

West Virginia Environmental Council

G.R.E.E.N.

Grass Roots Environmental Effort Newsletter

Volume 14 Number 2

Date: August 16, 2004

The West Virginia Environmental Council's 15th Annual Fall Convention

September 10, 11 & 12, 2004

The Mountain Institute at Spruce Knob

This will be the 15th Annual Fall Convention for WVEC! There's really no better time to get to know the people, groups, organizations, and issues associated with the West Virginia Environmental Council.

We are very pleased to be able to hold this year's convention at **The Mountain Institute** - located on a beautiful setting on Spruce Knob (within the Monongahela National Forest.) The staff has been so helpful and welcoming, and we look forward to working more with them during the weekend. Special thanks to organizer Matt Tate, who has been coordinating arrangements with us.

All too often we are busy with our jobs, and the details of our lives to stop and take a break and renew ourselves. This Convention is not only an opportunity to catch up on loads of issues from around the state and region, but a perfect time to relax and get out into the wild. If you have not as yet visited The Mountain Institute, you are sure to be impressed. In the meantime, visit their website: www.mountain.org for more information, and view photographs of the buildings (Yurts) and grounds.

Highlights Include: **Workshops** on environmental issues, **Nature Excursions**, Organizational and sustainable/small business **booths**, and plenty of extra time to **relax with old and new friends**.

And then there's the traditional **silent auction**.... Keep in mind three things: (1) Don't forget to bring items to donate; (2) No item is too large, small, old, new, weird, green or even orange to be included; (3) Come prepared
G.R.E.E.N. News

to bid against your friends and go home with your treasures knowing that you have just helped WVEC's much needed funding! In year's past, we have had everything from pottery, books, jewelry, organic vegetables & plants and furniture to a camper donated to our auction!

Speaking of treasures, you will also be able to purchase raffle tickets for "Go Byrdy Go", a sculpture created by Mark Blumenstein and donated by him to the e-council. "Go Byrdy Go" will be attending the Convention, so you can visit him while there! The drawing for the sculpture will take place in the Spring of 2005 during our earthweek event.

Things to bring you ask? Any info on issues in your area/organization; friends you know who may like to attend; Bedding (see accomodation options on Registration Form); flashlights; gear for hiking, biking, playing softball; clothes for getting muddy if you plan to go on any of the caving excursions; those auction item donations; musical instruments, and a table for those who need booth space.

Registration is easy! Simply send in the attached form, or e-mail deniseap@earthlink.net. You can even call the WVEC office (304 346-5905.) Advanced registration insures you a space, and helps us to better plan for the event. Registrations will be accepted on site.

Please refer to www.wvecouncil.org/alerts/2004/notice_09_07.htm for more details ... Visit www.wvecouncil.org for all updates.

Who are we? Where are we going? How are we going to get there?

by Fred Sampson
WVEC Board President

WVEC, The "West Virginia Environmental Council" was formed in 1989 as a membership organization representing the environmental interests of ALL West Virginians and ALL Environmental Organizations. We have had many successes over the last 15 years in protecting your Clean Air/Clean Water issues as well as the Garbage Wars and the Medical Waste Incinerators etc.

When asked if they are environmentalists, 87% of West Virginians answer **yes**. Therefore, WVEC has approx 1.5 MILLION West Virginians and others supporting our efforts in keeping the Polluters from further damaging our environment.

We are the only organization in the state with our Charter authorizing us to represent your interests to all Federal and State Organizations, the West Virginia Legislature and the Governor.

In order to better represent you and your environmental interests, WVEC needs to implement some changes that our 15 years of operation have determined are necessary.

There are more Legislature Interim Sessions every year and in addition a lot of the State and Federal agencies are doing their planning sessions earlier. We have decided that we need to be more involved - and "at the table" in these Interim/planning sessions than in the past. We believe our efforts in keeping BAD bills from being written will allow us to be more effective in our Lobbying efforts to protect your environmental interests during the Legislative sessions.

To accomplish WVEC's chartered duties more effectively will require more funding. Year round staff is sorely needed and we need at least one lobbyist as well as volunteers to perform the work that needs to be done.

We have not been doing a good job of contacting our more than 1.5 million supporters in the past due to funding restrictions, however our present plans are to do more outreach to both our individual supporters and to other environmental organizations. Your support is crucial to both of our success in protecting our environment.

Clean air and water is a must, not a luxury. Please help! And don't forget to attend this year's 15th Annual Fall Convention at The Mountain Institute! We would love to see you there!

Thank you, Fred

Special appreciation to everyone who donated to WVEC during our recent Fundraising effort. As always, you are vital to our efforts to help keep WV green!

West Virginia Environmental Council 2003~2004 Board of Directors

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G.R.E.E.N. is the monthly 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 (preferably e-mail or on disk) to:

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EPA Proposes WV Counties as "Nonattainment" for New Air Standard

by Jim Kotcon, WVEC

On June 29, EPA issued a list of counties proposed for designation as "nonattainment" for the new PM 2.5 air standard.

WV-DEP proposed that Kanawha, Putnam, Cabell, Wayne, Marion, Wood, Brooke, Hancock, Marshall, Ohio, and Berkeley Counties be designated because monitors in those counties showed violations of the PM 2.5 standard. EPA proposed adding Mason, Monongalia, Harrison, Pleasants because they are adjacent to, and contribute significantly to, the nonattainment counties, as required under the Clean Air Act.

There is a rumor that the West Virginia Association of Counties has begun a campaign to have counties in West Virginia write letters to EPA opposing these designations.

A similar letter was considered (and rejected after significant local opposition) by the Monongalia County Development Authority this morning (kudos to the anti-Longview people who showed up in significant numbers), and now we hear that it will be considered by the Monongalia County Commission next week, so there appears to be some truth to the rumors.

While there is a short term economic argument for the "border" counties to object to the designation, the counties to which those border counties "contribute" should vehemently oppose any such letter and should be strongly objecting to the WV Association of Counties.

For example, Monongalia and Harrison Counties were included in EPA's proposed designation because they contribute significantly to nonattainment in Marion County (Fairmont). If Mon and Harrison are not included, Marion County will need much more extensive reductions in emissions to come back into attainment. Since Mon County emits over 5 times the pollutants of Marion County, and Harrison emits more than 3 times as much, leaving Marion to fend for itself means that Marion will likely never emerge from nonattainment status. Marion County's economic future will remain bleak and stifled while the "big dirties" (the Harrison and Fort Martin power plants) will continue to emit as much as ever.

I would urge everyone to contact their County Commissioners and their County Development Authority and urge that no letter of opposition be sent. Certainly, counties like Marion, Kanawha, Putnam, and Wood should strongly resist any such letter as it makes it much harder to regain attainment, and should challenge the WV

Continued on page 4...

A Land(Fill)Mark Event

by Linda Mallet, linda@wvcag.org

We toss around the word "trillion". The U.S. budget deficit is in the trillions of dollars. Investors work with stock portfolios that total in the trillions. And, since 1972, Americans have wasted over a trillion aluminum cans. We are desensitized to the meaning of "trillion." Does it really mean anything? Is there really anything we can do about it anyway?

Here's a way to wrap your mind around it: A trillion aluminum cans would weigh about 17.5 million tons and their scrap aluminum worth about \$21 billion in today's market. And even things totaling in the **Billions** (especially dollars) still have significance.

If you recycle, you may think aluminum recycling is under control. You probably take some satisfaction knowing aluminum beverage containers lead the beverage container pack in recycling terms, especially when compared to glass and other materials.

A lot of people recycle cans - they're not breakable, they smoosh down and you can turn them in at lots of places. This is all still true but not nearly as good as it could be. ***In 2003 only 44% of the cans sold in the U.S. were recycled - that's 55 billion cans not recycled!*** This is especially discouraging when you consider that access to curbside recycling programs has tripled over the last 12 years.

How can we make sure this dubious landmark is not repeated? Support a West Virginia Bottle Bill. Under a bottle bill, West Virginians would recycle a lot more of our beverage containers, including aluminum. To find out more about how you can help, please visit www.wvbottlebill.org or call me at 346-5891.

Thanks to the Container Recycling Institute for providing the facts and figures for this article. To read more, visit www.toolkit.container-recycling.org. This site provides information on existing bottle bill legislation and answers lots of questions on how to get new legislation passed.

In the meantime, WV-CAG plans to work with our Bottle Bill sponsors in the 2005 legislative session to advance the bill and raise more awareness. Call today to find out how YOU can help!

P.S. If you haven't yet, log on to the website to sign the on-line petition.

(Editors note: Linda will offer a workshop on this issue at the upcoming WVEC Fall Convention. You may also visit the WV-CAG website at: www.wvcag.org)

Keep The Roadless Rule Intact! Help Protect Wild Forests in the Mon National Forest

by Anna Sale, anna.sale@sierraclub.org
Conservation Organizer -Sierra Club

One of the most popular conservation policies in American history was dealt a crippling blow with the current administration's decision to abandon the landmark Roadless Area Conservation Rule. This administration has proposed a convoluted process that will leave America's last wild forests open to destructive commercial logging and road building. The controversial decision forces Governors to petition the Department of Agriculture to protect their wild, roadless National Forests.

This proposed policy would open up over 200,000 acres protected by the Roadless Rule in the Monongahela National Forest to road-building, commercial logging, and other development. (Please see the list of special places that would be protected by an intact Roadless Rule in the adjacent column.)

The public comment period continues through September 16, 2004. Already, 440,000 miles of roads are carved into America's National Forests. The wildly popular Roadless Rule helped protect our remaining wild forests and the clean water, wildlife habitat and outstanding backcountry recreation opportunities from more taxpayer-subsidized commercial logging. The Roadless Rule was developed over three years of public hearings and scientific analysis. To date more than 2 million Americans have commented on the original rule, with 95 percent supporting the strongest wild forests protections.

This policy change is the latest effort to reduce or eliminate decades of National Forest protection and increase spending to benefit timber companies.

Take Action: Submit a Comment Today!! Go to <http://whistler.sierraclub.org/action/?alid=341>

Mail Comments to: Content Analysis Team
ATTN: Roadless State Petitions
USDA Forest Service
P.O. Box 221090
Salt Lake City, UT 84122
Fax to: (801) 517-1014

E-Mail to: statepetitionroadless@fs.fed.us

For more info visit: www.sierraclub.org/forests

Sierra Club:

P.O. Box 2024 - Charleston, WV 25327
(304) 342-3182 (304) 342-3183 - Fax

Areas Protected by the Roadless Rule in the Monongahela National Forests:

Cheat Mountain
East Fork Greenbrier
Seneca Creek
Roaring Plains North
Roaring Plains East
Roaring Plains West
North Fork Mountain
Turkey Mountain
Canaan Loop
Spice Run
Gauley Mountain
Marlin Mountain
Tea Creek Mountain
Cranberry Addition
Falls of Hills Creek
McGowan Mountain
Middle Mountain
Dry Fork
Little Mountain
Cranberry Expansion
Cranberry Glades Botanical Area
Dolly Sods Expansion
Lower Laurel Fork

Source: Forest Service, Draft Roadless Inventory and Wilderness Evaluation

(Editors Note: Anna Sale will be leading a workshop on this issue during the Fall Convention Saturday morning, Sept. 11th.)

EPA Proposes WV Counties

...continued from page 3

Association of Counties for proposing such a divisive and counter-productive campaign.

A far better approach would be to seek assistance from EPA to identify large pollution sources and seek clean up as quickly as possible, so that the nonattainment counties can regain the economic benefits of attainment status, and, more importantly, the economic benefits of cleaner air.

Particulates contribute to increased health care costs, more days off work for employers, more days of missed school for kids, more emergency room visits, and more deaths.

West Virginia leads the nation in power plant deaths per capita, and these letters would put commissioners on record as saying that is OK. Call your commissioners now.

Democracy Works!

The State of Clean Elections in West Virginia

by Janet Fout, *Ohio Valley Environmental Coalition*

“The rich have every right to buy as many homes as they want, as many cars as they want, as many gizmos as they want, but they do not have the right to buy more democracy than the rest of us” – *journalist Bill Moyers*

So which would you prefer? Politicians whose campaigns are financed by special interests like the coal industry, big pharmaceutical companies, the timber industry and developers, or politicians who are financed through public funds, i.e. YOUR TAX DOLLARS? You the taxpayer would “own” public financed candidates.

Since 2000, voter-owned elections – a rather freeing concept – have been working well in Maine and Arizona.

OK. I know that some of you are thinking to yourself, “What! No way do I want my tax dollars funding political campaigns! The system is riddled with corruption and no politician cares what I think about anything!

Everyday I see my tax dollars going to support some other state boondoggle that largely benefits a few – generally, wealthy outsiders – while the infrastructure of this state is crumbling beneath overweight coal trucks and citizens are suffering from poverty, lack of health care insurance, and poor education.

And NOW you want me to consider providing money to ELECT politicians who will probably just rip me off?”

The answer is YES, sort of. Yes to the first part – providing public funds for political campaigns. (No! to the part about politicians who rip off the public.) Consider who you know that might run for office if there were sufficient funds available – your next door neighbor, the bus driver, the nurse down the block, your Sunday school teacher, your Aunt Betty who’s full of good ideas, maybe even – you!

If you’ve lobbied the legislature in the past decade and paid attention to the kind of issues that get the most attention (like medical malpractice reform or overweight coal trucks), then you know that the issues receiving the most attention are the ones pushed by special interest contributors (influence peddlers). And generally, legislators pass bills that benefit their big campaign contributors.

Imagine what our state might look like if ordinary, interested citizens could run for political office or that our current politicians could be “freed from the bonds” of big special interests, freed to serve the greater public interest.

OVEC and Mountain State Research and Education Foundation (MSERF) teamed up to form the Peoples’ Election Reform Coalition-WV (PERC) in 1997. Through PERC, we track, analyze and publicize all special interests contributions (since the 1996 election cycle) to

politicians’ campaigns. We can quantify what most people know in their hearts to be true – “him that pays the piper, calls the tune.” (To learn more about publicly funded elections, check out the campaign finance reform section on OVEC’s website).

Since Maine and Arizona have been through two election cycles using public financing, we know that this system can work here. Arizona listed these successes in 2002:

Clean elections candidates won state’s top offices;
Non-partisan: Republicans and Democrats benefited;
Increased voter participation; Increased voter turnout;
Increased voter choice; Increased competition;
Decreased influence of big-money special interests;
Provided adequate funding for candidates;
Strongly supported by the public.

The “Public Campaign Financing Act” is currently being studied in Select Committee F. They’re charged with the task of finding a funding mechanism. Most of these legislators are going to need more than a nudge from their constituents to take positive action and support this important legislation.

We hope you’ll contact these members if you live in their district. During the August interims (Aug. 22-24) they’ll be in Beckley at the Glade Springs Resort. September, they’re back in Charleston; and in October, the interims will be held in Shepherdstown. Now is really the best time to be rattling their cages—BEFORE a busy 2005 regular session.

If you don’t let them know that you want public funding of elections, then they sure won’t be moved to pass this important piece of legislation on their own.

Some have said that Clean Elections (a voluntary system that provides for public funding of candidates who restrict spending and refuse to take private donations) is the key to all other reforms. While there is NO single answer when it comes to ridding our statehouse of corruption (some will always find a way to cheat), Clean Elections is a major step forward to insuring the public interest and the public voice is not drowned out by the din of dollars donated by big special interests such as the coal industry.

We hope you agree and let your legislator hear from you!

Select Committee F—Campaign Finance Reform

Senate Chair —Senator Chafin

House Chair —Delegate Ennis

Senate: Senator Hunter, Senator Oliverio, Senator Synder, Senator Facemyer.

House: Delegate Caputo, Delegate Mahan, Delegate Pethtel, Delegate Warner, Delegate Howard, Delegate Schoen, Delegate Webb, Delegate Doyle

Early 2004 Summer Interims & other Activities of Interest

by Conni Lewis, WVEC Interim Lobbyist

May Interims/Activities: Little was accomplished during the May Interims. Forest Management basically set up its list of topics to cover during the year. Rule making was given background on the EQB study resolution and the four issues in contention. Water Resources was also briefed. It continues to be a well-attended meeting.

Some of my other May Activities included attending the WVEC "Artists for the Environment" event in Charleston and the League of Women Voters annual meeting - Rick Eades was the speaker where he was a huge hit - far more popular than Mike Callaghan (who was patronizing) or Joe Manchin. Miscellaneous activities included the Blackwater Wildflower pilgrimage, which was a wonderful opportunity to gently educate visitors about some West Virginia issues.

June Interims: In June, the interim meetings become substantive. Ideas are actually discussed. Occasionally, the direction a committee will take becomes apparent.

The highlight for us was the Forest Management meeting, which heard presentations on forest health issues. I had arranged for an E-council rep to speak - Don Gasper. He was well received. He spoke of the mineral depletion in forest soils, a critical if under appreciated issue. The other speakers focused on the pests and diseases that confront our forests.

Agriculture heard a presentation on ginseng. Should it be a crop? How should a profitable crop (dependant on healthy forests) be managed in West Virginia?

Finance Committee B is once again studying property tax issues. This committee bears watching given the impact of managed timberland, payments in lieu of taxes and conversion of privately owned land to public ownership. Nothing came out of last year's similar committee. The Wirt County Commission was there to tell their story- 30% of the county is owned by one entity and they pay a pittance in property taxes. I was later told the company is clear cutting, but I haven't been up there to see it.

Clean elections met and discussed funding mechanisms.

The most critical meeting was Rule Making, which is studying the issue of water quality standards. This

committee has never before had a study resolution, so they are plowing new ground. This is in addition to all usual rule making activity. EPA brought in two people to explain the EPA water quality process in exhaustive detail. Questions had been solicited before the meeting from several interested parties. Only two groups responded with questions: WV Water Co. and the Rivers Coalition/E-council. The night before Rule Making had had another meeting and EQB was not on the agenda. So Mike Ross trotted out Chris Hamilton to do his routine about manganese etc. Chris did it again in the meeting and pretty much attacked EQB in general and even Libby Chatfield. He was not called on this. Libby acquitted herself well in the thrust and parry of discussion with the legislators.

During the interims I was interviewed by James Dao of the New York Times and put him in touch with Jon Hunter to discuss the connection between MTR and floods.

Other Activities in June included being interviewed by the *State Journal* on timber issues. The story was published as part of a special focus on forestry issues. Most of the interview was left on the cutting room floor, which is ok.

Late June was the meeting of the DEP Advisory Council at which they reviewed the proposed rule changes for 2005. I had read most of them in advance and found few reasons to object. However, we need to look carefully at one of the air regulations. It has potential problems.

June 28 through 30 was the national meeting of the Multi State Working Group, a national organization of government and private sector people working toward sustainability and new approaches to regulations. Speakers came from several countries, including Great Britain and China. Allan Tweddle and I were able to attend. We were inundated with material and information and were tickled to see so many entities struggling to reduce their environmental footprint. And in every private sector case, profits improve. Allan and I would like to bring this message to others. Tim Mallan of AEP also attended, but I didn't notice other people from West Virginia's private sector.

During the meeting I was interviewed by DEP's consultant on sustainability issues. We strayed far from the intended subject matter but I think it was useful. I would recommend that others also participate in the process.

(Editors note: Conni has been hired by WVEC as our Interim Lobbyist and also attends several activities on our behalf that relate to our issues and concerns.)





Calendar of Events



August 18 thru September 6: Recycle those Computers! First nation wide, in-store electronics recycling program. Sponsored by Office Depot and Hewlett Packard. They are collecting products from cell phones to desktop computers at any Office Depot through September 6. These items will be recycled at Hewlett Packard's recycling facilities in Roseville, California and Nashville Tenn.

For more information: www.officedepot.com/recycle

August 26: Public Hearing on Permit for Limestone Quarry - Pond Lick Mountain in Shaver's Fork Watershed. 6 pm at the Randolph County Board of Education Offices.

Directions: At the junction of US 33 with US 219 & 250, turn west onto 11th street, and proceed 4 blocks; go straight through the light. School Board office is 2nd bldg. on left.

September 2-5: You've Gotta Regatta - with the Sierra Club! Charleston, WV. Volunteer with the Sierra Club as they collect postcard comments to send to the Forest Service in opposition to the proposed changes to the Roadless Rule. (See page 4 for more details about the proposed rule.)

To volunteer: Contact Anna Sale, anna.sale@sierraclub.org or 304 342-3182.

September 10-12: WVEC's 15th Annual Fall Convention. To be held at **The Mountain Institute**, Spruce Knob WV. Features workshops, nature excursions and much much more. This is the largest gathering of the year.

To register and for more information: Contact Denise Poole at the WVEC office, 304 346-5905 or deniseap@earthlink.net. **Please see the enclosed Schedule and registration form** - Mail to the WVEC office: 1324 Virginia Street East, Charleston WV 25301. Attn: Denise
For updated information, visit WVEC's website: www.wvecouncil.org.



September 18: Peace Day at La Paix Herb Farm Building Sanctuary in Your Garden. 10 a.m. to 4 p.m. \$55. with Complimentary Lunch. The Silver Labyrinth, the Feng Shui Garden, lavender plantings and woods of La Paix will be featured in this day dedicated to finding and keeping peace in your life. Learn how to make a sanctuary in your garden. Walk the labyrinth, meditate in the woods, learn how to listen to nature. Fundamentals of dowsing will be described and practiced. The lunch will include herbal teas for relieving stress and anxiety.

September 25-26: Seneca Creek Backpack. Fourteen plus miles in the Seneca Back Country utilizing Huckleberry trail, High Meadows trail and Seneca Creek trail. Reservations suggested for the campground.

Contact: Mike Juskelis at (410) 439-4964 or e-mail: mjuskelis@cablespeed.com

~ In Memoriam ~ William "Bill" Maxey ~ In Memoriam ~ Drew Forrester

WVEC is saddened by the recent deaths of two strong environmental advocates, Drew Forrester and William "Bill" Maxey.

We extend our condolences to their families and friends. They will both be sorely missed and long remembered as well as honored for their respective work.

Drew Forrester was an avid environmentalist and huge supporter of the West Virginia Environmental Council and several other organizations. He continually worked to resolve any number of problems that threaten our environment. His brother, Randall, notified us of his passing in July.

William "Bill" R. Maxey, was the former director of the West Virginia Division of Forestry, and a strong opponent of mountaintop removal/valley fill coal mining. He was appointed state Forestry Director by then West Virginia Governor Gaston Caperton in 1993. Bill had worked for Georgia-Pacific Corp. & for Westvaco Corp. and as associate professor of forestry at West Virginia University.

Support the West Virginia Environmental Council

1324 Virginia Street East, Charleston WV 25301

Phone: 304-346-5905

www.wvecouncil.org

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_____ Change of Address _____ Donation

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Address: _____

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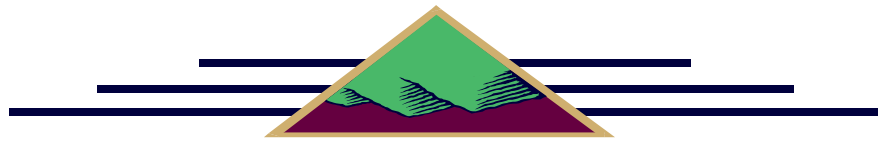
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_____ \$ 25 Regular
_____ \$ 50 Seedling
_____ \$ 100 Sustaining
_____ \$ 250 Enviro Steward
_____ \$ 500 Canopy
_____ \$ 1,000 Old Growth
_____ \$ Other

*The West Virginia Environmental Council
1324 Virginia Street East
Charleston, WV 25301*



The West Virginia Environmental Council

Invites you to attend our largest gathering of the year!

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See inside for details!

