

West Virginia Highlands Conservancy
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The Highlands Voice

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April Established as Native Plant Month in West Virginia

By Luanne McGovern

The West Virginia Native Plant Society and the Kanawha Garden Club are pleased to announce the signing of a proclamation by Governor Jim Justice on Feb. 20, 2023, officially designating April as West Virginia Native Plant Month.

Native plants are special because they have evolved over thousands of years alongside native bees, birds and wildlife. The intricate relationships that have developed between local flora and fauna are extremely specialized and cannot be replaced with ornamental, non-native plants.

Our landscapes today often contain



Purple fringed orchid, *Platanthera grandiflora*

plants collected from around the world, but many of our insects and caterpillars have not evolved quickly enough to be able to eat these strange, exotic foods.

Therefore, native plants are unique because they provide food for native wildlife. Incorporating so many non-native plants into our landscapes has caused a sharp decline in pollinators and wildlife species, because of destruction of habitat and the lack of food.

To help reverse this trend, many more native plants need to be planted across the country, including a wide variety of native plants

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Thoughts from our President

By Larry Thomas

Spring officially arrived on March 20 here in the highlands. Winter is fading away as one finds evidence of the different stages of the annual transition from winter to spring. Trees in the lower elevations are leafing out while at higher elevations the trees are still the stately statues of winter waiting for their opportunity as the weather gets a little warmer. Birds have been migrating and are starting their annual nesting rituals. Mammals who have been sleeping during the long winter are starting to reappear and scurrying about filling long empty stomachs. Spring is certainly a time of renewal throughout the highlands.

WVHC Legislative Committee and the 2023 Legislative Session

Representatives from every environmental group in West Virginia, as well as many other interested organizations and individuals, were observing this year's legislative session which ended March 11. Sixty days seemed like an eternity as we watched good as well as bad legislation being introduced and then watching every day to monitor those of particular interest as they did and did not move through the legislative process. For the first time, the West Virginia Highlands Conservancy was able to issue action alerts asking members and supporters to contact legislators to support or reject legislation. See the great article recapping the legislative session in this issue of The Highlands Voice. Thanks again to everyone who worked so hard as they were involved in the process.

New Logo Revealed for 2023 United States Capitol Christmas Tree Project



On March 17, we at the Conservancy learned that this year, the People's Tree will come from Monongahela National Forest in West Virginia, when Amy Albright, Project Manager for the 2023 U.S. Capitol Christmas Tree Project, announced the new logo designed for the project stating:

"All of us at Monongahela National Forest are so excited to share this logo which was specifically designed with the landscape of West Virginia in mind. We are proud of the Mountain State, and we worked to ensure that the logo reflects that."

The Monongahela National Forest has provided the U.S. Capitol Christmas Tree previously in 1970 and 1976. This year's theme is "Endlessly Wild and Wonderful."

The Forest Service has partnered with the non-profit Choose Outdoors to assist in the creation of a conservation education campaign about the multi-use mission of the Forest Service. The public will be able to join in the fun through virtual and in-person events throughout the year, including making ornaments to adorn the tree. Staff will also provide outreach programs to schools and youth organizations across the state.

"We see this project as an opportunity to celebrate the state of West Virginia and share the mission and values of the Forest Service," said Forest Supervisor Shawn Cochran. "Our project goals include engaging with children, communities, and non-profit organizations, and strengthening existing relationships with stakeholders including tribal, state and local governments."

Once the tree is selected and harvested, it will be toured around communities in West Virginia and surrounding states before being delivered to the Architect of the Capitol in Washington, D.C.

Those interested can follow the journey of the 2023 U.S. Capitol Christmas Tree and be a part of the festivities at uscapitolchristmastree.com, @uscapitolchristmastree on Instagram, on Facebook at [facebook.com/USCapitolChristmasTree](https://www.facebook.com/USCapitolChristmasTree), or the Monongahela National Forest website at fs.usda.gov/mnf and [facebook.com/MonongahelaNF](https://www.facebook.com/MonongahelaNF).

WVHC Looking to the Future

For more than half a century, the Conservancy has been a leader in promoting, encouraging, and advocating for the conservation and appreciation of the natural resources of West Virginia, especially in the Highlands Region. What a wonderful history of accomplishments as evidenced in our history book *Fighting to Protect the Highlands* and the monthly issues of the *The Highlands Voice*.

The Conservancy Board of Directors quarterly board meeting is scheduled for April 22 and 23. Part of the agenda for the weekend meeting will be a facilitated meeting, facilitated by Ethos Leadership Group, LLC., following up on a prior facilitated meeting focused on moving the Conservancy into the future. I remember the lively discussions during that meeting as individuals reflected on our accomplishments and stated their thoughts for the future.

A sample of the wonderful comments follow:

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

"I understand the need for projects that are intended to advance

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The Loss of a Friend



We are deeply saddened to note the passing of Julian Martin on March 24—a true friend of the mountains. His activism on the behalf of protection for West Virginia’s lands and communities went beyond our group, and we treasured the time and talents that he brought to the West Virginia Highlands Conservancy.

Julian served on our board as Vice President for State Affairs; he lobbied, wrote articles and letters to editors, made presentations at schools, escorted students to a mountaintop removal site, helped with stream testing in areas

polluted by mining, “tabled” at events, represented us at protests, and more.

He devised the slogan and design of our “I ♥ Mountains” bumper stickers, and enthusiastically distributed them. Throughout his life he was a teacher, a mentor and a writer.

We were lucky beyond measure that he was part of our organization.

Family, friends, former students and all who held him dear are invited to celebrate his life on April 22 at Curry Funeral Home in Alum Creek. There will be visitation from 12 to 3 p.m. with eulogy at 3 p.m.

The West Virginia Highlands Conservancy will be gathering tributes, memories, and stories about Julian to further commemorate his legacy in the May issue of The Highlands Voice.



Birding in Dolly Sods!

Sunday, May 21 at 10 a.m.
Upper South Prong Trailhead
Dolly Sods Wilderness Area

Join us for our first birding outing of 2023 in Dolly Sods, led by local bird expert Casey Rucker! This is a rain or shine event. Snow, too. No hurricanes, though.

We will meet at 10 a.m. on Sunday, May 21 at the upper South Prong Trailhead. Please give yourself ample time to get to the trailhead as it is a long drive from just about anywhere...but it's worth it. We hope to see some flame azaleas in bloom, too!

Please bring your own rain gear, water and snacks/lunch. If you have binoculars and books feel free to bring those as well, but they are not required.

Sign-up [here](#) or by scanning the QR code below. Simply open up your phone camera and hover over the QR code to visit the website.

Contact Cory at director@wvhighlands.org if you have any questions.



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.

Ramp Up Your Spring Cooking!

By Alex Coffman



Ramp Pesto by Alex Coffman (@the_wild_west_virginian)

The forest gives us so much, including food. It's no wonder they call ramps a spring tonic because nothing rings in the change of season better than sun and the peaking green of ramps. While they have had a roller coaster of popularity over the years, West Virginians have always had a food history interlinked with them. My favorite time is to combine a drive through the Monongahela National Forest with some sustainable ramp harvesting.

Coming home with a bag of ramps is always fun, but sometimes it proves hard to make it through the harvest while they are still fresh (especially when you harvest them by cutting above the root versus digging them out of the ground).

Here is a recipe that is a quick way to use lots of ramps if you are tired of fried ramps and potatoes or want to make something that will stretch their life. I absolutely love pestos for their flexibility and ease. You can put them on pastas, sandwiches, burgers, grilled cheese and more. They also keep well in the fridge so you can prolong the life of whatever herb or greens you have around.

While I had experimented with pestos before, I learned how to

make "proper" pesto with my Italian friend when visiting her in Rome in 2014. They, of course, have access to the best parmesan cheese, the beautiful basil, high quality olive oil and good pine nuts. It was amazing to make pesto with a native and I try to keep that educational session in mind whenever I make pesto.

For this ramp pesto (or really any strong or wild green you may use) I suggest using walnuts over pine nuts. Pine nuts have a beautiful light flavor that will be covered by stronger flavors. Without further ado, here is my (approximated) recipe. I typically eyeball it and add more ingredients as necessary. Taste it and observe the texture as you go until it's what you want out of a pesto.

Enjoy spring in Appalachia!

West Virginia Ramp Pesto

Ingredients

15-20 ramps, whole, cleaned

4-5 tbsp Extra Virgin Olive Oil

1/2 tsp of salt

1/4 cup freshly grated Parmigiano-Reggiano (Parmesan) cheese

1/2 cup of whole or pieced walnuts

A squeeze of lemon juice

Directions

Blend ingredients together in a food processor until desired consistency. You may need to add additional olive oil as you go until it is a spreadable consistency. Enjoy on pasta, toasted buns of burgers, or a grilled sandwich.

Last tip: if you use it on pasta, make sure to leave a little extra pasta water in the pot for the pesto to mix with for a smoother consistency. Also, use pastas with ridges or curls to 'grab' the pesto.

Alex Coffman is a West Virginia University Extension Agent and hobby food blogger. She is located in Grant County, West Virginia, sharing love of wild food, local things, and Appalachian dishes. Follow her blog on Instagram @the_wild_west_virginian for more recipes.

2023 West Virginia Legislature Wrap-up

By Luanne McGovern



The 86th session of the West Virginia Legislature held plenty of surprises until the last minute. For those of us following the bills concerning our public lands, it was a wild ride. At times it was hard to stay focused, given all the culture war issues being fought, and all the coal friendly legislation being pushed. But overall, this session was more positive than negative for public lands, and hopefully is the start of a

trend—we can only hope! Here is a recap:

The Nail Biters: Several key bills went to the last day of the session, and the outcomes were overall favorable for public lands.

SB468 (Continuing Cabwaylingo State Forest Trail System) went through multiple committee meetings and amendments, and generated hundreds of emails and phone calls from concerned West Virginians. In the end, a compromise was reached—the Cabwaylingo State Park and Forest Off-Road Vehicle (ORV) trail system was made permanent, and the West Virginia Division of Natural Resources can build connector ORV trails from the Hatfield-McCoy System to state parks and forests recreational facilities. But the Division of Natural Resources is “prohibited from establishing any additional ATV, ORV, or UTV trail systems within state parks and state forests.”

The final vote occurred at 2:30 p.m. on the last day of the session, and it was an astounding 94-4 in the House and 32-1 in the Senate—evidence of huge support to protect our state lands from future ORV expansion.

SB585 and SB739 (Forest Carbon Capture Agreements) were introduced and amended in various forms to tax, regulate, stop, and/or delay the ability of landowners to enter into private forest carbon capture contracts. Various arguments were presented throughout the session, for and against these agreements by multiple stakeholders. In the end, the Senate could not concur with the amendments to SB739 passed by the House, and the bill died on the last day. While this was a victory for private landowners, the topic is sure to be resurrected in the interims or next year.

HB3110 (Funding for the Office of Oil and Gas in the Department of Environmental Protection) was another closely watched bill that was finally passed on day 60. It will provide increased annual funding to hire more inspectors and properly manage oil and gas wells. The bill will double the Office of Oil and Gas funding, increasing the number of inspectors from ten to around 20. This is a positive step in the right direction (building on SB480 from last year) and hopefully can be improved even further next year.

The Big Shocker: Getting a per- and poly-fluoroalkyl substances (PFAS) protection bill passed this year has been a top priority. HB3189 (PFAS) was introduced by a bipartisan group of delegates to provide the next steps for the West Virginia Department of Environmental Pro-

tection to conduct follow-up studies and create action plans to address these forever chemicals at their source. Based on sampling in the last few years, there are over 130 public drinking water sources with PFAS levels over the Environmental Protection Agency’s health advisory limits. This legislation is vitally important to ensure clean drinking water for all West Virginians and passed overwhelmingly in both Houses.

Maybe Next Year? They say it takes three years to implement groundbreaking legislation, so, we look forward to further progress on the following issues next year:

Community solar was a top priority for this year’s session. HB2159 and SB627 were both stopped in committee, the victims of the coal lobby. SB544 (Increasing power purchase agreement cap) was a step in the right direction, increasing the power purchase agreement cap from 25 kW to 50 kW for residential customers and from 500 kW to 1,000 kW for commercial customers. This will allow larger commercial solar installations to move forward.

Orphaned oil and gas wells were also a priority issue. SB109 and HB2852 were introduced to provide requirements for plugging non-producing wells. Both bills did not progress out of committee.

Passed with Little Drama: Quite a few bills impacting public lands quietly made their way through the legislative process. Many of these have been discussed in previous issues of The Highlands Voice.

- SB4: Creating Adopt-A-Trail volunteer programs for public land under DNR jurisdiction.
- SB143: Relating to Adopt-A-Stream Program
- HB2062: Establish rules and regulations for e-bikes in West Virginia that more closely comport to federal law.
- SB162: Authorizing director of the Division of Natural Resources to lease state-owned pore spaces in certain areas for carbon sequestration.
- HB3147: To create the Upper Ohio Valley Trail Network.
- HB3328: Authorizing the Hatfield-McCoy Regional Recreation Authority to contract to build and maintain trails on privately owned property.

One to Watch Again Next Year: Senator Mark Maynard (R-Wayne) again introduced his bill to “Establish resident and nonresident wildlife viewing stamps.” This bill, SB689, would open any gated public road to ORV traffic under the guise of “wildlife viewing.” The bill went nowhere, again, but he will be sure to bring it back around next year, along with other thinly veiled attempts to open public lands up to vehicular traffic.

But none of this happened in a vacuum. Thank you to all Conservancy members and friends that contacted their legislators throughout the session to make our collective voices heard. It would not have been possible without you! Thanks also to the West Virginia Environmental Council, West Virginia Rivers Coalition, West Virginians for Public Lands and many other aligned organizations for their help and support.

The Mountain Valley Pipeline and Endangered Species

By John McFerrin

The Mountain Valley Pipeline has taken another step toward final approval: the United States Fish and Wildlife Service has issued an opinion that the pipeline will not unduly imperil endangered species.

This opinion is not an approval of the pipeline. The Federal Energy Regulatory Commission (FERC) makes the overall decision on whether the pipeline goes forward.

The U.S. Army Corps of Engineers makes the decisions on water crossings that the pipeline might make. The National Forest Service will decide if it may cross the Jefferson National Forest. The law assumes that neither FERC, the Corps of Engineers, nor the Forest Service knows enough about endangered species to make an informed opinion on the effect the pipeline would have. It requires that the Fish and Wildlife Service issue what is called a Biological Opinion, giving its view on whether the pipeline “is likely to jeopardize the continued existence of the [endangered] species.”

Now that the Fish and Wildlife Service has given its opinion that the pipeline is not likely to jeopardize the continued existence of endangered species, these other agencies are free to go ahead with their decisions on whether to approve the pipeline or not.

This is not the Fish and Wildlife Service’s first rodeo. It had previously looked at (or at least glanced at) the question of how the pipeline would affect endangered species. It considered how the Mountain Valley Pipeline would affect the Virginia spirea, the Roanoke logperch, the candy darter, the Indiana bat, and the northern long-eared bat. In that earlier look, it concluded that the pipeline would not jeopardize



A section of the unfinished Mountain Valley Pipeline near Virginia’s Brush Mountain in July 2020 (Mountain Valley Watch)

dize the existence of these species.

A group of citizen organizations—including the West Virginia Highlands Conservancy—appealed that decision by the Fish and Wildlife Service to the United States Court of Appeals.

The Court of Appeals ruled that the Fish and Wildlife Service had not done an adequate job of evaluating the impact of the pipeline on the candy darter and Roanoke logperch. While it did not specifically rule that the Fish and Wildlife Service had failed to properly consider the other three species, it strongly hinted that this was true.

It is not the court’s job to figure out the effect the pipeline would have on endangered species. Its job is to make sure that the Fish and Wildlife Service considered everything it should have considered and made a thorough evaluation of all the information. Because the court believed the Fish and Wildlife Service did not make a proper evaluation, it invalidated the opinion and told the Fish and Wildlife Service to try again.

Now the Fish and Wildlife Service has tried again. After performing a review which it hopes will meet legal requirements, it has once again concluded that the pipeline will not jeopardize the existence of endangered species.

As proposed, the Mountain Valley Pipeline would stretch 302 miles from West Virginia into Virginia. It would cross more than 11,000 streams and disturb 6,951 acres of land, including 4,168 acres of soils that have potential for severe water erosion. Nearly one quarter of the proposed pipeline will cross slopes that are greater than 30 percent.

Both the candy darter and the Roanoke logperch are particularly susceptible to erosion and the resulting siltation.

The Roanoke logperch makes its living rummaging around on gravelly stream beds, flipping over little rocks, gobbling up whatever bugs it finds. It lays its eggs on gravel stream beds as well. If the gravel is covered with silt, it can’t do either of these things.

The candy darter is also intolerant of sedimentation. Its historic decline has likely been related to excessive sedimentation. It faces the additional problem of being a homebody. Faced with excessive sedimentation, the Roanoke logperch will move to another area if possible. The candy darter will not.

The bat species that are the subject of the opinion routinely roost and give birth in trees.

The Fish and Wildlife Service’s opinion acknowledges that the Mountain Valley Pipeline will have an effect upon the endangered species that are the subject of the opinion. Part of the construction is cutting down trees. Since some of these trees are in known or assumed bat habitat, that habitat will be diminished. The opinion acknowledges that the construction will increase sedimentation, embeddedness, and

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Plain as the Nose on Your Face

By Hugh Rogers

Recent visitors to Tucker County asked us about the Facebook page of Corridor H Authority, a quasi-official public relations group. They thought it looked pretty good. It said, “the West Virginia Division of Highways has modified and improved the Revised Original Preferred Alternative.”

We replied that “modifications” can’t change the fact that it’s still the original alignment, and it’s still in the wrong place.

If you look back at the project’s re-start, after our lawsuit, the 2000 Settlement Agreement required the Division of Highways to find alternatives for “the *Thomas-Davis* Section of the Parsons-to-Davis Project.” That’s all. It did *not* call for a lengthy detour beyond the high school, then through drastic cuts and fills and across pristine streams on Backbone Mountain. Tacking that western section on the northern alternative was designed to fail.

It helps to remember this history when you look at the Corridor H Authority’s nine points meant to show why the Revised Original Preferred Alternative, or proposed route, is better (which you can view on their Facebook page [facebook.com/corridorh](https://www.facebook.com/corridorh)).

The claims in the first three points fall apart if you remove the section west of Benbush. More bridges? Higher elevation? More intersections with United States Route 219? They have nothing to do with the Northern Route around Thomas. The claim that the preferred route is safer because it has fewer curves is imaginative, at least. How do they know? There is no final design yet for either alternative.

The proposed route, they say, won’t “divide” the towns because it has been redesigned to go under, not over, a bridge carrying Route 32. Over or under, Corridor H would be an intrusive and unnecessary interruption of the familiar landscape.

Would the proposed route reduce traffic in Thomas? Yes, but its truck route would dump the trucks back on Route 32 and force them through a complicated intersection at Davis to get on the Corridor.

The Northern Route is simpler and safer.

As for the claim that proposed route would have fewer impacts on forests and streams, the Division of Highway’s own analysis shows the opposite is true. And the viewshed of Blackwater Falls State Park? A spatial analysis by a West Virginia University professor shows the highway would be visible from many places in the park.

For the problem of acid drainage caused by construction in the old mining areas, the proposed route seems to rely on a water treatment plant upstream of a bridge over the Blackwater. That plant, already planned, would have to add more capacity (and cost) if the proposed route was built.

Finally, the Corridor H Authority claims that the proposed route would “highlight” historical features such as the coke ovens and the Coketon Colored School while building a highway above them.

Twenty-some years ago, the Monongahela National Forest Supervisor, responsible for the land on which these features rest, wrote: “whatever the final design of the piers and span, a bridge of the proportions necessary for this project cannot fail to have an adverse effect on the integrity of setting, feeling, and possibly association of the site.”

That would threaten its status on the National Register of Historic Places. More importantly, it would diminish its appeal, not only as a historic site but as an approach to Douglas Falls and the Blackwater Canyon rail-trail.

The best route is to Go North around Thomas. Section by section is how Corridor H has been built. Meanwhile we can design a shorter, less damaging, more sensible route down the mountain toward Parsons.

Ten reasons to Go North!

1. **Go North!** A large majority of locally owned businesses and Chamber of Commerce members know it’s better for their livelihoods and the region’s economic health.
2. **Go North!** 88 of every 100 commenters asked for the northern route when the Division of Highways renewed the project in 2019.
3. **Go North!** Don’t put a big highway between our towns, either over or under Rt. 32.
4. **Go North!** It provides better access for Thomas and is an efficient bypass for through-traffic.
5. **Go North!** It’s the best access for Davis and avoids through-traffic noise and lights.
6. **Go North!** Save the Blackwater River trail and historic site from an intrusive, noisy bridge.
7. **Go North!** Don’t degrade the scenic, rural character of Blackwater Falls, West Virginia’s most-visited state park, with a noisy, intrusive four-lane freeway.
8. **Go North!** It will bring visitors to our door and welcome them—it won’t “wreck the house.”
9. **Go North!** It’s the only way to fulfill our towns’ plans for the future. Davis: “Protect existing assets: the natural landscape and rural beauty, dark skies, community centers and parks, the small-town atmosphere and safe environment for children.” Thomas: Preserve a “greenway” between the towns – not a truck route.
10. **Go North!** It preserves more streams and wetlands according to the Division of Highway’s own analyses.

April Established as Native Plant Month in West Virginia *continued from page 1*



Goldenseal, *Hydrastis canadensis*

with flowers that have different blooming times, flower colors and flower shapes.

This is a coordinated effort across all 50 states to increase awareness of the critical role native plants play in supporting a healthy environment and ensuring thriving wildlife and pollinator populations. We are extremely grateful to Governor Justice for taking the lead and recognizing how important native plants are to keeping West Virginia “Wild and Wonderful.”

The National Native Plant Month initiative was started in 2021. Senator Rob Portman (R-Ohio) and Senator Mazie Hirono (D-Hawaii) are the founding co-sponsors of a bipartisan Senate Resolution to designate April 2021 and April 2022 as National Native Plant Month. With the retirement of Senator Portman, Senator Mike Braun (R-Indiana) and Senator Mazie Hirono have agreed to co-sponsor the renewal of the Senate Resolution to make April 2023 Na-

tional Native Plant Month.

The West Virginia Native Plant Society has been working to protect and preserve West Virginia’s native plants for over 40 years. The Kanawha Garden Club (a member of the Garden Club of America) has been educating its members and the public in the fields of horticulture, gardening, beautification, conservation, and the environment since 1921.

During the month of April, people and organizations across the state can celebrate native plants by planting native trees, shrubs, perennials and grasses, planning educational events with schools and community organizations, hosting hands-on workshops, removing non-native invasive plants so native plants can thrive, and restoring areas with native habitats to allow birds, bees, butterflies and all wildlife to flourish.

Learn more about West Virginia’s native plants and the native plants society at wvnps.com



Bloodroot, *Sanguinaria canadensis*

Thoughts from our President *continued from page 2*

economic opportunity in our state, but sometimes advancement comes with social costs that are too high, and I believe those costs are too high when projects compromise our air, water, public lands and health.”

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

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

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

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

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

All that I can say is WOW!

Since it has now been five years since the last facilitated meeting, the Futures Committee recommended that we look at what has been accomplished and to again look into the future. I am really looking forward to the discussions.

The Conservancy board and its committees continue to be busy working on ongoing issues and projects for the protection our wonderful West Virginia’s highlands. Thanks again to all.

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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NEW WVHC APPAREL!



SURPRISE!

We are very excited to share with you a new range of items in the West Virginia Highlands Conservancy online store. A collection of updated short sleeve t-shirts will be available to purchase at wvhighlands.org in mid-April.

Choose your favorite color—green, black, brown or blue.

- **XS-XXL**
- **100% cotton**
- **Knit, dyed, cut in USA, sewn in Mexico**
- **Printed in Davis, West Virginia, by East West Printing**

And we have more new things coming soon, too.

Re-usable water bottles! Yay! New West Virginia Highlands Conservancy Hydroflasks will also be available for purchase in the online store. A 21 oz Standard Mouth Flex Cap Water Bottle will be

stocked in three colors: pacific, mesa and indigo. A 20 oz All Around Tumbler will be stocked in three colors: birch, indigo and black.

But wait, there's more!

We will also be adding two new embroidered baseball hats to the lineup! One made of a hemp/cotton blend and the other made of 100 percent certified organic cotton. For now, the estimated time of arrival for the baseball hats is uncertain, but we will let you know when you can purchase them.

For the official announcement on when new merchandise will be available, be sure to follow us on one of our social media accounts @wvhighlandsconservancy on Instagram or Facebook. You can also choose to be notified about product launches, sales and more by joining our email list at bit.ly/WVHCemailsSignup

We can't wait to see you sporting the new gear! Be sure to take photos and tag us on social media.



Plant Trees with CASRI for Earth Day!



Spring Volunteer Planting Dates:

April 21 Canaan Valley State Park (WV)

- Details forthcoming! Visit restoredredspruce.org for updates

April 21-22 Cranesville Swamp Preserve (MD)

- Meeting location: Cranesville Swamp Feather tract
- Time: Friday, April 21 from 11 a.m. – 4 p.m.; Saturday, April 22 from 10 a.m. – 3 p.m.
- What to bring: lunch, water, note there are no facilities at this location
- Event contact: To sign up, visit restoredredspruce.org. For questions, email Deborah Landau dlandau@tnc.org

April 22 Canaan Valley National Wildlife Refuge (WV)

- Meeting location: Canaan Valley NWR Office

- Time: 8 a.m. – 4 p.m.
- What to bring: water, lunch, sturdy shoes or boots, appropriate clothes for being outdoors
- Event contact: Dawn_Washington@fws.gov

May 6 Kumbrabow State Forest (WV)

- Meeting location: Meatbox Run picnic area on Kumbrabow State Forest
- Time: 9 a.m. – 2 p.m.
- What to bring: dress accordingly for the weather, tools and lunch will be provided
- Event contact: f.josh.simons@wv.gov or travis.m.miller@wv.gov

More information on how to dress, what to bring, and meeting sites and times will be posted on restoredredspruce.org.

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

West Virginia PFAS Protection Act and New EPA Limits

By Olivia Miller

In recent months, our government officials at both the state and federal level have stepped up to address the presence of per- and polyfluoroalkyl substances, better known as PFAS, in our drinking water.

A coordinated effort has been made by many dedicated environmental groups in the Mountain State to bring awareness to this issue, and subsequent public outcry over the widespread persistence of these harmful pollutants in our day-to-day lives has united us to finally something about this problem.

At the culmination of the West Virginia legislative session, the PFAS Protection Act was passed and signed into law to address PFAS contamination in the state.

Just a few days later on March 14, the Environmental Protection Agency (EPA) announced the first-ever national drinking water standards for six PFAS in an attempt to protect the public from further pollution.

As a brief recap, PFAS are a class of man-made industrial chemicals that have contaminated people, drinking water, and food, including fish and wildlife. Numerous scientific studies have discovered these chemicals to be carcinogenic, cause reproductive harm, damage our immune systems, among other serious health concerns—even at low levels.

They are frequently called “forever chemicals” because they do not break down in our bodies. (See the December 2022 issue of The Highlands Voice issue for a more thorough breakdown of PFAS.)

It is certainly difficult to shake off the fact that many Americans have been unknowingly drinking PFAS contaminated water and consuming them in various forms for decades, but the new regulations are a step in the right direction for protecting the public from further pollution.

The EPA’s proposal, if finalized, will regulate PFOA and PFOS as individual contaminants, and will regulate four other PFAS — PFNA, PFHxS, PFBS, and GenX Chemicals — as a mixture.

- PFOA and PFOS: EPA is proposing to regu-

late PFOA and PFOS at a level they can be reliably measured at 4 parts per trillion.

- PFNA, PFHxS, PFBS, and GenX Chemicals: EPA is also proposing a regulation to limit any mixture containing one or more of PFNA, PFHxS, PFBS, and/or GenX Chemicals. For these PFAS, water systems would use an established approach called a hazard index calculation, defined in the proposed rule, to determine if the combined levels of these PFAS pose a potential risk.

Under the Safe Drinking Water Act, the EPA has until Sept. 3, 2024, to finalize the new drinking water standards. Drinking water utilities will then likely have three to five years to comply.

In the final days of the 2023 West Virginia legislative session, the PFAS Protection Act—designed to address PFAS contamination in the state—passed the Senate unanimously and has since been signed into law.

Here are a few takeaways from the PFAS Protection Act:

- The West Virginia Department of Environmental Protection has been tasked with writing a PFAS action plan to identify and address sources of PFAS by July 1, 2024, for each of the 37 raw water sources in West Virginia for which a U.S. Geological Survey study found significant levels of PFAS. The first 50 plans will be completed by Dec. 31, 2025, and the remaining plans will be completed by Dec. 31, 2026.
- Public water systems will now be required to notify their customers of the presence of PFAS in their water.
- Industries will now be required to report and monitor their use and discharge of PFAS.

The proposed limits set by the EPA and the passage of the PFAS Protection Act in West Virginia highlight how undeniably toxic these chemicals are to our health, and we must hold polluters accountable for their mess moving forward.

More on MVP

continued from page 6

water temperature while decreasing dissolved oxygen, adversely affecting the endangered fish.

The Endangered Species Act does not, however, prohibit every activity that will have an adverse impact upon an endangered species. As the Fish and Wildlife Service says in its opinion, its goal is to encourage species survival; it defines survival as “the condition in which a species continues to exist into the future while retaining the potential for recovery.” In the case of the candy darter, for example, the Mountain Valley Pipeline will probably have an effect upon several individuals but, in three to five years, the effects of the construction will largely be gone, and the species will have survived.

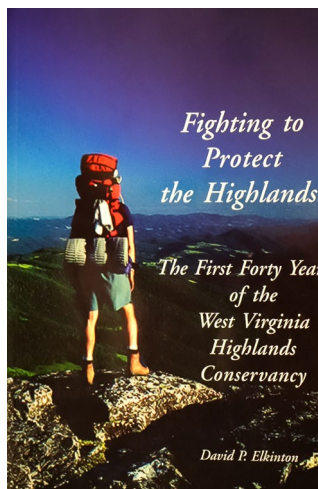
In addition to the prohibition upon jeopardizing the survival of a species, the Endangered Species Act also prohibits the “taking” (euphemism for killing) of an individual of the species. One could not, for example, kill an individual candy darter even if that single killing would have a trivial effect upon the survival of the species.

The Act addresses this by what is called an “incidental take permit.” Such a permit is appropriate when killing the endangered species is not the goal of a project but only an incidental. With such a permit, someone could kill a limited number of members of an endangered species which happen to be in the pathway of a project such as the Mountain Valley Pipeline.

The opinion that the Fish and Wildlife Service has issued in this case estimates how many of the various species will be harmed or killed by the project and recommends that an incidental take permit be issued. As a condition of any incidental take permit, the Fish and Wildlife Service recommends some measures that the Mountain Valley Pipeline must take to avoid more extensive “taking.”

To read the entire Opinion, go to eLibrary | File List ([ferc.gov](https://www.ferc.gov)) and click on the link. At 483 pages it is a whopper (cf. Lord of the Rings, 1191 pages for all three volumes; To Kill a Mockingbird, 291 pages) but there is a lot of information.

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 20 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. Proceeds support the Conservancy's ongoing environmental projects.

Join Now !!!

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| Sustaining | \$100 | \$150 | \$200 |
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| 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

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.



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.

Letter to the Editor



(Kentucky Department of Fish and Wildlife)

To the Editor, Highlands Voice,

I enjoyed Peggy Clark's well-written piece, "Does the Eastern US Have Room for Cougars?"

In 2014, a mountain lion was spotted in a tree in Bourbon County, Kentucky, one county north of my home in Lexington in the Bluegrass region of Central Kentucky. No one knows how it got there, but a farmer spotted the animal—it was not harming anything, just sitting peacefully in a tree—and called the Kentucky Department of Fish and Wildlife Resources.

The brave officers quickly came to the scene and shot the animal, then posed for "trophy photos" afterwards.

According to an article by Joe Gerth in the Louisville Courier-Journal, officers "feared that it would slip away in the darkness and threaten people in the nearby city of Paris [Kentucky]."

Dave Cooper, Kentucky

Public Hearing set for April 18 on Cacapon RV Campground Proposals

State officials with the West Virginia Department of Commerce on issued a press release regarding the status of proposals to build an RV campground at Cacapon State Park.

A public hearing on three proposals has been set for Tuesday, April 18 at 5 p.m. at Cacapon State Park's Washington-Fairfax Room.

Those proposals, which have been redacted to block out financial information, were just being made publicly accessible on Wednesday, March 22, through the state park's website.

None of the proposals involve management or ownership of current facilities or operations at Cacapon.

Proposals were submitted to the state by March 3 and were set to be evaluated and reviewed by state officials by March 13, according to project documents.

Members of the public have reported making multiple inquiries about the proposals and how to view them.

Documents for two of the proposals were available at wvstateparks.com/bids-and-procurement/

A third proposal link was not operational early on Wednesday, but later allowed access to that proposal.

Public's concerns

Morgan County officials in February wrote a letter to the West Virginia Department of Natural Resources asking state officials to consider the location and scope of the RV proposals before moving ahead with any development at Cacapon.

They shared public concerns about impacts of a large-scale RV campground on the Nature Center, ecology, watersheds, traffic, water, sewer, noise, mountain bike trail plans and other aspects of the state park's public uses. To read more about those issues, read the Morgan Messenger's ongoing coverage here: Commissioners ask DNR to reconsider aspects of Cacapon campground proposals.

Get Emails from Us!

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. Sign-up to receive email updates by visiting <https://bit.ly/WVHCemail> or by scanning the QR code.

You can expect to receive updates on things like events and outings, action alerts, opportunities for volunteer events, discounts on new swag and 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 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.



Get your I ❤️ MOUNTAINS gear at our online store!

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 M-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

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 ATTN: Online Store, WVHC, P.O. Box 306, Charleston, WV 25321-0306.

www.wvhighlands.org

  @wvhighlandsconservancy

info@wvhighlands.org