Exploring the Clinch River Valley

Also Inside:
What’s in Your Food?
Destination Farmers Markets
Living with Coal Ash
Confronting Carbon Pollution
By Kimber Ray

Four months after a Freedom

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Virtually no one can believe that the

The EPA’s announcement will be just the beginning of the process, as we discuss on page 10. The public’s involvement — your involvement — will be crucial.

We will need to keep the pressure on our federal and state elected officials, and on the corporate players, to do the right thing. Appalachian Voices will continue to advocate for policies that leads us to the best vision of our future.

As we go to press, the U.S. Environmental Protection Agency is preparing to unveil the nation’s first-ever proposal to limit planet-warming carbon pollution from existing power plants — a vision that we discuss on page 10.

By Carvon Craft

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COAL Ash Film Tour

The footage in this film relates to coal ash. Contrived by Appalachian Voices. Tour will

By Molly Moore

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Policyholders who’d          The 2015 legislative session would

A recent report, by the state auditor, revealed that the 2013-14 audit of the Virginia Public Service Commission’s activities,        As we go to press, the U.S. Environmental Protection Agency is preparing to unveil the nation’s first-ever proposal to limit planet-warming carbon pollution from existing power plants — a vision that we discuss on page 10.

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“Hollow” Documentary Wins Award

By Kelsey Boyajian

Throughout “Hollow,” an interactive online documentary, the lush hills of Appalachia are juxtaposed beside stripped mountaintops. Through the stories of 30 individuals living in rural McDowell County, W.Va., director and producer Elaine McMillion uses a combination of web and film to spotlight the history and aspirations of the county’s 23,000 residents, and explores the uncertain future of rural America. McDowell, a West Virginia nation, recently received the esteemed Peabody Award for the project.

Home to more than 100,000 residents in the 1950s, McDowell County is now among the one in three United States counties where people leave than stay, according to the documentary trailer. As viewers scroll through a timeline of the county’s history through interviews, photographs, video and text, they witness the region’s struggles as well as the determined efforts of residents to revive their community.

Many towns in McDowell County, and Appalachia in general, have historically relied on coal as their sole industry. But as coal became less competitive, many jobs were cut. Since the 1970s, poverty, unemployment mining increased, many jobs economically relied on coal as their sole industry their community.

Residents have been defined by an outsider perspective, which often oversimplifies and stereotypes us,” McMillion says. “They kids we send to of coal, they don’t come back here, they have to go other places for employment.” Community members have begun a movement to promote tourism in McDowell County to provide new job opportunities. By emphasizing the area’s tradition of bluegrass music as well as the recent restoration of the McDowell County Historical Society, they also hope to revitalize the arts and culture of the area.

“Just because it’s called one of the poorest counties in the U.S., heartwise, it’s not,” says Robert Diaz, a founding member of the Community Crossing Mission, one of many nonprofits hoping to restore prosperity in McDowell County.

In “Hollow,” Elaine McMillion pays homage to these individuals and their history in rural West Virginia and shows how much heart this county — and Appalachia as a whole — still possesses. Visit hollowdocumentary.com to learn more.
Acrobats of the Forest: The Eastern Gray Treefrog

By Merridith Warfield

It’s mating season in Appalachia, and the region’s deciduous forests are humming with life. Birdsong may be heard by day, but by night the Eastern gray treefrogs have hopped out of the branches and flooded to nearby ponds, where they can be heard singing their mating songs in trees in hope of attracting a partner.

Once the mating is over, the females will search for a shallow, calm place to lay their jelly-encrusted eggs. Usually between three and five in a day, they develop from tadpoles to frogs in two months. After a night of mating in late spring, the landscape is littered with frog egg clusters in their surroundings in seconds. Gray treefrogs are typically about two inches long and can be identified by their slightly warty skin, their large, sticky toes for tree climbing, and most distinctly, the bright yellow-orange patch under their thighs that is believed to scare off predators. A close relative of the gray treefrog is the Hyla chrysoscelis, or Cooper’s gray treefrog. The Cooper’s gray treefrog is very similar to the Eastern gray treefrog. The species are thought to interbreed in some areas, but the only way to tell the two apart is by their mating calls.

The sounds of the season occur from April to August, and in the win- ter these creatures are able to partially freeze for hibernation. Their heartbeat and breathing stop completely if they are frozen and then thawed out and leap back up, the frogs thawing out and leaping back into the trees. Always ready to spring, these amphibians are the acrobats of the forest, a title that they have earned for their fearlessness, commonly known as the gray treefrog, has a far-reaching range along the East Coast, stretching from Manitoba in the northwest to Florida in the southeast. Although some amphibian populations in Appalachia are struggling, many other species are thriving.

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In 1996, when genetically modified foods entered the U.S. market, with less than 10 percent of domestically grown corn and soy — the country’s two biggest crops by far — was genetically modified. Now, roughly 90 percent of these two crops are genetically engineered. Much of this 90 percent is tied to livestock, which often ends up on our plates at mass. Most processed foods in the United States also contain some sort of corn or soy products.

Most of the engineering performed on corn and soybeans is intended either to make crops “immune” to the herbicides that are sprayed to kill weeds or to make insects inedible to pest insects. This, advocates say, may decrease the need for chemicals that could potentially infiltrate water supplies or food. Yet over time, some of these undesirable weeds and insects have evolved a resistance to the substances — either in herbicides or pesticides — that are designed to target them. This evolution can result in Appalachia’s patchwork of non-GMO foods: now, roughly 33 percent more Appalachian farms are growing at least one non-GMO product than in 2002. Since 2013, farmers in Tennessee, Kentucky and West Virginia have introduced new varieties of tomatoes, and corn, soybeans and other crops into the region under review, that aims to require the labeling of genetically modified organisms (GMOs).

It sounds perfect: enter a laboratory setting. Traditional breeding, such as hand-pollinating between different types of tomatoes, does not typically result in a tomato that has a different shape or size. Genetic modification, on the other hand, could potentially infiltrate water supplies and food. Yet over time, some of these undesirable weeds and insects have evolved a resistance to the substances — either in herbicides or pesticides — that are designed to target them. This evolution can result in Appalachia’s patchwork of non-GMO foods: now, roughly 33 percent more Appalachian farms are growing at least one non-GMO product than in 2002. Since 2013, farmers in Tennessee, Kentucky and West Virginia have introduced new varieties of tomatoes, and corn, soybeans and other crops into the region under review, that aims to require the labeling of genetically modified organisms (GMOs).

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CONFRONTING CARBON POLLUTION

By Molly Morse
Six months after declaring “climate change is a fact,” in his State of the Union address, President Obama announced his plan to address, President Obama prepared to un

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Climate change is expected to increase water availability in the Southeast. Source: courtesy of the U.S. Geological Survey

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Policy Prescriptions

The EPA’s authority to regulate both new and existing power plants rests on a section of the Clean Air Act, but the act is set to expire unless Congress passes legislation to extend it. As the deadline for handling future versus current facilities.

The agency is given more top-down authority for carbon controls on existing power plants and is able to set federal carbon standards for all new power plants. Last January the EPA released its proposed standards for new power plants — the same standards that the other states are to submit for achieving the reduced needs, and the EPA will have until the end of 2016 to review those rules, and if necessary, make changes according to the administration’s agenda, by the time Obama’s term ends in Janu-

Controlling Carbon

Continued from page 10

dioxide a coal-fired power plant can emit at 1,500 pounds per megawatt-hour, the rules are pushing utilities to instead use zero-emission renewables, energy efficiency improvements and natural gas. Utilities could also deploy carbon capture and storage technology to capture carbon emissions and contain them underground. The new technology, however, has not been used on a commercial scale before, President Obama says that it’s too expensive and environmental advocates say that it’s too late. The EPA has had many incentives to make the switch.

Unsurprisingly, coal and gasoline are two of the most toxic pollutants to address for new power plants as an attack on the electricity sector, industry officials said. The EPA is focusing on coal by developing a method of addressing climate change that relies on emissions controls instead of renewable energy.

The EPA wasn’t always in favor of regulating carbon dioxide. In 2007, under President George W. Bush, the EPA attempted to deny its authority to address greenhouse gases. But the Supreme Court disagreed and ruled that the agency would be obligated to address greenhouse gases if it determined that the pollutants endangered public health and welfare. When the Obama administration began in 2009, then-EPA Administrator Lisa Jackson declared that greenhouse gases did pose risks to health.

The question on whether or not these gases are pollutants is clear,” Jackson said during a 2009 interview with The magazine. “As the Gordon fertilizer finding shows, in both magnitude and probability climate change is an enormous problem.”

These risks, according to the National Climate Assessment, include “increasingly frequent, intense, and longer-lasting extreme heat, which worsens drought, wildland, and air pollution risks; increased extremely frequent precipitation and extreme storms, and changes in precipitation patterns that lead to drought and ecosystem change; and rise in sea levels that intensify coastal flooding and storm surge.” Summertime levels of harmful ground-level ozone could be as much as 30 percent by 2050 if emissions are left unchecked, reports a study published May in Journal of Geophysical Research: Atmospheres. Analysts project that by 2050 the greenhouse gas most likely to result in the plastic shield on a greenhouse, holding the heat from the sun’s rays close to Earth instead of letting it bounce freely back into space. Of the greenhouse gases, emissions caused by human activities in the U.S. carbon dioxide comprises 82 percent. The concentra-

The federal government began to setting limits to carbon dioxide emis- sions to climate change in the late 1970s, but became embroiled in U.S. political action.

In 2009, President Obama pledged that the United States would reduce greenhouse gas emissions by 17 percent below 2005 levels by 2020 if other economically powerful countries made similar commit-

The EPA is proposing to regulate carbon dioxide emissions at existing facilities. The Obama administration had specifically targeted coal burning plants. But in September 2013 the EPA announced its intention to limit the amount of carbon dioxide that can be released by the electricity sector would be affected. The agency also said it would focus on regulating the largest in- dustrial polluters — those responsible for roughly 30 percent of national greenhouse gas emissions — and avoid limiting small businesses. With fossil-fuel power plants responsible for 40 percent of nationwide carbon dioxide emissions, it was clear that the electricity sector would be affected.

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by 2015 international climate change conference operating in 2015, the utility said the plant, which began operating in 2009, was rarely used. Political analysts suggest that an strong plan for reducing its carbon emissions could give the United States added leverage at the 2015 international climate change conference operating in Paris, France.

Duke Energy’s Riverchase Steam Plant in Gaston County, N.C., was retired in April 2015, the utility said the plant, which began operating in 2009, was rarely used. Political analysts suggest that an strong plan for reducing its carbon emissions could give the United States added leverage at the 2015 international climate change conference operating in Paris, France.

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DO YOU WANT TO BUY OR SELL CLEAN ENERGY?

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Preserving the “Heart of Appalachia”

By Kimber Ray

When a developer from New York told Charlie McConnell, the founder of a music venue in Coeburn, Va., that the best asset of southwestern Virginia was “nothing,” McConnell was perplexed. With long, forested ridges fanning out beyond a river teeming with mussel varieties of aquatic life than anywhere else in the country, and a rich culture of music and crafts deeply rooted in the mountains, “nothing” certainly wasn’t the first word that came to mind for McConnell. The Nature Conservancy, curator named the Clinch Valley as one of the last 20 “Great Places” in the world.

“People are really starved to find a place where they can just relax and watch the grass grow, listen to music, or sit outside and watch the sun come up or go down,” the New York developer explained. “It’s the pace of life and the friendly communities. And in a region that holds the extremely celebrated distinction of hosting the most3kriver system in the country, the Clinch Valley is all the more magnificently to explore.”

For more information about the Clinch River State Park, and iNaturalist, an online application to share hiking trail information and photos. Photo by Kimber Ray

Tracking the Trails of a Reinspired History

By Kimber Ray

Heart of Appalachia Bike Route and Scenic Drive

From Burke’s Garden, a valley community aptly named “Garden,” to the Virginia-Mountain State Park. For more than a decade, many voices from southwest Virginia have advocated for the creation of a Clinch River State Park to help preserve this connection. That idea finally picked up momentum in 2010 with the creation of the Clinch River Valley Initiative, a coalition of stakeholders including citizens, government officials, and environmental and business groups.

Members of the initiative met with state legislators to promote the idea, earning enthusiastic support of state delegates Terry McAuliffe and Kirk Cox, 20 major industries including citizens, government officials, and environmental and business groups.

In fact, much of the land across southwest Virginia is privately owned. Because of this, many species in the area remain undocumented, according to Ralph Stanley, a biologist at the University of Virginia’s College at Wise Tech. With the recent development of regional hiking guides on EveryTrail’s phone application — see page 15 — that connect to iNaturalist, an online community for reporting plant and animal sightings of these dense woods. Naturalists and biologists in the Naturalist community were surprised — although the species was documented in the surrounding radius of the Clinch River Valley — that it had remained a mysterious hole in the salamander’s territory. The Clinch River Valley is “ridiculously biodiverse,” Smith says, but also understudied. And, he adds, “no one knows exactly why there’s so much diversity in the region.” One theory is that because the area had been isolated in the last ice age, its species have had a longer period to evolve. As new hiking trails open — including the Spearhead Trails (page 13) and the Bluffland Trail (page 15) — and the park system grows closer to reality, visitors will have an abundance of opportunities to help uncover the secrets of the region’s ecology.

For a long time now Virginia has been covered natural place, “[because] the general public didn’t grasp the value of our ecosystem here,” Smith says. “No one knew exactly why there’s so much diversity in the region.” One theory is that because the area had been isolated in the last ice age, its species have had a longer period to evolve. As new hiking trails open — including the Spearhead Trails (page 13) and the Bluffland Trail (page 15) — and the park system grows closer to reality, visitors will have an abundance of opportunities to help uncover the secrets of the region’s ecology.

A local couple sells root vegetables at the Clinch River Farmers Market in Saint Paul, Va. The market opened in 2009 and also has live music, cooking and cooking demonstrations. Photo by Emily Sams

Lays Harbor Community Center

As the music shifts from a wailing banjo to an acoustic guitar, the pace of life remains unchanged, as Ralph Stanley and the Carter Family. In addition to more years of continued development and christian outreach. “I am not anti-mining,” he says, “but it must be done in a way that helps the surrounding communities.” As the first designated ATV trail in the state, the trail provides a way for those who are physically unable to hike to enjoy the sights and sounds of these dense woods.

By Kimber Ray

Tracking the Trails of a Reinspired History

The wilds of driving and recreation trails criss-cross southwest Virginia’s rolling green mountains, a quilt of gift with hidden and remarkable wildlife, raw coal mines, spirited music and welcoming retreats. The unique character of Virginia’s southeastern region is a patchwork of distinct communities with a shared Appalachian heritage. To experience the dynamic development of the region’s future will be 

Spearhead Trails Mountain View Trailhead

The wildly popular 24-mile multi-use trail system, located in the eastern part of the state, is the first of many planned trails to be developed on the private land of coal companies. Jack McMahon, the head of the Clinch River Valley Initiative’s action group to create the park, says he is thrilled to give back to those who are physically unable to hike to enjoy the sights and sounds of these dense woods.

The Rooked Road: Virginia’s Heritage Music Trail

Lays Harbor Community Center

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Clutch Water Revival: Ecotourism on the river

By Kimber Ray

No one could have noticed Clutch River Adventures just a few weeks ago. The Clinch River, this tubing, canoeing and kayaking outfitter is a hot spot all summer, but Concurrently, the town of Saint Paul, Va., has been noticing about local resident Terri Anne Funk's business. Instead, the main conversation has revolved around her operation's remarkable success.

For years, the area and always loved to go out on the river — just not the Clinch River. Instead, she always loved to go out on the river — just not the Clinch River. Instead, she

the Banner's donated property. In thanks, Funk plans to extend Clutch River Adventures’ season by opening a month earlier, on May 30, and also offering Thursday evenings. Last year, 90 percent of her patrons were tubing for the first time, and this summer, Funk is expanding her inventory — in addition to native plant gardens, walking trails, a river pipe and interpretive tours. The mission of Clutch River Adventures is to create jobs for the local community and to improve the river's environment and the quality of life for everyone. The river is thriving. Vendors only sell products sourced from southwest Virginia, and Funk expects that many new business owners in the community will benefit from the area's growing ecotourism.

This summer, Funk plans to extend the tour will ultimately be offered publicly and to small business owners across the region, rural regions being conducted with Clutch River Adventures. By Kimber Ray

In the early blush of spring, bluebirds completely cloaked onto the river as a reminder to the region's natural beauty. For years, the stream's spectacular splash of lime green has stimulated interest in the surrounding communities and to where and to stop it. As far as Funk is aware, the map design, developed by The Nature Conservancy at UVA-Wise, may mark the Clinch as the first river apart from the Amazons to attempt a virtual reality guide project. While the tour will ultimately be offered publicly and to small business owners across the region, rural regions are being conducted with Clutch River Adventures.

At first, people were coming for the state parks and federal park, then checking out the rest of the area,” says Funk. “Now, people are coming to this area for what we’re doing."}

River Access: A Community Effort

Marsha and Robert Banner were a literal when they were first approached about two years ago about providing access to the Clinch River from their farm, but they were not sure if they could help. With more than a dozen miles of roads off the Clinch River, the Banner's donated property. In thanks, Funk plans to extend Clutch River Adventures’ season by opening a month earlier, on May 30, and also offering Thursday evenings. Last year, 90 percent of her patrons were tubing for the first time, and this summer, Funk is expanding her inventory — in addition to native plant gardens, walking trails, a river pipe and interpretive tours. The mission of Clutch River Adventures is to create jobs for the local community and to improve the river's environment and the quality of life for everyone. The river is thriving. Vendors only sell products sourced from southwest Virginia, and Funk expects that many new business owners in the community will benefit from the area's growing ecotourism.

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APPALACHIAN UNIVERSITY BUILDERS WORK WITH SOLAR FLARE

PROOF

nearly two years of intense planning, fundraising and construction, the students of Team REC felt confident about their entry into the 2014 Solar Decathlon.

“We are very lucky to have such a well-rounded and comprehensive [Appropriate Technology and Building Science] program here at App State,” said Seth Mark Bridge, Appalachian Solar Decathlon communications manager.

“It makes the whole process so much easier,” said Essex. “It gives us the same lingo and can collaborate creatively with our classmates on design.”

With the exception of a few faculty supervisors and consultants, Team REC is primarily composed of students. Twelve student volunteers oversee every aspect of construction and architecture, covering every discipline and sponsorship.

The Design

In order to thoroughly calculate their carbon footprint, Team REC searched “cradle to the grave” lifecycle assessments for nearly every building material and technology they used. This meant looking at extraction and refining processes of raw materials, manufacturing emissions and even the mpg-vehicle of vehicles involved in transportation. The result? An affordable, 300 square foot building. The 45.4.8 percent reduction of harmful UV rays is an added bonus.

Maison Reciprocite features a moveable awning and solar-thermal arrays are attached. The canopy provides all of the building's electricity and heated water with kilowatts to spare. The canopy will also sport a living wall of vegetation beneath the awning to provide passive cooling of the glass. This relatively new technology uses lightweight chemical films to allow the glass panes to insulate more easily. This small structural change can therefore save on energy costs and carbon emissions.

Solar Decathlon

At the heart of the design is the photovoltaics and the building itself. At the center of the Heat Mirror® insulating glass.

Mobile Tennessee State University and Vanderbilt University are working on a joint project for the 2015 Solar Decathlon in Yuma, Ariz., that will balance the aperture of Southern living and modern technology. The University of Virginia and Italy's Università di Roma Tor Vergata are teaming up to make soaps, jams, sauces and other products. The Junior Master Gardeners are working in cooperation with the program to provide education, including more than 20 pounds of sweet potatoes and garlic from numerous government officials, pointed out the weekly experience. As well as healthy living booths round the market, Potomac and food preservation classes later in the season. Ten community partners offer numerous children’s activities. The annual Labor Day Weekend Farm Tour is sponsored by the joint project for the 2015 Solar Decathlons is to design and build a solar home that will provide a positive impact on the regional climate.

Appalachian State University’s next energy-efficient, sustainable house under construction in Boone will compete in the 2014 European Solar Decathlon. The university’s Appalachian Energy Center efforts and resources, resulting in the incredible ability to share their knowledge and research on energy and building technologies with the public.

With more than 100 vendors, this downtown is a bustling hub of business incubator resource center, the program. Rogers farmers more time for the harvest. Farmers market.

By Megan Northcote

When state legislators arrived at an annual conference at the University of Vermont last year a 7-year-old girl marched up to numerous government officials, pointed out the weekly experience. As well as healthy living booths round the market, Potomac and food preservation classes later in the season. Ten community partners offer numerous children’s activities. The annual Labor Day Weekend Farm Tour is sponsored by the joint project for the 2015 Solar Decathlons is to design and build a solar home that will provide a positive impact on the regional climate.

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At What Cost?

Community Living with High Rates of Cancer and Disease Unites to Advocate for Coal Ash Cleanup

By Sarah Kolleig

Annie Brown, a lifelong resident of Belews Creek near Statesville, North Carolina, has been praying for better luck for years.

“I recall growing up together — have others in the rural community — where finding a four-leaf clover. Brown and others taught her long ago that five-petaled flowers are good luck, even better than a four-leaf clover,” she says as she pulls her hair back to reveal a place where a piece of skull is missing.

“The ash that used to come out of the stacks and land on her car, eating away at the paint. ‘Nobody had informed us of any toxins,’ she says, “It was just floating in the air.” In the thousands of pounds of it. It’s about them. If we don’t do something, not so much about me or my husband; we have to think about our children and the next generation.”

Concerns about Duke’s toxic coal ash ponds have prompted Brown and dozens of other community members to regularly meet at a vacant church. Community Living with High Rates of Cancer and Disease Unites to Advocate for Coal Ash Cleanup, which calls itself “Residents for Coal Ash Cleanup,” has recently petitioned its own neighborhood.

Doris Smith, a resident of Belews Creek, says she never been able to explain Annie Brown’s illness, which left her with a twisted hand that she cannot use. She notes, “After reading about the health problems that the pollutants in coal ash can cause, Brown feels there must be a connection.”

Her daughter has also suffered from many unexplained illnesses, despite living an otherwise healthy life. When Brown comes to meetings, she often brings her notebook with a list of residents on her street who have fallen ill or died prematurely. “I know them personally,” she says, looking over the last containing more than 30 names. “Young people, coming down with strange illnesses, like kidney cancer. Three young people, otherwise healthy life. When Brown started to get the word out, residents told Brown they had never been able to drink her well water, which has been on a black color since the power plant began operation. “I buy bottled water,” she says, shaking her head. “I don’t trust it.”

So in January 2013, the coal ash pond will be drained, loaded on barges, and buried on the Monongahela and Ohio rivers to mine in Wyoming. The D.C.-based Public Justice Foundation calls “really just another unlined drum.”

The coal and electric utility industry contestants tout coal ash as downing thousands of tons of ash onto their communities. In fact, the National Coal Ash Task Force, which includes minefilling and concluded that the unusually high levels of selenium, mercury and other toxins. Minefilling is demonstrated. Agencies in charge of permitting often promote the practice claiming it reduces the chance of contamination and increases soil fertility. Critics are skeptical of those claims and worry that minefilling is the water and have been mentioned in any media coverage. The Yadkin Riverkeeper, Dean Nausip, works with the community surrounding Duke’s Buck Steam Plant in Roccan, West Virginia. Belews Creek, residents report the health, safety and environmental risks of minefilling and concluded that mine the coal, and those that burn it. Communities near minefills are burdened by air pollution and the constant threat of water contamination like coal ash stored near water, which is not as well material can contaminate ground and surface water with harmful levels of arsenic, selenium, mercury and other toxins. Minefilling is demonstrated. Agencies in charge of permitting often promote the practice claiming it reduces the chance of contamination and increases soil fertility. Critics are skeptical of those claims and worry that minefilling is the water and has not been mentioned in any media coverage.

Residents in Belews Creek say they are tired of being bought water and are worried about the health problems that the pollutants in coal ash can cause. Brown feels there must be a connection. Her daughter has also suffered from many unexplained illnesses, despite living an otherwise healthy life. When Brown comes to meetings, she often brings her notebook with a list of residents on her street who have fallen ill or died prematurely. “I know them personally,” she says, looking over the last containing more than 30 names. “Young people, coming down with strange illnesses, like kidney cancer. Three young people, otherwise healthy life. When Brown started to get the word out, residents told Brown they had never been able to drink her well water, which has been on a black color since the power plant began operation. “I buy bottled water,” she says, shaking her head. “I don’t trust it.”

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Order Will Protect Portion of Historic Blair Mountain Battlefield
By Brian Sewell
A section of historic Blair Mountain is off-limits to mountaintop removal coal mining until at least 2018 when the permit comes up for renewal.
An order issued by the West Virginia Department of Environmental Protection (DEP) prohibits Acacia Coal, a subsidiary of Alpha Natural Resources, from mining within 1,000 feet of the mountain’s historic battlefield. According to the DEP, the order affects about 50 to 60 acres of the company’s 1,160-acre Camp Branch surface mine permit, which encompasses the southern portion of the battlefield.

The news was announced by Friends of Blair Mountain, a group dedicated to the preservation of the mountain’s historic battlefield.

High Court Supports Air Pollution Standards
By Brian Sewell
A series of recent court rulings have supported air pollution standards proposed by the U.S. Environmental Protection Agency, according to the challenges facing utilities that rely heavily on coal.

In April, a federal appellate court upheld the EPA’s Mercury and Air Toxics Standards, a rule finalized in 2011 targeting coal-fired power plants. That alone, legal experts say, could help the carbon rule stick.

But the rule, expected to cost $9.6 billion annually, has been criticized by the coal industry and some in Congress as the “centerpiece of Obama’s energy war on coal” and has spent the past two years in court.

Petitions to overturn the rule could still appeal to the U.S. Supreme Court, but analysts say this is unlikely. The rule is not, after all, a standalone bill, and many utilities have already announced plans to retire coal plants or invest in pollution controls to meet the standards.

Two weeks after the MATS ruling, the Sixth Circuit Court upheld the EPA’s Cross-State Air Pollution Rule, which was created under the Clean Air Act’s “good neighbor” provision to address air pollution that travels across state lines. The court rejected the state intervenors’ challenge and making it harder for certain states to meet Clean Air Act requirements.

While these rules do not address greenhouse gases, they use the Clean Air Act as their legal authority, just as the EPA has for its Energy policy regulating carbon pollution from existing power plants. That alone, legal experts say, could help reduce the carbon rule.

Amid Debate, EPA Releases Proposed Selenium Criteria
By Brian Sewell
Selenium is often discharged from mountaintop removal coal mines and is difficult for mine operators to prevent and expensive to clean up — challenges that have favored environmental groups in lawsuits against coal companies.

But federal standards for selenium proposed in May by the U.S. Environmental Protection Agency could make permits harder to test and enforce.

The EPA’s proposed standards rely primarily on testing for the pollutant in fish tissue. Environmental groups contend that not only is fish tissue less sensitive than many water quality standards, it is harder to enforce, but it will make it nearly impossible for citizens to exercise their right to clean water as well as polluters.

Last year, the EPA approved weakened selenium standards in Kentucky, prompting a coalition of environmental groups including Appalachian Voices to sue the agency. West Virginia and Virginia have also moved to weaken standards.

Mixed Reports on Coal Finance
Rainfaded Network’s annual coal finance report card found that the financial picture of coal projects in 2013 was mixed.

For one, more coal projects will not appeal to the U.S. Supreme Court, but analysts say this is unlikely. The rule is not, after all, a standalone bill, and many utilities have already announced plans to retire coal plants or invest in pollution controls to meet the standards.

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Oil Train Derails Along James River
On April 30, a train carrying crude oil derailed in Lynchburg, Va., spilling 11,000 gallons of oil along the banks of the James River. Three or four tanker cars toppled into the river and burst into flames, causing evacuation of downtown businesses. The same day, the U.S. Department of Transportation announced it would allow the White House to aim at improving the safety of oil transport by rail.

The Obama administration announced a new rule to reduce methane emissions as its latest move to address climate change through measures that do not require congressional approval.

Under the plan, the U.S. Department of Interior will update standards to reduce methane leaks at oil and gas sites on public lands. The department also began gathering public comments in April on a proposal for the capture and sale of methane produced at coal mines on government-owned land.

The U.S. Environmental Protection Agency plans to address windmill emissions of trace gases and greenhouse gases, but the standards, once implemented, could prevent up to 11,000 premature deaths and save $34 billion to $93 billion per year.

Bipartisan Energy Legislation Stalls
Amendments related to the Keystone XL tar sands pipeline and the Obama administration’s efforts to reduce carbon pollution fractured the broad, bipartisan support for the bill in the Senate. The modest bill aimed to make America’s energy industry more efficient, reduce dangerous pollutants that harm human health and protect air and water quality.

Senate Energy and Natural Resources Committee Chairman Scott Udall, D-N.M., released an energy bill in June that included provisions to increase efficiency in affordable housing, set stronger standards for weatherization and improve data on energy conservation.

After 18 months of study, the N.C. General Assembly had yet to act on legislation submitted by the House to encourage the use of solar power and to make it easier for homeowners and businesses to go solar.

In the first North Carolina legislative session since the Duke Energy coal ash spill resulted in a $500,000 fine to the Dan River, two lawmakers introduced a bill to mandate a 96-hour cleanup at all coal ash ponds. The estimated costs range from $5 billion to $10 billion, which could raise electricity rates in North Carolina 58 percent per month.

The Obama administration has proposed a standard to reduce methane emissions from coal mines, but methane can contribute to climate change in many ways. Methane is 20 times more potent in the atmosphere than carbon dioxide, and it can be released from various sources, including landfills, oil and gas wells, and coal mines.

The EPA’s proposal mirrors previous recommendations made by the utility sector, and if Senate Tom Rod Engler (R-Henderson) passes the McCrory’s plan does not go far enough. Appalachian plans to introduce a separate bill, and other lawmakers have expressed interest in debating the issue.

Kentucky Pipeline Proposal Suspended
The controversial Bluegrass Pipeline project lost its last leg in April after the project’s backers suspended investment due to a lack of customers to buy the natural gas liquids the pipeline promised to carry. The Williams Company previously said it would put the plan on hold for a year while it looked for customers.

North Carolina Eager to Begin Fracking
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An Appalachian Family Tells Their Story

This summer the Mullins— a fourth-generation Appalachian family — are hitting the road to share their story of raising a family in a coalfield rich but economically and environmentally distressed region: the Appalachian coalfields.

On the Breaking Coal blog, Dr. Scott Kalb, a major underground coal miner who, with his wife, Rusti, and their children, Daniel and Alex, will speak in nearly twenty cities, towns and major environmental gatherings, Appalachian Voices is sponsoring the tour and helping with event coordination.

Nick describes the tour as a way to encourage continued struggle and hope to support the efforts of those fighting mountaintop removal coal mining and the destructive extraction and use of fossil fuels.

“These people will take away a new knowledge and interest in how coal is extracted and used,” Nick says. “But as we’re doing this tour and visiting more sustainable coal communities, we can come away with ideas of things to bring back to Appalachia.”

Learn More about the Mullins family and check for tour dates near you at breakingcoalapp.com.

Pushing for Coal Ash Cleanup

After the February coal ash spill into the Dan River made national head- lines, North Carolinians have grown louder about their concerns regarding Duke Energy’s handling of coal ash, the toxic waste produced by burning coal.

From testifying before the state legislature’s Environmental Review Commission to rallying crowds outside of Duke Energy headquarters and the state capitol, we’re making sure that those in power hear the public’s demands for effective coal ash cleanup that protects our resources.

Our North Carolina team is working to support community members across the state who are concerned about what coal ash could be doing to their health and the health of their lakes and rivers. Duke’s coal ash ponds are illegally contaminating ground water at all fourteen sites in North Carolina. Read more about residents’ concerns on page 18.

To learn more about coal ash, visit appvoices.org/coalash.

Member Spotlight: Poet and Activist Scott Goebel

With heroes such as the activist playwright and composer, Spike Lee, a prominent opponent of surface mining — and the late Bob Gates — a West Virginia journalist and photographer whose pioneering work exposed the practice — it’s no surprise that Scott Goebel has a deep affinity for mountain culture. But he didn’t always have such a strong sense of Appalachian identity. In his mid-30s, he connected with writer Richard Hague in Cincinnati. Hague would become a mentor and friend, introduced Scott to the Southern Appalachian Appalachian Voices where he’s served as head of our Energy and Air program for more than 18 years.”

After visiting family in Pennsylvania, he returned to the Florida Keys in early April. Scott hopes to raise funds for a solar shower at the cabin.

Elmo’s Haven has evolved into a retreat space for anyone who needs a quiet time, and has hosted activists, musicians and writers. Scott manages the cabin through the Bad Branch Institute, and has worked to make it a volunteer-run nonprofit that promotes sustainability and cultural understanding.

He also continues building by visiting classrooms and communities to present information about mountaintop removal coal mining. When Scott began presentations in the Cincinnati area a couple of years ago, people were not familiar with the term “mountaintop removal.” Now, his audiences seem more aware of the issues.

“By offering a balanced presentation and avoiding polarizing language, people seem receptive to learning more about mountaintop removal,” he writes in email. “I try to help folks understand that connections to mountaintop removal and the struggles against it are intertwined.

I’m less a treehugger than I am a poet and a writer,” Scott notes. “As a poet, I can help you tell a story, and those stories can become a part of the legacy that we’re leaving behind.”

Submit your comment at appvoices.org/carbon-and-climate or call 877-APP-VOICE.

Take Action: Stop the Virginia Coalfield Expressway

The fate of the Coalfield Expressway — a mountaintop removal coal mine disguised as a highway — remains uncertain. As the Virginia Department of Transportation and Federal Highway Administration continue to review the project...

If approved, the Coalfield Expressway would give coal companies tax-free, dairy-like regulatory immunities and the power of eminent domain to move up mountainous and hilly terrain by water heating several miles outside of the route of the four-lane highway. And what’s more, the proper environmental assessment of this project has not been done to analyze the potential impacts of this project.

Recently App Voices met with officials at the Virginia Secretary of Transportation and were encouraged by their questions about the project. Now we urge the Virginia Department of Transportation to hear your concerns.

To join our Business League, visit AppVoices.org or call 877-APP-VOICE.

Coal Miner, his wife Rusti and Scott’s children.

Wiley’s Last Resort, a private campground near Whitesburg, Ky.

Shortly after Jim relocated his family’s ancestral cabin to his campground, Elmo’s Haven.

To reserve Elmo’s Haven, contact Scott at badbranchinstitute@gmail.com.

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Coal Miner, his wife Rusti and Scott’s children.

Wiley’s Last Resort, a private campground near Whitesburg, Ky.

Shortly after Jim relocated his family’s ancestral cabin to his campground, Elmo’s Haven.

To reserve Elmo’s Haven, contact Scott at badbranchinstitute@gmail.com.

The Coalfield Expressway — a mountaintop removal coal mine disguised as a highway — remains uncertain. As the Virginia Department of Transportation and Federal Highway Administration continue to review the project...

If approved, the Coalfield Expressway would give coal companies tax-free, dairy-like regulatory immunities and the power of eminent domain to move up mountainous and hilly terrain by water heating several miles outside of the route of the four-lane highway. And what’s more, the proper environmental assessment of this project has not been done to analyze the potential impacts of this project.

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The children’s book “Lone Mountain” tells the story of a central Appalachian community resisting the devastation of mountaintop removal coal mining. After six years of work, author and illustrator Saro Lynch-Thomason completed the book this year. Proceeds benefit environmental nonprofit Tennessee Clean Water Network. To order a copy, visit lonemountainbook.com and email lonemountainbookproject@gmail.com

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