



## West Virginia Environmental Council

# G.R.E.E.N.

*Grass Roots Environmental Effort Newsletter*

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### **“On the Verge”**

*Donald S. Garvin, Jr., WVEC Legislative Coordinator*

The 2004 session of the West Virginia Legislature is “on the verge.” Opening day is January 14, with the Governor’s “State of the State” address slated for that evening.

This legislative session has been “on the verge” since the monthly Interim legislative sessions began way back in the Spring, when it appeared likely that the citizens of the Mountain State would face major industry attacks on clean water, coal regulations, and the state’s environmental regulatory structure.

So in this case being “on the verge” has not been a pleasant experience. For months we have heard rumors, backroom gossip, and vague generalities about the legislative agendas of the various “special interests” that dominate West Virginia politics. But the specific details have been lacking.

We generally know the following: Business and industry believe they have the votes to eliminate or alter the state water quality standards that designate all waters of the state as public drinking water supplies. The coal industry believes it has the votes to roll back environmental regulations that it feels are “more stringent than” federal laws. And the Farm Bureau believes it has the votes to replace the current Environmental Quality Board with some other even more political structure that would give the departments of agriculture and forestry a bigger role in setting water quality standards.

Thanks to Conni Lewis, who has done great work this year as our lobbyist during the Interim sessions, we are somewhat ahead of the curve. But as you might imagine, it is difficult for the West Virginia Environmental Council lobby team to prepare for such a

*.....continued on page 3*

### **From The New Prez**

*Fred Sampson, WVEC Board President*

Thank you for the opportunity to serve as your President in 2003-04. I am looking forward to a great year for WVEC as I think we are in a unique position in time for our organization to grow.

Our environment is being bombarded from all quarters and sustaining the status quo is no longer an acceptable option for us that call ourselves environmentalists.

Big Coal is being permitted to tear the tops off of our beautiful West Virginia Hills as we speak and the environmental community has selected the elimination of this threat to our lives as our most important project for 2004. Your help is sorely needed.

West Virginia has NO laws on the amount of water we have as a state, and no regulations that allow the state to protect the quantity of our water, the most important natural resource that we have. We must work as hard as we can this legislative session to see that we have legal protection for our water quantity on the record before our neighboring states and/or cities like Baltimore, or Washington steal it away from us. Fast food restaurants are already including water as an alternative choice with soft drinks. This indicates that this scarce resource is already becoming more and more expensive as we speak. Protection of our states water quantity is long over due. We must act now. Your help is sorely needed.

I am convinced that the statistic that says approximately 87% of the people, when asked if they are an environmentalist, answer that, yes, they consider themselves environmentalists. This is an awesome statistic and this year, WVEC is going to reach out to all of those individuals and give them the opportunity to get involved in protecting the very environment in which we live and breathe.

*.....continued on page 3*

# Announcements

**WVEC Forms New Committee:** We have developed an "**Outreach/Networking**" Committee to better organize our efforts across the state. If you would like to become more active, and are interested in being a part of one of the following components, please get in touch with the WVEC office or e-mail Co-Chairs Chuck Wyrostok - wyro@appalight.com and Denise Poole - deniseap@earthlink.net

Membership (Individual)  
Membership (Organizational)  
Media Outreach  
Events & Educational Outreach  
Fundraising  
Publications

**Send In Your Nominations!** We are now accepting nominations for our 2004 Environmental Awards in the following categories:

- ◆ **Mother Jones Award**
- ◆ **Laura Forman Grassroots Environmental Activist Award**
- ◆ **Chuck Chambers Public Service Award**
- ◆ **Green Entrepreneur Award**

Please e-mail Fred Sampson: gsd01785@mail.wvnet.edu, call or mail in your nomination by January 10, 2004. Please include brief information & background as to why you are nominating this person or business for the designated award.

**2004 Legislative Kick Off Blast!!!!** Friday, January 16th ~ Perfater Law Office Space, 1311 Virginia Street East, Charleston. 8:00 pm till 1:00 am. Join the WVEC lobby team, board of directors, staff and friends to launch the beginning of the legislative session! Support your lobby team! Support WVEC! Includes live music, refreshments and lots of cheer! Don't miss this one! Really!

**How do you G.R.E.E.N.???** If you are receiving this newsletter via regular mail and have an e-mail address (that WVEC does not have), please send it in to: deniseap@earthlink.net so we can add you to our e-alert list. We send out G.R.E.E.N. on line to save \$\$\$\$. If you still prefer to receive a "paper copy" anyway, we can accomodate. By contrast, if you are on our e-alert list and have never officially joined, please send in your mailing address so we can add you to our WVEC database.

## PERC-WV Report on 2002 Election Cycle Now Available

In October, the **People's Election Reform Coalition (PERC-WV)** released its fourth comprehensive report on West Virginia election financing. The report provides a quantitative summary of the more than \$6 million in campaign donations made to legislative candidates in the 2002 election. The report focuses primarily on members of the legislature, who raised over \$4 million during the election. Contributions to winning legislative candidates have increased 60% since PERC-WV first began tracking campaign contributions in 1996, outpacing consumer inflation by nearly four times. PERC-WV's analysis also looks at special interest contributions made to Governor Bob Wise for his reelection bid.

For a copy of PERC-WV's 2002 Election Cycle Report call OVEC at (304) 522-0246 or WV Citizen Action at (304) 346-5891. The report is also available at [www.ohvec.org](http://www.ohvec.org) and [www.wvcag.org](http://www.wvcag.org).

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**G.R.E.E.N.** is the quarterly newsletter of the **West Virginia Environmental Council (WVEC)**, a statewide organization dedicated to facilitating communication and cooperation among citizens in promoting environmental protection in West Virginia. Subscriptions are \$25 a year. Subscribers will also receive the *Legislative Update*, published weekly during the Legislative Session.

**G.R.E.E.N.** welcomes letters, articles, and art work from readers and reserves the right to edit or reject submissions. Submit materials (via e-mail or on disk) to:

**Denise Poole, editor**  
deniseap@earthlink.net

**1324 Virginia Street East  
Charleston, WV 25301  
304-346-5905  
[www.wvecouncil.org](http://www.wvecouncil.org)**

# Interim Sessions Wrap-Up

*Conni Gratop Lewis, WVEC Interim Lobbyist*

As the year winds down, certain trends and bits of memory seem to capture the essence of the legislative Interim year, which begins in April, hits its stride in the summer and delivers its results in December and January. It has actually not been a bad year so far in the Interims for the environmental community. It hasn't been an especially good year either, but I'll take it. Industry groups have not gotten bills out of Interim committees. And they may not get them in January either.

One shining example of a good result is the two ATV regulation bills that the Judiciary committee generated. One strictly focuses on children's safety and just might pass in 2004. The other is a generalized ATV regulatory bill that allows state agencies to regulate their use say, within a park or forest, and bans the machines on all paved roads. (Which will help to keep them out of the national forests.) It's less likely to pass.

Another good result is that there will be a bill to create a statewide trails coordinator. Anything that improves West Virginians' access to trails where they can appreciate the incredible natural beauty helps to create a climate of appreciation. It's a win-win.

But the best one of all is that a public campaign funding bill will be introduced during the regular session. (See related article on page 6.)

However, these are not issues central to the Environmental Council's concerns. Our four highest priority issues for 2004 include mountaintop removal, water quantity, clean elections and logging regulations.

Mountaintop removal has not been addressed as such during the interims. Instead, the coal industry has presented MTR issues as being mining issues. (See articles on pages 4 and 8.)

Water quantity has been the subject of intense work as both an Interim legislative committee and an advisory committee have reviewed draft bills, learned what other states are doing and argued about common law and survey forms as well as a flood of other issues. Perhaps the highlights of these meetings are these quotes from Larry George, an attorney representing landowners. "Riparianism has served the state well" and "Riparianism is a lousy way to plan for the future".

We now have a draft bill that declares the state's claim on the waters of the state and provides for a survey of water usage. The goal is to create a plan that will protect West Virginians access to their waters. Right now, only the courts can do that and we all know lawsuits are time-consuming and expensive.

Logging reform has not been addressed at all

during the Interim sessions. Instead the Forest Management Review Commission has been studying the economic impact of forestry in West Virginia. That includes ginseng harvesting as well as large manufacturers. I don't foresee legislation coming from this committee this year.

## "On The Verge" ..... *continued from page 1*

major onslaught, when we don't know the details.

Some of those details became clearer at the December Interim sessions. The coal industry has made clearer its list of "demands" (King Coal plays politics in a fashion very similar to terrorists taking hostages). And the "Dirty Water Coalition" has revealed some of its particular proposals to gut the EQB water quality standards package.

But specific amendments, with specific legislative sponsors, are still not formally on the table.

So, being "on the verge" has not been a pleasant experience for me. And the anticipation has been painful. Unlike previous years and legislative sessions, I am seriously anxious for this session to begin. The Interim sessions have given these ridiculous anti-environment proposals a legitimacy they don't deserve.

It's time to get on with this claptrap, time to put your values on the table. **We are ready. Bring it on!**

## From The Prez ..... *continued from page 1*

We have formed an outreach committee and I am firmly committed to be very involved in helping to develop and implement a WVEC plan to get this message to the citizens of West Virginia and all other environmental organizations, and ask for everyone to support WVEC in our efforts in protecting their air, their water, and their very own environment where they live. We also are making plans to have someone available to support and assist, any West Virginia community that is facing any environmental degradation, in organizing to protect their interests. Just call the office and someone will get back to you promptly.

We have volunteers who are in the office five days a week to monitor and return your calls. Let us help.

As you know, this added effort by WVEC, in addition to our Lobbying during the interim meetings and during the legislative session has increased our need for more funds. We will be asking everyone, including both old and new members and old and new organizations to dig deep and help us help you protect this place we love - our beautiful West Virginia.

# Comments Due on the Mountaintop Removal Study

Vivian Stockman, OVEC

Every 11 1/2 days, the explosive equivalent of the atom bomb dropped on Hiroshima is unleashed on portions of the Central Appalachian Mountains. The home-cracking, mountaintop-leveling blasts are part of a coal-mining method known as mountaintop removal / valley fill (MTR), which is devastating huge swaths of southern West Virginia and eastern Kentucky, as well parts of Virginia and Tennessee.

Entire communities have been driven out of existence by encroaching MTR, aka ecocide. People refusing to leave their ancestral homelands have to endure the effects of MTR—blasts that damage water wells, homes and health; increased flooding; increased dangerous coal truck traffic; huge coal slurry impoundments with their associated blackwater spills, likely groundwater contamination and potential for catastrophic failure; and loss of the cultural commons (forests and streams used for hunting/fishing, herb gathering, timber, recreating). People also lose faith in the political process as they witness the depth of denial, corruption and disregard for law in government and the coal industry.

Just how extensive and long lasting is the damage? Those are some of the questions studies in the Draft Environmental Impact Statement (DEIS) on mountaintop removal were supposed to answer. (Though if you see southern West Virginia or eastern Kentucky from a low-flying aircraft, common sense can give you a darn good answer!)

As a result of a lawsuit filed by attorney Joe Lovett at the request of several coalfield residents, regulatory agencies were forced to obey a law and finally conduct the DEIS.

The study was long delayed, but preliminary drafts were completed while Clinton was still in office. The studies were concluding the obvious—mountaintop removal / valley fill coal mining causes extreme harm that is likely irreversible.

Then came Bush.

He and his cronies began gutting and rewriting laws in order to make MTR illegalities legal. Bush appointed J. Steven Griles—a former heavy weight mining lobbyist, who is still receiving \$284,000 a year from former clients!—to Deputy Secretary of the Department of the

Interior. Griles was let loose on the DEIS.

In an Oct. 2001 memo to agencies involved, Griles suggests that the DEIS so far wasn't reflecting BushCo priorities: damn the science, full speed ahead. Unsurprisingly, those priorities reflect the wishes of the coal industry—big BushCo campaign contributors. Griles wrote that the "EIS (should) focus on centralizing and streamlining coal mine permitting." (Be sure to visit [www.firegriles.com](http://www.firegriles.com).)

The Griles-ed-up DEIS was released for public comment in the summer of 2003. The DEIS science essentially says: MTR very, very bad. The DEIS conclusions essentially say: Go for it boys, ignore the science, blast the mountains, bury the streams, drive away the people, take the cash, laugh on your way to the bank and leave the mess.

**Comments on the document are due by Jan. 6, 2004.** Please, please take the time to comment! Even if you don't have time to read the entire 5,000 or so pages (!), you can make comments. If you'll log onto the Ohio Valley Environmental Coalition's website, [www.ohvec.org](http://www.ohvec.org), right at the top of the page you'll find resources to help you comment. (If you don't have Internet access, you can call OVEC at 304-522-0246 and ask for Abe.) Please remember that your own individual letters are far more effective than form letters. **In your letter, be certain to state that you are opposed to mountaintop removal/ valley fill.**

**Comments go to:** Mr. John Forren - U.S. EPA (3EA30)  
1650 Arch St.  
Philadelphia, PA 19103

## Draft Permit Still Allows Pollution Emmissions!!!

The revised Draft Permit proposed for the Longview Power Plant in Morgantown does not include any pollution reductions! If DEP gives final approval for this permit, more than 19 million pounds of air pollution would be emitted each year from the plant.

DEP officials rejected recommendations by the US EPA that the plant should have to install more pollution controls (DEP currently accepting developers plans to "buy" credits - in other words, the good old "banking & trading" which gets us nowhere in reality.)

WVEC recommends that DEP delete **all** of the trading, etc., and **completely scrap this program** - and start enforcing immediately the requirements that are already in the rules!

**Please contact your legislators asking for this!**

## Some of what the Environmental Impact Statement on mountaintop removal tells us

### *Excerpted from an Earthjustice document:*

The studies accompanying the draft EIS show that the harm caused by this practice is far more pervasive and permanent than previously believed. **Yet, the EIS's "preferred alternative" suggests weakening environmental protections on MTR.** These changes include getting rid of the surface mining law's buffer zone rule that prohibits mining activities to disturb within 100 feet of larger streams and eliminating the current limit on using nationwide 21 permits to approve valley fills in West Virginia that are larger than 250 acres. There is no connection between the draft EIS study findings and the Bush Administration's "preferred alternative" of weakening environmental protections.

Nearly 1 million acres of the region's mixed mesophytic forests—the most biologically diverse and productive temperate hardwood forests on earth—already have been destroyed. (Gone from huge tracts are dozens of species of trees, the understory herbs, the soils and their seed banks. Altered are microclimates and hydrological balances. At risk are communities, the Appalachian Mountain culture sustained by the forests, neotropical migrating birds and wildlife.)

From 1992 to 2002, 1,200 miles of streams (a conservative figure as the estimates rely on outdated maps which are proven to miss many headwaters streams) have been directly impacted. (Many of the buried waters are headwater streams, which contain the organisms that perform functions vital to the balance and health of downstream life.)

Downstream from mountaintop removal operations, streams are showing significant increases in selenium and sulfates. (Selenium is highly toxic to aquatic life in relatively low concentrations.)

New restrictions on mountaintop removal, even a ban on valley fills in US waters, would not cause significant economic harm.

## Clean Elections Victory

*Julie Archer, WV Citizen Action Group*

If slow and steady wins the race then some day soon candidates for elected office in West Virginia may have the option of running for office free from direct dependence on private campaign contributions. The WV Clean Elections Act (now the "Public Campaign Financing Act") would establish an optional parallel track of public financing for candidates who agree to limit their spending and reject all private donations. This initiative has made tremendous progress since it was first introduced during the 2002 legislative session. During the 2003 regular session this comprehensive approach to campaign finance reform had bipartisan sponsors in both houses and it has been given serious consideration by the interim committee studying the bill.

In November, efforts by Senator Jon Blair Hunter to move the bill out of sub-committee to the full Joint Judiciary Committee were delayed after much debate and the adoption of some significant amendments offered by Senator Larry Rowe. Senator Rowe's amendments added candidates for the circuit court and the State Supreme Court, and delay implementation of the bill until 2008, and phase in the availability of public financing for the various offices. Judicial and gubernatorial candidates would become eligible for public financing in 2008, followed by the State Senate in 2010 and the House of Delegates in 2012.

However, **we now have a victory to celebrate!** The sub committee reconsidered the bill this week, and moved to bill to the full Joint Judiciary Committee without recommendation. The full committee followed suit on Tuesday, voting 16 to 10 to report the bill out without recommendation. While we certainly would have preferred for the committees to give the bill a "do pass" recommendation, overall we're pleased with the time and consideration it has received during the interims. Reporting the bill out, even without recommendation, allows the discussion and debate to continue.

**Thanks to everyone who contacted members of the sub-committee and urged them to support public financing of campaigns in West Virginia! Your calls and letters made the difference.**

# “Un-Healthy Forests” Initiative Threatens Monongahela National Forest

*Joshua Martin, Organizer - American Lands Alliance*

Greetings to the members of the West Virginia Environmental Council. Thank you for your dedication to West Virginia, its people and its rugged, unique environment. I would like to introduce myself and American Lands to those whom I have not had the opportunity to meet.

American Lands is a small, effective national organization that represents the grassroots forest protection movement in federal forest policymaking. I have been working or volunteering as a forest advocate for 6 years, and earned my Masters degree in environmental policy from Indiana University.

As an organizer with American Lands in the southeastern region of the country, I am in the service of forest advocates here in West Virginia to play a role in our efforts at protecting our beautiful public lands, in particular the Monongahela National Forest.

As you know, under the Bush Administration, our environmental laws and regulations are under daily attack. The national forests are currently one of the top targets of Bush and his appointed UnderSecretary of Agriculture, Mark Rey, a former timber industry lobbyist.

Today I want to share news about the **disastrous** forest policy just passed into law by Congress and the President, and what we can all do about it now if we want to stand up for the integrity of our public lands.

They call it the “**Healthy Forests Initiative**,” and it *severely limits our rights to participate in national forest decisions and seeks to increase commercial logging of our national forests.*

Large forest fires in the West has been taken by an opportunity for the Bush Administration to capitalize on the public’s fear and deliver on campaign promises of more public trees to the timber industry. They say we must cut down the forest to save it and to slow wildfires. However, this grossly misleadingly named policy does little to protect communities or ecologically healthy forests and quite a bit to reduce the role of science in national forest management, undermine citizen rights to participate in public forest management, further subsidize the timber industry and eliminate obstacles to logging large, fire-resistant trees

miles away from the nearest home. In West Virginia’s moist forests, wildfire does not pose the same degree of danger that it might in the drier west, yet we too will suffer degradation of our forest caused by relaxed logging rules and citizen participation restrictions on our national forest.

Groups such as the West Virginia Highlands Conservancy and others actively represent their members by participating in Forest Service decision-making, and the process of environmental review, consideration of alternatives, consideration of citizen comments, and the option of appealing decisions.

All are guaranteed by one of our nations most important laws, the National Environmental Policy Act. All have led to better public land management, and all will be undermined by Bush’s rollback.

The bill struggled in the US Senate, in great part due to the letters and outcry of citizens in West Virginia and throughout the country. But in a hasty and hysterical political climate the week following tragic wildfires on mostly private land in California, the bill was pushed through, clearing its most significant obstacle. **On December 3, 2003, President Bush signed this bill into law.**

But organizing has already begun to continue a strong grassroots movement to protect national forests from exploitation in the wake of the “Horizontal Forests Initiative.” The venue for the debate and resistance will move from the limestone halls of DC to our local forests all around the country, and in the hearts and minds of our neighbors. Its time for a call to action from the grassroots. Help is needed in the office and in the forest monitoring and documenting the abuses of this new policy. Help is needed to educate others and creatively spread the word.

Most of all, I encourage everyone to get outdoors and enjoy “the Mon” and your other national forests and I hope you are inspired to take action to defend them. Please contact the WV Highlands Conservancy (304-284-9548) or myself to get involved.

Learn more about American Lands and the “Healthy Forests Initiative” at [www.americanlands.org](http://www.americanlands.org).

**Joshua is looking for forest activists who will volunteer to write a letter, send alerts to their friends, host a presentation or take him on a hike to their favorite woods in West Virginia. You can contact Joshua by writing to: [joshua@americanlands.org](mailto:joshua@americanlands.org) or call: (828)252-9405.**

## Bottle Bill Summit Meeting

Linda Mallet, linda@wvcag.org

On December 16, activists from across the state met in Flatwoods to put our heads together on how to make a West Virginia container law a reality. We put names with faces and shared a lot of great ideas. Our to-be-named coalition is forming and this core of enthusiasts committed to making sure it grows and has a diverse statewide membership of organizations and individuals.

Besides working to get legislation introduced, another immediate goal is to organize Deposit Day at the Capitol during E-Day (February 17, 2004). To illustrate how refunding a deposit will boost recycling rates, we will pay folks 10-cents for each container they bring to our booth. This event is currently taking shape and we will keep you updated.

### In the meantime, what can YOU do to promote the Bottle Bill?

- Write a letter to the editor of your newspaper
- Call your newspaper's comment line
- Contact your legislators four times during the Legislative Session about the Bottle Bill
- Talk about the Bottle Bill at meetings you attend
- Ask for endorsements/resolutions of support from other organizations of which you are a member (sample resolution available at wvcag.org).
- Forward us names of organizations, friends, neighbors and co-workers who are interested in finding out more about the bottle bill
- Continue to collect petition signatures
- Ask your friends to sign the on-line petition at wvcag.org
- Come to E-Day!, work at the Deposit Day booth, and lobby your legislators.

**Give us your ideas and suggestions! Call me at 304-346-5891.**

We are currently working with legislators to coordinate bipartisan sponsorship of this year's bill. We expect to see the bill introduced once again in the House and Senate. This year's legislation is modeled after Michigan's container law, which was enacted in 1976 and requires a 10-cent deposit on plastic, aluminum and glass beverage containers. Look for lots more info in the *Legislative Update* – coming soon!

G.R.E.E.N. News

## Bring Back Jack!

Anna Sale, WV Sierra Club

Coalfield residents and environmental activists from across the nation were disappointed to hear that Jack Spadaro, the superintendent of the National Mine Health and Safety Training Academy in Beckley, was notified of his imminent firing in October by the Mine Safety and Health Administration.

Spadaro has been on administrative leave since June of 2003, charged with misuse of funds and abuse of authority. Since these charges surfaced, new reports have revealed that these charges have little credence. Instead, it appears that Spadaro is being targeted because he was a whistleblower who pointed out corruption in his own agency. After 306 million gallons of coal slurry spilled in Inez, Kentucky, Spadaro publicly criticized the Bush Administration's handling of the investigation, specifically for its failure to implicate MSHA for enforcement failures. Spadaro has also criticized several of MSHA's no-bid contracts.

Spadaro has over thirty years of experience in mine safety and inspection. He began his career as a 23 year-old engineer, charged with investigating the Buffalo Creek disaster in 1972 that killed 125 people. Since that time, he has worked to ensure similar disasters don't happen again. He has earned the trust of coalfield residents.

The Sierra Club has joined with Big Sandy Environmental Coalition, Citizens Coal Council, Coal River Mountain Watch, Ohio Valley Environmental Coalition, and the West Virginia Highlands Conservancy and launched a campaign to urge Department of Labor Secretary Elaine Chao to stop this firing. Please write to Secretary Chao and urge her to "Bring Jack Back!"

Secretary Elaine Chao

U.S. Department of Labor  
200 Constitution Ave., NW  
Washington, DC 20210

Please contact the Sierra Club's West Virginia Conservation Organizer Anna Sale at (304) 342-3182 or anna.sale@sierraclub.org for notification of upcoming actions or if your group would like to join the coalition.

# Industry's Holiday Gift List

*Conni Gratop Lewis, WVEC lobbyist*

At the December meeting of Legislative Rulemaking, four potential amendments to the water quality regulation were presented. None were acted on and none had official sponsors, but that may very well happen in January. Here they are:

Proposals to Gut the Water Quality Rule Package:

1. Eliminate the designation of state streams as public drinking water sources. The alternative would be to declare only the area around existing public water intakes as Category A, clean drinking water. Think about that and West Virginia's future. Where would future drinking water intakes be?

2. Remove proposed water quality standards for 75 new toxins. We're talking about nasty chemicals. 70 of the toxins come directly from EPA's National Recommended Water Quality Criteria: 2002. The others include aldrin and arsenic.

3. Remove the designation of more than 400 streams as "trout waters". DNR diligently reviewed the streams of West Virginia to create this list and it has been through the complete public hearing and comment process. Industry attorneys (who participated in the process) now claim that the public didn't have the opportunity to comment. Not true.

4. Weaken the water quality standards for selenium and aluminum. This is for the coal industry that claims that it's impossible to meet the selenium standards, as our soils are naturally very high in selenium. Well, maybe if the soil weren't then dumped in the creekbed it wouldn't be an issue.

The select committee on mining has met all year and heard industry's rants and responses from lots of folks, including environmentalists of the caliber of Rick Eades and Liz Garland. After eight months, we came to December's meeting and heard complaints about several specific issues that don't really affect deep mines.

## Coal Industry Christmas Wish List

1. Weaken or eliminate "commercial forestry" reclamation standards. Apparently they can't do mountaintop removal mining in a manner that preserves the conditions that will allow native hardwoods to repopulate mine sites. You know, preserve the topsoil. Stuff like that. And for anyone who wants to plant nonnative

species that grow fast as a substitute for oak and hickory, I have one word: kudzu.

2. Ease post-mining land use regulations. To date not one application has been submitted for the homestead postmining use. To do that requires infrastructure and stable ground. And why anyone would put an industrial park at the top of a mountain that is neither adjacent to a four lane highway nor in a county with lots of working age adults is beyond me. There isn't much of a market for these industrial parks.

3. Relax "approximate original contour" rules. That's simple-it's easier and less expensive. .

4. Weaken stormwater runoff analyses. The claim is that West Virginia uses formulas that are complicated and different from other states. So, how many other states have annual floods that separate peoples' homes from their foundations?

Let's hope that the legislature doesn't provide any of these

## Another Year, Same Song My Shameless Plea!

*Donald S. Garvin, Jr., WVEC Legislative Coordinator*

The West Virginia Environmental Council has once again assembled a strong team to lobby on behalf of the environment at the legislature. We are well into our pre-session planning and hope to hit the ground running when the session opens.

We have a somewhat smaller lobby team this year. However, with only one exception, the team members are all full-time, and all bring a solid background of experience and professionalism to the team effort.

What has not changed this year is our financial commitment. Even though we can never begin to offer salaries that are comparable to what industry pays its lobbyists, WVEC is committed to paying team members a living wage. And it is a struggle for us each and every year just to do that much.

So here is my first of many shameless pleas. Remember that we are your voice for the environment at the West Virginia legislature. And without your financial support we cannot be here. So if you have not renewed your membership, now is the time to do so. If you can, please renew at a higher level this year. If you have already renewed, please consider sending us an additional donation.

We need your help more than ever. And we hope you know how much your help is appreciated.





# Calendar Of Events



**January 6:** Deadline for comments on mountaintop removal study. See page 4 of this newsletter for details.

**January 14:** 2004 Regular Legislative Session Begins! Make your plans to come to the capitol and lobby your legislators during the session!

**January 16:** 2004 Legislative Session "Kick Off Blast" WVEC Winter Fund-raiser!!! Perfater Law Office Building, 1311 Virginia Street East, Charleston. From 8 pm ~ 1:00 am. Live music, refreshments and lots of fun. Mingle with friends and meet your 2004 Lobby Team!

**January 22-24:** 2nd Annual Symposium, "Appalachian Opportunities: Medicinal & Aromatic Plants production, Business and Application" - Beckley, WV. Organized by Mountain State University and USDA-ARS.  
**For more information:** Anthony Dunn, 304 929-1687 or awdunn@mountainstate.edu.

**February 17:** WVEC Annual E-Day! at the Capitol. Environmental Displays, 2004 Award announcements and best opportunity to join citizens from around the state to lobby your legislative representatives! Lots of help from current and past WVEC lobby team members. Mark your calendars immediately!! Now!  
**For more information:** Does your group, sustainable business, or organization want to participate? **Contact:** Denise Poole at the WVEC office, or deniseap@earthlink.net

**February 17:** After E-Day! Fund-raising Party! Live music, refreshments, annual award presentation ceremony - join us half way through the session to honor our award recipients and support WVEC lobbying efforts. Much to do - many people to meet!

**March 14:** Last Day of Legislative Session.

**April 17:** Planning Your Herb Garden: What to Grow, Where and How. 10 am - 4 pm. La Paix Herb Farm, Alum Bridge. Preregistration required. \$55 includes complimentary lunch.

**To register & more information:** (304) 269-7681, lapaix@iolinc.net, www.lapaixherbfarm.com

**April:** 2nd Annual "Artists for the Environment" Spring Fund-raiser. Perfater Law office building lobby. Beautiful day with the arts! Visual arts, music, poetry, performance, and more. Booths, art auction, yummy edibles and drinks! \*\*\* *Exact date, artists, and times to be announced ~ stay tuned.*

**For more information and to participate:** Contact Denise Poole, deniseap@earthlink.net or call her at the WVEC office: (304) 346-5905.

**June 19 & 20:** Lavender & More Fair! La Paix Herb Farm, Alum Bridge, WV. Workshops, demonstrations, garden tours, lunch, music and slide shows. Admission \$5.

**For more information:** (304) 269-7681, lapaix@iolinc.net, www.lapaixherbfarm.com

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## Support the West Virginia Environmental Council

1324 Virginia Street East, Charleston WV 25301

Phone: (304) 346-5905      www.wvecouncil.org

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- \$ 10 Student / Senior
- \$ 25 Regular
- \$ 50 Seedling
- \$ 100 Sustaining
- \$ 250 Enviro Steward
- \$ 500 Canopy
- \$ 1,000 Old Growth
- \$ Other

*Time sensitive material enclosed - please deliver promptly!*

***Seasons Greetings ... From WVEC !!***

***Celebrate the New Year with  
The West Virginia Environmental Council***

**Don't miss our 2004 Legislative Session  
"Kick Off Blast" Fundraiser!!**

**Friday, January 16, 2004 ~ 8 pm till 1 am  
1311 Virginia Street East, Charleston**

***Live music! Refreshments! Lots of Cheer!***