Volume 40, Number 4 westvirginia.sierraclub.org July/August 2014

## Know your rights when surveyors come knocking

Beth Little

According to various news sources, Dominion Resources Inc. is considering building an approximately 450-mile-long natural gas transmission pipeline from West Virginia through Virginia to southern North Carolina that would go into service by the end of 2018. The company is known locally as Dominion Virginia Power and the owner/operator of the Bath County (Va.) Pumped Storage Station.

The new pipeline, called the Dominion Southeast Reliability Project, would extend from the natural-gas rich Marcellus and Utica shale production regions in the Appalachians to markets in Virginia and North Carolina, according to a statement from Thomas Farrell, Dominion Resources' chairman, president and CEO.

As envisaged, the pipeline would run along a corridor from an interconnection with a Dominion Transmission pipeline in Harrison County, W.Va., through Virginia to Greensville County and on to Lumberton, N.C. (see project map). It would cross both the Monongahela National Forest

The project is in the "extremely preliminary" stage, company spokesman Jim Norvelle said. "We have not decided to do this. ... The decision is dependent on many variables, including interest in the non-binding open season. If Dominion decides to proceed, we will submit a pre-file application Federal with the Eneray Regulatory Commission. ... The open season process began on the project April 16 and closed May 9 ... We have not submitted the FERC pre-filing request yet."

While the company has not identified a specific route for the proposed line, "we have begun notifying landowners we'll be on their property as early as this

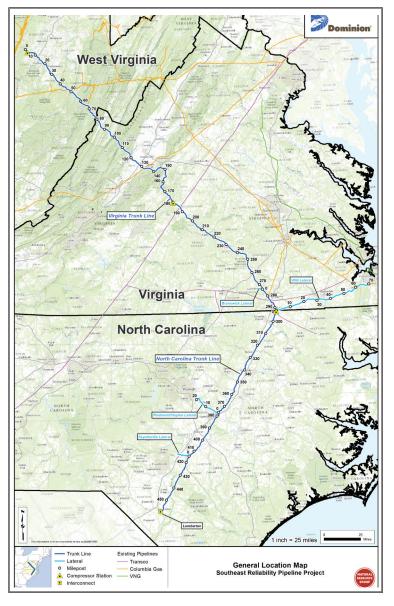
summer to begin surveying for the best possible route," Norvelle said. "Just because we're surveying doesn't mean your property has been selected for the route."

Letters have been received by some property owners in West Virginia and Virginia that say Dominion plans to begin the surveys and studies on or about July 1, 2014. The letters also say, "We will appreciate your signing and returning the enclosed copy of this letter indicating your permission to conduct the necessary project surveys on your property."

One of the rights that landowners have is to exclude from their property people they don't want on the land. Unless there has been some transfer of a right of way, etc., landowners should assume they have the right to exclude people, including surveyors. West Virginia law has the wrinkle that the right to exclude other people cannot be exercised unless the other people know they are not welcome. Many people do this by fences, no trespassing signs, etc. The result of this is that intruders may wander onto unfenced, unposted land but must leave if asked to.

This sounds simple: if surveyors are not welcome, ask them to leave and that is that. The complicating factor is the possibility that there is some document somewhere that gives the surveyor the right to be there. Land is sold all the time with the seller retaining the minerals, a right of way, or some other interest that would include the right to conduct surveys.

If a landowner receives a letter asking for permission to come onto the land and survey, a sensible approach a landowner might choose is to request the document the company thinks gives it the right to come on the



land to survey. Rights to enter land are not oral. They are contained in deeds, leases, rights of way, etc. If there is no document, a landowner should be able to safely assume that the right to come onto the land does not exist.

The company may produce a deed, lease, right of way, or other document. If it does, most landowners will be in over their heads and should consult a lawyer. The West Virginia Surface Owners Rights Organization has some information on its website that might prove helpful: <a href="https://www.wvsoro.org.">wvsoro.org.</a>

The pipeline will be a trunk line

42 inches in diameter. Robert Hart, a petroleum engineer and practicing oil and gas consultant, offered some information about likely activities that will take place in acquiring rights of way and constructing the pipeline. The pipeline would probably be required to be buried 36 inches, and possibly 48 inches, below the surface. Compressor stations would also be needed to boost the pressure so the gas will flow. Because it will likely qualify as a public need, it will likely also carry eminent domain property usage, meaning that the company can take the rights of way after paying "just compensation."

Right-of-way width may be as much as 100 feet, which the company will clear for construction and then mow and/or spray with weed killers using helicopters. Construction will require clearing timber and brush, then trenching, then actually installing the pipe, and finally, covering it all up and seeding it.

There is environmental concern about the proposal's impacts. "This cannot happen without long-term damage to the ecologic and hydrologic integrity of the Allegheny Highlands, among the best and least-altered natural landscapes in the Eastern U.S.," said Rick Webb, a senior scientist with the University of Virginia's Department of Environmental Science, "and it will add to the factors that are driving environmentally irresponsible gas-drilling practices."

There appears to be another company with another possible pipeline with the idea of transporting West Virginia and nearby gas to North Carolina. It is called Spectra. Spectra and Dominion may be in a competition to develop a proposal to suit the needs of the Duke Energy plant, which is switching from coal to gas (or contemplating such a switch). That might mean there could be yet another, or more than one, proposal come out of the woodwork.



### Clean Water, Energy Heroes and Zeroes

Sierra Club Scorecard identifies "Clean 19" and "Dirty 34"

Jim Kotcon

The Freedom Industries spill and the Elk River water crisis in January raised awareness among 300,000 West Virginians in an immediate and personal way. It also left West Virginia's political leaders scrambling to understand how this happened and what to do about it.

"The spill was not some unexpected accident," Jody Mohr, of the West Virginia Sierra Club, said. "It was the inevitable result of an anti-environmental, anti-regulatory atmosphere that has dominated West Virginia politics for several years."

"We need to look at the voting records of our political leaders, not just since the spill but in the years before the spill, to identify who actually stood up for clean water versus those who have been working to weaken water standards and hamstring enforcement efforts. Unfortunately, legislators are good at hiding their real attitudes by keeping contentious votes out of the record. So we also looked at the legislation sponsored by legislators, as an indication of their real position on protecting water and promoting clean energy."

For example, almost every state legislator voted for the Water Resources Protection Act. However, the Scorecard focused on votes on key amendments to help identify which legislators advocated for strong protections and which legislators voted for loopholes and weakening amendments.

Votes included on the Scorecard were selected based on their emphasis on clean energy or clean water issues, and usually had at least a 5-percent division of the respective Chamber. (Votes of 99-to-1 do not help separate pro- versus anti-environment legislators.) Bill sponsorship in 2013 was included to give a better indication of the legislator's true sentiments on the environment.

The WV Scorecard, with a complete listing for all WV legislators, is on the Chapter web page at <a href="westvirginia2.sierraclub.org/content/announcements">westvirginia2.sierraclub.org/content/announcements</a>. Records for federal legislators are at <a href="scorecard.lcv.org">scorecard.lcv.org</a>.

## Clean 19 — Heroes who protect our environment

U.S. Senator Jay Rockefeller: League of Conservation Voters (LCV) score for 2013 was 85 percent. Senator Rockefeller has long been a champion for clean air and water, and a sensible voice for responsible energy development while protecting public health.

#### **WV** Legislature

Pro-environment voting records of

67 percent or higher in the Senate or above 80 percent in the House. Legislators who sponsored anti-environment legislation are not included.

State Senators John Unger, Donald Cookman and Rocky Fitsimmons

Delegates Anthony Barill, Jason Barrett, Barbara Fleischauer, Ron Fragale, Nancy Guthrie, Mark Hunt, Tiffany Lawrence, Mike Manypenny, Cliff Moore, Don Perdue, Daniel Poling, Mary Poling, Meshea Poore, Stephen Skinner and Danny Wells.

# Dirty 34 — Zeroes with persistent anti-environmental records

No. 1 Republican, U.S. Rep. Shelly Moore Capito: LCV score for 2013 was 4 percent. Capito voted against the environment on 27 of 28 recorded votes, worst record of the WV Delegation. Capito voted in the House of Representatives for the ReDO Act to weaken regulation of hazardous materials, on Jan. 9, the same day that the Freedom Industries spill was reported.

No. 1 Democrat, WV Gov. Earl Ray Tomblin: Responsible for overall lax enforcement attitude at WV-DEP and persistent attacks on US-EPA's Clean Water enforcement.

#### More Bad Actors

**U.S. Rep. David McKinley**: LCV score for 2013 was 7 percent.

Attorney General Patrick Morrisey: For cynical "enforcement" of price gouging during the Freedom Industries spill, while blasting EPA for "over-reach."

#### **WV Legislators**

2013-'14 Pro-environment voting record = 0:

State Senators Craig Blair and Mitch Carmichael

2013-'14 Pro-environment Voting record less than 37 percent:

Delegates Troy Andes, Karen Arvon, Jim Butler, Joe Ellington, Michael Folk, Marty Gearhart, Eric Householder, Gary Howell, Larry Kump, Patrick Lane, Randy Smith and Ron Walters

Sponsors of at least two Anti-environmental bills in 2013:

State Senators Bill Cole, Dave Sypolt and Doug Facemire

Delegates Brent Boggs, Kevin Craig, Ryan Ferns, Michael Ferro, Dana Lynch, Justin Marcum, Eric Nelson, Joshua Nelson, David Perry, Linda Phillips, Randy Phillips, Suzette Raines, Doug Skaff, Erikka Storch, Josh Stowers, Randy Swartzmiller, Linda Sumner, Ted Tomblin and Harry Keith White



Cathy Reed (left), Laura Yokochi and Rory McIlmoil met with HREA in June.

# **Energy Efficiency Efforts and the Harrison Rural Electrification Assoc.**

Laura Yokochi

Most West Virginians are customers of large electric utilities such as First Energy and its subsidiaries, but approximately 5,500 residents of Harrison, Doddridge, Lewis, Marion, Barbour, Taylor and Upshur counties are served by the Harrison Rural Electrification Association (HREA), a non-profit cooperative.

The Co-op serves primarily rural areas of Harrison County and was originally begun by farmers who were not being served by the for-profit utilities, which preferred more densely populated areas. On June 3, three volunteers from our Energy Efficiency Campaign (Rory McIlmoil, Cathy Reed and Laura Yokochi) met with the general manager of the HREA, Terry Stout, to discuss the possibility of energy efficiency loan programs for members.

Although the HREA does not currently offer these programs, many electric coops in the Southeast, including those in Kentucky, South Carolina, Georgia and Tennessee, offer "on-bill financing" for efficiency improvements in the home. Customers can repay these low-interest loans on their monthly bills, which will already be lower because of the improvements. Loans can be funded by the USDA Rural Utilities Service. Since the average poverty rate in the HREA area is greater than 25 percent, members

who would not otherwise be able to afford energy efficiency upgrades to their homes could benefit from a similar program.

Rory McIlmoil, of Appalachian Voices, has experience working with the co-ops in other states to implement these programs. He shared his experience and provided a detailed handout about the successful "Help My House Loan Pilot Program" begun in South Carolina. Danny Chiotos, our Chapter Energy Efficiency Organizer, had also worked with Rory to prepare an information sheet explaining the program to the administration and members of the HREA as well as to our local volunteers.

The general manager of the HREA expressed an interest in these programs and was very supportive of energy efficiency. However, he feels that the HREA will not be in a financial situation to begin until after June 2015. By this time they will have paid off some long-term debt and could hire more administrative help to implement the program. The hour-and-a-half meeting was very educational for all of us, and we look forward to working with the HREA in the future.

If you are an HREA member and would like to see your electric co-operative start to offer programs that can cut your electric bills, create jobs and reduce pollution, please contact me, Laura Yokochi, at <a href="mailto:lyokochi@aol.com">lyokochi@aol.com</a>.



Help your Chapter stay strong for the hard work we do to keep West Virginia wild and wonderful.

Make a quick and easy donation from the Chapter's home page:

westvirginia.sierraclub.org

## Why is carbon dioxide so important to Climate Change?

#### Part 2 in a series on Climate

by John Bird, johnbird@frontier.com

In the last issue of the *Mountain State Sierran*, I explained how increasing carbon dioxide (CO<sub>2</sub>) must raise earth's temperature. Some climate change deniers question the paramount role of CO<sub>2</sub>. Nitrogen, oxygen and argon make up more than 99.9 percent of the atmosphere. Why then is the relatively small percentage of CO<sub>2</sub> so important?

Recapping the main point of the May-June article: To keep from heating up, the earth must radiate into outer space the heat it gets from the sun. A greenhouse gas "traps" some of the heat earth tries to shed and returns it to earth. When greenhouse gases in the atmosphere increase, they "trap" more heat, making the earth hotter.

Nitrogen, oxygen and argo

constituting most of our atmosphere, are NOT greenhouse gases. The important greenhouse gases are carbon dioxide, water vapor and methane (natural gas). It is greenhouse gases that "trap" heat and return it to earth, preventing that bit of heat from escaping to outer space.

Let's call heat radiated by earth into space "heat rays." When a heat ray hits a greenhouse gas molecule (the smallest unit of gas), it becomes "trapped" and causes the greenhouse gas molecule to vibrate. That molecule stops vibrating immediately by emitting the heat ray. Some emitted heat rays return to earth and some continue to outer space. Nitrogen, oxygen and argon do not "trap" heat rays.

In the early 1800s, CO<sub>2</sub> formed about 0.0280 percent (280 parts per million) of the atmosphere. That tiny amount of greenhouse gas trapped enough heat to

raise the average temperature of the earth from 0 degrees Fahrenheit (F) to about 57 F (see snowballearth.org). Today, after humans have burned fossil fuels heavily for 200 years,  $CO_2$  is 0.0400 percent (400 ppm) of the atmospher. This 42-percent increase traps more heat, causing a temperature increase.

Scientists believe the average temperature has already increased by 1 or 2 degrees F. Hundreds of millions of temperature measurements of the atmosphere and of oceans show an average temperature increase. The heating is not uniform. The poles are heating much faster than the equator.

Last year, we put about 30 billion tons of  ${\rm CO_2}$  into the air. If we continue to emit the same amount yearly, in several decades the  ${\rm CO_2}$  will have have doubled from 280 ppm to about 560 ppm. Scientists are

not yet sure what the resulting average temperature increase will be, but estimate it in the range of 3-8 F. Remember, this is the average increase. The Arctic and Antarctic will heat up more, and melting ice will raise sea levels and flood coasts. Resulting changes in earth's weather patterns will cause flooding or drought, stronger storms, etc.

The oceans absorb increased CO<sub>2</sub> from the air, resulting in an increasingly acidic ocean, making it harder for shellfish to grow shells and affecting ocean food chains. High ocean acidity killed ten million scallops in an ocean farm near Vancouver, Canada. We are changing the climate without knowing the consequences. Not smart!

The solution is to decrease  $\text{CO}_2$  emissions. The EPA has just proposed rules to slow  $\text{CO}_2$  emissions. Smart!

View from the Chair

— Jim Sconyers, Chaptert Chair

## Addressing Climate Change — Finally!

#### The World As We Know It

Think of the air around us as if it were a river or lake. We learned long ago that it is not a good idea to let folks dump any and all trash and filth into our rivers and lakes, and we took action to stop that. Although far from perfect, those waters have become vastly cleaner and safer as a result. A classic example: the Cuyahoga River no longer catches fire because of the industrial pollution that has been curbed.

Now think about the air. For centuries we treated it, too, as an open sewer, with anybody and everybody free to pour any kind of trash and filth there. Again, we slowly learned that this is not such a great idea. Our fouled air makes people sick and dead. So we took halting steps to remedy this, and our air has become cleaner.

Problems recognized, solutions proposed, political will mustered, solutions enacted.

But we missed the grandaddy of them all, largely because we didn't have the science needed to recognize it. That grandaddy is the greenhouse gases that we began pouring into our air once the famous Industrial Revolution got cranking. Ever since, we have fueled industry and our own voracious energy appetite by burning fossil fuels — those are the ones that pour millions of tons of greenhouse gases into our air with a free hand, just as if we were dumping trash and filth into a river. And there are no limits whatever on the amount anyone can put up there.

Now science has caught up with this and calmly

informed us. Those greenhouse gases — primarily carbon dioxide,  $CO_2$  — cause our sweet little planet to get hotter, just like it was in a giant greenhouse.

#### The End of the World As We Know It

Waves lap just this high, rivers run just this deep, rain falls here in season, this plant grows here, another grows there, the poles are buried in ice — the world as we know it.

We now know, thanks to overwhelming evidence, that this is all about to change ... unless. And change for the much worse. Good-bye Miami and Manhattan (seas will rise). Tough luck raging flood victims (rivers will flood). Sorry you can't feed yourself (epochal drought will bake farm fields). Welcome to the coming climate apocalypse ... unless.

And there it is — the great unless.

## The End of the World As We Know It? Thank goodness!

Why Thank Goodness?

Remember that little equation above?

Problem recognized, solutions proposed, political will mustered, solutions enacted.

We've been mired at step 2 for decades.

• The problem is well known — too many greenhouse gases, too much planet heating.

• The solutions, too, are well known and widely recognized. In starkly simple terms, we must reduce the amount of greenhouse gases we allow to be poured into our air.

Now comes the "Thank Goodness."

- $\bullet$  Our President has moved to step 3. He has boldly announced a plan to do exactly what is needed begin reducing the amount of CO<sub>2</sub> being dumped into the air. And the plan starts with the most egregious source of that CO<sub>2</sub>: our coal-fired electric power plants.
- Finally finally the U.S. Environmental Protection Agency has taken step 3.5. EPA has developed a rule that would make a very serious beginning to solve the problem. Now the rule has to be finalized and implemented. And we can see the day coming when we reach step 4 solution enacted.

We will still see some of the effects of climate disruption. In fact, we already have. But with the necessary will mustered, and the solution enacted, we can — we must — escape the most horrendous effects otherwise inevitable for our planet. I'm selfish. I don't want my son to have to live in that hellish world.

The president and the EPA can't make this happen without us. Note that you are part of us! You will be learning about opportunities to support this new rule. I hope you will be able to participate. I love this planet, and I know you do too.

## **Book Review:** A Sand County Almanac, by Aldo Leopold

Review by Richard Mier, Martinsburg

We're going to put catastrophes aside for the time being, if you don't mind. After facing zoonoses last time ("Spillover" by David Quammen), and before confronting wholesale loss of species ("The Sixth Extinction" by Elizabeth Kolbert) next time, this time we are exploring a gentler take on things, returning to an important part of the high canon of nature writing. Aldo Leopold's "A Sand County Almanac" was published for the first time more than 60 years ago. This was before environmentalism was environmentalism. Leopold was a conservationist, really a forester (educated at Yale), a scientist, academic, writer and ecological philosopher.

"A Sand County Almanac," published a year after his death in 1949, is a classic because it melds Leopold's intellectually deep understanding with a poetic appreciation of nature, in a way which is unique. He acquaints us early on with his Golden Rule of Ecology: "A thing is right when it tends to preserve the integrity, stability and beauty of

the biotic community. It is wrong when it tends otherwise." Though his prose is gentle and self-effacing, he can be flinty when describing what Homo sapiens has done to the earth. Edward Abbey's narrative "Desert Solitaire" kept coming to mind as a comparison: different styles, but both writers equally rapturous, knowledgeable and indignant.

Part I is the almanac itself, monthly chapters describing his home in Wisconsin through the year. He's at his best here, clearly at one with the land, intuitive and interesting. In Part II: Sketches Here and There, the sense of wonder is partially replaced by uncertainty and concern about the future as he narrates visits to places important in his life: Wisconsin, Illinois and Indiana, Arizona, Oregon, Utah, Manitoba. He sounds a bit like Abbey when writing about the Sonoran Desert: "Man always kills the thing he loves, and so we, the pioneers have killed our wilderness."

Part III: The Upshot is an attempt to integrate the love he feels for all natural places with his dismay at their slipping away: a philosophical system and a plan for the future. In The Land Ethic, my favorite of the four essays in Part III, he outlines his notion of an ecological conscience and asks, "Can the land adjust itself to the new order? Can the desired alterations be accomplished with less violence?" Are we, and these are his words, "conquerors or biotic citizens?" They are, sadly enough, questions which remain unanswered 65 years after he first asked them.

Robert Finch writes in the Introduction, "In rendering for us the intellectual drama of a man becoming whole through his understanding of, and relationship with, his natural surroundings, Aldo Leopold succeeded in creating a remarkably whole book, a rich and enduring work of literature." Well said, and well worth your read. Put catastrophism in the drawer until next time and go back to the future with this little book. In "A Sand County Almanac" Leopold provides a shelf for all the books on the environment, on nature, which have been written since.

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## Update on the Birthplace of Rivers National Monument Campaign

Karen Yarnell

WV Sierra Club, a member of the WV Wilderness Coalition, is working to protect the unique 72,000 acres surrounding the Cranberry Wilderness in the southern Monongahela National Forest. We call this the Birthplace of Rivers.

The Birthplace of Rivers National Monument will include the headwaters or tributaries of the Cranberry, Cherry, Gauley, Williams, Flk and Greenbrier Rivers, along with the largest federally designated wilderness area in the east. The Birthplace of Rivers National Monument campaign is a true collaborative effort by many state and national partners. The accompanying map shows the proposed area under consideration.

After the water crisis in the Kanawha Valley, the Birthplace of Rivers National Monument initiative has generated a significant amount of statewide support. Although national monument designation for the Monongahela National Forest does not directly impact the areas affected by the chemical spill, the entire state suffers from the perception that water everywhere is bad and West Virginia is no longer a place worth visiting, living in or working in. Support has been growing from business owners and economic development organizations. More than 100 small businesses from across West Virginia have now shown their support for the Birthplace of Rivers National

As a statewide campaign, strong support is emerging in many places. For instance, the Fayette County Commission, West Virginia Food and Farm Coalition, Fayette County Chamber of Commerce and dozens of businesses recently approved letters of support for the Birthplace of Rivers National Monument designation. Recent interest in Birthplace of Rivers has been a result of increased awareness of water quality, as well as the business community stepping up to lend vocal support after our state's image was severely tarnished. Business owners, elected officials and economic development organizations continue to designate Birthplace of Rivers as one of many possible steps West Virginia's leaders can take to send a more positive message about the Mountain State, showing pride in our lands and care for our waters

Business owners and elected officials have been incredible spokespeople for protection of the Monongahela's wild places, but individual citizens can still be effective in generating grassroots feedback to the congressional delegation. Letters, calls and emails, especially to Senators Manchin and Rockefeller, are incredibly important. See their contact information

National Monument designation would preserve the landscape of the Birthplace of Rivers area for the enjoyment of future generations. Access to the traditional activities of hunting, fishing, trapping and gathering of wild edible plants would not change. Fish and wildlife management would remain under the jurisdiction of the WV Division of Natural Resources. All currently permitted forms of recreation would be unaffected by Birthplace of Rivers monument designation. The Monument would be managed by the U.S. Forest Service, and no private land would be affected by the monument's designation.

Yet, the monument has organized opposition. It is vitally important that your senators hear that you support the monument designation.

This is a call for Sierra Club members to become active in the Birthplace of Rivers National Monument campaign. National Monuments may be designated by an Act of Congress or by a proclamation of the President. President Obama established his 11th National Monument, the Organ Mountains — Desert Peaks National Monument, at the end of May, in New Mexico. If the president is to repeat this designation in West Virginia, we need to build public support.



One way to get involved is to hold house parties, where supporters can watch a DVD of the PBS show "This American Land," featuring Birthplace of Rivers, and write letters. There will be many opportunities for tabling at a number of fairs, festivals and community events. Tabling can be a great opportunity to get volunteers more engaged in the campaign, and we can provide resource packets for events with print materials, photos, maps, signup sheets, etc.

The WV Sierra Club provides funding to the WV Wilderness Coalition each year, in addition to appointing two members to represent WV Sierra Club on the Coalition board. Karen Yarnell and Paul Wilson are the current WV Sierra Club representatives to the board of the WV Wilderness Coalition.

#### **Contact Info:**

You may contact me at karen.yarnell@ fairmontstate.edu if you wish to learn more about the Birthplace of Rivers or want to become involved in the campaign.

And please, contact your senators and ask them to support the monument!

Senator Jay Rockefeller West Virginia: (304) 347-5372 Washington, DC: (202) 224-6472 www.rockefeller.senate.gov/public/ index.cfm/email-jay

Senator Joe Manchin West Virginia: (304) 342-5855 Washington, DC: (202) 224-3954 www.manchin.senate.gov/public/index. cfm/contact-form



#### With your help we can clean up our water

Sierra Club Water Sentinels are the first line of defense of America's waters. We live on the water planet. However, water is a finite resource with only about 1 % of the world's water actually being available for human consumption. Water pollution & over-use are threatening both the quality & quantity of our water resources at an alarming rate.

Keep our water safe. Join Sierra Club.



SIERRA

## **Auction Items Still Needed**

We are still looking for "a Few Good Items" for the SierraFest Silent Auction fundraiser, Sept. 19-21. Popular items that have done well in the past include nonperishable food, sporting goods, nature photography, books, wine, pottery, gift baskets or gift cards from local restaurants or merchants.

If you have items to donate, please contact Regina Hendrix, 304-725-0223 (home), 304-590-4943 (cell), or regina.hendrix@ comcast.net

### SierraFest 2014

#### Blackwater Falls State Park

#### Friday, Sept.19, ~ 5 pm

Establish base cabin for "Welcome" and "Silent Auction" items.

Pizza and soft drinks provided. People can bring own drinks and snacks.

Movies: Gasland Part 2 and Bidder 70 (If too many people for cabin, may move to music room at the lodge.)

#### Saturday, Sept.20

**7-8:45 am** — Breakfast at the base cabin for socializing and silent auction exposure

Move to Music Room at the Lodge

- 9-9:10 am Welcome and overview of weekend plans, Jim Sconyers
- **9:10-9:30 am** Ice breaker activity, with Gwen Jones
- **TBA** Outings LeaderTraining 101, in Davis Room at Lodge

50th Anniversary of the Wilderness Act

- **9:30-10 am** Ed Zahniser, History of the Wilderness Act
- 10-10:40 am Mary Wimmer and Beth Little, work of the WV Wilderness Coalition on the WV Wilderness Act

#### Break

- **10:50-11:20 am** US Forest Service on Wilderness50
- **11:20 am-12 pm** Birthplace of Rivers National Monument, Mike Costello
- 12-1pm Lunch at base cabin, grilled hamburgers, vegetarian options and side dishes provided
- **1-2:45 pm** Joys of Marcellus, Bill Hughes, Diane Pitcock, Jody Mohr, in Music Room at Lodge

#### **Break**

- 3-4 pm WV's failure to protect public health from industrial pollution, Dr. Ben Stout, Maya Nye (People Concerned About Chemical Safety)
- **4-5 pm** Do the Math on Climate Change, Jim Kotcon
- **5-7 pm** Supper break, restaurant at lodge, or travel to Davis or Thomas
- **7 pm** 30th Anniversary celebration, with powerpoint from Kathy Gregg, cake in base cabin
- **Reunion** with the three founders of the Chapter Chris DeChristopher, Kathy Gregg, Mary Wimmer

Awards ceremony

Silent Auction wrap-up

9-10:30 pm — music by singer-songwriter Stevie Lewis

#### Sunday, Sept. 21

- **7-8:45 am** Breakfast at base cabin, make your own bag lunch for field trips **Concurrent Sessions**
- 9-10 am Danny Chiotos and activists on Energy Efficiency Campaign, in Music Room at the Lodge
- 9-10 am Dianne Bady, of the Ohio Valley Environmental Coalition, on MTR litigation that Sierra Club, OVEC and WV Highlands Conservancy work on together, in Davis Room at the Lodge

Pack up and Leave for Outings

## You are Invited to SierraFest 2014, Sept. 19-21

The WV Chapter of Sierra Club invites you to join with old friends and new at Blackwater Falls State Park to share our 30th anniversary with the founders of our Chapter and celebrate the 50th anniversary of the Wilderness Act. We'll tell you about our conservation campaigns, too.

A complete schedule of activities is at left on this page.

#### Registration fee

To help cover the costs for the conference, we are charging a \$25 registration fee to all attendees.

#### Lodging

We've reserved four 8-person deluxe cabins, which include Wi-Fi and full kitchens, on the north side of the river. Go to <u>blackwaterfalls.com</u> for virtual tours, a photo gallery, maps and directions.

There are two bedrooms with twin beds and two with queen beds in each cottage. If you share a room, the cost will be \$37 per bed per night. If you want a room to yourself, the cost is \$74 per night. A roll-away cot is available for \$10 per night and would fit in the rooms with queen beds. Note that registration for these cabins will be handled by WV Sierra Club, rather than through the Park office. Early registration is urged, as these rooms are subject to availability.

Other choices, on your own, could include staying at the BFSP Lodge, campgrounds or other cabins. Lodging is available in Thomas, Davis and nearby Canaan Valley. There are free primitive campsites along Camp 70 Road, in Davis, or along the Canaan Loop Road.

#### Meals

To encourage socializing, and for exposure to the Silent Auction items, we will

designated one of the cabins as our base cabin. We'll serve pizza Friday evening, as well as breakfast and lunch on Saturday and Sunday.

The Lodge has a full service restaurant, and there are many eateries in the surrounding area.

## Registration Deadline: Sept. 5

For online registration, go to <a href="http://goo.gl/WiVLUB">http://goo.gl/WiVLUB</a>

This will include a link for using PayPal to pay for the conference and lodging.

For registration and payment by mail, use the registration form below and mail to Karen Yarnell at the address indicated.

Questions? Contact Karen Yarnell at 304-367-4878 or karen.yarnell@fairmontstate.edu

### From the Chapter Archives ... The First SierraFest in West Virgnia

Kathy Gregg, Chapter Archivist

Back when we were the West Virginia Group of the Potomac Chapter of Sierra Club, our newsletter was called "The Monongahela Circular," with a loopedribbon front-page design to the right of the Club logo. The April 1983 issue advertised the "1st Annual Sierra Club in West Virginia Potluck Picnic to be held May 1 at Tygart Lake State Park, ....to be a good chance to meet other Sierra Club members from West Virginia and have a fine say."

"Say"? Probably meant "day," but hey, having a say in how the Club works is

always good, too!

The June issue reported the "Potluck picnic a success," with 22 people who "braved the rain" and ate lots of good food, hiked and fished, and enjoyed hearing the history of Tygart Lake State Park from the park superintendent.

West Virginia folks came from Terra Alta, Morgantown, Clarksburg, Buckhannon, Kanawha Head and Kenova. An important guest was Don Goldbloom, then Vice Chair of the Potomac Chapter and a key supporter of our organizational efforts in West Virginia. Interestingly, this article said that the picnic took place on May 14 instead

of May 1 — a little mystery?

Whatever, there are photos that document the picnic, no matter the date! (*Ed note*: Regrettably, I ran out of space to put any in this issue. They will be available for viewing at SierraFest 2014, and I might include them in the next issue of this newsletter.)

Of course, this early event was the forerunner of a number of annual Chapter Galas that have now evolved into the SierraFests we hold today.

For more Chapter history, and a chance to meet some of the early Chapter leaders, be sure to attend SierraFest 2014.

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## Registration Form for SierraFest 2014

#### September 19-21 at Blackwater Falls State Park

Name(s)	· · · · · · · · · · · · · · · · · · ·	
Address		
	Phone(s)	
Number attending	License plate with state listed	
There is a registration t	ee of \$25 for each attendee.	
Friday evening welco Saturday program Saturday evening ce Sunday morning pro Do you want to stay in o	one of the 8-person cabins that we have reserved? \$37 per night	if you share a room with a roommat
I would like to reserv	e a twin bed and I have a roommate e two twin beds and I have a roommate e a twin bed and I need to have a roommate assigned e a queen bed and I have a roommate	(name of roommate
Calculation of fees:		
Room charges: \$37/pers	person x attendees = son/ night(s) for shared room x attendees = son/ night(s) for private room =	

Questions? Contact Karen Yarnell at 304-367-4878 or karen.yarnell@fairmontstate.edu

Perspectives on Outings

— Russ Flowers, Outings Chair

#### Take a Hike in Your State Parks

iking is one of my favorite outdoor activities. I feel so connected and up close with nature while meandering down a remote trail. I feel fortunate to be living in a state that offers some of the best hiking in the country (in my opinion). There are thousands of miles of trails throughout our state, and in national parks and forests, and nature preserves. There are trails at all skill levels, going through forests, fields and along rivers and streams.

Recently, my wife Sue and I discovered that the WV State Parks offers a hiking program. The program is to get more people visiting the state parks and on their trail systems. It is called Hiking West Virginia Program. Once enrolled in the program, participants are issued a hiking log card to record the parks, trails and miles hiked and a packet of park and forest trail maps. The program is quite affordable at \$10 per person.

To give you added incentives, there are accomplishment plateaus and rewards along the way. After hiking their first 25 park miles, participants receive a really nice sturdy wooden hiking staff. At the 50 miles plateau, the program provides a 50 mile hiking staff shield. Shields are also awarded at 100 miles and every 100 miles up to 2,000 miles.

In addition, there are special hikes sponsored by the parks. Those participating in one of those special hikes will receive a cane shield for that event. An example of one of their special hikes is the "8 Mile Hike Between The Parks" (Blackwater Falls State Park and Canaan Valley State Park).

Sue and I completed one of these hikes last October and had a wonderful time;

so much so that we plan on participating in other special hikes. It is a great way to meet fellow hikers, experience different trails, and get to know our state parks and beautiful state better.

So far, we have surpassed the 50 mile mark and have received our hiking stick and 50 mile cane shield. During our travels we noticed most gift shops at state and national parks have hiking cane shields for sale. So we decided to start collecting shields from our travels throughout the state and country and putting them onto our hiking sticks. It so much fun collecting them. They make really nice mementos of our fond memories and travels too.

In addition to the hiking program, the State Parks offers a Very Import Park Person (VIPP) program. This program is free and once enrolled you receive a card to check off the state parks and forests you visit and brochures for all the parks. To complete the program you must visit and get stamps from 15 parks/forests and 5 elective parks/forests. Once you visit the required 20 parks/forests throughout the state you receive a VIPP jacket.

Both programs are a great opportunity to visit and explore West Virginia's State Parks and Forests. In turn, if you find a favorite trail that you want to share, you can lead an outing.

If you are interested in participating in either program, you can find more information on the state park website: www. wvstateparks.com. Or contact me with questions on these programs or if you are interested in becoming an outings leader.

Take to the Outdoors!

## Hiking Party



This group had great weather for their hike on Canaan Mountain, Pointy Knob-Plantation Trail Loop, on May 17. The trails were not too mushy, and the moist hardwood and conifer forests of Canaan Valley were in fine form. Both Adirondack shelters were nice stopping points. Fresh bear signs kept us alert, but the easy conversation among our group of eight was our best defense.

Pictured (from left) are Tracy Tomlinson, Eva Hnizdo, Vladimir Hnizdo, Ann Devine-King ( leader), Jodie Jackson, Fred Meyer, Brent Carminati, Devra Deems and Jetti (Certified Search and Rescue Dog).

# MONONGAHELA GROUP

JULY (TBA): Hike the Snake Hill Wildlife Management Area to check out the fresh logging and habitat succession.

**AUGUST 31**: Corn Roast and potluck at Krepps Park Picnic Shelter.

**SEPTEMBER (TBA)**: Bike ride on Caperton or Decker's Creek Trail

**SEPTEMBER 20-21**: SierraFest at Blackwater Falls State Park. Mon Group breakfast Sunday morning.

**OCTOBER (TBA)**: Apple harvest at WVU organic farm.

For more details on any of these proposed events, contact Bryan Bellew, 304-261-2461, bbellew@mix.wvu.edu.

All Chapter members with an email address who reside in one of the five counties covered by the Mon Group (Monongalia, Marion, Harrison, Preston and Taylor) will receive email updates about Group activities. If you want to be included in these notifications, please contact Sally Wilts, 304-379-7567, sallywilts@yahoo.com.

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## EPA Issues Historic Carbon Rule

Jim Kotcon

The US-EPA took historic action on June 2 to protect the climate by introducing the first-ever standards to reduce carbon pollution from power plants. The rule proposes to reduce greenhouse gas emissions from electric power plants by 30 percent by 2030, relative to their 2005 baseline emissions.

Although there are limits at power plants for other pollutants such as sulfur dioxide, arsenic and mercury, there are currently no national limits on carbon. Power plants are the largest source of carbon pollution in the U.S., accounting for roughly one-third of all domestic greenhouse gas emissions. The proposal will also cut pollution that leads to soot and smog, by more than 25 percent in 2030.

Children, the elderly and the poor are most vulnerable to a range of climate-related health effects, including those related to heat stress, air pollution, extreme weather events and others.

#### What's in the rule?

The proposed standards have two main parts: state-specific goals to lower carbon pollution from power plants and guidelines to help the states develop plans for meeting the goals.

States are to develop plans, by June 2016, that will lay out how they will achieve the needed reductions to meet their goals by 2030. States have a lot of flexibility to choose what goes into their plans.

The proposed rule identifies four "Building Blocks" for a state plan. States can achieve their goals using various combinations of the four blocks, and EPA set state targets based on their analysis of what was affordable, practical and achievable for each state for each block. The blocks include:

- 1) Make fossil fuel power plants more efficient.
- 2) Increase use of low-emitting power
- 3) Increase numbers of zero- and lowemitting power sources.
  - 4) Use electricity more efficiently.
- In addition to the greenhouse gas reductions, EPA estimates that the rule will lead to climate and health benefits worth an estimated \$55 billion to \$93 billion in 2030, including avoiding 2,700 to 6,600 premature deaths and 140,000 to 150,000 asthma attacks in children.

#### How does this affect WV?

West Virginia would reduce greenhouse gas emissions from power

plants by 19.8 percent by 2030, and would still have one of the highest emission rates in the United States. By using 2005 as a baseline, West Virginia would be able to count recent power plant closings toward that goal, and state utilities have indicated that the EPA targets are achievable.

#### What Can You Do?

The Chapter is organizing to attract members to EPA hearings in Washington, D.C., on July 30, and in Pittsburgh, on July 31. You can:

- 1) Write a letter to the editor of your local paper in support of the EPA rule.
- 2) Send a letter to Gov. Tomblin urging him to make energy efficiency a major part of West Virginia's plan.
- 3) Attend one of the EPA hearings on the rule. Register to speak at: <a href="www2.epa.gov/carbon-pollution-standards/forms/public-hearings-clean-power-plan-proposed-rule">www2.epa.gov/carbon-pollution-standards/forms/public-hearings-clean-power-plan-proposed-rule</a>.
- 4) Send comments on the proposed rule to <a href="www2.epa.gov/carbon-pollution-standards/how-comment-clean-power-plan-proposed-rule">www2.epa.gov/carbon-pollution-standards/how-comment-clean-power-plan-proposed-rule</a>.
- 5) Tell your friends and family to take these actions, too!

Call 304-594-3322 for more information on any of these events.



2014 marks the 50th anniversary of the Wilder-ness Act. Watch for outings marked Wild 50, celebrating the pristine wildlands in West Virginia that are protected

as Wilderness for posterity.



The Birthplace of Rivers National Monument project is a citizen-based initiative

to preserve a rare and iconic part of West Virginia's Monongahela National Forest. Outings marked with this icon are in the area of the proposed monument.

#### Sat, Jul 12

#### Warrior Trail — 7.5 mile hike with shuttle

rated moderate — This is a guided trip Warrior Trail Association president Llew Williams, following 7.5 miles of mostly wooded trail, with some mature forest in sections and one section slated for Marcellus drilling. Llew will share stories about Greene County and the Warrior Trail history, Native Americans, massacres, gold mining and more. Meet at the Warrior Trail Headquarters, near the Kirby exit on I-79, 7 miles north of the WV border. Shuttle will be necessary. Contact the outings leader for further directions and questions.

Leader: Ann Devine-King. 304-594-2636, atdking@gmail.com

Nearest town: Kirby, PA

Web info: westgreenepa.net/community/ WarriorTrail

#### Workshop/Field trip: Wetlands & Insects

not rated — Join WV Master Naturalists for this fun, interactive, hands-on two part workshop and fieldtrips on Wetlands and Insects at the Ohio River Islands National Wildlife Refuge. The workshop and fieldtrips are free of charge and open to members & nonmembers. Please pre-register with the leader, seating is limited. Bring bag lunch (frig & microwave available). Workshop is from 8:30AM to 4:30PM. Meet at Refuge Headquarters in Williamstown at 8:30AM. Contact the Outing Leader for further directions and questions.

Leader: Russ Flowers, 304-482-7919, russwvu@yahoo.com

Nearest town: Williamstown, WV Web info: fws.gov/northeast/ohioriverislands

#### Sat. Jul 26 Coopers Rock — Name that Tree contest with Adopt-A-Trail clean-up

rated easy — Have a little extra fun with trail maintenance as we name trees and bushes that will be tagged with clues. We'll all be winners in this contest. Trail distance is a 1.25-mile loop, and we'll finish by noon. Contact leader for more

Leader: Ann Devine-King at 304-594-2636 or atdking@gmail.com

Nearest town: Morgantown, WV

Web info: coopersrockstateforest.com; coopersrock.org; wvstateparks.com/community/

#### Sat. Jul 26

#### Moth Night on Blennerhassett Island

not rated — Join WV Master Naturalists for this fun, interactive, hands-on fieldtrip on moths at Blennerhassett Island from 8:30 PM midnight. The park staff has made arrangements for the ferry to come back for us at midnight. This event should be a lot of fun and exciting. We will set up lights and a blind in order to attract moths. Our aim is to identify as many species as possible. Contact the Outing Leader for further directions and questions.

Leader: Russ Flowers, 304-482-7919, russwvu@yahoo.com

Nearest town: Parkersburg, WV

Web info: blennerhassettislandstatepark.com

#### Sat, Aug 9 Workshop/Field trip: Nature Interpretation & Trees

not rated - Join WV Master Naturalists for this fun, interactive, hands-on two part workshop and fieldtrips on Nature Interpretation and Trees at the North Bend State Park. The workshop and fieldtrips are free of charge and open to members & nonmembers. Please pre-register with the leader, seating is limited. Contact the Outing Leader for further directions and questions.

Leader: Russ Flowers, 304-482-7919,

russwvu@yahoo.com
Nearest town: Williamstown, WV Web info: northbendsp.com

#### Sun, Aug 10 Hike: Cranberry Glades and OR Beartown

rated easy to moderate — The West Virginia Sierra Club and our allies in the West Virginia Wilderness Coalition are advocating for an area centered around the Cranberry Wilderness to become a new national monument. Join us for outings that give a taste of why this area is so special. We will meet at the Cranberry Visitor Center, where we explore the informative exhibits. Then we walk the boardwalk at the fascinating and unique Cranberry Glades, with commentary on the flora and fauna by our guide Beth Little From there we move to bizarre, mysterious, and funny Beartown, with its convoluted and unique rock formations. Please pre-register with leader.

Leader: Jim Sconyers, 304-698-9628, jimscon@gmail.com

Nearest town: Hillsboro, WV

info: birthplaceofrivers.org; beartownstatepark.com; pocahontascountywv. com/cranberry\_glades\_nature\_center.aspx



#### Sat, Sep 6 **Hike: Dolly Sods North**

rated moderate — Dolly Sods North was added to the Dolly Sods Wilderness in 2009. Come and see why! We'll explore the forest, savanna, streams, and the natural and human history. Dolly Sods North is a high alpine landscape with spectacular scenery. encompassing the headwaters of Red Creek. Our trail distance is approximately 6 miles. Grades are generally moderate, and this hike rates as leisure for difficulty and moderate for length. We will keep a leisure pace with numerous stops to "smell the roses" Our route focuses on the more northerly trails in the upper parts of the headlands. Day hiking gear is needed, along with plenty of water, sunscreen, and weather protection. Please pre-register with leader.

Leader: Jim Sconyers, 304-698-9628, jimscon@gmail.com

Nearest town: Harman, WV Web info: midatlantichikes.com/id188.htmlv

#### Sat, Sep 13 Workshop/Field trip: Soils & Reptiles/ **Amphibians**

Join WV Master Naturalists not rated for this fun, interactive, hands-on two part workshops on Soils and Reptiles/Amphibians Workshops at the North Bend State Park. The workshop and fieldtrips are free of charge and open to members & nonmembers. Please pre-register with the leader, seating is limited. Contact the Outing Leader for further directions

Leader: Russ Flowers, 304-482-7919, russwvu@yahoo.com

Nearest town: Williamstown WV Web info: northbendsp.com

### Sierra Club **Liability Policies For Chapter Outings**

Sierra Club outings are open to everyone, members and non-members alike. Each outing is intended to be a wholesome, safe, and enjoy- able experience in the outdoors. Participants must have suitable clothing, gear, and stamina, and are encouraged to select activities that match their individual abilities for outdoor adventures.

The Club offers a variety of outings from "easy" to "moderate" to "strenuous" that suit all activity levels. The difficulty of each outing is clearly designated in the announcement. Res- ervations are generally not required unless noted, but the outing leader may be contacted in advance for questions about the terrain, the difficulty and recommended gear.

Activities are normally held "rain or shine," but may be postponed at the leader's discretion for safety reasons in the event of inclement weather. Participants are reminded that all out- door activities carry a degree of risk, and some take place in locations where professional emer- gency medical aid may be two or more hours away People with health concerns should consult a physician to determine the advisability of participating in these or similar activities. The leader is responsible for the safety of all participants, and has the final authority to decide whether or not an individual may participate on a specific outing. Sierra Club safety policy requires that helmets be worn on bicycling outings, and a personal flotation device (PFD) be worn when using personal watercraft such as kay- aks or canoes.

Unless noted in the announcement, Club outings are intended for adults. Children and dogs are not normally permitted, unless an out- ing is so designated. Minors (under 18 years of age) must be accompanied by a parent or a legal guardian, or they must have both 1) a signed permission slip, and 2) the leader's prior consent to participate in the Club outing. Sierra Club outings officially begin and end at the trailhead.

Travel to the official starting point and back, even from an advertised meeting place. is the sole responsibility of each participant. While the Club encourages car-pooling, such arrangements are strictly between the riders and the drivers, and are not a part of the outing. Participants assume full responsibility and liability for all risks associated with such travel

All participants on Sierra Club outings are required to sign a standard liability waiver, which can be viewed on the web at www. sierraclub.org/outings/chapter/forms by calling 415-977-5630.

The Sierra Club does not charge for chapter outings, although payment of park entrance fees, a share of campsite rental costs, permit fees, equipment rental charges, etc. may be re- quired from the participants. The Sierra Club practices "leave-no-trace" trail techniques, in- cluding hiking and camping on durable surfaces, minimizing campfire impacts, packing out all trash, respecting wildlife, being considerate of other visitors, and leaving the environment as it was found.

The Sierra Club's California Seller of Travel identification number is CST 2087766-40. Registration as a seller of travel does not constitute approval by the State of California.

#### **Maryland Chapter Outings**

Our neighboring chapter to the east has an active outings program, with many trips coming into West Virginia or western Maryland. These outings, by highly experienced leaders, range from easy to strenuous, and are open to everyone. Join an outing by checking out their calendar at

#### maryland.sierraclub.org

#### **Allegheny Group Outings**

Sierra Club members in the Pittsburgh area belong to the Allegheny Group. They have a moderately active outings program as well as links to other local outdoor activities. Visit their website for an outings calendar and more details at

#### alleghenysc.org

#### **Potomac Region Outings (PRO)**

This is an activity section of the Sierra Club Virginia Chapter, with an extensive outings program run by leaders who live in and around the Washington, D.C., area. A calendar of activities, information and updates can be found

#### www.sierrapotomac.org

#### **West Virginia Chapter Outings**

For updated listings of outings sponsored by the West Virginia Chapter, check our Chapter

#### westvirginia.sierraclub.orgv



#### Abbreviations Used

AMC Appalachian Mountain Club

Appalachian Trail

**GWNF** George Washington National Forest

Jefferson National Forestv Monongahela Group

MNF Monongahela National Forest

National Park Service NRA National Recreation Area

National Wildlife Refuge **NWR** 

PFD Personal Flotation Device (lifejacket) SF State Forest SP State Park

Shenandoah National Park



Please contact the Editor for submission auidelines or advertising rates. Contributions to the newsletter may be sent to the Editor at:

#### celliot2@comcast.net

414 Tyrone Avery Rd Morgantown, WV 26508

#### **Deadline for** September/October issue

#### August 7

Opinions expressed in the Mountain State Sierran are those of the contributors and do not necessarily reflect the opinions of the Sierra Club. This newsletter is published bimonthly by the WV Chapter of the Sierra Club and distributed to all paid members.

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### Facebook Page Up for WV Wilderness 50th

To keep up with the latest news about plans for celebrating the 50th anniversary of the Wilderness Act (September 3, 2014) on the Monongahela Forest, visit www.facebook.com/wvwilderness50th



#### Sierra Club

West Virginia Chapter PO Box 4142 Morgantown, WV 26504 www.westvirginia.sierraclub.org

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July/August 2014



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Governor Earl Ray Tomblin State Capitol Charleston, WV 25305

Dial-the-Governor: 1-888-438-2731

email: governor@wvgov.org

#### To Contact STATE LEGISLATORS

email to WV Legislature: cglagola@mail.wvnet.edu (Put name of recipient under subject)

Messages for legislators can be left at: 1-877-565-3447 <u>or</u> 304-347-4836 Mail address:

Member, WV Senate or House of Delegates Bldq 1 State Capitol Complex

Charleston, WV 25305

website: www.legis.state.wv.us has contact information for all state legislators.

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For planned giving in West Virginia, contact Paul Wilson at 304-725-4360

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