, and don’t impact their experience of the outdoors, or that of the animals that live there. Collect only photos, but consider going a step further by packing out litter or debris left by others.

(A little more on page 14)

WV Parks System is Worth Protecting (continued from page 6)

The Legislature passed — and Justice signed into law — a bill last year that has the immense potential to open the doors to privatization. Such efforts in the past have resulted in private companies draining away any revenue and leaving the taxpayers with exorbitant bills to repair the damage. It has not been successful in any state that has attempted it.

Unfortunately, these moves represent the backward, “hill-billy” mentality that pervades so much of state government today, and our constant vigilance is needed to protect this wonderful asset.

Robert Beanblossom is retired from the West Virginia Division of Natural Resources. He is currently the volunteer caretaker at the Cradle of Forestry in America. Email him at r.beanblossom1862@outlook.com

Note: This op-ed originally appeared in the Charleston-Gazette Mail.

There Were No Flowers (continued from page 13)

ACTIVELY PROMOTE AND EDUCATE OTHERS ABOUT THESE PRINCIPLES

Nature photographers have a unique opportunity to support the beautiful places they love. Their images can help build appreciation of special places and enhance support for preserving them. Their messaging can help educate the general public about sustainable visitation considerations for natural areas. And more directly, photographers can promote Nature First Principles to other photographers.

Historically, West Virginia’s landscapes have been exploited for their natural resources to the detriment of the original inhabitants, natural features, and ecological processes that make them unique. We are on the cusp of a new economic model, one which leverages our natural resources to attract visitors and their economic activity, but also supports the natural environment in a more sustainable manner.

Photographers can play an active role in sustainable tourism throughout West Virginia. We can make sure our own practices don’t contribute to the degradation of the natural environment, and share our images in a way that doesn’t lead to sensitive locations being overrun. And we can follow in the footsteps of our predecessors, using our photography to spread the word about the importance of preserving our natural areas. You can start by visiting the Nature First website, reviewing the principles in more detail, and becoming a member by affirming your commitment to them.

Note: This article originally appeared in the Fall 2022 issue of Highland Outdoors magazine.

Tell a Friend!

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

Person you wish to refer: _____

Address: _____

Email: _____

Your name: _____

Filling out the form, etc. is, of course, the old school way of doing things. If you prefer, just email the information to Crys Bauer at membership@wvhighlands.org

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

Send Us a Post Card, Drop Us a Line, Stating Point of View

Please email any poems, letters, commentaries, etc. to the VOICE editor at comms@wvhighlands.org 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 _____

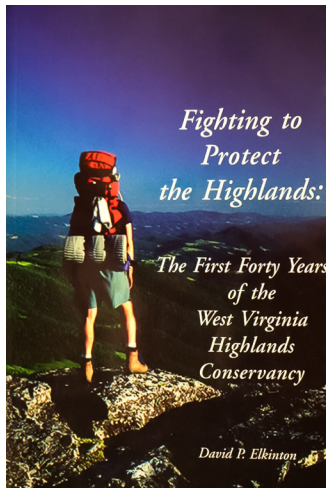
Membership categories (circle one)

	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

You may also join online at www.wvhighlands.org

GET A GREAT HISTORY BOOK

For the first time, a comprehensive history of West Virginia's most influential activist environmental organization. Author Dave Elkinton, the Conservancy's third president, and a 20-year board member, not only traces the major issues that have occupied the Conservancy's energy, but profiles more than twenty of its volunteer leaders.

From the cover by photographer Jonathan Jessup to the 48-page index, this book will appeal both to Conservancy members and friends and to anyone interested in the story of how West Virginia's mountains have been protected against the forces of over-development, mismanagement by government, and even greed.

518 pages, 6x9, color cover, published by Pocahontas Press

To order your copy for \$15.95, plus \$3.00 shipping, visit the Conservancy's website, wvhighlands.org, where payment is accepted by credit card and PayPal.

Or write: WVHC, PO Box 306, Charleston, WV 25321. Proceeds support the Conservancy's ongoing environmental projects.

SUCH A DEAL!**Book Premium With Membership**

Although *Fighting to Protect the Highlands, the First 40 Years of the West Virginia Highlands Conservancy* normally sells for \$15.95 plus \$3.00 postage. We are offering it as a premium to new members. New members receive it free with membership. Existing members may have one for \$10.00. Anyone who adds \$10 to the membership dues listed on the How to Join membership or on the renewal form will receive the history book. Just note on the membership form that you wish to take advantage of this offer.

Will WV legislators put our drinking water at risk? Again?

By Olivia Miller

On Jan. 9, 2014, an estimated 10,000 gallons of chemicals leaked from an aboveground storage tank into the Elk River through a tiny, one-inch hole. The steel storage tank sat upstream from the Kanawha County municipal water intake in Charleston, contaminating the water system that served nearly 300,000 people. In the immediate aftermath, the harm to human health was extensive, and the long-term effects are still largely unknown.

The West Virginia Department of Health and Human Resources reported 369 medical records from individuals who were exposed to MCHM-contaminated water and had admitted themselves to the emergency room for a wide range of symptoms—nausea, rashes, abdominal pain, etc. The Centers for Disease Control and Prevention suggested that pregnant women should not drink the water at all until MCHM was entirely undetectable. Doctors advised for the same for children.

The Department of Environmental Protection later confirmed that the tanks had not been inspected since 1991, some 23 years earlier.

The spill happened during the legislative session, spurring members of the legislature to reach a notable consensus and pass Aboveground Storage Tank Act 22-30-3, to regulate tanks and require increased inspections and maintenance. Under the Aboveground Storage Tank Act, owners and operators must now report the substances stored in each tank to the Department of Environmental Protection.

The regulations were also more strenuous on what they called “areas of critical concern.” This meant that the regulations were stricter on tanks if they were located in places where, if they leaked, the leak would go into a drinking water supply. The bill required an inven-



(Steve Helber/Associated Press)

tory and registration of above ground storage tanks, the submittal of spill prevention response plans and certified inspection tanks.

This event was not the first major chemical spill in the Mountain State and will certainly not be the last if bills to relax inspection standards of above ground storage tanks are successful in 2023.

In the years following the spill and the law requiring safer regulations, the oil and gas industry has been back to the legislature proposing exemptions to the law. Environmental organizations have mostly been successful in beating back the changes, but that will not stop them from trying.

The waste tanks are used by the oil and gas industry to catch and store fluids used in drilling and production. The fluid is composed of a range of hydrocarbons and a brine that contains a mixture of toxic materials—some of which are water-soluble. These pollutants are known to harm human health at low concentrations.

In 2022, House Bill 2598, ‘Modifying the inspection requirements and the definition of an above ground storage tank,’ was introduced by Delegate John Kelly (R-Wood) with broad sup-

port. This version would have relaxed inspection requirements on oil and gas storage tanks located within zones of critical concern, which are five hours or less upstream of drinking water intakes.

Kelly’s bill would have gotten rid of the requirement that a certified professional engineer inspect and certify tanks and would have changed the requirement of secondary containment inspections from 14 days to 30.

According to a comprehensive fact sheet compiled by the West Virginia Rivers Coalition, from 2015 to 2020, inspections conducted under the Aboveground Storage Tank Act found 1,938 violations of tanks that would

have become unregulated with the successful passage of HB 2598. In 2019, 24 of the 34 confirmed releases from aboveground storage tanks were from tanks that would be exempted from regulation.

With strong public opposition, the bill has been defeated, but is expected to arise again in 2023. It is strongly supported by the oil and gas industry.

The West Virginia Highlands Conservancy will be closely monitoring the legislative session for proposed bill that would rollback inspections and result in less effective regulation. In the event that new bills are proposed that lessen inspection requirements, the Conservancy will issue action alerts and communications via email and social media to safeguard our drinking water.

In preparation for the 2023 legislative session, make sure to follow the Conservancy on our social media accounts to stay up to date with the latest developments. Find us on Instagram and Facebook [@vwhighlandsconservancy](https://www.instagram.com/vwhighlandsconservancy)

Water Quality Testing for Corridor H Construction Impacts Continues



Mimi Kibler, left, and Justin Mathias, right, at Dry Run on Sugarlands Rd. (Olivia Miller)



In June 2022 a Water Quality Monitoring Task Force was created through a collaborative effort with the Rivers Committee of the West Virginia Highlands Conservancy, Friends of the Cheat, West Virginia Rivers Coalition, Trout Unlimited, Corridor H Alternatives and members of the public to conduct water quality monitoring of streams and wetlands, beginning with those affected by construction of Corridor H (see *The Highlands Voice*, May 2022).

The water quality monitoring has been divided into three phases: baseline monitoring prior to construction, monitoring during construction and post-construction. In the current baseline monitoring phase, members of the task force visit their respective stream sites once a month. As construction ramps up, so will the frequency of testing.

"It's shocking to see how much cutting and scraping the highway construction is causing all around us," said Mimi Kibler, West Virginia Highlands Conservancy member and water quality testing volunteer. "Thank goodness there are organizations keeping an eye out for environmental damage. If stream conditions deteriorate as construction gets closer, data from stream testing volunteers can provide crucial evidence of the cause. Alain and I are glad we can do our part by monitoring one stream."

Volunteers test for turbidity, a measure of water clarity; conductivity, the ability of water to pass an electrical current; pH, a term used to indicate the alkalinity or acidity of a substance; water temperature; and they also take a photo upstream and downstream. Results from the stream health testing are then loaded by participants to the Citizen Science public database created for Trout Unlimited.



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 with a pre-curved visor. The front of the cap has West Virginia Highlands Conservancy logo and the words West Virginia Highlands Conservancy on the front and I ❤️ MOUNTAINS on the back. It is soft twill, unstructured, low profile, sewn eyelets, cloth strap with tri-glide buckle closure.

The colors are stone and red. The front of the cap has I ❤️ MOUNTAINS. The heart is red. The red 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

www.wvhighlands.org

THE WAY THE VOICE WORKS

The Highlands Voice is the official publication of the West Virginia Highlands Conservancy. While it is the official publication, every story in it does not represent an official position of the Conservancy. While all of our members share the general goal “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,” our members often have differing views upon the best way to do that.

As a result, stories in *The Voice* often reflect different points of view. The Conservancy itself, however, only speaks through its Board. The only stories that reflect the official policies of the Conservancy are those reporting Board actions, including litigation positions we have taken, comments on proposed regulations, etc.

Groups Weigh in on how to Best Implement the Inflation Reduction Act

With the passage of the Inflation Reduction Act in 2022, the United States made a historic investment in farmers and ranchers to bolster the transition to climate-smart agricultural practices. The Inflation Reduction Act will direct nearly \$20 billion toward agricultural conservation programs, opening the door for more farmers and producers to receive financial or technical assistance to ease the transition.

Recently, the U.S. Department of Agriculture's office of Natural Resources Conservation Services asked for comments on how to best implement the funds provided by the Inflation Reduction Act to support farmers and ranchers in adopting and expanding climate-smart activities and systems.

The Choose Clean Water Coalition provided comments urging the USDA to increase funding to its Chesapeake Bay States' Partnership Initiative (CBSPI) using these IRA funds. The CBSPI was established in May of 2022 by NRCS and will help Bay farmers implement climate-smart practices to help meet or exceed goals for cleaner water.

This year, the initiative leveraged funds from the Environmental Quality Incentives Program, the Conservation Stewardship Program and the Agricultural Conservation Easement Program, totaling \$25 million.

The Chesapeake region's states have identified a long-term need of an additional \$737 million over the next ten years to meet and maintain the pollution reductions needed from agriculture in the Chesapeake Bay Watershed. The letter asks for \$73.7 million of the IRA funds to be used in the coming year for the CBSPI.

The letter also urges USDA to provide additional technical assistance, along with additional dollars to enable the region's producers to better utilize and implement the climate-smart conservation practices needed in the region.

The West Virginia Highlands Conser-

vancy has signed-on in support of the implementation of these funds to the benefit of agricultural conservation programs in the six-state Bay watershed.

According to the Choose Clean Water Coalition, the 83,000 farms in the Chesapeake region are critical to the economy and are responsible for more than \$10 billion of agricultural production each year.

After forests, agriculture is the single largest land use in the Chesapeake Bay watershed. However, agriculture is also the single largest contributor of nutrient and sediment pollution to the waters of the Chesapeake Bay watershed and accounts for approximately 80 percent of the remaining pollution reductions needed to meet 2025 clean-up deadline.

The Chesapeake Bay Watershed has previously been designated by USDA as one of eight Critical Conservation Areas nationwide. The watershed stretches across more than 64,000 square miles in West Virginia, Pennsylvania, Delaware, Maryland, New York, Virginia, and Washington, D.C.

The two main tributaries of the Bay region begin in West Virginia—the headwaters of the Potomac and James River—and provide drinking water for much of the mid-Atlantic.

Accounting for about 14 percent of the Mountain State's land mass, the Chesapeake Bay Watershed includes Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan, Pendleton, and small portions of Preston, Tucker, and Monroe counties.

The Choose Clean Water Coalition is a collective of more than 275 organizations advocating for clean rivers and streams in all communities in the Chesapeake Bay Region.

If you are interested in getting involved with watershed advocacy and restoration in the Chesapeake Bay region, consider becoming a West Virginia Choose Clean Water Coalition member at choosecleanwater.org

Make Your Voice Heard!

Corridor H Commenting Period Extended to Jan. 6

The deadline to submit comments to the West Virginia Division of Highways concerning the two remaining unfinished sections of Corridor H—the ten mile section from Parsons to Davis and the 6.8 mile section from Wardensville to the Virginia state line—is Friday, Jan. 6 at 5 p.m.

Public comments can be submitted online at <http://go.wv.gov/dotcomment> or by mail on or before Jan. 6 to:

Travis Long, Director Technical Support Division
WVDOH
1334 Smith Street
Charleston, West Virginia 25301

On page 8, Hugh Rogers provided a synopsis of comments provided by the West Virginia Highlands Conservancy, Corridor H Alternatives, West Virginia Rivers Coalition and the Friends of the Cheat to the Division of Highways. The full comments submitted by each organization can be viewed at wvhighlands.org/highways, along with more information proposed and alternate routes and articles from previous issues of *The Highlands Voice*.

It is best to express your concerns in your own voice, but the educational resources provided on our webpage give a thorough overview of the history of the Corridor H project, previous violations, threats to environmental integrity and health.

The West Virginia Highlands Conservancy continues to monitor progress of the forty-year Corridor H project and other massive highway projects that threaten to destroy and fragment the highlands.



Get your I ♥ MOUNTAINS gear at our online store!

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