



*Jeff Herboldt, Director*

## Office of Coalfield Community Development Annual Report, 1<sup>st</sup> July 2008-June 2009

The West Virginia Division of Energy (WVDOE) is required by 5B-2A-10 of the *West Virginia Code* to submit an annual report to the Governor and the Joint Committee on Government and Finance. It requires that “(b) The office shall prepare an annual status update of the action report which shall describe accomplishments and prospects for continued economic development.”

The WVDOE consists of two divisions: the Office of Coalfield Community Development (OCCD) and the Energy Efficiency Program (EEP). The WVDOE director serves as chairman of the West Virginia Public Energy Authority (PEA) and administers its daily operation. The Office of Coalfield Community Development was created in 1999 with the purpose of studying and advancing the use of surface mined properties for continued development. In 2007, the Office was established under the Division of Energy in which the Director of the Division also became the Director of the Office of Coalfield Community Development. Office duties and objectives are supported through blasting permits funds through the West Virginia Department of Environmental Protection (WVDEP). The Division of Energy submits an annual report in December. After this report, OCCD’s annual report will be included in the Division of Energy annual report.

During the year, the OCCD accomplished activities in the following areas:

- The review of Community Impact Statements provided by coal mining companies to the Office
- Initiated E-permitting of Community Impact Statements
- Investigation of GIS Mapping Services to add local developers in analyzing opportunities within their counties, specifically on surface mined sites.
- Local Development Organization visitation program
- Engaging the Brownfield Assistance Centers for technical studies of surface mined properties
- Special projects in support of local development initiatives

The following activities occurred during the quarter in the areas mentioned above:

### **Community Impact Statement Reviews**

During the months of June 2008 through July of 2009, the OCCD complied with its legislative duty to accept, review, and then approve or reject Community Impact Statements. The review process provided the following activity:

- 13 Notifications
- 78 Amendment requests
- 28 Compliance letters
- 17 Review letters
- 207 Exemptions

Internal staff meetings were held to build a documented process of handling CIS statements. This was to ensure the process was as streamlined internally as possible and to keep important checks within the process

to protect accuracy of reviews. Internal staff meetings to review and approve the process will become a regular function of the office in the future to ensure best practices are followed.

### **E-permitting**

To maintain advancements in the permit process by the (WVDEP), the OCCD initiated conversation with them to place the Community Impact Statement application online in conjunction with their current E-permit process. DEP has agreed to transform the OCCD's paper application to an online application and maintain it for the OCCD at no cost. This process has not been completed to date by WVDEP; however, online permitting became available on July 1, 2009.

### **GIS and Other Mapping**

The Office began using Google Earth files to present to local development organizations the surface mined properties within their counties. This is a temporary tool until the Department of Commerce implements its new GIS mapping service, at which time the goal will be to use this to provide development data to counties for all of the properties. This includes conventional economic data from the CIS applications for energy data such as wind and biomass opportunities. PDF versions of existing land use master plans can become a layer within these GIS maps. Currently there are 17 counties who have land use plans, and this will assist these counties in updating those master plans. Additionally, GIS map buffers from a main road can be created similar to the buffers used to produce the original land use master plans. This mapping service, along with other property mapping services currently from the OCCD, can be provided to the remaining 12 counties who do not have land use master plan maps.

### **Local Development Office (LDO) Visitation Program**

The LDO visitation program was initiated in January as an outreach program to establish a relationship between the OCCD and local development organizations within the 29 coalfield counties. Between January and March of 2009, the OCCD met with LDOs representing 25 counties:

- Mingo County
- Clay County
- Kanawha County
- Nicholas County
- Fayette County
- Raleigh County
- Boone County
- Logan County
- Wyoming County
- Webster County
- Mercer County
- Harrison County
- Marion County
- Taylor County
- Greenbrier County
- Randolph County
- Monongalia County
- Barbour County
- Preston County
- Tucker County
- Upshur County
- Wayne County
- Lincoln County
- Mineral County
- McDowell County

The purpose of these meetings varied due to a diverse set of objectives for each county; however a general overview of the objectives of the OCCD and assistance available to counties was introduced. This included OCCD's partnership with the Brownfield Assistance Centers and mapping services. Also, current legislation regarding Land Use Master Plans was discussed, in particular the new responsibilities of LDOs and OCCD. For specific projects, a brief per county summary is listed below:

- Mingo County – Mingo County has a successful track record of surface mine reuse as well as an annual land use master plan. The service offered to Mingo is to assist in market analysis for these properties. This will be performed in conjunction with the West Virginia Development Office.
- Clay, Nicholas Counties – Clay is working with Consol Energy on a seventy-five year plan to develop property between the town of Clay and Summersville. This will kick off with an initial 100 acre

donation to the county if a detailed plan of the use of the property can be created. The Central Appalachian Empowerment Zone was awarded a \$190,000 federal grant to create the plan; the Office has offered to use our Brownfield contract to assist in the creation of the plan. Finally, information on a surface mine property within Clay County was provided to a WVDO prospect.

- Kanawha, Fayette, Raleigh – The Office has led the way in initiating a partnership between the Charleston Area Alliance and 4C Development Corporation to build a seventy-five year plan between Charleston and Beckley along the 64/77 Interstate (The Turnpike). The first step is to create a small task force, which will be implemented next quarter after the legislative session is complete.
- Boone County – Boone County Development Authority is working with Hobet mining on a five acre donation to create a 50,000 sq ft shell building. The building will be built as flex space which is rare in West Virginia. This building will also be used as a gateway to more acres on Hobet property as it is available over the next five to ten years. The Office also asked the BCDA to assist in a WVDO prospect that was looking at a large track of land.
- Logan County – The Logan County Development Authority has a verbal agreement with coal companies to pay for a detailed flyover of the entire county for mapping services. The Office has offered our services in both mapping as well as the Brownfield contract to assist this effort.
- Wyoming County – Wyoming County is looking to approve their Land Use Master Plan and has asked the office to assist them in outreach to the county population on the importance of the plan and how it differs from conventional zoning. Staff will attend a meeting in the second quarter to assist. Information on a surface mine property within Wyoming County was provided to a WVDO prospect.
- Webster County – International Coal Group gave a presentation to the County Commission where they announced they were in the process of seeking new permits and want the county to build a plan for post mine use. The Office will visit ICG in the second quarter to investigate this opportunity further and offer assistance in evaluation of the property. The goal is to choose the top five uses for the property and provide that report to the county.
- Monongalia, Preston, and Tucker Counties – The meeting was primarily about the legislation being considered on master land use plans and the assistance we will provide to the counties.
- Barbour Counties – Information was requested and given to Barbour County on a surface mine site which has rail access. There is also initial conversation about study around 200 acres of reclaimed land within the county. The Office offered assistance and is awaiting response.
- Upshur County – Upshur has a large coal seam that becomes useless once the coal is exposed to air. The Office has worked with the Mid-Atlantic Technology Research and Innovation Center to help the mineral rights owner on this issue.
- Randolph County – The Randolph County Development Authority was offered services to assist them in the creation of a Land Use Master Plan. The Authority was also interested in using these properties to enhance their primary development which is timber. It was also felt this would be a good use of the land to assist in preventing potential environmental concerns.
- Wayne County - The Wayne County Development Authority was offered services to assist them in the creation of a Land Use Master Plan. Also a discussion was engaged of looking at natural gas opportunities on the surface mine site due to the land being owned by the natural gas rights owner.
- Lincoln County – The Lincoln County Development Authority was offered services to assist them in the creation of a Land Use Master Plan.
- Mineral County - The Mineral County Development Authority was offered services to assist them in the creation of a Land Use Master Plan. Due to the large amount of natural gas exploration, the opportunity to use this property for that purpose was discussed.
- Harrison County - The Harrison County Development Authority was offered services to assist them in the creation of a Land Use Master Plan. Also, a business interested in located on a surface mined site was assisted by the office and continues to work with the Office.

- Marion County - The Marion County Development Authority was offered services to assist them in the creation of a Land Use Master Plan. A landowner has asked for the Office to assist them in evaluating their property for post mine use.
- Taylor County- The Taylor County Development Authority was offered services to assist them in the creation of a Land Use Master Plan.
- Greenbrier County - The Greenbrier County Development Authority was offered services to assist them in the creation of a Land Use Master Plan. The Office through their relationship with the Brownfield Assistance Center

### **Brownfield Assistance Center**

OCCD began conversations with the Brownfield Assistance Center (BAC) on February 20, 2009. The purpose was to investigate what technical expertise the Center could provide to surface mined sites and to study the impact of those sites previously designated in 2002 as Brownfield sites by the federal government. BAC has been contracted by OCCD to perform the following tasks:

1. Review all applicable site data from WVDOE databases related to surface mined properties and future economic development potential. This task may also include reviewing relevant data from the West Virginia Development Office (WVDO) and WVDEP databases
2. Identify site characteristic data sets related to economic development potential per specific land uses on surfaced mined properties
3. Identify data gaps of relevant site characteristic data sets, evaluate methods/resources for data gap information assemblage, and collect/obtain data for inclusion in site characteristic data sets
4. Review Existing County Land Use Master Plans and identify applicable parameters for land use planning
5. Assist WVDOE in creating and/or updating county Land Use Master Plans, including local development entity interaction and/or collaboration
6. Coordinate with WVDOE and the West Virginia Geological and Economic Survey to make data compatible/available in a Geographic Information System (GIS)

This contract began July 1, 2009 and will be reviewed after July 1, 2010 with the opportunity for renewal.