Land Study in West Virginia:

- **Who owns Appalachia: WV (1979) ~1 hr.**
  - split group into smaller groups and offer laminated sheets of paper that tell a portion of data about the original study, have them report back to larger group with key takeaways, things to learn from, nuance, etc.
  - Ideas for categories to include *(groups can get 2 if necessary)*:
    1. history of the study, (1977 floods and impacts, grassroots groups of academics, organizers, activists, ARC funding)
    2. landholder companies/corporate involvement in 1979 study,
    3. layers of extraction and lack of transparency about land, (more corporate involvement, ex. railroad, timber companies, leasing to mining companies)
    4. taxation,
    5. mineral rights,
    6. comparisons and contrasts of different economies in Appalachia, (ex. Coal mining communities in WV, tourist economies in Watauga County, NC)
    7. outcomes of 1979 study
    8. Mingo county data

- **Who owns West Virginia (2013) ~15 min.**
  - A shorter portion of the workshop that is presented to large group
  - summarize land ownership patterns and how they have changed in WV since original study (big group, maybe ask Ted or WVCBP staff to help with this part?)

  **** Break **** eat snacks, drink coffee!**** ~15 min

- **How can this inform our work today in Appalachia? ~30 min**
  - small group strategizing session (15 min), and report backs (15 min).
  - suggestions for small group discussion *(some groups can have same category)*:
    1. How are coal mining economies and tourist economies different? How are they the same? What emphasis do you see on tourism in Appalachia today and do you think it is a sustainable economic solution to deal with land inequity in the region? Why or why not? *try to blur lines between supporting small business/tourism efforts and supporting rural urban gentrification in Appalachia, complicate folks’ perspectives*
2) What does a diversity of tactics mean? How can we uplift grassroots struggle AND electoral/policy work? Do you agree that both are important? *same thing, complicate folks' perspectives about what tactics are most useful and reinforce idea that we need a diversified movement*

3) What role does research have in land reform in Appalachia? Where should we be focusing research efforts?
**Taxation**

- In the 1979 study, it was cited that:
  - 75% of mineral rights' owners pay 25 cents per acre;
  - 86% pay less than $1 per acre.
  - The average tax per ton of coal - .0002 cents.

- Out-of-state land holders often pay less than in-state land owners. In WV, out-of-state/out-of-county corporations pay only a few cents more per acre than in-county corporations. WV state taxation laws do not seem to protect small/family-owned businesses who own land.
- Regionally, larger land holders pay less than smaller ones. As the landholders get smaller, the proportion of taxes paid relative to the amount of land owned increases (smaller landholders have a higher tax burden ratio than large ones).
- Rural land assessors usually determine value of land by past transactions, however many large corporations have held onto vast amounts of land in Appalachia since the turn of the century - so taxation patterns are extremely
out-dated. This keep undeveloped and resource-based land uses valued low, and drives up the value of the remaining land since there is a shortage of land available for other uses.

- Large owners hold onto the same lands for decades and refuse to sell - assessments reflect value of land from years ago and not at present. Mineral rights are often also under-assessed.
- Land-holding companies often do little to develop the land, intentionally, to keeps taxes low, taxed as “mountain lands” or “forest lands.” Some lands are wrongly assessed as agricultural lands to keep taxation low.

*Represented below: Property taxes paid per surface acre, individual owner v.s. corporate owner.*
• In 1978 a citizens’ complaint in TN ruled that mined lands must be taxed at commercial rates, but TN was slow to implement this rule.

• In KY in 1968, legislature passed which allowed assessments less than full cash value for agricultural lands, but it was applied to all land-holders of more than 5-15 acres, mostly benefitting big energy corporations, especially in eastern KY.

• As of 1979, the only state to pay attention to mineral taxation issues was WV - but there were a number of problems with implementation and enforcement.
Original 1979 Study Outcomes!

- Unfortunately, despite including specific policy recommendations, especially regarding taxation, almost none of the Land Ownership Task Force’s recommendations were carried out in the 6 states researched by the 1979 Land Study.
- However, many involved with the original study cited it as a life-changing effort which empowered them to participate in meaningful research as young activists, whether or not they were academics or scientists. Many folks went on to continue a legacy of uplifting young activists, students, and scholars in the region.
- In Kentucky, the Fair Tax Coalition was born out of the effort, which later grew to become what is now Kentuckians for the Commonwealth, one of the biggest and most influential nonprofit organizations in the state.
- In West Virginia, a court ruling showed that rural counties had been discriminated against unfairly in land ownership and taxation, which led to a lack of funding for public schools in rural parts of the state - this was a success.
- An unmined mineral tax from surface mining was introduced in KY and WV.

Cover of the publication by the Land Ownership Task Force.
Original 1979 Study Origins - Floods of 1977

- Floods of 1977 in Tug Valley region devastated parts of Appalachia, local folks recognized there was no temporary housing structure to deal with such crisis.
- Communities in southwest Virginia, southern West Virginia, eastern Tennessee, and southeastern Kentucky were struggling to house displaced folks from the severe flooding.
- There was an estimated $400 million in local property damage, and 22 documented deaths due to the flood.

Downtown Matewan, April 1977 floods, courtesy National Weather Service
(http://www.floodsafety.noaa.gov/states/wv-flood.shtml)
A group of students, community activists, and scholars came together to unearth some of the unknowns about land ownership in Appalachia - largely out of the Appalachian Alliance - called themselves the Land Ownership Task Force.

The group was critical of strictly academic research in Appalachia - noting how inaccessible it was. They instead sought land reform in Appalachia with specific policy recommendations to shift the tax burden onto corporations and the wealthy, protect land-owner rights in surface-mining fights, and protect agricultural lands.

Who Owns Appalachia? Land Study spelled out structure of land ownership and patterns of taxation in the region.

They sampled 80 counties in 6 states - and had more detailed case studies in 18 of the counties most impacted by land-inequality in the region.

The group eventually was funded by the Appalachian Regional Commission, (ARC) after challenging their research policies - citing that much academic research in Appalachia did not serve the people in those communities.

Who Owns Appalachia? Is known today as a pioneer effort - setting the standard for what Participatory Action Research (PAR) should look like.

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Mineral Rights

- In the 1979 study, it was noted that many rural counties in central Appalachia have major corporate ownership of mineral rights.
- This allowed the coal industry to seize people’s land via eminent domain and use it for coal mining.
- Mountaintop Removal coal mining devastated many communities in Appalachia, causing water pollution, erosion, and damage to many’s property and homes. It was met with much resistance by private landowners in the 70’s and 80’s.
- MTR particularly impacted West Virginia, southwest Virginia, and southeastern Kentucky.

<table>
<thead>
<tr>
<th>Counties with Major Corporate Mineral Rights Ownership</th>
<th>Acres Mineral Rights Owned by Corporations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lincoln County, WV</td>
<td>337,385 acres</td>
</tr>
<tr>
<td>McDowell County, WV</td>
<td>357,935 acres</td>
</tr>
<tr>
<td>Mingo County, WV</td>
<td>264,046 acres</td>
</tr>
<tr>
<td>Marion County, WV</td>
<td>178,519 acres</td>
</tr>
<tr>
<td>Raleigh County, WV</td>
<td>357,272 acres</td>
</tr>
<tr>
<td>Logan County, WV</td>
<td>247,595 acres</td>
</tr>
<tr>
<td>Marshall County, WV</td>
<td>151,219 acres</td>
</tr>
<tr>
<td>Ohio County, WV</td>
<td>52,284 acres</td>
</tr>
<tr>
<td>Dickenson County, VA</td>
<td>152,422 acres</td>
</tr>
<tr>
<td>Buchanan County, VA</td>
<td>213,165 acres</td>
</tr>
<tr>
<td>Martin County, KY</td>
<td>88,070 acres</td>
</tr>
</tbody>
</table>
Layers of Extraction

Different types of corporate land-holdings and its impacts:

Coal and Coal Lands:

Only three coal companies (Pittston, Alabama By-Products, and Blue Diamond Coal Company) are primarily in the business of mining coal. Other corporations lease the land and mineral rights to other companies to do the mining. Coal “royalists” oversee their land, negotiate leases, and collect royalties on mined coal. Coal operators are dependent on good relationships with land owners – and many of these injustices are overshadowed by the fact that coal mining jobs are created in these communities for a time. Sometimes, community members are even dependent on the land owners for coal-camp housing leases. Clearly, people from coal communities suffer from issues of land ownership, mineral rights leasing, taxation, and the economic base from which their resources provide. Despite profit and power, coal royalists are often absentee and fairly anonymous in this process. Only 3 of the corporations in the 1979 study are public companies – most are small, family owned, with offices out of state or out of the region entirely.

Oil, Gas, and Mineral Companies:

In the 1970s, many oil companies began buying up coal companies and starting to own a large percentage of the nation’s minerals. During time of study, oil companies owned 41.4% of all private owned coal reserves in the US. Some oil companies who own vast amounts of coal (primarily in the western US): Continental Oil, Occidental Petroleum, El Paso Natural Gas, Standard Oil of California. Oil companies are also leasing thousands of acres of oil and gas rights. (10 million acres on Eastern Overthrust Belt in 1979). Oil companies are also leasing oil shale, used to create oil and natural gas, despite a lot of environmental opposition in the Western United States.

Timber Companies:

Own vast amounts of land in Appalachia, using the surface land for timber growth and logging, and often leasing the mineral rights. A lot of corporate owned timber land gained during the turn of the century, or during The Great Depression. In many counties, timberland ownership has dominated the economy much like coal or oil in other areas.

Steel and Other Metal Companies:

Own a lot of land in central Appalachia, just like coal companies. Have developed their own “captive” mines in order to mine coal used to create steel. Many steel companies
own land in the coalfields, while other metals companies own land in other parts of Appalachia - where other resources are prevalent. (ex. North Carolina: mica, feldspar, uranium).

**Railroads:**

Second to oil and gas companies of ownership of coal reserves. Used to mine their own coal to fire steam locomotives, but today, mostly lease coal to other energy companies and benefit from the royalties from mining as well as the transportation (hauling) of the coal.

**Important to note:**

- oil and gas companies gaining further control of lots of land in Appalachia
- using the land for strip mining and MTR

<table>
<thead>
<tr>
<th>TAF II-7: ABSENTEE OWNERSHIP OF SURFACE ACRES AND MINERAL ACRES, BY STATE</th>
<th>SURFACE ACRES</th>
<th>MINERAL ACRES</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Surface Acres Owned By:</td>
<td>Surface Acres Owned By:</td>
</tr>
<tr>
<td>STATE</td>
<td>Out-of-State Owners</td>
<td>Out-of-County Owners</td>
</tr>
<tr>
<td>Alabama</td>
<td>1,281,170 (36%)</td>
<td>1,147,225 (32%)</td>
</tr>
<tr>
<td>Kentucky</td>
<td>87,896 (5%)</td>
<td>363,624 (21%)</td>
</tr>
<tr>
<td>North Carolina</td>
<td>970,162 (66%)</td>
<td>319,338 (11%)</td>
</tr>
<tr>
<td>Tennessee</td>
<td>905,376 (37%)</td>
<td>788,384 (29%)</td>
</tr>
<tr>
<td>Virginia</td>
<td>991,509 (54%)</td>
<td>314,638 (17%)</td>
</tr>
<tr>
<td>West Virginia</td>
<td>1,206,539 (52%)</td>
<td>384,070 (17%)</td>
</tr>
<tr>
<td>TOTAL</td>
<td>6,134,023 (47%)</td>
<td>3,317,296 (23%)</td>
</tr>
</tbody>
</table>
Different Economies, Different Extraction

- The Land Study findings cited different issues in different regions of Appalachia - particularly in coal mining communities v.s. communities where the economies relied more heavily on tourism or other industries. It is important to note, as tourism is often discussed as a means for economic development in Appalachia today - however, many problems were cited with this type of economy, even then.
- Example: problems cited in 1979 study in Watauga County, NC were high unemployment, cyclical employment, or low-wage, seasonal/temporary employment. Mostly retail and service jobs are created in a college town with a tourism-based economy. While some manufacturing jobs existed in 1979, they remained low-wage because of their little competition in the job market with similar low-wage jobs.
- In communities where little local wealth is created, there are few new developments.
- In communities with a large amount of railroad company ownership, there was a pattern found of exploitation of timber resources until those resources were exhausted. The devastated, overly clear-cut lands were “salvaged” by national forests, becoming government-owned land.
- The Land Study cited that state-owned land (tourism) offered little benefit to local economies.

Graph representing distribution of land ownership patterns in heavy tourism counties sampled in 1979 study.

Appalachian Land Ownership Study, 1980.
● In coal-mining counties, population booms for in-and-out migrations of miners and their families led to large corporate land-holding becoming a seemingly permanent problem.
● Large absentee land-holding means corporations hold the power to control economic change, ongoing drain of wealth from region, and negative impacts of a single-industry economy.
● Creates a dependency on coal mining jobs, large amts of capital leave Appalachia, and a lack of economic diversification.
● Interests of large land-owner companies seem to be holding for future extraction - not local economic stimulation or development.
● Land for industry or housing is scarce. Companies refuse to sell land for non-coal industry expansion.
● Decades of absentee-landholding = no water, sewer, transportation, health, or educational facilities, no local wealth to invest in these.
● Coal companies have not produced sufficient taxes/ oppose water/sewage laws directly preventing construction of such facilities.
● No local funds for housing loans, underwriting of business construction of needed service industries.

*Graph representing distribution of land ownership patterns in heavy coal-mining counties sampled in 1979 study.*

Appalachian Land Ownership Study, 1980.
Corporate-owned Lands and Absentee-Ownership

- The 1979 study cited immense corporate ownership of surface lands in all six Appalachian states.
- The Land Study also highlighted absentee-ownership, often in heavy coal-mining counties as a major factor of land inequity in the region.

1979 Study Top Surface Land Owners in Appalachia:

1. Wood and Timber companies (own an average of 100,000 acres) 9 total companies
2. Coal Companies (own a total of 764,323 acres) 17 total companies
3. Steel (and Other Metals) Companies (own a total of 444,910 acres)
4. Oil, Gas, and Energy Companies (own a total of 294,323 acres)
5. Railroad Companies (own a total of 255,286 acres)
6. Misc. Corporate Land Holders (own a total of 227,559 acres)
7. Individuals (own a total of 121,753 acres)

Counties with Major Corporate Ownership of Surface Land

- McDowell County, WV -- 75.9% county
- Logan County, WV -- 67.2% county
- Raleigh County, WV -- 64.4% county
- Mingo County, WV -- 62.5% county
- Sequatchie County, TN -- 60.6% county
- Campbell County, TN -- 57.5% county
- Harlan County, KY -- 55.2% county
- Van Buren County, TN 50.9% county
- Shelby County, AL -- 45.7% county
- Wise County, VA -- 45.2% county
Counties with Greater than 50% Absentee-owned Surface Land

North Carolina
- Clay County 63.6%
- Swain County 94.0%

West Virginia
- McDowell County 79.3%
- Mingo County 69.7%
- Logan County 63.0%

Tennessee
- Van Buren County 66.4%
- Marion County 62.6%
- Sequatchie County 81.1%
- Bledsoe County 59.3%
- Morgan County 55.9%
- Scott County 52.5%

Kentucky
- Martin County 57.2%
- Harlan County 57.6%
- Knott County 57.6%

Alabama
- Winston County 56.1%

Virginia
- Dickenson County 60.6%
- Wise County 54.6%
- Bland County 51.4%