

West Virginia Highlands Conservancy
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The Highlands Voice

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Snorkelers explore the Shavers Fork on a WVHC outing

By Jordan Howes, West Virginia Highlands Conservancy

On Saturday, Aug. 16, the West Virginia Highlands Conservancy, in partnership with the Monongahela National Forest, invited participants to trade their hiking boots for snorkels and step into the clear, calm waters of the Shavers Fork. Under sunny skies and with perfect temperatures, the group found an uncrowded stretch of river to begin their exploration, moving gradually downstream as the afternoon unfolded.

The event drew 20 participants, guided by AmeriCorps members and Forest Service staff who provided snorkels, masks, and wetsuits. Before heading into the water, attend-



ees received a briefing from Emma Hamilton, Watershed and Fisheries AmeriCorps Member, about safety, gear use, and what to look for beneath the surface.

Once in the water, participants discovered a thriving underwater

world. Trout were darting around between rocks, fossils were found along the streambed, and glimpses of aquatic insects and other wildlife highlighted the diversity of this unique watershed. Many participants lingered quietly, simply float-

ing and taking in the rare chance to observe river life up close.

The day wasn't just about fun — it was also about fostering a deeper understanding of the ecosystems that flow through the Highlands. By snorkeling, participants could see firsthand the importance of protecting clean water and healthy habitats for both fish and people.

Thank you to the American Water Charitable Foundation for supporting the program and helping to make the event possible.

With calm waters, abundant discoveries, and smiles all around, the afternoon was a reminder of the beauty and biodiversity that thrives just below the surface of West Virginia's watersheds.

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Coal hauling through the Monongahela National Forest has ceased... for now

By Willie Dodson, *Appalachian Voices*

Our collective efforts to defend the Monongahela National Forest and the Cherry River from the abuses of South Fork Coal Company are having an impact. Over the past few weeks, we became increasingly convinced that mining activity on the Rocky Run Surface Mine, and the hauling of coal through the national forest had ceased to a large degree. This was based on reports from local residents supportive of the “Don’t Mine the Mon” campaign, and from images captured via a fly-over of the area by Allegheny-Blue Ridge Alliance.

Those suspicions were confirmed on Aug. 15, when South Fork’s parent company, White Forest Resources, filed a motion in its bankruptcy proceedings acknowledging that it is unable to restructure and maintain operations, and that it will surrender its future to a court-appointed trustee who will oversee the liquidation of all the company’s mines and associated property. The conversion to Chapter 7 liquidation was approved by Judge Horan on Aug. 22 in the United States Bankruptcy Court for the District of Delaware.

To be clear — the bankruptcy South Fork Coal, White Forest Resources and its other affiliates declared in February was not the result of our advocacy. Like so many coal companies before it, the company is collapsing due to its own mismanagement, and due to regulatory schemes that enable companies to evade reclamation and environmen-



South Fork Coal’s Rocky Run Surface Mine is adjacent to the Monongahela National Forest. (Photo by Andrew Young of Allegheny-Blue Ridge Alliance)

tal requirements for years.

This sort of lax regulation inevitably leads to situations where mining companies deplete their coal reserves and suddenly find themselves with massive environmental liabilities and little, if any, ability to generate cash flow.

Our role has been to simply utilize the courts and grassroots regulatory oversight in an attempt to enforce the laws that the company is breaking in its relentless assault on the Monongahela National Forest, the Cherry River and the greater Gauley River watershed.

What does this mean for our campaign?

White Forest Resources has not been able to find a willing buyer for the South Fork mines up to this point. Now that the company is liquidating, the court-appointed trustee will be tasked with selling off the company’s properties at bargain-bin

rates. It’s difficult to predict how that will go, but in the past, when chronically non-compliant coal companies have declared bankruptcy and sold off their holdings that are high liability with low-to-no profitability, they haven’t often found buyers with stellar records.

For now, South Fork Coal Company is still on the hook for all its environmental compliance and reclamation obligations, and it is still culpable for polluting the treasured Cherry River and Monongahela National Forest. If and when another company acquires these operations, that company will become responsible for addressing any outstanding violations and litigation. Our groups will continue applying pressure until the 3,600 acres of mining scars that South Fork has inflicted on the landscape are properly reclaimed.

If no buyer comes forward, or if the mines are acquired by a dead-

beat company that fails to clean up its messes, then it will be the responsibility of the West Virginia Department of Environmental Protection — the organization that issued the permits for these mines in the first place — to fully reclaim them.

“It was the West Virginia DEP that allowed this company to wreck the mountains and pollute the river,” said Olivia Miller, program director for the West Virginia Highlands Conservancy. “Now that the very predictable end of South Fork Coal is on the horizon, it’s time for the DEP to own its mistakes by seizing the company’s reclamation bonds and using that money to reclaim these mines. In fact, DEP should hire the miners who have lost their jobs through no fault of their own to perform this reclamation.”

Beyond the bankruptcy...

In January, the federal Office of Surface Mining Reclamation and Enforcement finally ordered South Fork to keep its coal trucks out of the national forest after conservation groups exposed the fact that the company had never demonstrated that it qualifies for an exception to the ban on mining and related activity in the national forest. (In fact, South Fork falsely claimed that no activity would occur in the Mon in its initial state mining application for “Haulroad #2,” 1.2 miles of which are indeed within the national forest.) In February, OSMRE reversed its decision, giving South Fork the greenlight to continue hauling coal through the Monongahela National

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DEP approves Fundamental Data air permit despite massive public opposition

By Luanne McGovern, West Virginia Highlands Conservancy

The fight against the proposed Fundamental Data natural gas power plant in Tucker County continues. The primary focus over the past two months has been rallying opposition to the air quality permit.

The West Virginia Department of Environmental Protection held an in-person public meeting at Canaan Valley State Park on June 30. Over 400 people attended to express their concerns, and the meeting ran for over six hours. Dozens of citizens rose to voice both technical and emotional appeals to the DEP to not approve the permit. On July 17, the DEP hosted a virtual online public meeting to accept further comments. By the comment deadline of July 18, 1,605, written and 18 oral comments have been submitted in opposition to the project.

Despite this massive public outpouring of concern, the DEP issued the permit to Fundamental Data on August 15. A few minor changes were incorporated into the final version of the construction permit, based on the comments received:

Addition of hourly and annual formaldehyde emission limits. Also requires an initial performance test for formaldehyde emissions when



Community signs at a Tucker County community meeting. (Photo by Cris Parque)

combusting natural gas.

Addition of language around optimal ammonia injection rate for the SCR, monitoring requirements and recordkeeping for ammonia usage.

Addition of recordkeeping requirements for fuel consumption and gross energy output.

Overall, these changes were minor compared to the hundreds of comments received. The DEP response to public comments required 140 pages to effectively state that Fundamental Data's permit application was accepted with minimal change. Citizen concerns about ma-

nor-vs-minor source permit type, impact on residents' health, inconsistencies and incomplete information in the permit application, etc., etc., were all dismissed.

The DEP has been very clear that their agency's purpose is to expedite the approval of air permits for industry, and this is directly in line with the goals of the Morrissey administration.

As stated in their response: "The Secretary shall, to the extent possible, give priority to the issuance of any such permit so as to avoid undue delay and hardship. The Division of Air Quality shall issue a

permit unless:

- a determination is made that the proposed construction, modification, registration or relocation will violate applicable emission standards,
- will interfere with attainment or maintenance of an applicable ambient air quality standard,
- cause or contribute to a violation of an applicable air quality increment, or
- be inconsistent with the intent and purpose of this rule or W. Va. Code §22-5-1 et seq.

In parallel, Tucker United, Friends of Blackwater and the Highlands Conservancy filed an appeal to the Air Quality Board on June 10, that Confidential Business Information (CBI) claimed by Fundamental Data did not meet the legal requirements of "trade secrets." The heavily redacted air permit application has made it impossible for citizens to understand the scope and impact of this potential project fully.

On July 17, the DEP filed a motion to dismiss the appeal, stating that the appeal has no basis. After many weeks of runaround, the board finally met with our lawyer, Brent Easton, on Sept. 3, and decided to

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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.

West Virginia Highlands Conservancy
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- Fighting to Protect the Highlands: \$15.95 + \$5.38 shipping
- The Nature and Scenery of the West Virginia Highlands, 2nd Edition: \$29.95 + \$5.38 shipping

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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.



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STAFF

PROGRAM DIRECTOR AND HIGHLANDS VOICE EDITOR-IN-CHIEF: Olivia Miller; olivia.miller@wvhighlands.org
COMMUNICATIONS COORDINATOR AND HIGHLANDS VOICE MANAGING EDITOR: Jordan Howes; jordan.howes@wvhighlands.org
MEMBERSHIP AND OUTREACH DIRECOR: Christa Clasgens; christa.clasgens@wvhighlands.org

MISCELLANEOUS OFFICES

WEB PAGE – DIGITAL PUBLISHING: Dan Radmacher; danrad@mac.com

Coal hauling through the Monongahela National Forest has ceased... for now

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Forest — despite lacking proper legal authorization. We have intervened in this proceeding and seek to reinstate the cessation order, which has been stayed through Sept. 2.

On July 18, OSMRE carved out an exception to the ban on mining and related activity in the national forest just for South Fork Coal Company by officially granting South Fork a determination of “valid existing rights.” But the valid rights determination relied on a previously issued Forest Service road use permit that was itself improper, as the Forest Service failed to ensure that the road would not violate the Endangered Species Act or National Environmental Policy Act. In January 2024, a wide coalition of West Virginia, regional and national groups sued the Forest Service over this, and that case is still ongoing.

On Aug. 15, our coalition formally appealed OSMRE’s July 18 determination to the Interior Board of Land Appeals, an administrative court within the Department of the Interior. Our appeal is based on the fact that federal law explicitly forbids OSMRE from making a decision on valid existing rights if the underlying claims are being litigated. In this case, the government’s underlying claim is that the Forest Service road use permit justifies OSMRE’s valid existing rights determination, but the road use permit is mired in a still unresolved lawsuit.

Alongside our appeal to the Interior Board of Land Appeals, we requested a stay to prevent coal trucks from resuming damage to



Orange water, indicative of acidity and high levels of iron, discharging from South Fork Coal’s Lost Flats mine, flowing towards the South Fork of Cherry River.

(Photo by Andrew Young of Allegheny-Blue Ridge Alliance)

this critical corridor while the case is pending. If the board refuses, we are prepared to take the fight to federal court to ensure the law is enforced and the Monongahela National Forest remains protected.

Further complicating matters (and further laying bare the federal government’s ridiculous posture of favoritism towards a coal company that is actively falling apart in front of our eyes), the Forest Service is now preparing to approve a new road-use permit designed to sidestep our litigation and paper over its earlier failures. This permit, too, is expected to bypass Endangered Species Act and National Environmental Policy Act requirements, this time by invoking a “categorical exclusion” meant for much smaller projects.

“As a citizen of the United States of America, I take seriously my responsibility for public lands that I share equitably with 340 million other citizens, as well as those

who will be born or naturalized in the future,” said Allen Johnson, a local resident and coordinator of Christians for the Mountains. “To hastily rectify this illegality with a rubber stamp approval would be a slap in the face of us citizens who collectively are the owners of public lands.”

Violations continue to pile up

If the company’s past record of noncompliance — such as the violation it received for releasing “sludge” into a headwater stream in April, or any of the 80+ violations detailed in our December, 2024 lawsuit — wasn’t enough, new violations continue to come to light. On Aug. 11, Appalachian Voices, Allegheny-Blue Ridge Alliance and West Virginia Highlands Conservancy submitted a complaint and request for federal oversight to the OSMRE after aerial imagery collected on Aug. 5 showed multiple unpermitted discharges of orange water leaving

the company’s Lost Flats and Laurel Creek contour mines. One of the discharges appeared to have carved out a rut along a mine access road, and was flowing in the direction of the South Fork of Cherry River — a popular trout fishing destination and designated critical habitat for the endangered candy darter.

Onward, we go

The Appalachian conservation community has rallied around the Cherry River and the Monongahela National Forest in recent years, and we will persist through the next phase of this fight. It is plain to see that South Fork lacks either the ability or the intention to operate in compliance with the law. The company shows no concern for the Monongahela National Forest, the Cherry River, the Gauley further downstream or the communities that depend on these waters.

The mad dash of regulators to rubber stamp this company’s operations are indefensible, legally dubious. Despite the government’s best efforts to prop up this bad actor, South Fork is now about to exit the scene. Whatever company comes next, and whatever moves regulators make, we will continue to advocate for the special places that this renegade mining has put at risk, and for the human and natural communities that are nourished and sustained by the land and water of our region.

Ultimately, we will hold the West Virginia Department of Environmental Protection accountable for ensuring that South Fork’s mines — whatever happens with the pending liquidation — are reclaimed.

DEP approves Fundamental Data air permit despite massive public opposition

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dismiss our appeal, siding with Fundamental Data. The decision was not surprising, given the nature and makeup of the board. Next steps are being considered.

“The West Virginia Air Quality Board is a quasi-judicial Board of review responsible for hearing appeals regarding the issuance or denial of permits, permit conditions, or enforcement decisions rendered by the West Virginia Department of Environmental Protection, Division of Air Quality. The Board is composed of seven members, five of whom are appointed by the Governor with the advice and consent of the Senate and two ex-officio members who are Commissioners of the Bureau for Public Health and the Department of Agriculture.”

While DEP and the Air Quality Board have cleared the way for Fundamental Data, the fight to protect Tucker County’s air, water, and communities is not over, and we will continue working to ensure this massive industrial facility does not

Thoughts from our President

Daylight is getting shorter, the leaves are turning, and the first frosts are already settling into Canaan Valley. Autumn is a season of change, and just as the natural world is shifting, so too are the challenges we face in protecting the Highlands. Time feels like it’s racing by, but we keep moving forward—always with the hope and trust that you will walk beside us.

Our anti-microgrid/data center campaign has faced a major setback with the West Virginia Department of Environmental Protection’s recent approval of the air quality permit for Fundamental Data. More than 1,600 community members spoke up—writing thoughtful, urgent comments—yet the DEP approved the permit with only a few minor changes. The very real concerns about air quality, water use, and community health remain unresolved and at risk if this project proceeds.

The Highlands Conservancy and our coalition partners are now evaluating next steps. This fight is far from over, but the road ahead will be challenging and expensive. We will need every ounce of support from our members and friends to press forward. I encourage you to stay engaged, share this issue with others, and, if you’re able, donate through our website. Together, we can keep the pressure on.

Even in the midst of these challenges, there is much to look forward



to. Our Fall Review is just around the corner, and we hope you’ll join us at Blackwater Falls State Park. Friday night, October 31, promises to be full of fun and surprises as we celebrate both Halloween and the joy of being in community with one another. Saturday, November 1, we’ll dive into a full day of learning, conversation, and connection—an opportunity to share knowledge, hear new perspectives, and meet our Board as well as our wonderful staff: Olivia, Christa, and Jordan. You’ll find registration details in this newsletter. Please don’t miss it. It’s one of the most rewarding weekends of our year.

Meanwhile, the Dolly Sods Wilderness Stewards and the Backcountry Stewards continue their vital work—welcoming hikers, monitoring campsites, removing trash, and protecting the fragile landscape. With the fall season bringing record visitors, their role will only grow

more important. If you see them out on the trails, please thank them and consider supporting their work. They are our boots on the ground, keeping the Highlands wild and whole.

Much more is happening across the Conservancy, and you can always find the latest updates on our website.

The seasons may change, but our commitment remains the same: to protect and preserve the lands and waters of West Virginia’s Highlands. With your continued support, we can weather every setback and celebrate every victory, together.

See you on the mountain!

Marilyn Shoenfeld
President
West Virginia Highlands
Conservancy

Help protect
our community,
land, and future
— donate to our
Data Center
fund.



EPA does about-face on climate change

By John McFerrin, West Virginia
Highlands Conservancy

The United States Environmental Protection Agency has proposed that it eliminate most of its authority to regulate greenhouse gases. In 2009, it was decided that greenhouse gases threatened the health and welfare of current and future generations. As a result, greenhouse gases should be regulated. Now it has decided that they are not such a problem and has proposed rescinding its 2009 finding. The result will be that the Environmental Protection Agency will no longer regulate greenhouse gases.

Right now, this is only a proposal. The Environmental Protection Agency is accepting comments on the proposal until September 22.

How to Comment

You can comment in one of four ways:

1. Go to the federal rulemaking portal eRulemaking (www.regulations.gov). This is the website for all the proposed federal rules so you have to enter the docket number EPA-HQ-OAR-2025-0194) and follow links.
2. By email to a-and-r-Docket@epa.gov; include Docket ID No. EPA-HQ-OAR-2025-0194 in the subject line.
3. By US mail to U.S. Environmental Protection Agency, EPA Docket Center, OAR Docket, Mail Code 28221T, 1200 Pennsylvania Avenue NW, Washington, DC 20460
4. By hand delivery to Courier, EPA Docket Center, WJC West



Building, Room 3334, 1301 Constitution Avenue, NW, Washington, DC 20004.

The deadline to comment is September 22 at 11:59 p.m.

The current docket lists almost 500 comments. Many of the comments are on behalf of dozens or hundreds of people so the actual number of commenters is substantially higher. It is possible to comment anonymously but you should assume that your name and comment will become part of the public record.

The finding that greenhouse gases should be regulated as a pollutant originated in 2007. The United States Supreme Court determined that greenhouse gases were a pollutant that could be regulated. It directed the EPA to determine whether such emissions cause or contribute to climate change that endangers public health or welfare.

The EPA got to work, consulting documents that reflected a scientific consensus such as the findings of the Intergovernmental Panel on Climate

Change, the U.S. Global Change Research Program as well as health impact studies. It found that climate change can increase morbidity and mortality through increased global temperature, air quality, changes in extreme weather events (indirect) and net impacts on food production, forestry, water resources, sea level rise, energy infrastructure, and ecosystems (direct).

It proposed the finding in April 2009 and received comments before making it final in December 2009. After the finding, the EPA entertained several petitions from industry groups, suggesting that the finding was scientifically flawed and asking that it be rescinded. The EPA responded by saying, in so many words, that it got it right and the finding would stand.

In subsequent litigation, the Circuit Court of Appeals for the District of Columbia upheld the finding. The United States Supreme Court declined to review the matter, so the Court of Appeals' decision became the final word.

Then we had an election.

Executive Orders by President Trump on January 20, 2025, and February 19, 2025, addressed a perceived need to evaluate burdens caused by unnecessary regulations on energy affordability, job creation, and national security. They instructed agencies like the EPA to review regulations for consistency with the Constitution and the authorizing statute, respectively.

Now the EPA wants to rescind the 2009 finding that greenhouse gases threaten the health and welfare of present and future generations. It

relies upon arguments such as:

- Increasing carbon dioxide emissions are being countered by “natural cycles” such as increased plant growth and aquatic plant growth.
- The average temperature peaked in the 1930s and has held steady since then. Even if they were still rising, cold is a more serious problem than heat.
- There have not been increased health risks due to extreme weather events.
- There have been minimal effects to public health and welfare in the United States based on rises in sea level and related weather and climactic events. EPA further questions why the Endangerment Finding did not take adaptation to sea level rise into consideration.
- The data used for climate modeling may be inaccurate.
- Climate change is not purely human caused.
- Increased CO2 is good for plant growth and agriculture.
- The EPA's most telling argument, the one that makes its other arguments irrelevant, is that we had an election. Climate change policy was an issue in the election, and the people chose the candidate who thinks that climate change is not a problem. If that is what the people chose, then that is what we should do. It did not explain how this is anything other than arguing that the answer to a scientific question is something to be voted upon.

Remembering Andy Mahler

By Dave Cooper

Andy Mahler, of Paoli, Indiana, longtime leader of the regional grassroots forest protection group Heartwood, passed away August 30, 2025, peacefully at his beautiful home place in the woods called the Lazy Black Bear, surrounded by friends and his wife, Linda Lee. He was 74.

Andy was a passionate defender of the forests, an organizer, a leader, a visionary, an ally to many organizations, and an inspiration to many. He was a strong guy, in great physical shape and very handsome. An outstanding speaker - the word “eloquent” seems woefully inadequate to describe his speaking style.

Here is Andy in a recorded interview with the Indiana Forest Alliance, talking about his efforts to oppose the US Forest Service’s logging proposal for an area the Forest Service called Buffalo Springs: “... they gave us a gift, in that the initials for Buffalo Springs are BS, and BS is exactly what this proposal is. The Forest Service claims to be doing all this logging for all sorts of high-minded and beneficial purposes, but the ultimate reason ... if you scrape away all this BS is that the Forest Service gets to keep all of the money that they receive when they sell the timber... from when they are cutting the trees that the American people are paying them to protect.

“The Forest Service in the last century was considered the most widely-respected and highly-regarded federal agency – those days of course are long gone ... [in their previous days] the three things they did were to protect water quality,



Andy Mahler, Larry Gibson, and Dave Cooper (Photo provided by Dave Cooper)

planting trees on abandoned, heavily-eroded farms – which is what most of the land in the national forest system is in the eastern United States ... the Hoosier National Forest was established in 1951 on these heavily degraded lands, and the land has been healing itself since that time ... they prevented timber theft and they put our forest fires ... it’s interesting to compare what they did then: instead of planting pines to protect highly-erodible sites, they’re now proposing to clearcut the pines on those same highly-erodible sites, and to therefore degrade the land and re-endanger the water supplies.”

Whew. Andy was a very knowledgeable guy; I stood in awe of him and was frankly a little intimidated by him. The Heartwood Forest Councils – usually led by Andy and held every Memorial Day weekend – were some of the most formative events of my life.

He helped start the local farmers’ market and the Lost River Coop in Paoli, and he was a long-haul activist. Andy founded Protect Our

Woods in 1985, after learning about a massive Forest Service proposal to open the Hoosier National Forest to clearcutting, oil and gas development, road building and ATV use. That plan was withdrawn in 1991. Heartwood was then founded in 1991 as a regional forest protection group and eventually grew to include groups from Massachusetts to Missouri and as far south as Mississippi.

Heartwood won, over and over. Heartwood successfully stopped logging proposals in the Wayne National Forest, the Daniel Boone, the Allegheny, and many more, primarily using a litigation strategy – never a well-funded group, but smart and strategic.

Andy said, “Heartwood has been remarkably successful,” and I agree. Heartwood is still fighting logging, strip mining, burning, herbicide spraying, and other forest abuses, and the campaign to stop the Buffalo Springs logging proposal is on the brink of victory; they have even won the support of Indiana

Governor Mike Braun!

Andy’s friends and allies remember him:

“Andy Mahler was one of the most significant people in my life, and it’s hard to imagine the world without him... Andy was one of the first people who taught me what it meant to stand up for the forest and the wild beings that did not have a voice, and also how to do it. He helped me find my tribe and the people that inspired me to see the good that humans were capable of. He planted an acorn in me that grew into an oak tree of activism for life. And wherever I branched out, the spirit of Heartwood was always the trunk. Radical, smart, passionate, fearless, generous, joyful, creative love and community resistance to the careless destruction of Mother Earth and ourselves,” shared Joshua Martin, Senior Corporate Campaigner, Canopy Planet.

“He taught me we’re not alone... Just like Andy, I know that the forest is always with me and now I can no longer be separated from the forest and Andy,” shared Steven Stewart, Protect Our Woods

“Andy was super talented. He focused his talent on bringing people together and educating them on how important nature is, and how forests contribute to our lives and wellbeing. He supported our legal efforts [in Missouri] and many times made trips to Illinois, Ohio, Kentucky, Missouri, DC and on and on to support movements in those states ... we probably had some disagreements over the years, but I don’t remember ever having a cross

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Helen McGinnis leaves West Virginia, but her legacy stays in the Highlands

By John McFerrin, West Virginia Highlands Conservancy

Longtime member, leader, and friend Helen McGinnis is leaving West Virginia and moving to Massachusetts to be closer to her family. While the move is a loss for West Virginia, it does give us an opportunity to remember her and all that she has meant to the West Virginia Highlands Conservancy over the years.

First, a little background. This is how Helen described herself in a 2005 story in The Highlands Voice: “I am a native of California. My mother got me interested in nature. I discovered the mountains and hiking as a Girl Scout, and backpacking as a member of the University



Helen McGinnis pictured on horesback.

of California Hiking Club in the late 1950s. During my twenties, I was happy only with a pack on my back, exploring wilderness areas in the Sierra, Cascade and Rockies. I moved to the Washington, D.C. area in October, 1967.”

Helen’s moves from California to Washington, D.C. and later to

Pittsburgh brought her within commuting distance of Dolly Sods and the rest is history. She fell in love with the place and managed to visit most weekends.

Her love of Dolly Sods left her with a question: Why isn’t this place a federally designated Wilderness Area?

Much of the answer lay in what was known as the “purity” doctrine. It was the policy of the United States Forest Service not to consider for Wilderness designation any area which had at one time been timbered, crossed by a road or a railroad, or used in other ways by humans. Even if the influence of mankind had disappeared and the land had resumed its wild condition, its previous condition of “impurity” meant it could never be a designated Wilderness area.

This doctrine would have removed Dolly Sods from consideration. It had been farmed and extensively timbered. Even though the area looked wild, the remnants of old logging camps and the occasion-

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BECOME A WVHC MEMBER

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Address _____

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Patron	\$250	\$500	\$500
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West Virginia Highlands Conservancy
Working to Keep West Virginia Wild and Wonderful
You may also join online at www.wvhighlands.org

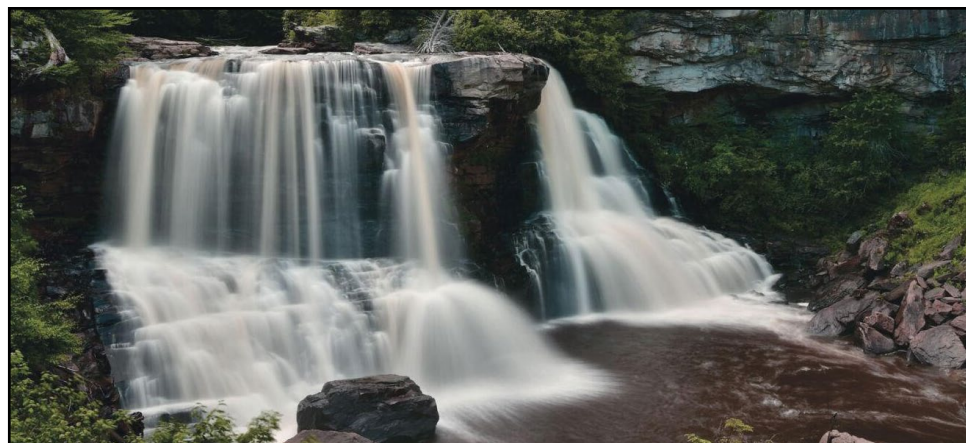
The West Virginia Highlands Conservancy's 2025 Fall Review: "Environmentalism in a Changing World"

As Appalachia faces escalating environmental threats—from policy rollbacks and extreme weather to industrial development and habitat loss—this fall, conservationists, advocates, and concerned citizens will gather in the heart of Tucker County for a critical weekend of reflection, strategy and action.

The West Virginia Highlands Conservancy's annual Fall Review returns to Blackwater Falls State Park the weekend of Oct. 31–Nov. 2, convening some of the region's most trusted voices to examine how we can defend Appalachia's lands, waters, and communities in the face of profound change.

With political landscapes shifting and climate impacts intensifying, the Fall Review will explore how we respond—through policy, advocacy, and grassroots action—to ensure a just and resilient future for the Mountain State and beyond.

We'll be announcing a very special keynote speaker soon, but in the meantime, panel sessions will feature environmental leaders, at-



Lookout at Blackwater Falls State Park. (Photo by West Virginia Department of Tourism)

torneys, scientists, and advocates, including:

Federal Policy and Appalachia – a look at national policies shaping the region's future—from climate legislation to conservation funding with experts from local, regional and national environmental organizations.

West Virginia's Legislative Landscape – an insider's view of the most pressing state-level policy battles, featuring voices from the WV Rivers Coalition, the West Virginia Environmental Council, and other

key advocates.

Citizen Advocacy 101 – a hands-on session to empower attendees to speak up and organize effectively in their communities.

Looking Back, Moving Forward – a tribute and knowledge-sharing panel with veteran environmental champions, offering lessons from past struggles and hopes for the future.

Outdoor Adventures and Connection – it wouldn't be a WVHC event without going outside. Attendees can look forward to:

- A guided hike on Saturday
- A nighttime nature walk and sound-listening session
- A peaceful Sunday birding excursion

Why It Matters – from defending public lands to confronting polluting development and climate-driven disasters, Appalachia needs engaged citizens now more than ever.

A limited number of scholarships are available for university students to attend the Fall Review free of charge. Scholarships cover mileage, lodging, and meals so students can fully participate. Applications are due soon, with recipients announced on October 3.

General admission is free, and registration is now open. Don't miss this opportunity to be part of shaping the future of conservation in West Virginia.

Registration is now open. This event was made possible with the generous support of the American Water Charitable Foundation.

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

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/WVHCemailsSignup**

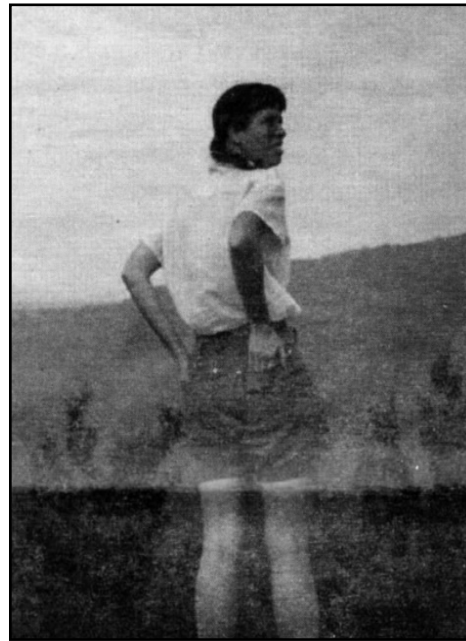
Helen McGinnis leaves West Virginia, but her legacy stays in the Highlands

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al horseshoe established that it was not pristine, never touched by the hand of man. Because of that doctrine, Dolly Sods would join most of the wild parts of the eastern United States as places which—while wild and probably meeting all other qualifications as Wilderness—could never be designated as Wilderness because they were not “pure.”

Helen’s advocacy helped persuade the Forest Service to abandon the “purity doctrine” and make areas of the eastern United States eligible for Wilderness designation. Hers was one (not the only, but one) of the voices that persuaded the Forest Service to abandon its purity policy and consider for Wilderness designation land that had previously been touched by the hand of man. Because of this, she can take credit (some, certainly not all but some) for there being designated Wilderness in the eastern United States.

Helen is best remembered for her advocacy for Wilderness and wild areas. She did the research that led the Forest Service to create the Red Creek Backwoods Area. She made hand-drawn maps of the area that would become the Dolly Sods Wilderness, including trails that ex-



Helen McGinnis at Dolly Sods is from the January 2005 issue of The Highlands Voice. (Photo provided by John McFerrin)

isted within the area. She did what was effectively the first draft of the proposal for the Dolly Sods Wilderness. She helped with the writing of the proposal for what would become the Otter Creek Wilderness.

She also helped write and produce the documents that eventually became the Monongahela National Forest Hiking Guide which the Conservancy still offers today. It began as copied and stapled maps and Wilderness proposals for both Dolly Sods and Otter Creek. These were copied and stapled in Bruce Sundquist’s basement in Pittsburgh and distributed as part of the advocacy for Wilderness designation. They became the nucleus of what eventually turned into the Hiking Guide.

While most of her work with the Conservancy was with wilder-

ness advocacy, she lent her expertise in other ways. She was trained in both paleontology and wildlife management. When the Davis Power Plant was proposed for the area that is now the Canaan Valley Wildlife Refuge, she provided the analysis of the flora, geology, and fauna of the region. She later testified before the Federal Power Commission about the project.

Helen was also active in the Eastern Cougar Foundation, later the Cougar Rewilding Foundation. The cougar was generally assumed to be extinct in the Eastern United States except for a small population in Florida. The Eastern Cougar Foundation focused on examining that assumption, investigating reports of possible sightings, etc. Its work later turned toward the possibility of re-introducing the cougar into the eastern United States.

This work was an extension of Helen’s interest in Wilderness. It was animated by the belief that a functioning ecosystem needs large predators to work properly.

After all her time in West Virginia, Helen is moving to Massachusetts to be nearer to her family. It is a good time to say, “so long, see you later” and to thank her for all she has done for West Virginia and the West Virginia Highlands Conservancy.

This story would not have been possible (or, at a minimum, would be much more difficult to do) without referring to “Fighting to Protect the Highlands: The First Forty Years of the West Virginia Highlands Conservancy” by Dave Elkinton.

Remembering Andy Mahler

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word with him,” shared Mark Donham, forest advocate and musician, Missouri.

“I will carry Andy with me the rest of my life and will look to his spirit for courage and inspiration. He certainly carried around some powerful electrons in that body of his! I’m certain some jumped off him and onto me. Thank you Andy,” shared John Wallace, Founder, Shawnee Forest Defense and advocate for the Shawnee National Forest and Climate Preserve, Illinois.

“Andy is truly one of the biggest inspirations in my life. In a world that feels so full of divisiveness, bigotry, hatred and greed Andy was, and continues to be a light in the dark who radiated a love of all living things. Thank you Andy for being the best humanity has to offer,” shared Neil Goswami.

A celebration of Andy’s life is being planned at the Lost River Café in downtown Paoli, Indiana on Oct. 26.

In Andy’s memory, please make a generous donation to one of the following organizations:

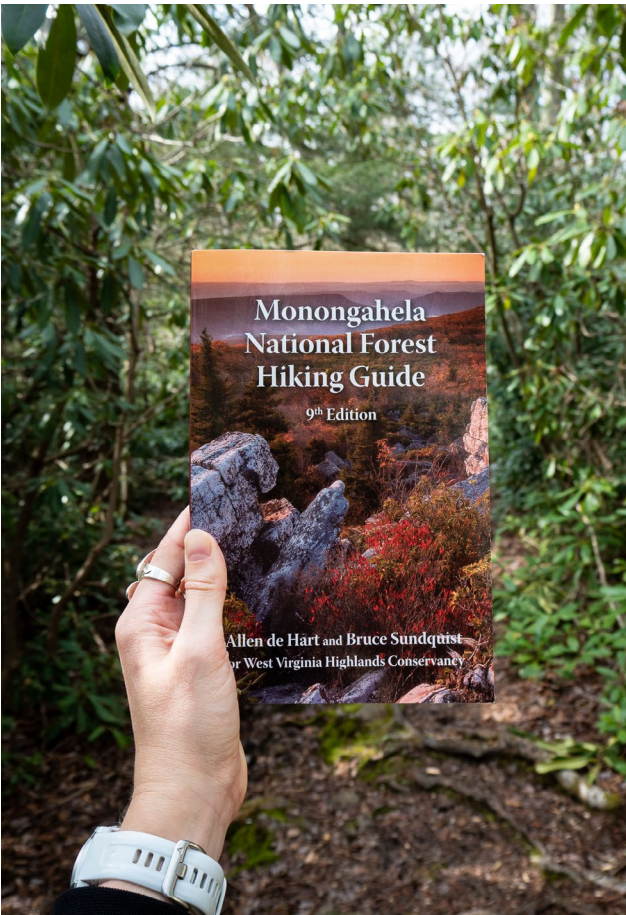
Protect Our Woods – <https://savehoosiernationalforest.org/>

Heartwood – www.heartwood.org

Indiana Forest Alliance – <https://indianaforestalliance.org>

The West Virginia Highlands Conservancy is a non-profit corporation which has been recognized as a tax exempt organization by the Internal Revenue Service. Its bylaws describe its purpose: The purposes of the Conservancy shall be to promote, encourage, and work for the conservation—including both preservation and wise use—and appreciation of the natural resources of West Virginia and the nation, and especially of the Highlands Region of West Virginia, for the cultural, social, educational, physical, health, spiritual, and economic benefit of present and future generations of West Virginians and Americans.

Hit the trails with our Mon National Forest Hiking Guide



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

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

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

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

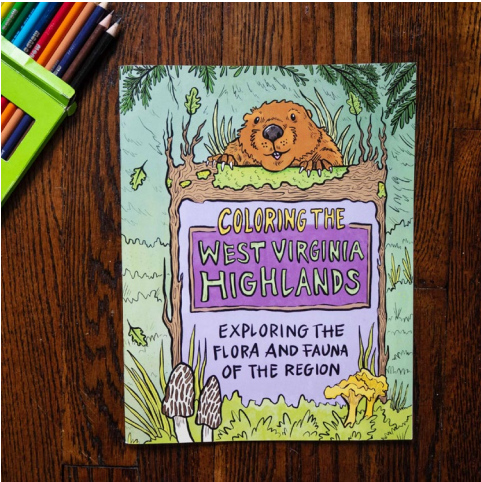
The Monongahela National Forest has long been known as a ‘Special Place.’ The hiking, backpacking, and cross-country skiing opportunities it provides are among the best in the eastern U.S. New wilderness and backcountry trails have been added to the outstanding areas we have appreciated for decades –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

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

Send \$21.95 plus \$5.38 shipping to: West Virginia Highlands Conservancy, P.O. Box 306, Charleston, WV 25321 OR order from our website at www.wvhighlands.org

Get your I♥MOUNTAINS and WVHC gear at our online store!

Show your love for the mountains with our range of bumper stickers, cotton tees, hats, onesies, toddler tees and Hydro Flasks. Shop now at wvhighlands.org



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info@wvhighlands.org