



West Virginia Environmental Council's

# Green Legislative Update

Published Weekly During West Virginia's Legislative Session

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## Under the Dome

By Donald S. Garvin, Jr.  
WVEC Legislative Coordinator

### Week 3: Where Have All the Flowers Gone?

Another **mega-landfill** proposal for McDowell County is back in the news.

Reports are that a large out-of-state corporation has filed permit applications with DEP and the Public Service Commission to build and operate a huge garbage dump that could accept up to **50,000 tons of waste per month**.

The 50,000-ton cap was approved by McDowell County voters in a referendum back in 1992, and in 1998 DEP approved a permit for the county to operate a regional landfill that could take in up to the 50,000-ton cap.

That landfill was never built, but the permit was renewed in 2003 and is apparently still active. The Public Service Commission has now been asked to approve the sale of the project by the county to the new corporation, *Capels Landfill LLC*, a subsidiary of EnviroSolutions Holdings Inc. based in Chantilly, VA.

However, the company has reportedly asked DEP officials to **triple the allowed acreage for the landfill operation** under the permit, from **35 acres to 106 acres**.

This would allow the company to take in 50,000 tons of garbage each month for the next 25 years!

According to agency figures, McDowell County only generates about 1,600 tons of garbage each month, and the McDowell/Mingo/Wyoming region combined only generates about 7,500 tons of waste monthly.

So where would all that 50,000 tons of garbage each month come from?

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## Improving a Good Bill

***Clean Elections Bill Being Cleaned Up***  
By Julie Archer

On Wednesday, those of you who are part of our "online" community received an action alert urging you to contact your Delegates asking them to support HB 2486, the West Virginia Public Campaign Financing Pilot Project.

That afternoon, representatives of the *Citizens for Clean Elections* lobby team met with House Speaker Bob Kiss and Delegate Jon Amores, on behalf of the *Citizens for Clean Elections* coalition. The Speaker indicated that he was reluctant to put the bill up for a vote because of concerns raised by House members, but because he believes the Clean Elections concept has merit he was willing to try and work out the kinks to overcome Delegates' objections.

Delegate Amores agreed to rework the bill in House Judiciary, and both he and the Speaker deserve credit for their commitment to develop and advance public policy to change the way we finance elections in West Virginia.

We consider this a positive step, as the debate over this much needed reform will continue, and we remain optimistic that we will get a Clean Elections pilot project.

**Although the vote has been delayed, your calls are more important than ever!** Many legislators are on the fence and a few calls or personal letters from constituents can make all the difference. The importance of legislators hearing from you can not be stressed enough. Our friends in the House say they are hearing from their colleagues that their constituents wouldn't support publicly financed elections. Ironically, many legislators object to

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# E ~ Day! at The Capitol

March 30, 2005

 10:00 am till 3:00 pm 

Senate & House Hallways

Make this day your own 'citizens lobby day' and join us for our annual trek to the capitol. Approx. 30 organizations and sustainable businesses will have displays with loads of information and the latest news on bills of interest circulating throughout the Senate and House. Lets let our representatives know we care! Lets make this year the biggest turn out yet!!!

**To register your group, organization or business contact:**

Denise Poole, (304) 346-5905 or deniseap@earthlink.net

## *E~Day! Reception from 5:30 till 9:30 pm*

*This is our annual WVEC Awards Dinner & Reception.*

*We will bestow environmental awards to our 2005 recipients who have inspired us with their outstanding work and commitment to protecting West Virginia's environment.*

### **2005 WVEC Award Recipients:**

**Mother Jones: Dave Saville**

**Laura Forman Grassroots Activist: Judy Rodd**

**Green Entrepreneur: Myra Bonhage-Hale, LaPaix Herb Farm**

**Chuck Chambers Public Service: Libby Chatfield**

**Linda Snautz Environmental Courage: Maria Gunnoe**

*(The full scoop about all these fine people in a later edition!)*

**Join us March 30th! Live music!**

*Exact location in Charleston to be announced ... stay tuned!*

## **Legislative Session 2005 Information Sources:**

**Legislative Reference & Information Center:**

MB-27, Bld. 1 - State Capitol Complex, Charleston WV 25305

**WV Legislative web-site:** [www.legis.state.wv.us](http://www.legis.state.wv.us)

(For bill tracking, bulletin board (journals), legislators' e-mails.)

**To Call Toll Free:** 1-877-565-3447 or local Charleston area: (304) 347-4836

**WV Environmental Council Web-site:** [www.wvecouncil.org](http://www.wvecouncil.org)

**Ohio Valley Environmental Coalition:** If you want to easily get the latest news during the legislative session, check

[www.ohvec.org/ovec\\_news.html](http://www.ohvec.org/ovec_news.html) and [www.ohvec.org/news\\_gen.html](http://www.ohvec.org/news_gen.html) daily.

Every morning, OVEC checks scores of news sources and post links to make it easier for you to stay informed.

## **West Virginia Environmental Council 2004~2005 Board of Directors**

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*Legislative Update* welcomes letters, articles, and art work from readers and reserves the right to edit or reject submissions. Please send materials to the editor (disk or e-mail) to:

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## Under the Dome .....continued from page 1

**It would come from out of state, of course.** It would come by truck, it would come by train, it would come by barge if they could figure out a way to float it here.

**So where have all the “garbage crazies” gone?**

We here at WVEC are not hearing much from the vocal “garbage war” activists of the past. And in a brief conversation this week with newly elected Delegate Cliff Moore, from McDowell County District 23, we learned that he is not hearing much opposition from local residents either.

According to the PSC petition, the county Solid Waste Authority will receive up to \$300,000 and McDowell County directly up to \$420,000 in landfill fees if the project goes through. The county would also receive up to \$5 million for the eventual purchase of the landfill by Capels.

Despite the fact that it will generate **very few jobs** for local residents, this is no doubt money that the county desperately needs. Environmentalists understand this and fully sympathize with local folks who are trying their hardest to care for their families and earn a living and just get by.

But it’s a sad state of affairs, when the state’s vision of economic development for our poorest counties is to invite the world to dump their garbage here – or build a new power plant, or open a new prison, or bring in the slot machines, or cut off our mountain tops.

Where have all the flowers gone?

**It is cold and nasty out there, folks, so remember to warm the hearts (and bellies) of our fine-feathered friends and keep your bird feeders full.**

## "Legislative Kick Off Blast"

WVEC's annual "Kick Off Blast" benefit held February 16th was a huge success! Throughout the evening, about 200 guests attended, and donated very generously to the e-council and our legislative session needs. A great time was had by all!

Many thanks go out to: Paul Perfater, musicians "The VooDoo Katz" and "The Black Eyed Susans", WVEC Lobby Team, WVEC volunteers and all the attendees who helped us break in the 2005 session with, well - **a blast!**

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## Improving a Good Bill

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sing taxpayers’ money to fund elections which would benefit everyone, but last year nearly all the incumbent members of the House voted to give nearly \$800,000 to a golf course to benefit West Virginia’s elite.

**In a time of budget deficits, lawmakers have legitimate concerns about how much publicly-financed elections might cost the state but doing a pilot project is a very conservative approach and the cost will be capped at \$500,000 – that’s 28 cents per state resident – less than the price of a first class stamp! Please keep those calls and letters coming. Tell legislators to keep the money it would cost to send you a letter response to your call or letter and put the money toward cleaning up elections in West Virginia.**

Be sure to check the Citizens for Clean Elections website for the latest – [www.wvoter-owned.org](http://www.wvoter-owned.org).

"The grand essentials to happiness in this life are: something to do, something to love, and something to hope for."

*Joseph Addison*

## Shameless Plea

The WVEC lobby team is your voice for the environment in the halls of the Capitol building, and it takes money to keep the team running.

So please help us out – help the environment out – today by renewing your membership. If you have already renewed, we thank you, and ask that you consider an additional donation to help us meet our new goal of providing the West Virginia Environmental Council with a year-round presence at the State House.

“Money, money, money, money, money, money, money . . . money makes the world go ‘round’” – crass but true words from the Broadway show *Cabaret*.

Until we can take the money out of politics, you’re going to need the WVEC lobby team to fight the good fight. Thanks for your support.

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

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# Where There's Vision, There's Progress . . . And DEP Proves That The Opposite Is True, Too

By Allan Tweddle, WVEC Lobbyist

## Another point of view about "Proposed" Air Regs 14 & 19

DEP, it appears, will bend to the political pressure of the coal powered power plant owners and promulgate a set of "new" air rules that is a decided step backwards.

This was a time to act progressively, to seize the opportunity that new science and new EPA Non-Attainment designations might present to a visionary agency, to improve the air we breathe. Instead, they are opting to hide behind the code requirements for "No More Stringent Than . . ." and are bowing to the federal lobbyists and New Source Review (NSR) proposed roll backs by the Bush Administration.

But the WV code provides for going beyond the Fed's IF there are reasons that are "justified as unique conditions." Well, we think there is ample evidence for a "more stringent than" posture.

We urge the agency to take a stand as the Division of Environmental **Protection**. Just a year ago last October, we read the following in Charleston news reports:

*A new report out says West Virginians have one of the highest rates of asthma in the country. It also says the disease killed average of 35 people a year between 1991 and 2000.*

*The report is the first comprehensive look at asthma, which affected nine-point-three percent of the adult population — or about 130-thousand people — in 2001. That ranks West Virginia fifth-worst.*

*The report also found that more than 20 percent of middle and high school students had been diagnosed with asthma as of last year. That's more than 32-thousand children.*

*More than 14-thousand of those children had suffered at least one attack in the preceding year. And among those children, about 20 percent had missed at least eleven school days.*

Added to those concerns, many counties of West Virginia are now declared "Non-Attainment Areas" by EPA. In spite of this declaration, DEP's leaders seem to be asking the wrong questions. They are disputing EPA's declarations, trying to get them reversed, rather than addressing the pollution, as North Carolina has, that lead EPA to conclude such a finding. They are playing with the

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semantics and data gathering claims, and not aggressively working the cause.

Jim Kotcon recently wrote that EPA's own consultants also reported: "**West Virginia leads the nation in per capita deaths from power plant pollution. (Being number one in the nation certainly makes us unique at something, even if it is "dying".) If we can create the awareness that power plant pollution is a statewide health care crisis, we may have an opening to win more stringent rules.**"

Under the Clean Air Act, those old dirty plants would have been forced to clean up years ago under a provision called "New Source Review." The EPA under the Clinton administration began legal action to force those old plants to finally clean up. Just as the involved utilities were about to admit violations in court and agree to comply, George W. Bush was elected and abandoned the law suits.

Further: "**. . . in 2002 and 2003 The Bush Administration issued two final rules that seek to eliminate the teeth of NSR program and the primary means to cut pollution from the nation's dirtiest power plants. These changes have stymied enforcement actions, and the fate of the rules lies with the courts.**"

When one adds in the findings of the national Public Interest Research Group, as announced only a few weeks ago, you would think that there is more than enough evidence for a policymaker in our own DEP to say, "**Hey, maybe, just maybe, we have 'JUSTIFIED UNIQUE CONDITIONS' TO AT LEAST WAIT AND SEE WHAT WILL HAPPEN IN THE US COURT.**"

But, no, they have introduced Rules 45CSR14 and 45CSR19 to the Legislature with a specific purpose of adopting a roll back of NSR requirements that are yet to be accepted in the Federal EPA.

Do you suppose that is because, although the rules are tied up in Federal court and weaker NSR rules have yet to be adopted in Washington, our energy lobby has a more powerful voice and has pressed DEP to move forward AHEAD of the EPA? Speculation, yes, but why would not "more stringent than" be inappropriate in view of the facts about asthma and health of our citizens directly connected to the decades of avoidance of existing Clean Air Act NSR requirements?

Why? Doesn't anyone in DEP have the guts to take a stand, and act like they are **progressively** protecting the environment? Doesn't anyone in the new palace have children? The proposed new Rules 45CSR14 and 45CSR19 are a regressive step backwards.



# Great Lakes o' Sludge!

By Mary Wildfire, and Vivian Stockman

To hear coal companies tell it, toxic sludge is good for you. But what's really good for you is to take action! Please, if you haven't taken action as we requested in the last *Legislative Update*, call or e-mail your legislators and tell them you are worried about coal sludge impoundments. Mention that you'd really like to know exactly what is the coal waste stored in these impoundments.

This weekend marks a grim anniversary: On February 26, 1972, a coal waste dam, of much shoddier construction than present day impoundments, failed at Buffalo Creek. A 30-foot high wall of water surged down the creek, killing 125 people, destroying over 1,000 homes and leaving 4,000 people homeless. This avoidable disaster prompted the passage of the 1977 Surface Mining Control and Reclamation Act.

But disasters continue. It was miraculous that no human life was lost in Oct. 2000 when over 300 million gallons of sludge spewed out of a crack in the bottom of a Massey Energy coal sludge impoundment in Kentucky. If the entire 309 million gallons had surged down one creek instead of two, the concentrated volume and greater force might have had tragic consequences. We may not be so lucky next time.

*Yes, we believe that due to violations of design and construction requirements, there could well be a next time—unless we act now by banning new sludge impoundments and moving to shut down the most dangerous existing impoundments.* As long as impoundments loom over the coalfields, people are needlessly in harm's way. Many counties still do not have adequate evacuation plans, and instead rely on the evacuation plans provided by coal companies as part of the permitting process. These plans are poor at best and sometimes even have communities evacuate upstream towards the breaking impoundment, or have an emergency meeting place in the inundation area.

Across the coalfields, smaller "blackwater" spills occur frequently (see the recent news at [www.sludgesafety.org](http://www.sludgesafety.org)), fouling both streams and groundwater. But what exactly is in that black gunk oozing down to your drinking water intake supply? We need to know. It's likely that the chemicals used in the coal preparations plants are in the slurry pumped to coal sludge ponds. Several coal prep plants workers are suing



Water seeping from the bottom of a coal sludge impoundment in Mingo County. A private party had the water tested—it has high levels of mercury. The water flows into a creek which empties into the Tug Fork.

*Photo by V. Stockman*

manufactures of the processing chemicals because they believe the chemicals have made them very ill. We've listed some of the chemicals used in these plants on our website, [www.sludgesafety.org](http://www.sludgesafety.org).

After the Martin County disaster in Kentucky, Senator Byrd decided something needed to be done. He secured funding for a 2001 study by the National Research Council (NRC), which issued a report a year later called Coal Waste Impoundments: Risks, Responsibilities and Alternatives. One thing the committee asked for was that "research be performed to identify the chemical constituents contained in the liquid and solid fractions of coal waste, and to characterize the hydrogeological conditions around impoundments."

This is an excellent point. When a spill occurs, what happens to the fish and other creatures that live in a creek? What health effects do the people who live in the communities surrounding coal processing plants, or those downstream, suffer as a result? (Anecdotal evidence suggests a high cancer rate.) How long do the effects last? What, exactly, is in that stuff? These are questions that need to be addressed. Please let your legislators know that you want to know, and you are in good company—the National Academy of Science National Research Council wants to know too!

**"It's always something."**

*Gilda Radner*

# Mountaintop Removal: Mining Practices Must Change or Ecosystem Will Be Destroyed

*By Jack Spadaro, reprinted from an op-ed article in  
the Charleston Gazette February 21, 2005*

The Central Appalachian region, consisting of eastern Kentucky, Southern West Virginia and southwestern Virginia, is one of the most biologically diverse parts of North America. The forests in this region constitute the largest unbroken forest east of the Mississippi River. It is home to approximately 250 bird species, 150 tree species, and countless animal, plant, and aquatic species.

Since the early 1970s, approximately 380,000 acres in West Virginia, 320,000 acres in Kentucky and 90,000 acres in Virginia have been strip-mined for coal. Mountaintop removal operations have become the predominant form of strip mining in this region. Mountaintop removal requires the use of large valley fills for disposal of soil and rock removed from the tops of the mountains to allow access to the coal seams. Many of these valley fills contain millions of tons of soil and rock and are dumped with little regard to effects upon aquatic, animal or plant life, or the human beings downstream. Some valley fills contain over 300 million tons of mining debris and extend downstream from their headwaters for as far as six miles.

More than 1,900 miles of streams have been buried or severely degraded, in fact completely obliterated, by the valley fills. These mine waste fills are the largest earth structures in North America.

Since 2001, there have been at least seven periods of severe flash flooding in the region that can be directly attributed to increased runoff from mountaintop removal operations and other types of strip mining operations. Flash flooding occurred on July 8, 26, 28 and 29, 2001, in Southern West Virginia and eastern Kentucky. Flash flooding occurred again on May 2 and July 19, 2002, and the next year on June 16, 2003.

There have been fatalities. As far back as June 1, 1997, two people died in the Clear Creek area of Raleigh County as a result of flash flooding caused by runoff from a mountaintop removal operation. On July 8, 2001, three people drowned in flash flooding related to strip mining operations, and on May 2, 2002, at least seven people died as a result of rapid runoff and flooding caused by mountaintop removal.

As recently as August 2004, young Jeremy Davidson, a 3-year-old boy who lived near the community of Appalachia, Va., died when a boulder weighing several tons was dislodged by a bulldozer constructing an illegal haul road to a strip mine. Jeremy was asleep in his bed when he was crushed by the boulder. The road construction was being conducted in the early morning hours in a steep sloped area so as to avoid detection by government regulators.

Sediment loading of streams, particularly in the Kentucky, Cumberland and Big Sandy river basins in Kentucky, and the Guyandotte, Coal and Tug river basins in West Virginia, has accelerated at an alarming rate in the past 25 years. This is due to increased runoff from the unstable, eroding slopes of valley fills and poorly graded mountaintop removal areas.

The sediment load in areas downstream from mountaintop removal operations can now be measured in the millions of tons. It is estimated that about 1,200 miles of streams downstream from mountaintop removal operations

have been severely damaged by sedimentation and heavy metal deposition.

Flooding of the main stem rivers and the Ohio River itself can be attributed to this sediment increase, which reduces stream and flood control reservoir capacities. It is estimated that some flood control reservoirs in eastern Kentucky, particularly Fishtrap Lake on the Levisa Fork of the Big Sandy River, have lost as much as 60 percent of their storage capacities.

In October 2000, I was asked by the assistant secretary of labor under President Clinton to participate in an investigation of the Martin County coal slurry spill that occurred on Oct. 11, 2000. The conflicts involved in that investigation have been well documented by the press and even on national television.

My only purpose in raising the alarm about this investigation as I did was to make certain that the mining company and the agencies responsible for enforcing mine health and safety and environmental laws be held accountable for their failure to do so. More than 100 miles of streams were polluted by the Martin County spill. All life forms in and along the streams and rivers were obliterated. Approximately 1.6 million fish were killed. More than 27,000 people had their public and private water supplies contaminated. When I objected to weakened investigation reports and less-than-appropriate enforcement actions, I was immediately attacked by administrators in the Labor Department appointed by the Bush administration. They tried to fire me, but failed because of the public uproar.

The fact remains, however, that Massey Energy, the company responsible for the spill, and which has one of the poorest environmental records in Appalachia and a less-than-desirable mine health and safety record, has gotten away with what the EPA called the worst environmental disaster in the southeastern United States. Massey has been able to do this because corporate executives have direct access and influence with top officials of the Mine Safety and Health Administration and other government agencies. According to Common Cause, Massey Energy contributed \$100,000 to the National Republican Senatorial Committee while it was being investigated for the slurry spill. Massey Energy was ultimately fined \$5,600 for the Martin County spill.

There are approximately 650 coal-waste dams in the United States. Most are located in Central Appalachia. About 225 of the coal slurry impoundments are sitting on top of abandoned underground mine workings where the potential exists for additional breakthroughs such as that which took place at Martin County.

Unless the mining practices I have described are controlled far more strenuously or curtailed, by the year 2012 more than 2,500 square miles of Appalachian mountains, forests and streams will have been utterly destroyed. At least 3,500 miles of streams will have been covered up completely. One of the most precious ecosystems in the world will be completely lost, forever, and the people living immediately downstream from these massive mining operations will be forced to leave their homes and communities just to survive.

*This is excerpted from his speech to the  
Kentucky River Watch conference on Feb. 5.*

**E ~ Day!** March 30, 2005

~ 10:00 am till 3:00 pm ~ 

## Bottle Bill Update

By Linda Mallet, WV-CAG

We reported early in the session that the Bottle Bill was out in the Senate. True, but unfortunately, the version introduced was last year's bill! We got it right, though, when **SB 273** was introduced yesterday, and the delay allowed us to get even more sponsors.

Senate sponsors are now: Brooks McCabe (D-Kanawha), John Unger (D-Berkeley), Randy White (D-Webster), Dan Foster (D-Kanawha), Clark Barnes (R-Randolph), Andy McKenzie (R-Ohio), and Larry Edgell (D-Wetzel). Thanks to the WVEC's Allan Tweddle for helping shore up support for this bill!

We also have bi-partisan support for the identical **House version, HB 2330**, with Delegates John Doyle (D-Jefferson), Joe Talbott (D-Webster), Tim Manchin (D-Marion), Carrie Webster (D-Kanawha), Nancy Houston (D-Monongalia), Ray Canterbury (R-Greenbrier), and Allen Evans (R-Grant).

**Please call these delegates and senators and thank them for their support!**

Also, please call House Judiciary Chair Jon Amores (340-3252) and Senate Judiciary Chair Jeff Kessler (357-7880) to ask them to put the Bottle Bill on their committees' agendas.

As expected, **anti-bottle bill lobbyists, now joined by the Teamsters, are coming out in full force to fight this legislation.** Unfortunately, the bottlers have misled the Teamsters with the usual fear tactics (it will take away your jobs!) and without your calls, your decision-makers will only hear industry's skewed perspective. And let me tell you, they are hearing plenty of misinformation.

For instance, a recent letter from the WV Beverage Association states that "the difference in the state's recycling rate between current recycling and post-bottle bill recycling would probably be about 1%." We have some unprintable theories as to where they came up with THAT statistic!

**Please call your legislators.** Tell them that **the Bottle Bill is a Jobs Bill** that would create hundreds of jobs, because, **under this year's version, bottlers and the retailers will no longer handle the empty containers.** Redemption centers statewide would collect the containers and get paid out of unclaimed deposits. **JOBS! Tell them that our recycling rates will more than double and that public support runs high for bottle bills. No statewide bill has ever been repealed! Tell them we need this proven litter control measure in beautiful West Virginia!**

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## Kids and Air Pollution ~ and the new DEP Rules

Children are more susceptible to the effects of air pollution for *several* reasons. They spend more time outdoors than most adults. They take in more air in proportion to their body size and have higher metabolic rates. Their organs and systems are growing and developing at a rapid clip and their respiratory and immune systems are not yet fully developed.

The growing asthma epidemic is an example of a disease that is aggravated by air pollution. Others include increased chronic ear infections, decreases in lung function and increased incidence of diseases such as bronchitis and pneumonia.

As evidence of this, the Harvard School of Public Health did a study of children's health in Kanawha County in 1988. The study found that the asthma rate for children living within the Kanawha Valley was nearly double the rate for Kanawha county children living in areas such as Sissonville or the Elk Valley.

In spite of voluminous studies verifying the impact of air pollution on children's health, the WV DEP proposes changing two rules (45csr14 and 19) governing permits for major sources of air pollution. These would implement proposed federal rules, currently being challenged in federal court. The net result of these changes would be the emission of more damaging air pollutants into the air of our cities and countryside.

The West Virginia Environmental Council is among several groups opposing this rule change.

### For more information about the effects of air pollution on children's health:

The American Lung Association: [www.lungusa.org](http://www.lungusa.org)

U.S. Public Interest Research Group: [www.uspirg.org](http://www.uspirg.org)



### Bottle Bill Bumper Stickers Available

Would you like to order a **FREE** Bottle Bill / Stop Litter Bugs! bumper sticker? It's easy! And now is a great time to order! Check it out at:

[www.wvbottlebill.org](http://www.wvbottlebill.org).

(They will also be available on **E-Day! March 30th** - Please visit the WV Citizen Action table!)

## Logging Reforms Needed

By Conni Gratop Lewis, WVEC Lobbyist

Timbering in West Virginia is not as well regulated as other extractive industries. We all know this from driving around the state. We are saddled with a weak law and a regulatory agency that is underfunded and understaffed. If there are too few service foresters in an area, there are too few inspections, too little guidance and too little enforcement.

The Logging Control and Sediment Act does not require best management practices. It does not require inspections before, during and after a timber job. What minimal penalties that do exist are not stiff enough to deter bad practices. It doesn't prevent logging on steep, flood prone slopes. Do you detect a trend?

And there are too many loggers who know this. Some of them don't have more than the minimal skills to cut timber in a proper and profitable manner. Logging is also a dangerous job – their workers compensation rates start at 52%.

As a result, we end up with muddy streams and roads, ugly clear cuts, ruined property, ruined landscapes and other problems that degrade our quality of life.

We also, unfortunately, find: landowners who aren't paid a fair price for their timber; counties that don't collect sufficient property taxes because of the managed timberland program; hunters who find their favorite spots clearcut; landowners who find that someone has rustled their timber; people who find their property devalued by bad practices or clearcuts on adjacent land; and flood victims whose homes and lives are ruined by preventable disasters.

This year, WVEC will push a bill to address egregious logging practices that cause erosion and sedimentation. And others will introduce legislation to remedy some of the tax problems arising from current law.

The Division of Forestry has actually worked over the past several years to improve the quality of timbering in West Virginia, now let's give them the tools they need to protect the forests, lands and people of our state.

**Did you know?** The average American uses seven trees a year - in paper, wood and other products made from trees. Thanks to all of us, that's over one-and-a-half billion trees a year!

*The Earthworks Group "50 Simple Things", 1990*

## Industrial Hemp Legislation ... to be Introduced in Congress

During the 2002 regular legislative session, West Virginia passed an **industrial hemp law**, which would have allowed our farmers to grow hemp. However, because of strict federal regulations, this law cannot be implemented - yet.

The 2002 WVEC lobby team, especially Chuck Wyrostok, took a lead roll on this legislation during that session. (*Legislative Update* readers may refer to our WVEC archives to review articles and our reporting of the bill as it worked its way through state legislation at: [www.wvecouncil.org](http://www.wvecouncil.org).)

WVEC maintains that an industrial hemp law is needed and West Virginia is a perfect place to implement such a law. Our soil and climate is perfect for this kind of crop. It is also fast growing, and renewable - not to mention the fact that growing industrial hemp creates jobs (sustainable economic development.)

Congressman Ron Paul (R-TX) now plans to introduce a bill that would allow states to regulate industrial hemp.

**Please call your representative and ask him or her to be an original co-sponsor of Rep. Paul's Industrial Hemp Farming Act.**

**First Congressional District**  
Representative Alan Mollohan  
Washington, DC: 202-225-4172  
Clarksburg: 304-623-4422  
Morgantown: 304-292-3019  
Parkersburg: 304-428-0493  
Wheeling: 304-232-5390

**Second Congressional District**  
Representative Shelley Moore Capito  
Washington, DC: 202-225-2711  
Charleston: 304-925-5964  
Martinsburg: 304-264-8810

**Third Congressional District**  
Representative Nick Rahall  
Washington, DC: 202-225-3452  
Bluefield: 304-325-6222  
Beckley: 304-252-5000  
Huntington: 304-522-6425  
Logan: 304-752-4934







# Calendar of Events



**February 26:** Music Concert featuring The Bluegills, at Appalachian Folklife Center - Frankie Ramsey Dining Hall From 8:00 till 10:00 pm. Suggested donation of \$5.00.

**For more information:** [www.folklifecenter.org](http://www.folklifecenter.org) or call (304) 466-0626.

**March 3 & 8th:** Music Concert featuring Doug Harper and Friends, at Appalachian Folklife Center. Begins at 8:00 pm. **For more information:** [www.folklifecenter.org](http://www.folklifecenter.org) or call (304) 466-0626.

**March 30:** E-Day! at the Capitol. From 10:00 am ~ 3:00 pm. 2nd level house & senate hallways. Make this day your own 'citizens lobby day' and join us for our annual trek to the capitol. Approx. 30 organizations and sustainable businesses will have displays with loads of information and the latest news on bills of interest circulating throughout the Senate and House. Lets let our representatives know we care! Lets make this year the biggest turn out yet.

**To register your group, organization or business contact:** Denise Poole, (304) 346-5905 or [deniseap@earthlink.net](mailto:deniseap@earthlink.net)

**March 30:** E-Day! Reception and Award Presentation. (Location to be determined - please stay tuned.) From 5:30 pm ~ 9:30 pm. Join WVEC as we honor our 2005 award recipients. A wonderful evening to unwind after E-Day! at the Capitol. Enjoy dinner, music, enviro friends - and help us show our appreciation to our Mother Jones, Grassroots Activist, Enviro Courage, Green Entrepreneur and Public Service award recipients.

**For more information contact:** Denise at WVEC office, (304) 346-5905 or check our website: [www.wvecouncil.org](http://www.wvecouncil.org).

**April 1:** The National Public Broadcasting Service (PBS) airs the first hour of the four hour documentary, The Appalachians. Check local listings for times. The documentary includes interviews with Ohio Valley Environmental Coalition (OVEC) staff and other mountaintop removal opponents.

**April 9:** Last day of the legislative session.

**April 22:** Earth Day! Stay tuned to Legislative Update and G.R.E.E.N. newsletter and WVEC website: [www.wvecouncil.org](http://www.wvecouncil.org) for list of events from around the state and region.

**April 22:** Mon Earth Concert. - Met Theater, WVU Morgantown. 2nd annual Mon Earth event! Begins at 7:30 pm. Benefits Friends of the Cheat and other groups. **For more information:** [www.mon-earth.org](http://www.mon-earth.org)

**April 23:** Earth Day Celebration. Join WVEC, and other environmental organizations, artists, sustainable small business to celebrate Earth Day. Charleston, WV (exact location for this event to be announced.)  
**To participate & information contact:** Denise Poole, [deniseap@earthlink.net](mailto:deniseap@earthlink.net).

**April 23:** Earth Day Celebration! Concord University, Athens WV. Display tables, demonstrations and live music. From 12 noon till 10:00 pm.  
**For more information:** Laurie McKinney - Llynium Entertainments. (304) 320-8833 or [llynium@yahoo.com](mailto:llynium@yahoo.com)

**April 29:** WV-CAG Annual Spring Event. Charleston, Coonskin Park Clubhouse. Invited keynote speaker: Gov. Joe Manchin. Great food, drinks and silent auction! This is an evening event. Exact beginning time to be announced.  
**For more information contact:** Linda Mallet, (304) 346-5891 or [linda@wvcag.org](mailto:linda@wvcag.org)

**June 25:** Third Annual Lavender & More Fair! LaPaix Herb Farm, Alum Bridge, WV (Lewis County.) Featuring a variety of Workshops, Walks, Booths, Culinary Delights and much more! Silent Auction with proceeds going in support of Sustainable Living For West Virginia organization.  
**For more information contact:** Myra Bonhage-Hale, [lapaix1@westvirginia.net](mailto:lapaix1@westvirginia.net) or (304) 269-7681.

## Support the West Virginia Environmental Council

1324 Virginia Street East, Charleston WV 25301

Phone: (304) 346-5905 [www.wvecouncil.org](http://www.wvecouncil.org)

\_\_\_\_\_ Renewed Membership  
\_\_\_\_\_ Change of Address

\_\_\_\_\_ New Membership  
\_\_\_\_\_ Donation

### Membership Levels

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Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ e-mail \_\_\_\_\_

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

*Time sensitive material - please deliver promptly. Thank you.*

# THIS MODERN WORLD by TOM TOMORROW

IT'S TIME FOR YET ANOTHER LOOK AT HOW THE NEWS WORKS...**STEP ONE:** A CORPORATION WHICH HAS BEEN CAUGHT ENGAGING IN SOME ILLEGAL OR UNETHICAL ACT HIRES A **PUBLIC RELATIONS FIRM...**



**STEP TWO:** THE P.R. FIRM PROCEEDS TO MANIPULATE PUBLIC OPINION IN A VARIETY OF DEVIOUS, UNDERHANDED WAYS-- SUCH AS ANONYMOUSLY PLANTING OP-ED PIECES IN THE NATION'S NEWSPAPERS...



...AS WELL AS SENDING OUT SLICKLY-PRODUCED "VIDEO NEWS RELEASES" WHICH MANY CASH-STRAPPED LOCAL NEWS DEPARTMENTS AIR VIRTUALLY **UNEDITED...** GIVING CORPORATE PROPAGANDA THE APPEARANCE OF OBJECTIVE REPORTING...



**STEP THREE:** PUBLIC OPINION IS SWAYED BY THIS ONSLAUGHT OF MEDIA MANIPULATION MASQUERADING AS NEWS...SINCE, AS P.R. FIRMS WELL UNDERSTAND, ANY LIE REPEATED OFTEN ENOUGH BECOMES TRUE...

