



Highlanders for Responsible Development

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www.protecthighland.org

Newsletter

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Welcome to the first issue of the newsletter of Highlanders for Responsible Development (HRD). HRD is a citizens group that promotes stewardship of Highland County's unspoiled landscape, natural resources and exceptional quality of life. We support policies and activities that are based upon informed community discourse, democratic decision making, prudent land use and sustainable economic development. The newsletter will be issued quarterly (February, May, August and November) to provide information on issues of relevance to the citizens of Highland County. Our website – www.protecthighland.org – will archive past newsletter issues and referenced documents.

HRD Organizes Water Resources Committee

The free-flowing streams and rivers that drain Highland County's relatively undisturbed mountains and pastoral valleys are among the best in the region in terms of ecological health. This is due to the lack of development, the stewardship of county residents and property owners, and the fact that all surface waters in the county originate in the county. Highland County is a true headwaters area for the James and the Potomac Rivers. Water quality in these major rivers and the Chesapeake Bay, into which they flow, is at its best in Highland County. It doesn't get better downstream.

HRD has recently established a Water Resources Committee to work for the preservation and improvement of the area's surface and ground water. The formally stated purpose of this committee is to promote the protection and sustainability of water resources in the Highlands by fostering an understanding of water resource conditions and problems, and by promoting effective public policy development and implementation. The committee is currently in the planning stage, with several tasks envisioned:

1. To review the findings of existing water monitoring programs that collect data and information in the county.
2. To obtain an overview of water resource protection and restoration programs that currently work in the county.
3. To develop and promote strategies that will help to remedy water resource management deficiencies and ensure effective and information-based responses to potential water resource impairment in the county.

More information on HRD's Water Resources Committee will be provided in future newsletters.

Interest in Scenic Byways Reviving

Virginia has nearly 3,000 miles of roads and highways designated as Virginia Byways. These are routes that the Commonwealth has determined lead “to scenes of natural beauty and places of historical and social significance.” The designations are designed “to help attract visitors and support economic development through tourism.” The Virginia Highlands, particularly Highland County, is certainly one of the state's most beautiful regions, but only one roadway in the area – Rt. 39 in Bath County – has been designated a scenic byway. Previous attempts to convince the Highland Board of Supervisors to propose one or more roadways in the county for Virginia Byways status were unsuccessful. However, there has been recent interest among some Highland citizens in achieving Virginia Byway status for Highland County roads and highways. HRD has also begun to examine the issue. To learn more about the Virginia Byways program, visit <http://www.virginiadot.org/programs/faq-byways.asp>.

HRD Works for Effective Environmental Regulation

Responsible development depends on effective environmental regulation. There are a number of reasons why regulatory programs fall short. Among these is lack of information about permit requirements. In addition, agencies are underfunded and many permitted projects are rarely inspected. Other projects may go forward without necessary permits or adequate environmental controls.

One case in point involved Highland New Wind Development, which initiated development with deficient pollution prevention plans. In an effort to obtain compliance, HRD sought legal advice, as well as the assistance of environmental experts. A 2010 meeting with Department of Conservation officials concluded with assurances that compliance will be required before HNWD goes further with development.

More recently, a proposal for a waste disposal facility raised environmental concerns among county officials and citizens. To help resolve these concerns HRD contacted the UVA Environmental Law and Conservation Clinic, which prepared a memo describing Department of Environmental Quality permit requirements for a range of facility types. The memo was forwarded to the Highland Board of Supervisors and to the developer. (See <http://www.protecthighland.org/Documents/Meck-040712.pdf>)

Based on these and other experiences, HRD recognizes that effective environmental regulation cannot be assumed. Projects often go forward before information needed for responsible decision making is acquired. To address such circumstances, HRD now submits periodic Freedom of Information Act requests to environmental agencies for copies of documents related to regulated activities in the county, including records and correspondence related to potential projects, application and permit review, site inspections and visits, and enforcement actions.

Proposed Legislation Threatens To Reduce Authority of Local Officials

A bill introduced on January 18 in the Virginia Senate by Sen. Saslaw (D-Fairfax) would have exempted certain renewable energy facilities from the authority of local zoning and land use requirements. HRD took a strong position against the bill, SB 1341, as being “contrary to the interests of the public good and the citizens of Highland County.” Opposition was also voiced by the Virginia Association of Counties. Under pressure, the sponsor withdrew the measure on January 29. However, as this is not the first time such legislation has been proposed in the Virginia General Assembly, the introduction of SB 1341 this year is a reminder that there are interests who would seek to deny local officials the right to govern in the best interests of their respective communities.

Highland New Wind Development: Status Report

HRD was formed in 2005 in response to the Highland New Wind Development (HNWD) proposal to build industrial-scale turbines in Highland County. HRD was convinced that the environmental and human costs of the project far exceeded its purported benefits. HNWD is apparently now stalled by a lack of investors. The current reprieve, however, may be temporary.

For years, HNWD proponents have portrayed the project as a victim of unreasonable regulatory delay. In response, some misinformed Virginia legislators have sought to reduce regulatory oversight of wind projects. One result is the transfer of environmental review for wind projects from the State Corporation Commission (SCC), which set strict wildlife protection conditions for HNWD to the Department of Environmental Quality, which has adopted regulations (currently facing legal challenge) that provide minimal environmental protection. Other bills have been introduced to eliminate local authority over wind project siting.

It is unclear whether HNWD will go forward. It faces a series of problems, including the Endangered Species Act, the Eagle Protection Act, proximity to a National Register Civil War site, and pollution problems associated with extensive disturbance in the headwaters of Laurel Fork, a quality native trout stream. Monitoring requirements imposed by the SCC should ensure documentation of bird and bat mortality if the project proceeds. Meanwhile, the potential severity of wildlife impacts grows more alarming as data are compiled from other projects in the region. State biologists have suggested that wildlife mortality at the HNWD project may be the greatest among wind projects in the east. HRD continues to closely monitor developments with HNWD.

HRD Elects Leadership for 2013

The Board of Directors for Highlanders for Responsible Development elected at its December 6 meeting the organization's leadership for 2013:

President – Lew Freeman
Vice President – Laurie Berman
Secretary – Charlotte Stephenson
Treasurer – Lee Taplinger

Other members of the Board of Directors are: Dawn Baldwin, Norm Bell, Fran Davenport, Debora Ellington, Dan Foster, Sharon Hevener, Rich Holman, Richard Laska and Rick Webb. Baldwin and Laska are residents of neighboring Pocahontas County; all other Board members reside in Highland County.

Allegheny Mountain Radio Features HRD

Allegheny Mountain Radio (89.7 FM in Highland) recently profiled Highlanders for Responsible Development in an interview with the organization's president, Lew Freeman. The interview is available at: http://www.publicbroadcasting.net/wvnr/news.newsmain?action=article&ARTICLE_ID=1950827.

We Invite Your Input

HRD exists to serve the citizens of Highland County and residents of nearby communities who have an interest in our county. We invite your comments and suggestions about our activities and the issues we are following. If there are people whom you believe would like to receive our newsletter, please forward this issue to them and/or advise us so we can add them to our mailing list. You may contact us at HRD@protecthighland.org.