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PC: WV Gazette Mail.

There are only two weeks left in this year's legislative session. Today is the 50th day of the West Virginia Legislative Session, also known as Crossover Day. In order to still be considered, all bills must pass out of either the House or Senate by Crossover Day. If not, they will be considered dead for this year.

SB 480, a bill that will increase funding for inspectors within the WVDEP's Office of Oil & Gas passed in the WV Senate on February 21st in a 25-8 vote. However, it has not been advanced in the House of Delegates.

On February 25th, The Senate Energy, Industry and Mining Committee approved SB 613, a second bill that seeks to boost state oil and gas

oversight funding. SB 613 will add an estimated \$1.9 million annually to the WVDEP Office of Oil & Gas and would dedicate a 1.5% oil and gas severance tax beginning on July 1, 2022. While this is an improvement, many say that the bill doesn't go far enough. An increase in \$1.3 million annually would be needed just to previous staffing levels. In 2020, the office was reduced from 45 to 25 staff members and the inspection staff was reduced from 18 to 9. One solution would be to advance HB 2725, which would institute a \$100 annual oversight fee for all wells to generate additional revenue. However, this bill hasn't been acknowledged for a second year.

On March 1st, HB 4553, a bill that would allow exempt wholesale generators to be a permitted use in any zoning district anywhere in West Virginia was passed in the House in a 52 to 42 vote. It has been advanced to the Senate Energy, Industry, and Mining Committee. Each county should be able to decide where renewable energy facilities - that require hundreds of acres for development - are appropriate to locate in their communities. There's still time to contact your legislators and urge them to reject HB 4553. We have provided a draft letter below that you can customize and submit. [Find contact information for your legislators.](#)

Take Action Now

HB 4408 is up for consideration in the WV Legislature. This bill would expand and extend private leasing in all state parks and forests. Right now, private leasing is only permitted in 6 state parks. With this bill, it would extend to all 35 state parks and 9 state forests, and the lease term could be up to 50 years. On Monday, February 28th, HB 4408 passed in the house. On March 1st, it was referenced to the Senate Finance Committee. We strongly encourage you to contact your legislators, urging them to vote against HB 4408. West Virginia Rivers Coalition has provided an email and a phone script that you can follow.

Take Action Now



One of JCV's main objectives as an organization is to ensure government transparency and accountability. The two go hand in hand, providing information for citizens about what their government is doing. When our officials chose to be secretive with Rockwool (aka Project Shuttle,) refusing to disclose information to the public, it became necessary to take legal action.

After much effort by the legal team, JCV reached a favorable settlement recently in a Freedom of Information Act (FOIA) request upheld in JCV vs. Jefferson County Development Authority (JCDA). The case began with a WV FOIA request to obtain documents and communications regarding the 2018 closed-door meeting at the Bavarian Inn – involving the previous JCDA administration, select public officials and Rockwool executives – about widespread opposition to and concerns about the Rockwool project, including the publicly financed water bond.

The JCDA claimed sixteen documents should be exempt from disclosure as to not reveal memos between JCDA Board Members and staff while considering issues, as well as maintain confidentiality while furnishing assistance to a new business exploring opportunities in Jefferson County. In March of 2019, the JCDA provided a Circuit Court ordered Vaughn Index (detailed justification) to explain why the release of withheld documents would hurt the public interest.

Then in April of 2021, the Court required a private inspection of documents prior to a decision in this action. JCV succeeded, as the Court

reached a conclusion that specific records were not to enjoy the statutory exemptions from disclosure and must be produced to JCV. [View the documents here](#). All but one document was received over the three years the case was fought.

Accordingly, any person who is denied access to public records requested under FOIA and who successfully brings a suit, shall be entitled to recover attorney fees from the public body that denied the access to the records. The JCDA presented a summary of the case to the Jefferson County Commission (JCC) and received approval for reimbursement of JCV's agreed upon legal fees.

JCV appreciates the tremendous dedication shown by your community engagement and will continue to take a stand for good governance.

Attending local government meetings is another important way you can be active in the community. Your presence helps to hold our officials accountable to the values and concerns of Jefferson County's citizens. "Think global, act local!"

[View This Week's Meetings](#)

Please consider a gift to support our critical work if you are able to. We greatly appreciate every donation. All proceeds benefit JCV's efforts to lead legal, political, and community action to support sustainable growth, without heavy industry, and to empower our citizen's voices to ensure a clean, transparent government in Jefferson County.

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