



The Highlands Voice

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Second Air Quality Board hearing held on Fundamental Data Ridgeline project

By Luanne McGovern, West Virginia Highlands Conservancy

The West Virginia Highlands Conservancy, Tucker United and the Sierra Club filed an appeal of the air permit issued to Fundamental Data for a large power plant in Tucker County on Sept. 12, 2025. The appeal challenges the company’s claims that this plant qualifies as a “synthetic minor source” of pollution, and states that critical information has been hidden from public view through extensive redactions.

The first hearing of our appeal before the West Virginia Air Quality Board was held on Wednesday, Nov. 5 at the Department of Environmental Protection’s (DEP) office in Charleston. As a result of that hearing, previously redacted information



Protesters outside of the DEP offices in Charleston, WV. (Photo by Luanne McGovern)

was released under a protective order to our attorney and expert witness, and two of our 17 objections were dismissed.

The second hearing was con-

ducted on Dec. 3-4 at the DEP offices in Charleston. The lawyers in the hearing were Mike Becher from Appalachian Mountain Advocates (for us), Scott Driver (for DEP)

and Dave Yaussey and James Walls from Spilman, Thomas and Battle (for Fundamental Data). For the first time, we were able to meet and talk to representatives of Fundamental Data – Casey Chapman, Lewis Reynolds and Ted McGavran – who attended the hearing in person but did not testify.

On day one, we presented four witnesses from the community to discuss how this project would impact Tucker County and the surrounding areas. Dr. Jim Kotcon (Sierra Club), Dr. Amy Margolies (Tucker United), Marilyn Shoenfeld (WVHC) and Al Tomson (Mayor of Davis) all provided strong testimony outlining their concerns and opposition to the project. Our expert wit-

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ness was Dr. Ron Sahu, a mechanical engineer with extensive experience in power plants and air emissions. Dr. Sahu spent almost three hours explaining why the permit needed to be revised to a “major source” with higher levels of control and monitoring. Some highlights:

- The emissions are “grossly underestimated” and will have natural variation from turbine to turbine, will be dependent on the how the turbines are run (“load”) and the age of the pollution control equipment.

- The permitted NOx emissions level (99.35 tons/year) is effectively indistinguishable from 100 tons/year – the threshold for a major source – and cannot be controlled with the precision suggested in the permit.

- Startups and shutdowns will lead to incomplete combustion and elevated emissions of carbon monoxide and formaldehyde. These emissions were not included in the permit and could push the plant above minor-source limits; EPA studies confirm this phenomenon.

- The permit requires emissions testing only once within 180 days of startup, with no ongoing monitoring such as CEMS (continuous emission monitoring systems), leaving the public unable to verify future compliance.

-Several emission sources were



Discussion ensues during the Air Quality Board hearing. (Photo by Zina Raye)

omitted entirely, including ammonia slip from the SCR catalyst and emissions from cooling systems.

On day two, DEP and Fundamental Data presented their defense of the permit. Called as witnesses were Jerry Willimas (former DEP engineer who wrote the permit), Joe Kessler (DEP NSR Program Manager) and Leah Blin (engineer from Civil and Environmental Consultants, Inc. (CEC), the consultant that wrote the permit application). All the witnesses repeatedly stressed that, based on the information presented by Fundamental Data in the permit application, the plant would meet the requirements of a “synthetic minor source.” They further stated that the formaldehyde emission limit was based on manufacturer-provided “worst-case” estimates, though no evidence was offered to show these rates could be met during non-steady-state operations such as startups and shutdowns. No testimony was presented that contradicted Dr. Sahu’s conclusion that the plant could not reliably or verifiably maintain emissions within the ex-

tremely narrow limits required by the permit. When asked how many of the 300 plus permit applications submitted this year were denied, Mr. Kessler responded, “None.”

The Air Quality Board now has 60 days to come to a decision about the air quality permit and the points raised by our appeal.

There has been extensive media coverage of the hearing from across the state, showing widespread interest in this fight. Coverage has been reported by news sources such as West Virginia Watch, Mountain State Spotlight, West Virginia Public Broadcasting and many more.

Thank you again for your support in this important fight for the future of the Highlands. This remains a lengthy and challenging legal process, and your support is essential. You can contribute to our legal fund here:

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



Capon Springs is in a fight no one saw coming

By C.A. Holmes, West Virginia Highlands Conservancy

Every two weeks I make a trip down the highway to get water from the local spring. A mundane task that keeps me from being solely reliant on my town’s water supply in Wardensville, where “boil water” notices are frequently dispatched to customers. Over the last few months, as I drive up the holler just a few miles out of town, I’ve noticed an increasing number of yard signs occupying more and more driveways and corners, all bearing the same word: “Swindled.”

Now this word might sound familiar to you from a recent issue of The Highlands Voice back in May 2025, when community resident Jacob Kirk wrote about the Capon Springs Resort and Farm announcing the leasing of the top of the ridge in Capon Springs to Competitive Power Ventures (CPV). The company plans to build up to 25 wind turbines, each 595 feet tall—40 feet taller than the Washington Monument. CPV is a subsidiary of energy conglomerate Global Infrastructure Partners, whose parent company is none other than BlackRock Investments. Yes, that BlackRock—the largest asset manager in the world. So what has this energy giant been up to since May? Plans and tactics never before seen in a small community in Hampshire County, West Virginia.

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Blasting, a ruptured coal seam, and no cleanup: One family's Corridor H aftermath

By Jordan Howes, West Virginia Highlands Conservancy

When Linda Durrett talks about the Barbour County farm her family has held since 1848, her voice carries generations of memories. The land once included several hundred acres, a large family house, stands of timber, a beaver pond, old gas wells, an abandoned coal mine, and a native cold-water trout stream. “My memories of the farm,” she said, “is that it was truly the most spectacular, happy place in my life, and it still is.” She and her brother recently inherited 65 acres. As it stands, much of it remains intact, but not all of it.

One branch of the native trout stream, the one closest to Corridor H, has run sulfur-yellow for decades, ever since blasting for the highway fractured an old underground coal seam on the property. What was once a thriving trout stream was suddenly choked with sulfur, sediment, and acidifying runoff. As Linda told it, “I remember going down and everything in that creek was just clouded over with yellow sulfur dust. Nothing was growing; nothing survived. Not on the banks and not in the creek. And I was told, don’t even walk in there... Don’t go near that.”



Painting of the Durrett family's property. (Photo by Linda Durrett)

The family had known Corridor H might one day run across their land. Linda recalled being “very, very young... first grade maybe,” when older generations first learned a highway could divide the farm. “My grandparents lived on the farm,” she said, “and I do remember everybody sitting around the big kitchen table and talking endlessly about how this was going to impact the farm... We don’t know. Nobody has really let us know, you know, when, how, what.”

As the years passed, new segments of the road were built in other counties. By the 1970s and again in the 1990s, the family saw more concrete plans, including early drafts that would have run directly along the native trout creek on the Durrett's property. Linda's father, a man who believed the land was sacred, reached out for help in defending the stream. He spoke with a Department of Natural Resources (DNR) staff member who was familiar with

trout habitats, and after long conversations and persistent advocacy, the proposed alignment of Corridor H was shifted to the north side of the property. “There were lots of nights,” Linda recalled, “where my dad stayed up all night talking to this gentleman.” Even with the shift, blasting for the route still shook the land. She recalled sitting at the kitchen table with her grandmother, feeling the farmhouse tremble. “Sometimes we’d wait until all the crews had left, and we’d go out and wander around the construction site,” Linda remembered.

Years later, it became clear that one of the old underground mine seams beneath the property had ruptured. The acid-bearing rock began draining into the creek, and the once-pristine waterway changed almost immediately.

After decades away, Linda retired in 2018 and moved back to Barbour County. Seeing the creek again, still yellow, still lifeless, was devastating. “I was very, very disturbed about how progress had killed this part of the land. It felt wounded to me and in trouble,” she said. Determined to understand the scope of the damage, she began contacting

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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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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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Blasting, a ruptured coal seam, and no cleanup: One family's Corridor H aftermath

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state agencies. Over six months, she made repeated calls before reaching someone at the Department of Environmental Protection's Office of Abandoned Mine Lands and Reclamation who agreed to speak with her about what might be done.

She eventually learned that the contamination was exactly what she suspected: a ruptured coal seam. "He said, 'Yes, that's a coal seam fracture. And yes, it's contaminated this creek.'" She also learned that because the blasting for Corridor H had caused the rupture, the state was responsible for addressing the damage. The remedy, however, came with a timeline that felt almost impossible. "He goes, it might be 20 years, it might be 50 years," Linda said. "But there is a process that they can do to clean this stream up." After that call, no one reached back out. "I've never heard another word," she said. Though there was a clear acknowledgement of the damage resulting from a tax assessment that eventually lowered to reflect the impact on the property, though no agency stepped in to address the contamination itself.

The long-term consequences are profound. "I was told that this coal seam, if it was not restored. It would leak for hundreds, maybe

thousands of years into the creek," she explained. The damage, in other words, is essentially permanent unless the state takes action. While the other branch of the stream, farther from the highway—still supports native trout, the affected branch remains compromised.

As Linda reflects on the past and considers what happened to her family's land, her perspective is not one of blanket opposition to development. She emphasized that she understands the need for modern infrastructure. "Progress is good," she said. "We have to have progress... Humans have always progressed. I don't want to live in a cave." But she believes the harm done to her stream illustrates the consequences of poor planning and the failure to follow through. "Everything has a price," she said. "Intelligent, sensible progress is what I think is important."

Her message for communities still facing new construction is simple and firmly rooted in her family's lived experience. "It's essential to have smart progress," she said. "It's critical to do the research, the homework, the studies, come up with the best plan... Hold people, their land, their property, this mother earth in high regard. Don't destroy — build."

For Linda Durrett, the damage to her family's trout stream remains an open wound. It is a reminder that once the land is altered, the effects can last for generations. And unless the state intervenes and assists in protecting natural areas such as this, the creek that shaped her childhood may continue running yellow long after the memories of how it once flowed have faded.

Capon Springs is in a fight no one saw coming

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This summer, CPV attempted a community information meeting at Capon Springs Resort and Farm, inviting residents to discuss the wind turbine proposal with CPV representatives. What happened instead was a group from the public firm Orion Strategies arrived in CPV polo shirts with prepared responses and easels. When a community member asked a question to the project manager about reclamation plans for the project area after the turbines reached the end of their lifespan and the lease had expired, Orion CEO Curtis Wilkerson stepped in, attempted to control the narrative, and rebuked the resident for asking the question. The meeting then descended into disarray, with no new information was provided nor any community concerns heeded.

Fast forward to November 2025 and to what the Swindled campaign hoped would be its best chance to stop turbines from towering over their community and altering their natural resources forever. The Hampshire County Planning Commission was scheduled to vote on amendments to the county's Subdivision and Land Development Ordinance (SALDO). The proposed amendments would place restrictions on wind energy that would make turbines ineligible for construction in Capon Springs. But on the evening of the meeting, no vote was held due to a procedural over-



sight in which the vote was inexplicably absent from the agenda. Later, Commission President John Hicks suggested halting the vote until the Commission had "heard from everyone." This happened to include CPV's attorney, Mark Sadd—listed by Best Lawyers In America lists as a "best lawyer" in eminent domain, condemnation law, and zoning and land use law. Mr. Sadd was one of two commenters opposing the amendments, and neither party was from Hampshire County.

After public comments concluded, the commissioners exited the public space for an executive session. Upon returning, Commission President Hicks proclaimed that the "legal review" of the amendments were "incomplete" and needed further review, but provided no timeline for said review. That's where the issue currently rests as we look toward 2026.

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Good news for Turtle Island's red-legged jewel

By Dr. Steven Krichbaum via Go North Alliance

The red-legged jewel is one of North America's most striking wildlife species: the Wood Turtle (*Glyptemys insculpta*). The WT occurs from southeastern Canada and northeastern states of the USA down into northern Virginia and West Virginia. The Turtle finds refuge on private lands as well as various public spaces, such as the northern portions of the George Washington and Monongahela National Forests in WV and VA. Adult Turtles reach shell lengths of around 8 inches and weights of 1 kilo. They are renowned for their intelligence and can live to be over 60 years old.

They are amphibious omnivores who use a variety of aquatic and terrestrial habitats. After the Box Turtles and Tortoises (Desert, Gopher, Texas), Wood Turtles are North America's most terrestrial turtle species. During the summer they disperse and are mostly terrestrial, living as do Box Turtles. In the spring and fall they stay closer to the streams and go back and forth between land and water. In winter they hibernate underwater in pools deep enough to not freeze entirely. Suitable Wood Turtle habitat is basically lower elevation forests with clear running low gradient waterways with rocky substrates. Studies clearly show that they may normally range up to 200-700 meters (660-2300 feet) from the water.

Because of the threats outlined below, the Wood Turtle ("WT") is considered to be in some sense 'impaired' in virtually every state in which it occurs. In fact, the Wood



Turtle is designated as a "Species of Greatest Conservation Need" (SGCN) in the State Wildlife Action Plans of all 17 states in which they occur, including WV and VA, and is already considered to be "endangered" by the International Union for Conservation of Nature.

The Wood Turtle is already absent from a significant part of its historic range. Only a restricted number of creeks and rivers in the Turtle's range retain clear water, safe nesting sites, deep pools for overwintering, and associated undisturbed upland zones. There is much evidence of population extirpations or declines and a general range contraction/curtailment, with perhaps most of the extant populations/colonies of Wood Turtles being already very small with low densities.

Unfortunately, for over a decade the US Fish and Wildlife Service (USFWS) has been sitting on a petition from the Center for Biological Diversity (CBD) advocating the Turtle's listing under the federal Endangered Species Act (ESA). The good news is that with a Jan. 15, 2025 DC Circuit Court ruling in response to 2020 litigation, the CBD secured deadlines for the USFWS

to finally decide whether the Wood Turtle and 75 other species warrant protection under the ESA.

The Wood Turtle, as do most turtle species, possesses life history traits that make populations especially vulnerable and sensitive to increased human-caused loss and mortality: slow growth, late maturity, long lives, low reproductive potential (small clutches), and high natural mortality of eggs and hatchlings (such as from predators like Raccoons). High adult survivorship and a great many reproduction events are generally necessary to maintain turtle population viability. Due to the demographic implications of these traits, turtle populations may not be able to sustain even modest additional adult take/mortality above natural attrition. With regard to population persistence, research shows that Wood Turtles may be the North American turtle species most sensitive to the loss of adults from a population. The implications of this relevant factor are striking. It means that if enough adults are not protected from takings, then populations inevitably collapse. Increases in risks associated with terrestrial movements in areas of overlap

with human activity, e.g. roads and traffic, are clearly at odds with the high adult survivorships required to maintain populations (Give Turtles a Brake).

As a habitually amphibious animal, the Turtle is vulnerable to the degradation and destruction of both terrestrial and aquatic ecosystems. Their populations are threatened by habitat loss/degradation/fragmentation, as well as by exploitation (poaching/collection for pets), various forms of pollution, climate change, emerging diseases, and direct mortality. Roads are part of the habitat destruction/degradation/fragmentation and direct mortality, as are logging, burning and drilling operations, agriculture, and commercial/agricultural/residential development. My research on VA/WV Wood Turtles showed they tended to avoid recently logged sites. Of course, aside from altering temperature and precipitation, climate change can alter the composition, structure, and functionality of the ecological communities in which the Turtle lives.

Timber cuts, roads, development, agriculture and other conversion of habitat result in the fabrication of ecological edges with a multitude of deleterious impacts to habitat quality/quantity. In many cases in the eastern USA, areas influenced by edge effects dominate the landscape. For species such as the Wood Turtle, this condition exacerbates exposure to depredation. Predation pressure having devastating impacts upon nesting success and

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So what, you might ask, does all of this have to do with my once in a fortnight chore to collect clean water up a holler a few miles away? Capon Springs, West Virginia, is so named for the historic spring that hundreds of Appalachians collect their water from—including me. The resort has now put in jeopardy the very spring that provides their namesake, all so their luxury resort and farm won't have to modify their business plan that has rendered itself unsustainable in the modern age. Their solution: offer up the top of their community's ridge to an energy company to use and abuse so they may greenwash a luxury resort, attract a new breed of guests, and cash large monthly checks from the largest asset manager in the world.

We all want a future where renewable energy is sustainable. But this is not the way to do it.

Good news for Turtle Island's red-legged jewel

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subsequent recruitment are reported throughout the Wood Turtle's range. In some places predation pressure may be the single most important factor affecting the sustainability of Wood Turtle populations. Due to direct human subsidy (e.g., garbage), habitat alteration such as increases in ecotonal edges and roads, and extermination of large predators (e.g., Cougar and Gray Wolf), populations of many meso-predators such as Raccoons have markedly increased in the East ("mesopredator release"). Even a small number of such creatures can have a devastating impact upon turtle populations. Predation pressure on nests and Turtles from booming medium-sized predatory mammal populations (such as Raccoons and Skunks) is especially raising havoc with Wood Turtle populations. Reported nest depredation is often high, e.g., 70-100% of nests in some places, and intact nests do not necessarily hatch out all the eggs. I have observed Raccoons waiting closeby for a Wood Turtle to finish laying her eggs so then they can be dug-up and eaten. Nest predation is likely amplified by the fact that many Wood Turtles nest alongside roads. Such nesting sites that appear physically good but actually result in nesting failure are a form of what is termed an "ecological trap."

And one must never forget that implementation of logging/ roading/ development projects does not just



The amphibious Wood Turtle, journeying across leaf litter.

alter habitats in harmful ways (such as reductions in abundance or diversity of vital ground floor cover and food resources), it also irreparably results in incomprehensible amounts of direct mortality of wildlife — squashing and burning turtles and toads and snakes and salamanders and nestlings and snails and slugs and other invertebrates, all those small and slow creatures who cannot run away or fly away from harm, including those who live in trees; all of whom are significant components of forests. Now more than ever we need to be on the side of life and be kind, instead of expanding the blood bath into roadless areas and other lands.

Poaching/collection ("overutilization") for commercial and recreational purposes are big threats. Wood Turtles fetch very high prices both domestically and overseas, which are huge incentives for illegal trade. The Wood Turtle featured prominently in high-profile busts of illegal wildlife sellers; for instance, a poacher was arrested in West Virginia with over 100 wild-caught Wood Turtles in his possession.

With pressures on the species mounting, sites on relatively unde-

veloped public lands grow increasingly crucial as refugia for the Turtle. Preserving Wood Turtle populations and habitat in our National Forests and other public lands appears critical for ensuring their long-term survival.

In addition to the physical on-the-ground threats are the underlying threats enacted by political and regulatory changes. Efforts are underway to alter the ESA by claiming that the destruction and degradation of habitat does not constitute "harm" to species. To those supporting this I ask — so if your home is burned to the ground or demolished with heavy equipment while you are not there, then you are not harmed, right? And the CEQ regulations implementing the National Environmental Policy Act (NEPA) on NFs have been shoved aside, thus preventing well-informed decision-making and meaningful public participation. And a proposal to rescind the Rule that protects roadless areas on NFs from logging and roading is underway. Plus, Trump has issued an Executive Order to massively increase logging on our National Forests.

Further, there is now a proposal to extend Corridor H through the GWNF in WV that is within the Wood Turtle's range. I have seen road killed Wood Turtles on small roads passing through the GW in WV and VA. Such a 4-6 lane highway as Corridor H is precisely what the Turtles don't need. It needs to be stopped.

Because of all the past and present threats/harms to their viability, the Wood Turtle should be listed under the ESA. Within the Turtle's range in the heavily populated NE

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On climate change and the arc of history

By John McFerrin, West Virginia Highlands Conservancy

Now that we have a new President (Trump, not Shoenfeld), it is a good time to look again at how the arc of history is bending on climate change. More precisely, it is a good time to look again at the analysis of a trend noted by the West Virginia Highlands Conservancy's former president, Hugh Rogers, in January 2008.

In his column, Hugh observed:

Whether or not the president changes his policies to accord with his words in the year he has left in office, the words themselves mark a consensus that makes action inevitable. On this issue, it would seem, we have reached the final stage in the process that the philosopher Arthur Schopenhauer defined: "All truth passes through three stages: First, it is ridiculed; Second, it is violently opposed; and Third, it is accepted as self-evident."

The president that Hugh was talking about was George W. Bush. The issue was global warming.

Hugh's observation came toward the end of a remarkable change. The idea that global temperatures were changing and that humans were contributing to the change went from being a relatively obscure theory that scientists talked about to a widely accepted idea, one that most people knew about and one that most people accepted as true.

The transformation is all the more remarkable given that much of it came during the administrations of two Bushes. Upton Sinclair observed, "It is difficult to get a man to



understand something, when his salary depends on his not understanding it." The Bushes were oil men. By the time they reached the White House, they were past the point where their salaries literally came from the oil business. At the same time, that is who they were. They were culturally, if not financially, predisposed to resist the idea that human activity—such as burning the product of the family business—could be harming the planet.

Their culture may have denied the idea of human influenced climate change, but they embraced the idea anyway. When he was first running for president, the senior Bush declared: "Those who think we are powerless to do anything about the greenhouse effect are forgetting about the White House effect. As president, I intend to do something about it." After he was president he said, "We all know that human activities are changing the atmosphere in unexpected and unprecedented ways." The junior Bush said of

global climate change "I take the issue seriously." As things turned out, Mr. Bush's actions did not exactly follow his words, but at least the words were still there.

Following George W. Bush, we had President Obama who did take the issue seriously, both in words and deeds. It appeared that Hugh had read the trend correctly. We had reached a "consensus that makes action inevitable."

Then we had an election. For four years we had a president who thought that climate change was a hoax. He took the hopeful arc of history and wrenched it into a giant horseshow. At least on the presidential level, he smacked us all the way back to the first stage of a truth's acceptance.

At the beginning of Donald Trump's first term, there was at least hope that he would pass through the other stages of acceptance. That never happened. He pulled the United States out of the Paris Accord on climate change. He spent his whole term distracted by other things and barely said anything about climate change. When he did address climate change, he did it by taking a step backward.

This does not mean that nothing happened in four years. States within the United States, other countries, and individuals continued to work to deal with this problem. They just continued to work without any encouragement or assistance from the president.

Then we got another new president, Joe Biden. He turned us around again, resuming the long march toward solving the problem that the trend Hugh saw would

have predicted. He supported getting our energy from clean, renewable sources such as solar and wind. He supported the manufacturing of clean energy equipment in the United States. Because we spent the last four years marching in place or marching backward, we will have to march faster now than we otherwise would have. While it is unfortunate that we had spent four years without any presidential leadership on this issue, we were at least back to bending the arc of history in the direction Hugh foresaw.

Then there was the 2024 election, or re-election, of Donald Trump. As soon as he got in the driver's seat, he slammed us in reverse. He eliminated support for renewable energy; he stopped wind farms that were nearly complete; he went all in on fossil fuels.

It is discouraging that we keep getting presidents (or presidents keep coming back) that insist on going backward on climate change. Just when we are making progress, we get a leader who opposes progress.

At the same time, we are not hopeless. At the annual Fall Review put on by the West Virginia Highlands Conservancy, key-note speaker Mary Anne Hitt said, "We are the architects of our future—not the fossil fuel industry... Momentum is on our side. Transformation that can avert the climate crisis is possible in the next decade. Let's go make it happen."

So, let's go. President or no president, it is time for us to keep bending the arc of history toward slowing and stopping climate change.

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part of the USA much of its natural habitat of clear-running streams and associated intact forest is undergoing/has undergone intense human population growth and development pressures. Throughout the Turtle’s range, entities such as the USFS, corporations, and individuals are implementing or proposing actions with the potential to harm Wood Turtles or their habitat directly, indirectly, and/or cumulatively.

Aside from the ecological/biological necessity of stopping the current ongoing harms/threats that result in habitat loss/degradation and direct killing or removal of Turtles

from wild populations, a clear reason listing is needed is the : “Inadequacy of existing regulatory mechanisms” (one of the formal criteria for ESA listing). The Turtles certainly are not always adequately considered (if at all) in conservation and development planning. Designations with little legal weight, such as “Species of Greatest Conservation Need”, do not stop people from poaching them nor stop harmful projects from being implemented. Wood Turtle population locations are not stringently protected from intensive logging, burning, road construction, or various motorized recreational activities. Past and current timber sales on top of Wood Turtle populations and habitat on the George Washington NF are a perfect example, such as the North Shenandoah Mountain logging/burning project in WV & VA.

In comments and formal Objec-

tions submitted to the Forest Service about projects on the GWNF I have asked repeatedly that they protect the Wood Turtle’s “core habitat” and not log, burn, and put roads in it. This, such as simply moving the cutting units, they have repeatedly refused to do. For Wood Turtles, the terrestrial zones that generally extend out to at least ca. 300 meters from both banks of waterways are their “core habitat” where conservation efforts for this species can and must be focused. The 300m metric is consistent with numerous Wood Turtle studies throughout locations in the species’ range. For example, in Maine, 95% of Turtle activity areas were within 304m of rivers and streams, while in VA/WV, 95% of Turtle points were within 295m. The 300m prescription should generally be considered a minimum as this zone may not include lengthy pre-nesting peregrinations by fe-

male Wood Turtles or connectivity to other populations. Improving or protecting the quality of other habitats outside of more strictly protected core areas can be crucial.

In short, we need to develop our understanding of the Turtles, not develop their habitat. Just as for multitudes of other species, for the Wood Turtle to have a good chance for a long-term future we must not only rigorously protect their core habitat, we must think BIG and think CONNECTED and protect some entire landscapes, especially on public lands. A multitude of other flora and fauna, including human communities, will benefit when we accord Wood Turtles enhanced on-the-ground protections.

The contact person for Wood Turtle listing at the USFWS is Julie Thompson-Slacum at the Chesapeake Bay Ecological Services Field Office in Maryland.

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Mail to West Virginia Highlands Conservancy, P.O. Box 306, Charleston, WV 25321

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

Thoughts from our President

The snow is falling and the temperatures are plummeting, so we can safely say winter has arrived in the Highlands. The ski slopes are opening: White Grass has welcomed its first visit from Jack Frost, and everyone is once again enjoying the quiet beauty of the mountains.

We want to thank all our supporters and members who have stood with us throughout our case against the West Virginia Department of Environmental Protection, and their permitting of Fundamental Data's Ridgeline Facility. We recently completed a two-day hearing before the Air Quality Board, where we presented both standing witnesses and an expert in air emissions. He testified clearly that the emissions calculations in Fundamental Data's air quality permit were only estimates and failed to account for real-world fluctuations. Our attorney did a remarkable job, and we are hopeful for a positive outcome. The board now has 60 days to issue its decision.

In the meantime, we will continue pushing for greater public



A snow-covered Monongahela National Forest. (Photo by Olivia Miller)

awareness of this project and advancing our fundraising efforts to prepare for any necessary future appeals. Our other work continues as well, and your participation remains essential. In this issue of The Highlands Voice, you will meet our new board members. Please feel free to reach out to them—or to me—if you have questions, comments, or simply wish to talk about the issues we are facing.

This is also the time for our end-of-year appeal. We are mailing

letters to all of our supporters, and we hope you will give generously to sustain our efforts. We are currently preparing comments opposing the newly proposed siting rules for microgrids and data centers. We are also supporting our friends in Mingo County, who have filed a lawsuit challenging a proposed data center and microgrid developments in their community. Our work continues with our partners and allies, and we hope all of you will stay engaged as we strive to preserve and protect our

environment.

Our staff and board members are also continuing our dialogue on Corridor H and many other ongoing projects. The Dolly Sods Wilderness Stewards will continue to meet through the winter to set goals for the coming year. Anyone interested in joining this important work is encouraged to contact us.

We are also developing a strategic plan that will guide the Highlands Conservancy through the next several years. While we cannot know what new challenges may arise, we are committed to being prepared—and to hearing from you as we chart this course.

Have a wonderful holiday season and best wishes from the Board of Directors and the staff of the West Virginia Highlands Conservancy. Thank you again for your support.

For our Highlands,

Marilyn Shoenfeld
President
West Virginia Highlands
Conservancy

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**

Get to know Scott Durham, Cameron Layne, and Jocelyn Phares, the Conservancy's newest board members

By Jordan Howes, West Virginia Highlands Conservancy

Please provide a little background about yourself. Where are you from? How did you end up in WV?

Scott Durham: I was born in Parkersburg but have lived around the state except for ages eight to 14 when I lived in my mom and dad's hometown in Eastern Kentucky, which is a lot like Southern West Virginia. After that we moved back to West Virginia. I live in Beckley now.

Cameron Layne: I'm originally from Burton, Ohio, and I currently reside in Morgantown, West Virginia. The pursuit of my career as a fisheries biologist brought me to West Virginia initially and has kept me in the state's embrace since 2020. I found my way to West Virginia through college, as I pursued an Associate of Science degree from Hocking College in fish management and aquaculture. Through a partnership program with Hocking College, I quickly followed my academic pursuits by obtaining my B.S. and, recently, my M.S. in Wildlife and Fisheries Management from West Virginia University.

Jocelyn Phares: I am a West Virginian by birth, I am from Elkins, West Virginia and currently live there.

I began my career as a policy



Pictured: Scott Durham, Cameron Layne and Jocelyn Phares

analyst for Friends of Blackwater, a local non-profit in Tucker County, before accepting a position with the West Virginia Division of Natural Resources (WVDNR). I am currently an institutional research analyst at Davis & Elkins College, and an adjunct professor of environmental law and policy at West Virginia Wesleyan College.

How did you get involved in environmental advocacy and conservation? Was there a turning point in your life where you knew you wanted to pursue this?

Scott Durham: The starting point was to be in a very outdoor oriented Boy Scout Troop. My father took me to both Canaan Valley and Dolly Sods while I was a youngster in the early 1960's. Later I was in the Navy after flunking out of Fairmont State in 1967, and while in the Navy I spent a lot of time trying to figure out the rest of my life.

Every time I was on leave I tried to visit, camp, and hike in Dolly Sods. One time, while on leave, I visited a friend who worked at Audra State Park. I went back to the Navy with a plan to be a park ranger. To be more succinct, it was the Boy Scouts and Dolly Sods. Since I had family in Kentucky and West Virginia, I knew I could live in either place, but I was drawn to the more wild and rugged quality of West Virginia.

Cameron Layne: From a young age, I knew that I wanted to become a steward of our natural resources. I sought to practice this as early as I could through volunteering with local parks, interning, and finding employment with natural resource organizations. Yet, it was my employment with the West Virginia Division of Natural Resources that spurred my passion for environmental advocacy and conservation. I worked as a fisheries technician and

an assistant non-game fish biologist, where I practiced endangered species conservation, aquatic habitat evaluations, and data collection.

Jocelyn Phares: I chose to pursue environmental advocacy in my career and side interests, because I could never see myself doing something I did not care deeply about, and I care deeply about this place.

What is the best advice you could give to someone who is looking to get involved in environmental advocacy?

Scott Durham: Have a vision and then make decisions that fit the vision. Finally, be patient but don't give up. After the years pass you will be surprised by the impact you have had.

Cameron Layne: The best advice I can give to someone looking to get involved in environmental advocacy is to expand your repertoire, never lose sight of your passion, and make new friends in the field. Certifications, background experience, and your network all matter greatly in not only the pursuit of a career in such a field, but also in becoming an advocate in general.

Jocelyn Phares: Volunteer, show up, and network! The community is small and very welcoming. It can be competitive career wise, but the best way to get your foot in the door is to show you care!

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.



These mountains bring us together.
Let's keep the Highlands wild. *Be part of the legacy.*

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