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# The Highlands Voice

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## Grassroots opposition builds against Tucker County’s proposed Fundamental Data power plant project

By Luanne McGovern, West Virginia Highlands Conservancy

Just over two months have passed since a small legal notice was published in The Parsons Advocate. It stated that an unknown company called Fundamental Data was seeking to obtain an air permit for a facility called Ridge-line, just outside the towns of Davis and Thomas. Through a concerted grassroots effort called Tucker United, hundreds of people have come together to fight back against what has been revealed to be a massive natural gas and diesel fueled power plant and data center.

Information on Fundamental Data and their project was extremely limited at first, and there has been little progress towards determining the true scope of this project. We know that they are proposing massive power plant that will supply electricity to a data center com-



An aerial view of Davis, West Virginia. The site of the proposed natural gas power plant and data center complex sits adjacent to the Tucker County Landfill, visible in the background. Photo by Frank Gebhard/Allegheny Aperture Photo.

plex. We know little or nothing about the company Fundamental Data or who is behind this multi-million dollar project. We are aware that the emissions, noise, and light from the power plant will be detrimental to the local environment. Still, we cannot quantify the impact due to the high level of redaction in the permit application. We know

that large quantities of water will be required for the complex, but we do not know where they will obtain this water or what the potential impact on the local aquifer and town water supplies. In the face of all this secrecy and uncertainty, Tucker United has rallied a determined group of individuals to rise in opposition to this potentially devastating situation. Over 2,000 peo-

ple have signed a petition to Governor Morrissey asking him to veto HB2014, the new law that will enable the construction of these microgrid power plants. Hundreds of individuals have sent comments to the West Virginia Department of Air Quality on the permit application, pointing out significant issues and concerns. Multiple committees have been formed to address the environmental, social, and legal aspects of the project. Hundreds of comments have been sent to elected officials and agency leaders, asking them to reject the permit application. Two Facebook groups have been established to facilitate the flow of information and have attracted almost 700 followers. Thirteen Purple Air Monitors have been installed across Tucker County to obtain baseline air quality data.

There has been an outpouring of  
*Continued on page 2*

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## Grassroots opposition builds against Tucker County's proposed power plant project

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local and national media attention to the Tucker County situation. Locally, there has been extensive coverage from Country Roads News, The Parsons Advocate, the Charleston Gazette-Mail, the Dominion Post, WV Watch, 100 Days in Appalachia, WBOY, WVVA and MetroNews. National attention has been garnered through an excellent article in the Wall Street Journal and a segment on NPR's Sunday Morning radio broadcast. Even Fox Business "The Bottom Line" hosted an extremely favorable feature segment, interviewing Mayor Al Tomson and Tucker Unted spokesperson Nikki Forrester.

It is hoped that more and repeated media attention will uncover additional information and put pressure on the company and government officials to stop this project. On May 31, the Davis Town Council voted 5-0 to oppose the Fundamental Data project, a first step in getting local government to take a public position.

Unfortunately, it is still highly likely that the West Virginia Department of Environmental Protection Division of Air Quality will issue a preliminary air permit to Fundamental Data in the coming weeks. That will start another 30-day comment period and include the scheduling of a public meeting in Davis. The West Virginia Highlands Conservancy will keep you updated on next steps through social media and our action alerts. It is promising to be a long and costly fight, but the future of beautiful Tucker County and the Highlands is at stake.

## South Fork Coal Company: 'a trail of pollution, debt and disregard'

*By Willie Dodson, Appalachian Voices*

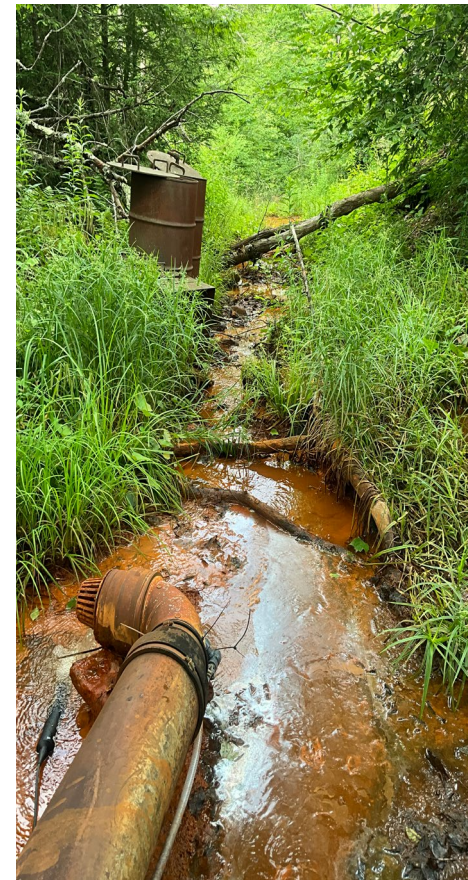
**Cherry/Gauley River named among America's most endangered rivers; thousands oppose coal-hauling in the Monongahela National Forest; new violations; and a call to action.**

Pollution caused by South Fork Coal Company has landed West Virginia's Gauley River watershed on a list of the most endangered rivers in the country. The nonprofit organization American Rivers announced the designation on April 16, just weeks after the bankrupt coal company was cited yet again by state regulators, this time for causing **"iron-staining and sludge deposits" in Becky Run**, a high quality trout stream according to the West Virginia Division of Natural Resources.

South Fork Coal Company's operations surround and impact the headwaters of the South Fork of Cherry River, with additional runoff from the company's mines, haul roads and coal processing plant also impacting the North Fork of Cherry River, Laurel Creek and Big Clear Creek, all of which are in the Gauley River watershed.

In February, state regulators discovered that the company's Clearco coal loading and waste facility near Rupert, West Virginia, was discharging black water into Big Clear Creek, and that South Fork Coal had failed to add the needed kiln dust to coal waste stored on site in order to protect nearby streams from acid mine drainage and other contaminants.

According to documents obtained from the West Virginia Department of Environmental Protection, the company cleaned up the black water spill within a couple of days, but was unable to treat the on-site waste until some point in April, as the bankrupt coal company had racked up a debt of \$314,000 to



*South Fork Coal Company's abandoned SF Deep Mine No.2 perpetually discharging toxic mine drainage into the headwaters of the South Fork Cherry River. Photo by WVDEP (Alyce Lee)*

Mintek Resources, the vendor that supplies kiln dust to the facility. Ultimately, Mintek agreed to accept payment of only \$265,000, forgive the remaining \$49,000 debt and resume providing kiln dust on a pre-pay basis.

In April, the Office of Surface Mining Reclamation and Enforcement received thousands of comments from citizens opposing South Fork Coal's request for an exception to the federal ban on hauling coal through the Monongahela National Forest. Back in January, then-acting head of the agency Sharon Buccino ordered the company to cease hauling coal through the Mon. But in

February, after the Trump administration took over, the Department of the Interior Office on Hearings and Appeals lifted this closure order at the request of South Fork Coal.

"South Fork Coal Company's operations have left a trail of pollution, debt and disregard for both public lands and community health," said Olivia Miller, program director of the West Virginia Highlands Conservancy. "Pollution in high-quality trout streams and the continued use of roads through the Monongahela National Forest raises serious questions about oversight and accountability. West Virginians deserve stronger protections for our public lands and waterways."

Since late 2023, Appalachian Voices has worked closely with the West Virginia Highlands Conservancy, Allegheny-Blue Ridge Alliance and other partners to defend the Cherry River from South Fork Coal's negligence, and to resist this coal company's encroachment into the Monongahela National Forest. Along with our partners, App Voices has sued the U.S. Forest Service for allowing South Fork to unlawfully use public Forest Service roads, and South Fork Coal for pummeling the Cherry River with pollution. The company's bankruptcy has put both of these cases on hold, as well as any potential administrative challenge to the DOI's reopening of South Fork's haul road through the Mon. App Voices and our partners have retained legal counsel in Delaware, where the bankruptcy is unfolding, and are exploring our options for continued engagement.

Recent executive orders signed by Donald Trump that aim to open up public lands for coal mining are now adding to the threat. But in order to win, this campaign needs to grow, and we need you to be a part of it.

# American Rivers names Gauley River to America's Most Endangered Rivers® of 2025, due to toxic coal mining pollution

The threat of toxic pollution from coal strip mining in the headwaters of one of the Gauley's primary tributaries — the Cherry River — has made it one of America's Most Endangered Rivers® of 2025. In Greenbrier and Pocahontas counties in West Virginia, South Fork Coal Company operates a network of strip mines, haul roads and a coal preparation plant spanning over 3,600 acres. These mines have violated water pollution standards at least 80 documented times since 2019, releasing sediment and toxic heavy metals — at times exceeding legal limits by more than 900 percent — into the river.

In recent years, the company has trucked about 100,000 tons of coal on average annually through the Monongahela National Forest (known locally as “the Mon”) — an activity that violates federal prohibitions against mining activity within the national forest. Were it not for this unlawful coal-hauling activity, South Fork Coal Company would not be able to operate the more than 1,100-acre Rocky Run Surface Mine, a key source of the company's chronic water pollution issues.

“This is a severe abuse of the public trust. It simply isn't fair for one company not to play by the rules and to profit at the expense of West Virginians' water, outdoor heritage and wildlife habitat,” said David Moryc, senior director of river protection for American Rivers. “Local communities are pay-



*A joyful paddling community scene just below “Sweet's Falls” during the annual Gauley Fest. Photo by David Norick.*

ing the price for mining practices that are flaunting basic safeguards to protect West Virginians and the economically vital Gauley River.

“For four years, this company has illegally operated within the Monongahela National Forest,” said Willie Dodson, coal impacts program manager at Appalachian Voices. “Now, having just declared bankruptcy, South Fork Coal is asking regulators to retroactively validate this activity. It's unacceptable. If they get away with it, I shudder to think what the next encroachment by the coal industry into our public land will be. Are they going to strip Spruce Knob? Are they going to put a sludge dam at Cranberry Glades? This is the time to draw a line in the sand.”

The Gauley supports an outdoor-

recreation economy that generates hundreds of millions of dollars annually. The Cherry River and other Gauley headwater streams lie largely within the Monongahela National Forest, home to old-growth stands and an extraordinary array of wildlife, from the rare northern flying squirrel and the eastern hellbender salamander to the brilliantly hued endangered candy darter.

“I grew up in the Mon,” said Olivia Miller, program director for the West Virginia Highlands Conservancy. “I know firsthand that our public lands are a foundation of a way of life here in West Virginia. They preserve traditions like hunting and fishing that have been passed down through generations and draw people from across the country to experience our rivers — especially the Gauley, which is a cornerstone of our outdoor recreation economy. That economy depends on healthy forests and clean water, and we cannot let South Fork Coal Company destroy the very places that make it possible. We have a responsibility to protect the Gauley and the lands that sustain it, not just for ourselves, but for every generation that follows.”

The Trump administration has called for opening up federal lands to fossil fuel extraction. Right now, South Fork Coal Company is appealing to the Office of Surface Mining Reclamation and Enforcement for a determination of “valid existing rights,” the legal term

for an exception to the well-established ban against most mining activity within the national forest.

“This scheme to retroactively bless illegal coal hauling strikes at the very heart of our laws protecting public lands,” said Andrew Young, staff attorney for the Allegheny-Blue Ridge Alliance. “If South Fork Coal Company can ignore decades of legal safeguards and then receive a ‘get-out-of-jail-free’ card, no corner of the Monongahela National Forest, or any national forest, is truly safe. We cannot allow a bankrupt strip mining company to profit by trampling on the public trust. The law is clear, and we owe it to future generations to defend our forest, our waters, and our communities from these brazen violations.”

South Fork Coal Company filed for Chapter 11 bankruptcy in February 2025, but this does not relieve this company from the restrictions of law, nor does it absolve regulators of their enforcement responsibilities.

American Rivers and our partners Allegheny-Blue Ridge Alliance, Appalachian Voices, and West Virginia Highlands Conservancy are calling on the federal Office of Surface Mining Reclamation and Enforcement to reject South Fork Coal Company's bid for a determination of “valid existing rights.”

Learn more about America's Most Endangered Rivers 2025, including other rivers and the selection process.

## 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.

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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.



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# Thoughts from our President

Dear friends and fellow Highlands advocates,

Spring may be blooming across much of West Virginia, but in Canaan Valley, we've still been waking up to frosty mornings in the 20s. That said, the work of the West Virginia Highlands Conservancy continues—undaunted by weather or the weight of the moment.

During the first week of June, members of our team went to Washington, D.C., joining forces with regional allies in a concerted effort to educate our Congressional representatives. We're carrying a clear and urgent message: the Highlands—and our public lands, watersheds, and National Forests—must be protected from the escalating threats of deregulation, resource extraction, and shortsighted development.

We are under no illusions—this is an uphill battle. Across the region and the country, proposals are emerging that would gut core environmental protections. Just recently, the Federal Register released sweeping revisions and repeals to key regulations that safeguard our air, water, and habitats. These changes are complex, and we're reviewing them now to better understand their implications. We'll report back in the coming weeks.

Meanwhile, new threats are closer to home. As you'll read in this issue, the push to establish massive, fossil-fueled data centers in Tucker County and elsewhere raises serious questions about environmental and public health impacts—questions that, so far, have gone largely unanswered by developers and officials.

At times like this, your support is not just helpful—it's essential.

But even as we respond to these challenges, the Conservancy is also pushing forward with renewed energy.



*Photo provided by John Coleman.*

Our 2025 Outings Program is nearly finalized and will be shared soon—we're looking forward to hiking, paddling, and connecting with many of you in the mountains we all care so deeply about. We're also planning to be present at numerous festivals and public events this summer. We hope you'll stop by, say hello, and stay engaged.

In confusing and often difficult times, we find strength in community, clarity in nature, and purpose in our shared mission.

See you in the Highlands,

**Marilyn Shoenfeld**

President

West Virginia Highlands Conservancy

# A love letter to nature in Sheila McEntee's "Soul Friend" explores the ordinary and the profound

*By Cynthia Ellis, West Virginia Highlands Conservancy*

Perhaps you indented to keep a journal during the COVID-19 pandemic.

Perhaps you've recently discovered a deeper connection with the natural world and felt compelled to put your observations into words.

Perhaps you carry treasured memories of time spent with friends and family.

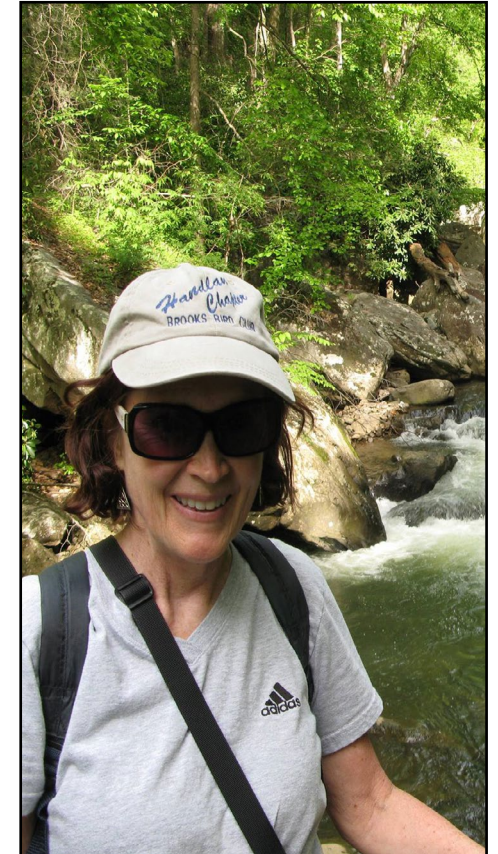
Sheila McEntee, a writer with the unmistakable spirit of the "West Virginia Chose Me" variety, weaves these impulses into her new book, "Soul Friend and Other Love Notes to the Natural World."

Through twelve deeply personal essays, McEntee reflects on topics as varied as dreams, divorce, haiku, friendship, cemeteries, and death. Yet the unifying threads are unmistakable: a reverence for nature—and birds in particular—permeates every page.

Her prose is often lyrical, yet unflinching. Stunning accounts of bird sightings are tempered by honest depictions of decay, discomfort, and the less romantic details of the natural world.

McEntee's writing style evokes comparisons to naturalist Edwin Way Teale, whose travels with his wife across America helped them cope with the grief of losing their son in World War II. In one of his books, he wrote of what he observed in the natural world as he followed the seasons across swaths of our country.

McEntee's depiction of four mighty oak trees and Rose-breasted Grosbeaks are especially evocative. And after all, as is noted in the final es-



*Photo of Sheila McEntee at Babcock*

say, "...in the midst of tumult, the constancy of nature offers unfailing comfort."

The book also features illustrations by artist Sophie Kromholz. According to one source, Kromholz is "a ukulele-playing, storytelling, art-making and collecting Glasgow-based art historian working on her PhD at the University of Glasgow, which focuses on alternative preservation strategies for ephemeral art practices."

To learn more about Sheila McEntee and her latest work, visit her website at <https://sheilamcentee.com/>

# Concerned organizations petition Fourth Circuit Court of Appeals to challenge the grant of primacy to West Virginia for permitting and oversight of Carbon Capture and Sequestration Wells

*By West Virginia Surface Owners' Rights Organization*

The West Virginia Surface Owner's Rights Organization, along with three environmental organizations, and represented by lawyers from Appalachian Mountain Advocates, have petitioned the United States Fourth Circuit Court of Appeals challenging EPA's decision to grant primacy of oversight of the drilling and closure of carbon dioxide injection wells that will be used to permanently inject and store CO<sub>2</sub> captured from power plants and some industrial processes rather than release the CO<sub>2</sub> into the atmosphere. This process, called "carbon capture and sequestration", or CCS for short, is an attempt to limit the effect that the release of carbon dioxide (CO<sub>2</sub>) is having on climate change.

The Sierra Club, the West Virginia Rivers Coalition, Inc., and the West Virginia Highlands Conservancy are also involved in this Fourth Circuit petition. The respondents being sued are Lee Zeldin, Administrator of the EPA and Catherine Libertz, Acting Regional Administration for EPA Region III.

Appalachian Mountain Advocates, on behalf of the environmental group petitioners and six other organizations had filed comments opposing EPA's proposal to turn over regulation of carbon dioxide injection to the state. Those comments informed the EPA that the State's proposed program did not meet federal minimum standards and includes key provisions that are beyond EPA's statutory and constitutional authority to approve (some of which EPA agreed with).

The Fourth Circuit has now allowed the State of West Virginia and



its Department of Environmental Protection (which oversees carbon capture and sequestration wells) to be a party to the court action. In its motion to intervene, the State said it has "a substantial interest in the regulation and management of its own natural resources" and to be "free to develop a variety of solutions to [environmental] problems and not be forced into a common, uniform mold". However, one of the first storage well permits is for a project named "Tri-State CCS Redbud1." And the area of review for that permit includes the town of East Liverpool, Ohio, population 9,958.

WVSORO is particularly concerned because the Legislature and DEP have done a miserable job overseeing other similar environmental processes," said Dave McMahon, a lawyer and co-founder of the surface owners' organization. "The State oversees the drilling and closure of oil and gas wells. And there are more 12,000 of those wells that should already have been plugged that the State has not made the industry plug, including 4,500 that have gone unplugged for so long that the opera-

tors have gone out of business leaving them orphaned on citizens' land. Pollution from these unplugged wells can cause problems. That threat and even their mere existence sticking out of the ground decreases citizen's property values and uses. So we oppose trusting the oversight of these dangerous wells to the State."

"We are particularly concerned that the state income tax cuts with which politicians pandered to the citizens means funding for the oversight will have to come from a fee on the industry, and that fee has to be imposed by the Legislature in a rule it approves. Not much gets out of our current Legislature without an industry permission slip. So we are really sure this West Virginia state oversight will be underfunded. The best example again is oil and gas well oversight. The Legislature has provided funding for only 23 oil and gas inspectors and the State's data base (and that database is incomplete) has 75,000 oil and gas wells and 20,000 associated tanks. And right now, in part because of low salaries, the State only has 18 oil and gas inspectors actually

working. Plus those same few inspectors have to review parts of 200+ drilling permits each year; plus those same inspectors are supposed to oversee the easy-to-cheat-on plugging of orphaned wells using some available federal funding. We should learn from history. If West Virginia is granted primacy, the important oversight of these wells will be underfunded."

If one of these huge sequestration storage fields should leak, the way currently existing gas storage fields sometimes do, the CO<sub>2</sub> is not itself poisonous, but it can displace the fresh air that contains oxygen that people need to breathe leading to asphyxiation or suffocation. CO<sub>2</sub> leaks can cause a car engine to stall, preventing people from fleeing a CO<sub>2</sub> disaster. This happened when a CO<sub>2</sub> pipeline to a secondary oil recovery project ruptured – the pipeline owned by a company that had several blowouts from underground aspects of the project.

"Adequate oversight of carbon injection is critical to protect the health of West Virginians," stated Autumn Crowe, Deputy Director of West Virginia Rivers Coalition. Our communities are already overburdened by pollution and the addition of another source of a potentially deadly gas puts our communities at even greater risk. We must ensure that we are prioritizing the health and safety of residents in close proximity to the proposed injection sites."

The environmental organizations will present their legal arguments to the Court in their opening brief after the Court sets a briefing order. West Virginia can proceed with administering the carbon dioxide injection program until the Court makes a ruling.

# 'It will destroy this place:' Tucker County residents fight for future against proposed data center

By Caity Coyne, West Virginia Watch

As a little known company has proposed a data center and natural gas plant in the tourism destination — known for its natural wonder and outdoor recreation — residents are left with questions, mounting concerns and few answers.

As a child, Nikki Forrester dreamed of living in a cabin in the woods surrounded by mountains, trees, water and the outdoor opportunities that came with the natural land. In 2022 — four years after earning her graduate degree and moving to Tucker County from Pittsburgh — Forrester and her partner made that dream a reality when they bought two acres of land near Davis, West Virginia to build a home.

Forrester has thrived in the small mountain town known for its mountain biking, hiking, stargazing, waterfalls and natural scenery. She and her partner moved into their new home in February. Hiking and biking trails are right outside her front door. In the winter, she said, snow piles up making the nearby mountains look like “heaven on Earth.”

It's been quite literally a dream come true.

“I feel like I've never felt at home so much before. I love being in the woods. I love this community. It's super cheesy, but this was my childhood dream and now it's actually come true,” Forrester said. “It felt so good to set down roots here. We knew Davis was where we wanted to start our future.”

But in March, one small public notice posted in the Parsons Advocate — noticed by resident Pamela Moe, who scrambled to find answers after seeing it — changed Forrester's assumptions about that future.

A Virginia-based company, Fundamental Data, was applying for an air permit from the West Virginia Department of Environmental Protection

for what it called the “Ridgeline Facility.” The company's heavily redacted application showed plans to build an off-the-grid natural gas power plant between Thomas and Davis. That power plant will likely be designed to power an enormous data center just a mile out from Tucker County's most populous and tourist-attracting areas.

Earlier this month, representatives for Fundamental Data — who did not respond to requests for comment on this article — told the Wall Street Journal that the facility could be “among the largest data center campuses in the world,” spanning 10,000 acres across Tucker and Grant counties if fully realized.

Now, Forrester said, she and her neighbors are in the middle of what feels like a “fight for [their] lives” as they attempt to learn more about the vague development plans and fight against “big data.”

Her images of the future — skiing on white snow, hiking through waterfalls, looking up at clear and starry nights all with one-of-a-kind mountain scenery below — now exist in the shadows of a looming natural gas plant, an industrial complex and the contaminants that could come with them. The fresh, mountain air that surrounds her home and community could be infiltrated by tons of nitrogen oxide (gases that contribute to smog), carbon monoxide, particulate matter and other volatile organic compounds, per the company's air permit application.

“Honestly, I feel like if this happens, it will destroy this place. People come here because it's remote, it's small, it's surrounded by nature. If you have a giant power plant coughing up smoke and noise pollution and light pollution, it puts all of those things in jeopardy,” Forrester said. “It would honestly make me question whether I



*A complex of data centers in Ashburn, VA.*

would want to live here anymore, because I do love the landscapes here so much, but they would be fundamentally altered and, I think, irreparably harmed if this actually comes to be.”

Tucker United and a fight against the many ‘unknowns’

Since learning of the project in March, Forrester and dozens of other Tucker County residents have banded together and formed Tucker United. The residents — all volunteers — want answers from Fundamental Data or anyone else regarding details of the proposed Ridgeline facility.

But that fight hasn't been easy. The state DEP has allowed Fundamental Data — a company with little to no information publicly available — to submit a redacted air permit application, omitting details regarding potential air pollutants that could come from the site.

According to reporting in Country Roads News, local officials were unaware of the project before reporters and members of the public brought it to their attention.

Reading the Wall Street Journal article was the first time most residents were alerted about the potential size of

the planned development.

Josh Nease, who lives outside of Thomas and Davis in an unincorporated part of Tucker County, said the unknowns about the project have been the most frustrating part to grapple with.

“There's no lack of uncertainty right now, that's for sure,” said Nease, a sixth generation West Virginian who moved to Tucker County after spending vacations there as a child growing up in Bridgeport. “I think the unknowns here are really worrying.”

If given the chance, he would want to ask representatives of Fundamental Data the following questions: Why the lack of transparency? Why does the company want to locate in Tucker County and why not further out from the towns? And why does it feel like there's resistance against working with the local governments and community members?

Luanne McGovern, an engineer by trade who owns property in Tucker County and who sits on the board of West Virginia Highlands Conservancy, an environmental nonprofit in the region, holds similar frustrations to Nease.

Per the permit application, the Ridgeline facility — in its currently proposed form — would use gas-fueled turbines with heat recovery steam generators. Diesel would be kept on site in three 10 million gallon storage tanks as a backup power source in case of gas line interruptions. Those tanks would be 66 feet tall and 180 feet in diameter. Leaks from pumps and valves, among other pieces of equipment, are to be expected per the application. Operations for the facility should begin by 2028.

When residents started working together to make sense of Fundamental Data's air permit application, they asked McGovern to look it over and

*Continued on page 8*

## **‘It will destroy this place.’ Tucker County residents fight for future against proposed data center**

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share her thoughts. Having worked on similar permit requests before, she knew what she was looking at: A large, natural gas power plant.

What was more notable, however, was what she was unable to view.

Pollutants were listed on the request, but only in annual caps. There was no information on water usage despite some data centers using up to 5 million gallons of drinking water a day, straining resources in communities. While the heights of the diesel storage tanks were included, she said information on the turbines wasn’t.

While the DEP asked for clarification on Fundamental Data’s redactions following an influx of public comments from concerned residents, the company said it believed the omitted information met the state’s standard for confidentiality. The DEP ended up agreeing.

Fundamental Data, through its representative Casey Chapman, provided some details to the DEP in an attempt to put the public at ease: the site “does not plan” to use water from local water systems, rivers or streams and won’t discharge wastewater into them; mountains surrounding the development should “substantially limit” its visibility from populated areas and the facility “expects” to operate at noise levels that adhere with federal regulations.

But McGovern still had questions. “Where is the water coming from? How high are these turbines? Where will they be? If we had some answers to these questions, we could do some

modeling and figure out what the potential environmental impact would be, but we don’t,” McGovern said. “We’re just completely in the dark. There’s so many unanswered questions. As an engineer, there’s huge parts of this permit that are just bad. There’s no information provided, not even a level of standard of information that you would expect.”

Nease is realistic; he understands that these are complex issues and the state — as well as his region — are attempting to find new ways to bolster the economy and, hopefully, improve West Virginia’s economic standings long term.

He sees the challenges hitting Tucker County residents every day. There’s a housing shortage and short-term rentals are driving up costs for the places that do exist, pricing out residents who can’t afford to live where they work. While tourism can bring in crowds, it’s often only seasonal. The county’s population — like most of West Virginia — is declining.

“I fully understand the need to diversify the economy. I support doing that, we talk about it all the time. I guess I’m just not sure that a project like this is the solution,” Nease said. “We just don’t know enough about it. We don’t know if this is going to benefit the Tucker County economy. I sure hope it does, but all I have to rely on for that are vague statements.”

‘It feels extractive.’ West Virginia data centers to operate with no local oversight, questionable economic gains

On March 18 — the same day that Fundamental Data submitted its air permit application to the DEP — House Bill 2014 was introduced at the state Legislature to incentivize data centers to locate in West Virginia and generate their own power sources through microgrids. Senate President Randy Smith, a Republican who represents Tucker County and voted for HB 2014, did not respond to requests for comment on this article.

Despite being a key priority for Gov. Patrick Morrisey who requested

its introduction, the bill was presented more than halfway through the state’s 60-day session. In back-and-forths over several weeks, lawmakers amended the bill again and again. One change removed a requirement for microgrids to use renewable energy sources, opening the door for coal and natural gas. Several other amendments changed the tax structure for any property taxes collected on the developments.

The version of the bill that now stands as law allows “high impact data centers” to curtail local zoning ordinances and other regulatory processes and establishes a certified microgrid program, which means data centers can produce and use their own power without attaching to already existing utilities.

The law creates a specialized tax structure for data centers and microgrids, which must be placed in designated districts. Local governments have little say or control over those districts, which are established at the state level.

Taxes collected on any data centers and microgrids operating in West Virginia would be split as so: 50% will go to the personal income tax reduction fund, 30% will go to the county where the data center is located, 10% will go to the remaining 54 counties split on a per capita basis using the most recent U.S. Census, 5% will be placed in the Economic Enhancement Grant Fund administered by the Water Development Authority and the final 5% will be put in the newly created Electric Grid Stabilization and Security Fund.

Initially, those taxes were going to be completely diverted away from localities where the data centers would be located, angering county commissioners and other local leaders from throughout the state.

Kelly Allen, executive director of the West Virginia Center on Budget and Policy, said the fact that 50% of any tax revenue collected going to offset the state’s personal income tax cuts is a concern, especially while only 30%

will return to localities that host the data centers.

“Local governments are really limited in the ways that they can raise revenue, which is largely controlled by either the state constitution or the state legislature. So taking away a significant slice of one of the only ways that they can raise revenue — through property taxes — leaves [localities] with fewer options to fund basic services,” Allen said. “At the same time, these data centers and micro grids are probably going to increase the need for the public services that local governments pay for.”

Allen pointed to the potential risks that come with operating power plants: county fire and police services will be needed for safety at the plants and water districts may be impacted, she said.

Essentially, she said, counties will be on the hook for funding more services while only receiving a fraction of the revenue generated by the sources of those costs.

And, generally, there’s no guarantee — despite Fundamental Data’s claims for the Tucker County facility — that data centers will serve as massive employers.

Nationwide, according to the U.S. Census, jobs in data centers are increasing. But more than 40% of all jobs in 2023 existed in just three states. Per an analysis by Business Insider, most of the data center jobs available are only in construction and contracted from outside the places the centers are located.

Data centers are largely automated. Microsoft, for example, employs just 50 people per a facility. In West Virginia — because of the inclusion of microgrids, which aren’t mandated to be created for data centers — the picture could look different. But again, the lack of details from companies coming here makes the real impact difficult if not impossible to determine.

Allen said she’s wary of the state’s potential reliance on data centers for a

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# Breeding bird surveys in jeopardy amid budget threats

By Cynthia Ellis, West Virginia Highlands Conservancy

Usually in May and June, throughout the mountains and across the state, West Virginia’s birders are volunteering their time to complete Breeding Bird Surveys (BBS). These volunteers operate on “early bird” hours to travel 25-mile-long routes, stopping every half mile to record, for three minutes, all birds seen and heard. West Virginia has participated in BBS efforts since the program began in 1966. The data compiled has been vital to keeping track of avian populations.

There is a cloud over this year’s work. The current federal budget proposal threatens to eliminate the United States Geological Survey (USGS), the agency that oversees Breeding Bird Survey.

A New York Times article points out the critical work of one part of the USGS:

“The Trump administration’s proposed budget for 2026 slashes about 90 percent of the funding for one of the country’s cornerstone biological and

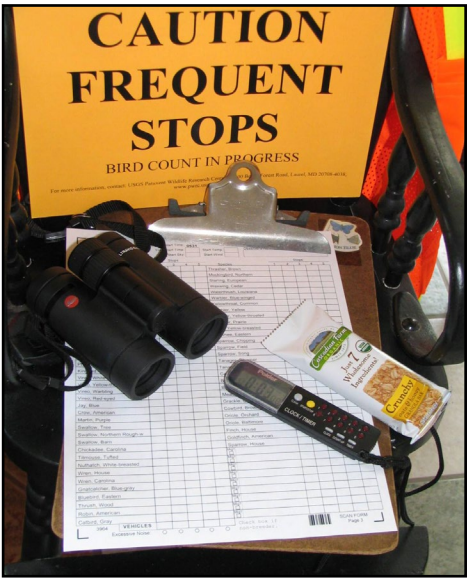
ecological research programs.”

“Known as the Ecosystems Mission Area (EMA), the program is part of the U.S. Geological Survey and studies nearly every aspect of the ecology and biology of natural and human-altered landscapes and waters around the country.”

“Abolishing the EMA was an explicit goal of Project 2025, the blueprint for shrinking the federal government produced by the conservative Heritage Foundation. That work cited decades-long struggles over the Interior Department’s land management in the West, where protections for endangered species have at times prevented development, drilling and mining.”

“The EMA runs the Bird Banding Lab, whose work informs waterfowl and game bird management and enables migratory bird tracking. The program also runs the national bird breeding survey, which tracks more than 400 species of birds.”

And the American Bird Conservancy (ABC) points out, “This program provides essential monitoring data for



conservation managers, scientists, and the general public, helping to pinpoint declines and species at risk before it’s too late.”

Additionally, the work of banding birds would be impacted. We are especially concerned that a West Virginia banding station, Allegheny Front Migration Observatory (AFMO), at Dolly Sods could lose the destination for the data it collects.

ABC focused on the vital work of banding and said, “The Bird Banding Laboratory (BBL): With over 100 years of data from banded and marked birds, the BBL is a critical resource for understanding birds’ needs, developing effective conservation plans, and answering new scientific questions.”

In a related issue, an outpouring of citizen response was able to try to protect public lands from defunding. “After weeks of public outrage and mounting bipartisan backlash, House Republicans quietly removed a provision that would have mandated the sale of thousands of acres of public lands. But while the immediate threat of sell-off may be gone, advocates across the country say the damage remains,” wrote the Conservation Lands Foundation.

We know that members of the West Virginia Highlands Conservancy recognize the importance of birds in our mountain ecosystems.

Contacting members of Congress is always helpful. We will do our best to provide timely alerts and updates. We need birds, and birds need our help!

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You may also join online at [www.wvhighlands.org](http://www.wvhighlands.org)

# Save the Fernow Experimental Forest — and protect West Virginia's future

By Hannah DeHetre, WVU Biology,  
PhD Candidate

The Fernow Experimental Forest is one of only a few research forests in the United States that has collected continuous, decades-long data that document how forest health links to water quality, forest management, forest productivity, and other aspects of forest ecology. Now, it is under threat from federal funding cuts and West Virginia cannot afford to lose it.

Long-term research sites like the Fernow are rare and irreplaceable. As part of the National Science Foundation (NSF) Long-Term Research in Environmental Biology (LTREB) program, the Fernow allows scientists to track slow-changing environmental processes like climate change, water pollution, and forest health. We've been measuring stream water chemistry since 1958 and tracking soil and vegetation since 1988. These data sets are among the longest of their kind anywhere in the country. Without them, we lose the ability to understand how and why our environment is changing, and how to protect it.

The Fernow has also hosted landmark experiments to study the effects



of acid rain on water quality and forest health. Thanks to these projects, scientists understand how pollution that causes acid rain harms forests and water and how policies like the Clean Air Act have led to recovery. But without continued support, these critical experiments could end before we learn all they have to teach us.

The loss of the Fernow would not just harm science. It would also rob West Virginia of its next generation of environmental scientists. The Fernow serves as an outdoor classroom for graduate researchers, undergraduate

field students, and even younger school children from Tucker County. Students conduct real-world experiments, learn field skills, and engage with their communities to inspire young West Virginians to pursue careers in science, conservation, and education. In a state already struggling with education outcomes, we cannot afford to lose opportunities like these.

West Virginia has a long history of environmental pollution, including some of the highest acid rain rates in the nation (in the 1970s, Wheeling's rainfall was more acidic than lemon juice!).

Thanks to successful regulations, informed by science much like that conducted at the Fernow, conditions have improved. But the work of repairing our forests, streams, and soils is far from done. Research at the Fernow continues to reveal how environmental damage unfolds over decades, and how smart forest management can help communities thrive in the face of new threats like climate change, wildfires, and invasive pests.

Federal funding cuts would have cascading effects far beyond the Fernow's boundaries, including worse forest health, poorer drinking water quality, fewer trained scientists, and a less engaged and informed public. In a state with an abundance of forested land, these cuts would be catastrophic for West Virginia's environment, economy, and future.

We must act now. I urge you to call and write your representatives and demand they protect the Fernow Experimental Forest and oppose any cuts to U.S. Forest Service research funding. Saving the Fernow means saving the forests, waters, and people of West Virginia, for today, and for generations to come.

## 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 for years to come.

Your thoughtful planning now will allow us to continue our work to protect wilderness, wildlife, clean air and water and our way of life in the mountains. Contact [crys.bauer@wvhighlands.org](mailto:crys.bauer@wvhighlands.org)

## Are you on our email list?

Signing up to receive emails from the West Virginia Highlands Conservancy is your gateway to staying actively engaged in conservation efforts and volunteer opportunities in West Virginia.



Staying informed with our action alerts will empower you to advocate for environmental policies that matter the most. **Sign up today at [bit.ly/WVHCemailsingup](https://bit.ly/WVHCemailsingup)**

# New book 'Holler' tells the story of Appalachian climate activists

Katie Myers, BPR, West Virginia Watch

*An interview with author Denali Sai Nalamalapu on storytelling, fossil fuels, and the Mountain Valley Pipeline.*

*This coverage is made possible through a partnership between BPR and Grist, a nonprofit environmental media organization.*

The Mountain Valley Pipeline transports natural gas through West Virginia and Virginia. But for 10 years, climate activists and worried locals opposed it, even locking themselves to equipment and camping in the pipeline's path. Many were opposed specifically to the transportation of natural gas, which includes methane, a highly flammable fossil fuel with a large carbon footprint. A new graphic novel, *Holler*, released in May, tells the story.

Denali Sai Nalamalapu, a Southwest Virginia-based climate activist and illustrator, spoke with BPR on what this fight meant for people who were involved and what it means now.

***Tell us a little about yourself and why you were drawn to the Mountain Valley Pipeline to begin with?***

I joined the pipeline fight to support, with communications and federal and congressional advocacy. As I started traveling more to the region, I got more connected to the community here that was fighting the pipeline and also to the mountains. I wanted to figure out different ways to tell the stories I was hearing, particularly stories of ordinary people who were just living their lives and then became pipeline resisters. And so I sat down with six people across the region that's impacted by the pipeline

in Central Appalachia, and the book came to life from there.

***What did this pipeline mean, not only to the people in West Virginia that the pipeline directly impacted, but also to the broader Appalachian community? How did it unfold regionally?***

When the pipeline was first proposed, it was part of and continues to be part of a centuries-long history of massive extractive fossil fuel projects coming to the region.

Part of what made it unique though, is that it is such a huge project, being three 303 miles long, going through all of West Virginia, through Southwest Virginia, into Southern Virginia, with extensions that threaten communities in Northern North Carolina. And it's methane gas, which is a highly flammable gas that's also contributing to climate change.

It was such an intense, huge fight that came right after and during the fights against coal mining and specifically mountaintop removal in Central Appalachia. It did show up in this lineage of strong resistance in Appalachia that is very well known in this region, but continues to go overlooked outside of the region.

***"Holler" is a graphic novel, which is a unique way to tell a character-driven story. Why did you choose the graphic novel format, and to explore the MVP through these six activists?***

All of that thinking was part of, how do I tell a story of the Mountain Valley Pipeline Fight with the voices of the resisters uplifted?

One of them is pretty well known.



*Denali Sai Nalamalapu wrote "Holler" after some time working to stop the Mountain Valley Pipeline. (Denali Sai Nalamalapu courtesy photo)*

Her name's Becky Crabtree, and she is known as the Grandma who locked herself to her Ford Pinto when her sheep farm was threatened by the pipeline.

And the other is a quieter resistor named Paula Mann, who is a photographer who used her skills to document the way the pipeline threatened the woods that seven generations of her family have lived in.

Part of who ended up being part of the book ... were people who both had been part of the struggle and had been covered by the news, and who were the quieter resisters, and who were the younger resisters who were in college

when they learned about the pipeline, and who were the people that were well into their 80s learning about it, and also diversity because I think central Appalachia gets thought of as this very white, very poor region that has no diversity. Oftentimes, the Monacan tribe and the other indigenous tribes in the Southeast don't get recognized as tribes and people who are continuing to fight and protect this land.

***The MVP ultimately was greenlit in 2024, and is continuing to make its way down through to North Carolina. Protesters may have the opportunity to carry these lessons forward. In 2020, the government approved an extension of the MVP into North Carolina called Southgate.***

***Where does the pipeline fight go from here and what's happening now?***

It felt important to me that we did lose the fight, in a traditional way of deeming did you win or lose the pipeline fight, while also telling engaging and authentic stories of the community that was built through the pipeline fight and the people that were changed by the pipeline fight.

And as we see the federal government in the U.S. and many powerful entities across the world not take climate change as seriously as we believe that they need to, we're going to have to define winning with more nuance than, did you absolutely stop the project or not?

*Denali Sai Nalamalapu is the author of the new graphic novel *Holler*, which is available from Timber Press.*

## 'It will destroy this place:' Tucker County residents fight for future against proposed data center

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financial boom given the state's history of extraction-based economics.

Like with the coal economy, residents across the state will bear the aesthetic, environmental and health costs associated with living near data centers and their power plants. Most of the profits, however, may not return to them, Allen said.

"It's not exactly identical to coal or natural gas or timber, but it feels extractive in the same way in that the benefits of the data center are borne by people outside of West Virginia, while the costs are borne by our residents," Allen said.

Nease said that while he wants to be "pragmatic" about the potential for development in Tucker County, he can't help but think of the state's history in that regard either.

"I'm worried we're going to fall into that same trap again. It's an age old story — not just for West Virginia. Some people are going to benefit from this project, they just might not be here," Nease said. "The company will benefit, its [shareholders] will. But will we?"

'A race to the bottom:' While West Virginia lawmakers want to compete with Virginia, locals say it's not possible

While state lawmakers spent hours this legislative session debating how to

craft the state's new law to attract data centers, several couldn't stop thinking about — or mentioning — neighboring Virginia, where the development of large, high-impact data centers have boomed.

Echoing sentiments shared by Morrissey through his "Backyard Brawl" plan to compete with neighboring states economically, delegates — including Del. Clay Riley, R-Harrison, who sits on the House Committee on Energy and Public Works, where the bill passed — said they wanted to see data center development here thrive like it has in Northern Virginia.

Loudoun County, Virginia has been dubbed "Data Center Alley." It's home to the largest data center market in the world.

But that development didn't happen overnight, said Julie Bolthouse, director of land use at Piedmont Environmental Council in Virginia.

The industry started building in Northern Virginia in the 1990s and 2000s. Some of the largest data and internet providers at the time were located there. Over time, though, the market has changed.

Bolthouse said what used to be small complexes organized like business parks — featuring restaurants, shopping, day cares and more for people who lived in the region — are now large campuses with few people, no outside amenities and mostly computers and software.

And those "hyper-scaled" complexes — in Virginia and beyond — haven't come without costs. The pollutants emitted by large centers are known to exacerbate respiratory problems and other health conditions. Residents nearby can hear the incessant buzzing and hums of the computers and generators at work. Light pollution, depending on the size and type of facility, can be im-

possible to ignore.

But these issues — outside of the environmental ones — vary place to place because of local ordinances.

"That is like the only thing that's really protecting Virginia communities, because the only way that the people who live in these localities are able to get any kind of protection is because of noise ordinances, because of the lighting ordinances," Bolthouse said.

In West Virginia under HB 2014, residents won't have the same protections or powers due to the state's superseding of local ordinances.

And now, decades into Virginia's ever changing data center sector, Bolthouse and other environmentalists are seeking more regulations on the state level since the nature of these data centers has changed so much over such a short period of time.

"That's the push we're seeing now — for the state to come in and add additional regulations, to look at the environmental impact," Bolthouse said. "No one is talking about taking away the ability of localities to regulate these facilities. I can't imagine that."

And while the landscape for data centers is evolving in Loudoun County and beyond, the reason so many large companies have decided to locate their centers in Northern Virginia goes back to the 1990s. The infrastructure for them to be developed, Bolthouse said, already existed — it wasn't newly created like West Virginia is attempting to do.

"There's such a robust fiber network here. These data centers are kind of like a gigantic global computer. They talk to each other, and so the closer they are to all the other cloud providers, the better," Bolthouse said. "When you put a data center here, your data is stored in Northern Virginia and you are in spitting distance to [Amazon], Google, Mi-

crosoft, all the big co-locators ... probably every big business has an operation here in Northern Virginia. So it's like the Wall Street of the data center industry. That's why they want to locate here."

Bolthouse warned that without regulations, without protections and without the advantages that Virginia has through its location and infrastructure, West Virginia could be attempting to enter a new sector by inviting in the "worst players."

"What you're going to get if you do it this way is the worst players, the ones that didn't need to be in Northern Virginia ... the players that are wanting that lack of regulations because they didn't want to abide by rules and didn't want to or need to protect communities, which is worse for West Virginia and the communities," Bolthouse said. "What West Virginia is doing is not what Virginia is doing."

She said West Virginia needs to look at the assets it already has, not the assets others in the sector have worked with for decades.

Those assets, in Bolthouse's words, are the same things that made Forrester feel like her childhood dreams were coming true when she built a home in Tucker County: the state's "beautiful mountains, its rivers, its natural beauty and outdoor opportunities."

"That's what West Virginia should be leveraging. The state shouldn't be trying to get something that another state has already secured the market on," Bolthouse said. "I don't know that West Virginia can become the next Data Center Alley. I don't think that's actually feasible ... You're trying to basically have a race to the bottom, and you're only going to get the worst players."

