



West Virginia Environmental Council's

GREEN Legislative Update

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Under the Dome

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

Week 3 – Rules, Rules, Rules

All of the DEP “rules” have now been introduced in both houses of the Legislature. So it’s time for my annual legislative tutorial about “rules.” Here we go.

The Legislature passes laws (or statutes), and then they pass rules (or regulations).

Generally speaking, the laws or statutes set out the broad guidelines for government actions, and the rules set out the specific details or regulations. Generally speaking, the laws establish the authority for the government to act and create an agency to implement the action. Generally speaking, the agency then develops (or “promulgates”) the individual rules needed to enforce the laws.

Agency rules are not proposed by individual legislators. They are developed annually by the specific agency and are then presented to the Legislative Rule-Making Review Committee during the Interim sessions.

Usually, the Legislative Rule-Making Review Committee then simply approves the rules and passes them on for consideration by the full Legislature during the regular session. There are normally more than a hundred of these rules. If you look at the legislative web site, you will see a long list of bills in both the House and the Senate with titles like, “Authorizing Commissioner of Agriculture promulgate legislative rule relating to shellfish” (that was an actual rule title last year).

But you can’t find out what’s in these rules on the legislative web site. Each agency files its rules with the Secretary of State’s office, and that’s where you have to go to read them (but only if you know the correct section of the state’s legal codes to look under). However, more recently you can also find them on the specific agency’ web site.

To make matters worse, when these agency rules are introduced they are assigned both a House bill number and a Senate bill number, and these are different than the numbers used by the Rule-Making Review Committee.

And then they are assigned to committees in both houses. This year it was again decided that the DEP rules bills would first be taken up on the Senate side. They will then be “bundled” and sent as a group – *under a new bill number* – to the House. It really is quite confusing!

It’s not a particularly citizen-friendly arrangement.

So what DEP rules are we concerned about this year?

Thankfully, just one really.

But it’s a big one – the Water Quality Standards Rule (47CSR2). In the Senate it is SB 121, and it has been referred first to the Natural Resources Committee, and then to Judiciary. In the House it is HB 2581, and it has been single-referenced only to House Judiciary.

Every three years each state is required by the federal Clean Water Act to update its water quality standards. It’s called the Triennial Review process, and it’s an integral part of the Clean Water Act’s attempt to ensure that state water quality standards are protective of human health and the environment.

Water quality standards are basically the amounts of various pollutants that are allowed to be dumped into our rivers and streams. These standards determine just how clean – or how dirty – our water will be.

As part of the Triennial Review Process the West Virginia Department of Environmental Protection has proposed some major changes to the state Water Quality Standards Rule this year.

For starters, they have added language to the “Narrative Water Quality Standards” section that includes “*certain water withdrawal activities*” and “*algae blooms*” as conditions not allowable in state waters. This is good.

DEP has also proposed a specific phosphorous standard to combat algae problems on the Greenbrier River. This is also good.

There are other things in this rule that aren’t so good, such as a *permanent* mixing zone for pollutant discharges at Weirton Steel, and weakening the water quality standard for iron on WV trout streams (simply because DEP can’t figure out how to write clean-up plans using the current standard).

However, the most controversial provision of the rule is that, for the first time, DEP is proposing a statewide water quality standard for “Total Dissolved Solids” (TDS). Dissolved solids are primarily various salts – such as chlorides and sulfates – that are dissolved in water and are normally present in most streams.

However, at high enough levels, these pollutants can be dangerous to human health and aquatic life and can make water used in drinking supplies taste and smell bad. For example, high levels of TDS were at least partially responsible for triggering the Dunkard Creek fish kill. High levels of TDS can come from a variety of sources, including coal-mining discharges and oil and gas well brine.

DEP is proposing a statewide water quality standard for total dissolved solids of 500 mg/l measured in-stream. This is stronger than Pennsylvania’s standard of 500mg/l which is measured only at public water supply in-takes. However, it is twice as high as the 250mg/l that EPA recommends as the Human Health Standard for total dissolved solids. While we believe the state should adopt the stronger EPA standard, *it absolutely should not adopt a weaker standard than is proposed in this rule.*

And that will be the big battle as this rule works its way through the tortuous and very political legislative process.

Well, that’s the legislative “rules” tutorial for this year.

Please keep your bird feeders full this week. It’s the “rule.”

Marcellus Shale Regulation Bills Make Progress

By Leslee McCarty, WVEC Lobbyist

The Interim bill, or the Judiciary bill has been introduced in both houses and given only two committee references in each, which is great news! The two are HB 2878 and SB 258. Both bills go to Finance and Judiciary so if your members are on those, pay special attention to getting in touch with them.

The best informational website is www.legis.state.wv.us which also gives you a live streaming audio of each body of the Legislature besides telling you who is on what committees and the status of bills, agendas of committees, etc.

The comprehensive DEP-created bills are not out of bill drafting yet, so we are watching closely for them. Both the Judiciary bill and the DEP bill are large, complex pieces of legislation, and we support passage of either one (with some improvements). We undoubtedly won't get everything on our wish list, but we need a good bill this year!

This last week saw the release of a WVU study commissioned by the industry telling us how much economic impact the Marcellus "play" will have on West Virginia. As expected, no word on any negative impacts on water, people, animals, air, roads, streams, quality of life--just a rosy economic scenario.

Citizen lobbyists are making a difference on Marcellus, so if you can make it to the capitol, let us know!

Time To Regulate Marcellus Shale Drilling

By S. Thomas Bond (Guest Commentary)

Morgantown WV Dominion Post Friday 28 January 2011:

The resource development of West Virginia has come in waves. The early oil and gas drilling came in the 40 years around 1900.

Anyone who has seen the 1912 geologic map of I.C. White covering Harrison and Doddridge counties must be impressed with all the red dots signifying wells. After that, it petered out, as oil and gas came in further West.

Timber cutting in the eastern mountains produced impressive wealth for a few decades, including the great houses that now belong to Davis & Elkins College. Coal stripping in the northcentral part of the state began shortly after World War II and burned itself out by 1990, and a similar wave in southern West Virginia now appears to be ending, more for political reasons than economic.

The only long-lasting resource extraction is deep mining, now in progress for over a century, but showing problems, particularly since the recent spectacular failure of the carbon capture experiment in Saskatchewan, Canada.

Each of these waves has been characterized by environmental degradation and discomfort of previous owners of the land and resources and their neighbors.

Salt water down the hillside, oil on the creeks and the earth left full of uncharted well holes characterized the early oil rush. The timber around Thomas and Davis [in Tucker County] and in other areas has not recovered a century later.

Deep coal brought acid mine water and sinkholes. The mine water is only now being treated effectively in some small areas. The West Virginia mine wars, so easily forgotten, were a product of deep mining, too. The problems of strip mining are the stuff of daily news.

The next wave is upon us, the Marcellus “gold rush.” Like each of the previous waves, in the beginning the Legislature and the Chamber of Commerce types cannot wait. There is a great stampede to avoid regulation and taxation. The environment and the interests of the “little people” are as forgotten as the morning’s last disappearing star.

This wave will cover most of the state, however. The Marcellus shale is under every acre of the western three-fourths of the state. A map of the once available deep coal is spotty, the timber resources were available in a few large areas, as was the shallow oil.

To fully exploit the Marcellus, 75 percent or more of the surface of state will be affected. This too shall pass. Marcellus wells produce fantastic volumes of natural gas, but decline rapidly.

The infrastructure is being built to get it out as rapidly as possible. Forty years and it will be a seriously declining industry. What of the water resources with which we in West Virginia are blessed? What will be the effect of corroding pipelines, eroding access roads, the inevitable leaks and contamination of the buried pits?

Now is the time to develop appropriate regulation of this diverse, sprawling, competitive industry, which will leave a footprint over most of the state.

The objectives should be to save the people, save the environment and to get the most natural gas possible from the shale. Without regulation the only objective will be to get the most immediate return on investment.

Renewable and Efficient Energy Legislation Continues

By John Christensen, WVEC Lobbyist

Our lobbying efforts have been bolstered by renewable and efficient energy initiatives, which seek to address the monoculture of energy production in the mountain state. Though WV ranks as the second lowest in terms of energy cost to consumers, it ranks much higher in energy consumption per capita.

HB 2025 addresses these important factors. A new coalition has been formed to address these issues - Energy Efficient West Virginia (EEWV) - and includes WVEC, WV-CAG, WV GreenWorks and other businesses conducting energy audits.

Sarah Halstead-Boland (WV GreenWorks), EEWV chairman Mike Harmon and I met with Gov. Org. Chair Jim Morgan this week in hopes of getting the bill on the committee agenda.

A committee substitute is in the works to strengthen WVEC’s original effort. The coalition is working very closely with the national group American Council for Energy Efficient Economy (ACEEE) to improve and update the language. The talking points as developed by committee member Cathy Kunkel are as follows.

- West Virginia has some of the most inefficient housing stock in the country, which means that residents are spending more than they should on electricity and heating bills.
- The bill would require utilities to offer programs like rebates for efficient appliances or subsidized home energy audits that their customers could use to save money on power bills.
- Investing in energy efficiency is the cheapest way to meet power demand. Taking advantage of the opportunities from energy efficiency will mitigate the impact of increasing electric rates on residents.

- Utilities that operate in West Virginia – Appalachian Power and Allegheny / First Energy – are required to undertake energy efficiency programs in other states where they operate. There is no reason why they shouldn't be held to similar standards in West Virginia. Two new bills, HB 2740 and HB 2741 (also known as Solar Bill of Rights) will help with residential solar installations statewide.

HB 2740 prevents home-owners associations from prohibiting the installation of solar systems in subdivisions covenants and restrictions. HB 2741 exempts county assessors from increasing property taxes based solely on solar system installations.

Both bills were introduced by Del. Mike Manypenny (D-Taylor) and received good support from many sponsors. Both bills are single referenced to House Judiciary. Your letters, emails and phone calls are appreciated in order to move these bills to passage this year.

Study Claims 100 Percent Renewable Energy Possible By 2030

(From a January 19, 2011 by Lin Edwards at www.physorg.com)

New research has shown that it is possible and affordable for the world to achieve 100 percent renewable energy by 2030, if there is the political will to strive for this goal.

Achieving 100 percent renewable energy would mean the building of about four million 5 MW wind turbines, 1.7 billion 3 kW roof-mounted solar photovoltaic systems, and around 90,000 300 MW solar power plants.

Mark Delucchi, one of the authors of the report, which was published in the journal Energy Policy, said the researchers had aimed to show enough renewable energy is available and could be harnessed to meet demand indefinitely by 2030.

Delucchi and colleague Mark Jacobson left all fossil fuel sources of energy out of their calculations and concentrated only on wind, solar, waves and geothermal sources. Fossil fuels currently provide over 80 percent of the world's energy supply. They also left out biomass, currently the most widely used renewable energy source, because of concerns about pollution and land-use issues. Their calculations also left out nuclear power generation, which currently supplies around six percent of the world's electricity.

To make their vision possible, a great deal of building would need to occur. The wind turbines needed, for example, are two to three times the capacity of most of today's wind turbines, but 5 MW offshore turbines were built in Germany in 2006, and China built its first in 2010. The solar power plants needed would be a mix of photovoltaic panel plants and concentrated solar plants that concentrate solar energy to boil water to drive generators. At present only a few dozen such utility-scale solar plants exist. Energy would also be obtained from photovoltaic panels mounted on most homes and buildings.

Jacobson said the major challenge would be in the interconnection of variable supplies such as wind and solar to enable the different renewable sources to work together to match supply with demands. The more consistent renewable sources of wave and tidal power and geothermal systems would supply less of the energy but their consistency would make the whole system more reliable.

Delucchi is from the Institute for Transportation Studies at the University of California, Davis, while Jacobson belongs to Stanford University's Department of Civil and Environmental Engineering. They first began to study the feasibility and affordability of converting the world to

100 percent renewable energy sources in a Scientific American article published before the Copenhagen climate talks in 2009.

The pair says all the major resources needed are available, with the only material bottleneck being supplies of rare earth materials such as neodymium, which is often used in the manufacture of magnets. This bottleneck could be overcome if mining were increased by a factor of five and if recycling were introduced, or if technologies avoiding rare earth were developed, but the political bottlenecks may be insurmountable.

‘Environment America’ Visits Capitol New Report on Mercury Emissions Released

Wednesday morning the Washington D.C. based group ‘Environment America’ in conjunction with the Sierra Club - WV Chapter, held a press conference in the Capitol Rotunda to point out the problems with coal-fired power plants’ mercury emissions in West Virginia. Spokesperson Lauren Randall, (Environment America), was joined by Beckley physician Dr. Carlos Lucero and Sierra Club’s Jim Sconyers, to say that we must stop polluting our waters with mercury poisoning from coal fired power plants.

Earlier this month, the state Bureau for Public Health, the Division of Natural and Department of Environmental Protection modified fish consumption advisories for smallmouth bass in Fish Creek and the Shenandoah River because of elevated mercury levels. Many state streams are already on the list of waters contaminated with mercury.

"Our health is precious, and mercury from West Virginian power plants puts it at risk," said Dr. Carlos Lucero, who chairs the environmental committee for the West Virginia chapter of the American Academy of Pediatrics.

"With the fourth highest level of mercury pollution in the country, West Virginians must act now to clean up power plants and protect our health."

During 2009, coal-fired power plants released 6,795 pounds of mercury into the atmosphere. Nationwide, coal-fired power plants emitted 138,259 pounds of mercury in 2009, the report said.

The report ranks West Virginia 4th in mercury emissions in the U.S. with Texas ranking 1st followed by Pennsylvania and Ohio.

A visit to the website: www.wv.dep.gov will take you to pages where you can find out more about water quality than you might ever hope to learn - most of it depressing. Find your favorite stream and see what sorts of problems it might have, including mercury poisoning of fish.

To read the full report, visit: www.environmentamerica.org/news-releases/global-warming-solutions/new-report-mercury-pollution-from-power-plants-a-major-threat-to-americans-health-environment

www.environmentamerica.org will tell you more about this energetic environmental advocacy group that came to us to tell us we need to do more to regulate our coal fired power plants.

‘Solar Week’ Scheduled in Williamson

Solar Week is scheduled to take place in Williamson, WV from February 1 – February 3. *Mountain View Solar and Wind*, the *Jobs Project*, and module manufacturer *Solar World* are sponsoring the “on the job training” portion, with workshops and a press conference planned on the last day.

The event will be held at the Williamson Emergency Services Building located on 104 E 4th Ave. in Williamson. The effort has been in the planning stages for nine months and includes support from a USDA grant program designed to help businesses in the Appalachian region.

This project represents the largest solar install in Southern West Virginia. *Solar World* is going to speak on training, policy and manufacturing.

The WV Environmental council is proud to support this effort as *Mountain View Solar* president Mike McKechnie was the recipient of our Green Entrepreneur Award in 2009, and our lobby team member John Christensen works for the eastern panhandle company when he’s not lobbying during the session.

John has invited many of the southern WV coal-field legislators to attend the festivities on Thursday so they can experience first hand the benefits of renewable energy system installation.

Mountain View Solar is installing the system on Dr. Beckett’s Medical Clinic in Williamson. Mike and John would like to see *Solar World* build a module manufacturing facility in WV.

Oil & Gas Accountability Project Conference

By Carol Warren, OVEC

Looking for information from citizens like you on the issue of shale gas drilling? Earthworks’ Oil and Gas Accountability Project (OGAP) held a conference in Pittsburgh last November that featured people’s experience with drilling in Wyoming, Texas, Arkansas, Colorado, and Pennsylvania.

Individuals spoke about having to abandon their homes because they became too ill to live there any more. Some spoke of years spent trying to get companies to replace their ruined water. Scientists presented their research on the health effects caused by the chemicals used in the drilling process, whether they leaked into the ground and polluted the water, were discharged into the air, or leaked into the air from tanks and pipes. Calvin Tillman, mayor of Dish, Texas, was joined by McArthur Genius Award winner Wilma Subra who tested the citizens of Dish and found numerous chemicals from the industry processes in their blood. Economists stated that promises of riches are grossly exaggerated, even for the gas companies themselves.

To read the power point presentations you can visit <http://www.earthworksaction.org/2010SummitAgenda.cfm>

Video for the first four panels, including the one by citizens on health effects suffered: <http://www.earthworksaction.org/2010SummitVideo.cfm>

Eventually video for all the panels should be available, so check back!

Coal Slurry Bill Introduced This Week

Stephanie Tyree, Sludge Safety Project

Exciting news this week from the Sludge Safety Project: our bill to ban underground slurry injections was introduced in both the House and the Senate.

The Alternative Coal Slurry Disposal Act, HB 2850 SB 248, is an interim committee bill that was passed out of the interim Judiciary Subcommittee in January. Bill sponsors are Senators Kessler (Acting President), Senator Browning, Senator Foster, Senator Snyder and Senator Yost. On the House side, bill sponsors are Delegate Caputo, Delegate Ferro, Delegate Fleischauer, Delegate Manchin, Delegate Moore and Delegate Wells.

The bill is fairly straightforward and has two parts. It ends slurry injections by prohibiting new permits, permit renewals and permit modifications. For the ten coal processing plants currently injecting slurry in WV, this bill would give them until the end of their current injection permit period to move their coal waste streams to aboveground storage such as impoundments and slurry cells.

The second part of the bill provides a tax credit to industry to assist in the transition to new technology to reduce and/or eliminate coal slurry. This tax credit is up to 50% of the corporate net income tax. While the ban on injection permit renewals affects only 10 operators, the tax credit is available to all coal companies in the state.

With this incentive, we hope companies will move forward in installing new, safer processing technologies.

The bill has been referenced to the Judiciary and Finance Committees on both sides. Go to www.legis.state.wv.us/committees/senate/main.cfm and www.legis.state.wv.us/committees/house/main.cfm to see if your representative is on either of these committees.

The bill is a win-win-win for all sides. Communities can rest easier knowing that their health and safety is no longer in danger from toxic slurry injections. Companies can reduce their environmental impacts and get help installing new technology that will be used for decades as they continue to operate. And state legislators can show that they can protect communities and clean water while supporting the industry as it moves into the future.

Call your legislator today and let them know that you support the Alternative Coal Slurry Disposal Act and want them to support it as well!

Shameless Plea, Week Three

Burrrrrr Baby its cold outside! Won't you warm our hearts and E-council's funds with a small donation? We sure can use anything you are able to give to help keep us in Charleston at the Capitol this session.

Don't forget to join us for E-Day at the Capitol and stay for our E-Day benefit dinner and award ceremony (details just below) if you possibly can.

Wish list: TV, couch, lamps, power cords.

Wednesdays Are Citizen Lobby Days!



Marilyn McGeorge, Citizen Lobbyist!

Join Us! WV Chapter of the Sierra Club, WV Environmental Council, WV-SORO and others working to protect our land and water resources from destructive drilling practices

What? Citizen Lobby Days

When? Where? Each Wednesday (or any day*) during the 2011 Legislative Session (Starting January 19, 2011) at the State Capitol in Charleston

Why? To urge lawmakers to strengthen West Virginia's oil and gas drilling laws

Marilyn McGeorge (right), and John Smithson have been coming to the capitol several days a week to talk with their representatives on Marcellus Shale. We have other volunteers who have been able to join us from time to time – we hope many of you can break away from your regular routine too

Please call Chuck, Julie or Denise in advance so we can be sure to meet with you and maximize our time. Chuck Wyrostok, WV Sierra Club Outreach

Coordinator, at (877)-252-0257 or wyro@appalight.com; Julie Archer at (304) 610-9094 or julie@wvsoro.org; Denise Poole, WV Environmental Council at (304) 414-0143 or deniseap@earthlink.net

*A group of organizations working on these issues have picked Wednesdays as Citizen Lobby Days, however, with a little advance notice we'll be happy to meet you anytime you are available to come to Charleston. Please contact Chuck or Julie in advance to arrange a time and location to meet. We also recommend calling ahead to schedule an appointment with your legislators.
We hope to see you can join us!

E-Day! - Wednesday, February 9th

At the Capitol

9 a.m. till 3 p.m. – Senate Side Hall & Upper Rotunda Alcoves
Environmental Citizen Lobby Day & Exhibits

E-Day Benefit Dinner & Award Ceremony

Charleston Women's Club, 1600 Virginia Street East

6:00 p.m. – 9:00 p.m.

Soup & Salad Buffet, Cash Bar

Award presentations: 7:15 p.m. – 8:00 p.m.

Cost: \$15 donation or \$25 couple

Bills We Are Tracking

Bill Number	Title	Committee
Senate Bills		
SB 12	Public health assessment of DEP rules (<i>WVEC Bill</i>)	Health
SB 20	Establishing recycling goals	Nat Res
SB 24	Creating Green Buildings Act	Finance
SB 41	Creating Jobs Impact Statement Act (<i>Devil in the Details</i>)	Econ Dev
SB 54	Additional private lodging at Stonewall Jackson Lake State Park	Nat Res
SB 70	Budget Bill	Finance
SB 201	Energy Efficient Building Act	Econ Dev
SB 224	Repealing nuclear power plant ban (<i>Perennial Terrible Bill</i>)	EIM
SB 225	WV Innovation and Development Act	Econ Dev
SB 227	Creative Communities Development Pilot Program	Econ Dev
SB 244	Coalbed Methane Ownership (<i>Interim Bill</i>)	EIM
SB 245	Funding for Chesapeake Bay Watershed Restoration (<i>Interim Bill</i>)	Judiciary
SB 248	Banning Coal Slurry Injection (<i>GREAT Interim Bill</i>)	Judiciary
SB 258	Hydraulic Fracturing and Horizontal Drilling Gas Act (<i>Interim Bill</i>)	Judiciary
SB 271	Adding members to DEP Advisory Council (<i>Perennial Terrible Bill</i>)	Gov Org
SB 314	Natural Gas Resources Transportation Road System	Transportation
SB 336	WV Energy Efficient Buildings Program Act	Gov Org
House Bills		
HB 2012	Budget Bill	Finance
HB 2024	Green Buildings Act (<i>WVEC Bill</i>)	Gov Org
HB 2025	West Virginia Energy Efficiency Act (<i>WVEC Bill</i>)	Gov Org
HB 2026	Prohibiting coal sludge impoundments (<i>Great Bill</i>)	EIL
HB 2056	West Virginia Renewable Energy Act (<i>Great Bill</i>)	EIL
HB 2135	Plug-in electric vehicle tax credit (<i>Great Idea</i>)	Transportation
HB 2136	Plastic Shopping Bag Excise Tax Act (<i>Good Idea</i>)	Finance
HB 2153	Requiring DEP to remediate waste tire piles	Passed Jud., to Finance
HB 2160	Incentives for energy conservation by electric utilities	EIL
HB 2170	Requiring DEP approve coal mine permits in six months (<i>Perennial Terrible Bill</i>)	Judiciary
HB 2172	Requiring DEP to monitor litigation (<i>Pro Industry Bill</i>)	Nat Res
HB 2219	Verifiable Science Act (<i>Perennial Terrible Bill</i>)	Gov Org
HB 2232	Allowing planning and zoning restrictions for mining and manufacturing activities	EIL
HB 2352	Extending the alternative-fuel motor vehicle tax credit	Finance
HB 2401	Renewable Portfolio Standards Sustainable Energy Act (<i>WVEC Bill</i>)	EIL
B 2403	Marcellus gas well operations use of water resources (<i>Carryover Bill</i>)	Judiciary
HB 2404	Low Emission Vehicle Act	EIL
HB 2422	Creative Communities Development Act	EIL
HB 2448	Creative Communities Development Pilot Program	EIL
HB 2514	Honeybee-friendly strip mine reclamation	EIL
HB 2554	Intrastate Coal and Use Act (<i>Rediculously Bad Bill</i>)	EIL
HB 2688	Adding a member from labor to Surface Mine Board (<i>Bad Idea</i>)	EIL
HB 2776	Residential Renewable Energy Systems Tax Credit (<i>Great Idea</i>)	EIL
HB 2795	Jobs Impact Statement Act (<i>Devil in the Details</i>)	EIL
HB 2800	Creating the West Virginia Ski Resort Industry Commission	Gov Org
HB 2809	Stopping accelerated rate recovery and revising definition of need for power lines	EIL
HB 2810	Relating to interconnection and net-metering (<i>WVEC Bill</i>)	Judiciary
HB 2814	Bottle Bill (<i>Great Bill Again</i>)	Judiciary
HB 2834	Total Dissolved Solids Bill (<i>Carryover Bill</i>)	Gov Org
HB 2842	Coalbed Methane Ownership (<i>Interim Bill</i>)	Judiciary
HB 2844	Funding for Chesapeake Bay Watershed Restoration (<i>Interim Bill</i>)	Judiciary
HB 2850	Banning Coal Slurry Injection (<i>GREAT Interim Bill</i>)	Judiciary
HB 2851	Surface owner's right to purchase mineral interests	EIL
HB 2859	Election of Public Service Commissioners	Gov Org
HB 2878	Hydraulic Fracturing and Horizontal Drilling Gas Act (<i>Interim Bill</i>)	Judiciary
HB 2890	Energy Efficient Building Act	EIL
HB 2915	Repealing sections of the Alternative and Renewable Energy Portfolio Act	EIL
HB 2938	Tax credit for plug-in electric and compressed natural gas vehicles	Transportation
HB 2940	Requiring liners in all new surface coal-waste impoundments	EIL

* Note: We are tracking the DEP Rules bills separately.



Calendar of Events



January 30: "This is Your Land" – White Grass Ski Touring Center, Davis WV - 1 PM. With Dave Saville, Outreach coordinator at the WV Water Research Institute, WV University. Dave discusses the Monongahela National Forest, Blackwater & Canaan State Parks, Canaan Valley National Wildlife Refuge, and Canaan Valley Institute lands and how they all add to the unique mix of recreational opportunities of the area.

For more information, visit www.whitegrass.com or call (304) 866-4114.

February 1-3: "Solar Week" - Williamson Emergency Services Building, 104 E 4th Ave. in Williamson.

February 9: E-Day at the Capitol. Senate side hallway and upper rotunda alcoves. From 9 AM – 3 PM. Focus will be on citizen lobbying and exhibits (environmental groups, small green businesses).

For more information and to participate: deniseap@earthlink.net or a_clean_wv@yahoo.com

February 9: WVEC E-Day Benefit Dinner & Award Presentations. Woman's Club of Charleston – 1600 Virginia Street (corner of Elizabeth Street). 6 PM – 9 PM. Featuring a Deluxe Soup & Salad bar, cash bar. Award presentations begin at 7:15 PM.

Cost: \$15 per person or \$25 per couple.

For more information: deniseap@earthlink.net or (304) 414-0143.

February 20: White Grass Winter Outing - A winter-themed snow shoe tour, White Grass Ski Touring Center, Davis WV - 1 PM. Learn about all the unique wildlife habitats in Canaan Valley and much more.

For more information, visit www.whitegrass.com or call (304) 866-4114.

March 12: Last day of legislative session.

April 16: "A Sustainable Affair" – Celebration! Davis & Elkins College campus, Elkins WV. Sustainable Living for WV and the Center for Sustainability Studies of D&E celebrate over 10 years of sustainability initiatives and fairs. Beginning at 4:00 PM - Halliehurst Mansion: Wine Tasting, music, Group of 12 select vendors (green energy, agriculture, local artisans); 6:00 PM – 8:30 PM - "Sustainable Feast" dinner. Join us at the "Ice House" on campus from 9:00 PM till Midnight with live music by Fox Hunt!

For more information: deniseap@earthlink.net

May 19-21: The New River Symposium, "Bridging the Gaps: Collaborations for Sustainability" – Concord University, Athens WV.

For more information contact: Dr. Roy Ramthun – rramthun@concord.edu

Legislative Session 2011 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

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

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

Listen Live: West Virginia Legislature page <http://www.legis.state.wv.us/> and click on "listen live."

WV Environmental Council Web-site: www.wvecouncil.org

WVEC Office: (304) 414-0143

Ohio Valley Environmental Coalition:

www.ohvec.org/ovec_news.html and www.ohvec.org/news_gen.html daily.

Every morning, OVEC checks scores of news sources and posts links.

Legislative Update is published by the West Virginia Environmental Council (WVEC) – a statewide organization dedicated to facilitating communication and cooperation among citizens in promoting environmental protection in West Virginia. *Legislative Update* is published weekly during the regular Legislative Session.

We welcome letters, articles, and artwork from readers and reserve the right to edit or reject submissions. Please send materials to Denise Poole, *editor* at deniseap@earthlink.net

Support the West Virginia Environmental Council

2206 Washington Street East, Charleston WV 25311

Phone: (304) 414-0143 www.wvecouncil.org

Renewed Membership New Membership
 Change of Address Donation

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Enviro Steward: _____ \$250
Canopy: _____ \$500
Old Growth: _____ \$1,000
Other: _____