



West Virginia Environmental Council's

# Green

# Legislative

# Update

Published Weekly During West Virginia's Legislative Session

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Date: March 25, 2005

## Under the Dome

By Donald S. Garvin, Jr.

WVEC Legislative Coordinator

### Week 7 – Swimming Up Stream

Last week a television reporter asked Senator Jon Hunter (D – Monongalia) if his efforts to save the Environmental Quality Board (EQB) weren't "kind of like swimming up stream?"

Senator Hunter replied, "Yes, and I will continue to swim up stream as long as there is clean water to swim in."

This was Senator Hunter at his best, a wonderful quote said with that classic smile and twinkle in his eye. And of course those of us in the environmental movement *feel like* we can strongly identify with the Senator's metaphor of swimming up stream against the tide.

Let me suggest, however, that those of us "on the outside looking in" cannot begin to imagine the strength of courage, will, fortitude, persistence – whatever you want to call it – that it must take to be a politician who actually advocates for the environment these days.

Politicians of that caliber are a minority within a minority. Talk about having to swim up stream!

So, thank you, Jon Blair Hunter, for all you do for the environment. It is only because of your efforts – and the efforts of a small number of other like-minded Senators and Delegates — that we have the opportunity to keep "clean water to swim in."

We can never thank you enough.

Spring has officially arrived – but just barely – so remember to keep your bird feeders full this week.

Ancient Greek Proverb: "I fish, therefore I am."

## What Ever LOLA\* Wants .....

### LOLA Gets .....

(\*Legislators of Lost Advice)

By Allan Tweddle, WVEC

In an article dated January 14, 2005 by John Heilprin of Associated Press, datelined Washington, we see a hint of logical advice for our Legislators.

*The Bush administration's plans for cutting air pollution could achieve less at certain plants than an existing program targeted by the White House, the National Academy of Sciences suggested Thursday in an interim report.*

*The study says the current program generally "provides more stringent emission limits for new and modified major sources" — coal-burning power plants — than would be provided by Bush's proposals.*

*The "new source review" program, which dates to 1977, requires utilities to install new pollution control equipment whenever major changes or maintenance would significantly increase emissions. The Bush administration has eased the program somewhat, but those changes are on hold pending a federal suit challenging them.*

*The White House also has been promoting legislation for cutting pollution from power plants, dubbed "Clear Skies," as well as an Environmental Protection Agency rule change that would accomplish much the same thing.* (This proposal has been rejected in Committee in Washington in a committee that is a majority of the President's own party.)

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E-Day! March 30th



The West Virginia Environmental Council's

## E-Day! At The Capitol

Wednesday, March 30, 2005

Upper Rotunda area ~ Senate & House Halls

10:00 am ~ 3:00 pm

### Featuring:

Groups / Organizations / Sustainable Business Displays!  
Recognizing our 2005 Lobby Team & Award Recipients  
Citizen Lobbying

**Deposit Day ~ Support the Bottle Bill!**  
Bring your recyclable containers, collect up to \$5.00

### Participants Include:

- ◆ WV Environmental Council
- ◆ WV Highlands Conservancy
- ◆ WV Citizen Action Group
- ◆ Wholistic Wellness Network
- ◆ Citizens For Clean Elections
- ◆ Friends of the Mountains
- ◆ Friends of Blackwater Canyon
- ◆ Stanley Heirs Foundation
- ◆ Sludge Safety Project
- ◆ Tri-State Citizens Mining Network
- ◆ LaPaix Herb Farm
- ◆ Mon Valley Clean Air Coalition
- ◆ Omega-Alpha Tire Re-use Services
- ◆ Mountaineer Chapter ~ Trout Unlimited
- ◆ Interfaith Global Climate Change Campaign
- ◆ Sierra Club Central Appalachian Environmental Justice
- ◆ Glenville State College Environmental Org. (GEO)
- ◆ Environmental Advocate Office - WV DEP
- ◆ Ohio Valley Environmental Coalition
- ◆ Peoples Election Reform Coalition
- ◆ Spring Creek Natural Foods
- ◆ WV Wilderness Campaign
- ◆ Coal River Mountain Watch
- ◆ WV Chapter, Sierra Club
- ◆ Medicine Song Crafts
- ◆ WV Collegiate Enviro Network (CEN)
- ◆ Sustainable WV
- ◆ Mon Valley Clean Air Coalition
- ◆ Tri-State Citizens Mining Network
- ◆ Indoor Environmental Inspections
- ◆ Natural Health & Environmental Services
- ◆ Indoor Air / Water Purification Products

## E-Day! Reception 5:30 ~ 9:30 p.m.

Perfater Office Lobby 1311 Virginia St. E., Charleston WV

### Music by, Steve Himes

### 2005 Award Presentations ~ 7:00:

Laura Forman Grassroots Environmental Activist .... *Judith S. Rodd*

*Presented by: Sandy Fisher*

Linda Schnautz Environmental Courage ..... *Maria Gunnoe*

*Presented by: Julian Martin*

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

*Presented by: Bob Hamburg*

Chuck Chambers Public Service ..... *Libby Chatfield*

*Presented by: Cindy Rank*

Mother Jones Award ..... *Dave Saville*

*Presented by: Frank Young*

\$10.00 suggested donation at the door

Green Legislative Update

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

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# What Ever LOLA Wants .....

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So why would our WV DEP, in testimony before the House Judiciary Committee yesterday, insist on adopting rules that the Feds have tied up in lawsuits under threat that, if we don't adopt them, the Federal EPA will step in and run the air quality permitting in West Virginia?

They claim the rules are simply clearing up the permitting process, but they include a highly questionable requirement for reporting emissions as a "plant wide emission inventory" rather than specific source measurements. They also allow a longer period of time over which to average measurements. If true, it is (as Delegate Bonnie Brown stated in the Judiciary meeting) "a numbers game."

The logical question, asked by several Delegates, is, "Why are we doing this?"

The National Academy of Science has observed that these proposals would actually relax the air quality standards, a point that James Connaughton, Chairman of the White House Council on Environmental Quality, denies. This is the same White House that says CO2 is not a pollutant, and until they were rebuffed by the NAS, touted that global warming didn't exist.

The following are other questions that were asked by Delegates yesterday after reading National Science Foundation materials provided by the WVEC lobby team. Most of the questions were never fully or even partially answered by DEP officials.

1. What independent scientific reports or studies does DEP have to support these proposed change? **Answer: These are not roll backs, just permitting process clarifications.**
2. When did EPA ever take over a State Environment Agency when it was "More Stringent Than" in its rules. **Answer: Not sure...cannot recall.**
3. How much increased emissions will these roll backs of the rules permit in West Virginia? **Answer: These are not roll backs, just permitting process clarifications.**
4. What are the health impacts caused by the increased emissions allowed by these roll backs of standards? **Answer: Don't know.**
5. Why are we doing this if we already meet Federal Standards? Not asked ... **Answer: We have to or we will be taken over by the EPA.**
6. The rules propose plant-wide emissions standards. How do you propose to measure

and monitor such a standard? **Answer: I don't know...I am not a monitoring person.**

7. If we do not adopt these proposed Federal rules, because after all, I understand that they are tied up at the Federal Level in Court, then wouldn't West Virginia be at a higher standard than the federal rules . . . in other words we would be "More Stringent Than"? **Not asked or answered. Still unanswered.**
8. Numerous studies have shown a connection between the alarming rates of asthma in West Virginia children and particulate emissions. How do I explain to my constituents that you are increasing the risks of asthma in their children by relaxing emission standards? **Answer: No comment.**
9. If DEP has no basis in science, have you consulted with the WV Department of Health on the health impact on children and the elderly? **Answer: No.**

It was quite a session. The air rules passed although Delegate Bonnie Brown suggested an amendment. When Chairman Amores was asked if the Committee could vote to remove a Rule from the bundle of Rules, he judged that they could not. He stated that there are 95 rules up for approval in several Rules Bundling Bills and there is not time to debate and vote on all of them. *It seems that whatever DEP wants, DEP gets.*

So brave Bonnie Brown twice suggested amendments that would have eliminated two of the worst rules using language in the rules themselves. It was a noble attempt by her, and there was a good number who voted to support her, but both attempts were defeated.

It was a good debate. Delegates Azinger, Caputo, Ellem, Hamilton, Hrutkay, Moore, Long and Webster all participated in the discussions using our facts sheets that suggested questions for probing the issues in their own manner and style.

Progress? We didn't prevent the adoption of the two questionable air rules, but we did get issues out in the open. This is the first time in a long time that there has been a good discussion in committee about air rules and air-related health issues.

However, in the end the committee voted to adopt the rules, in spite of the risks to the health of asthma-plagued children and the elderly.

It struck this reporter that some members of the committee didn't want to be confused with any other advice or facts.

***Whatever Legislators Want...Legislators Get.***

# Hope Dwindles for Saving EQB

By Donald S. Garvin, Jr.  
WVEC Legislative Coordinator

Friday morning, with very little debate, the Senate Judiciary Committee passed **SB 287**, a bill that will transfer the Environmental Quality Board's rulemaking authority to the Department of Environmental Protection, allowing DEP to determine the state's water quality standards.

The House Judiciary Committee passed an almost identical bill, **HB 2889**, on Tuesday. These actions clear the way for quick votes on the bills in both chambers. And since both bills are essentially identical, little stands in the way of passage.

Both bills would also strip EQB of its responsibility for approving "re-mining" variances, again transferring that authority to DEP. EQB would continue to exist only as an appellate board – hearing appeals of DEP permits.

Under current law the Environmental Quality Board (EQB) promulgates West Virginia's water quality standards. Currently the board consists of five members, all of whom must have "expertise in water husbandry," they are appointed by the governor, they serve staggered three-year terms so all are not appointed by the same governor, only three can be of the same political party, and none can work for any company that gets NPDES permits from the DEP.

The EQB is the closest thing we can get to an "independent" board in this state. All of its deliberations and decisions are made in full public view and with full and open public notice and comment. Even though it is greatly underfunded, EQB has in the past had excellent and knowledgeable technical, legal and clerical staff.

While there are other behind the scene developments that may arise, about all we can do now is to lobby every Delegate and Senator and ask them to oppose the bills.

You can also contact the Governor, and ask him to oppose the transfer. But this year the DEP is actually supporting the move, and the Governor has already said he would support DEP's decision (a total reversal of his campaign pledge).

So, folks, unless there is a miracle, it is more and more likely that water quality standards will be set by DEP in the future.

On a related matter, this week the Senate passed **SB 433**. This is a companion bill to the "kill EQB" bill, and it adds representatives of the Farm Bureau, Timber Association, the oil and gas industry, United Mine Workers, and the WV Wildlife Federation to the DEP Advisory Council. The bill skews the balance on the council in favor of the polluters even further by reducing the current number of environmental representatives from two, to one.

Equally important are provisions in the bill that would allow special meetings of the council to be called for by a majority vote and allow the council, also by majority vote, to "offer suggestions to the secretary for proposed new or amended legislative rules."

However, a House version of the bill, **HB 2883**, remains to be considered either by the House Government Organization Committee or House Judiciary. So there is still time to ask your delegates to oppose this bad piece of legislation.

(There are numerous other pieces of legislation that the Lobby Team is tracking. But this is late Friday afternoon, and we have had to be at the Capitol most of the day. We will try to send out a more comprehensive electronic update on other legislation early next week).

## The Mountain Justice Summer Campaign!

**Stay in Charleston after E~Day! at the Capitol, and attend this important event on Thursday, March 31!!!**

Join a multi-state, multi-group rally and concert to announce the "Mountain Justice Summer Campaign." **Begins at noon and lasts until 3 p.m.**

Come back the State Capitol to demand an end to mountaintop removal! Speakers from Kentucky, Tennessee, North Carolina, Virginia, Ohio and West Virginia, including Jack Spadaro. Music provided by Elaine Purkey, Paige Delparto, Matt Peters and Tonya Adkins.

Join us at the stage near the back steps of the Capitol. Carpooling strongly encouraged.

Please bring your friends, family and neighbors out to help us kick-off this historic campaign! See [www.mountainjusticesummer.org](http://www.mountainjusticesummer.org).

# House (and Senate) Resolutions Oppose More Wilderness

By Conni Gratop Lewis

Late last week, House Concurrent Resolution 49 was introduced.

HCR 49 opposes “further designation of additional federal wilderness acreage within the Monongahela National Forest . . . and requesting the . . . Forest Service to consider fully the many values of active, professionally managed forests during the revision of the . . . management plan.” This language is followed with a rant that has little basis in fact about how bad additional wilderness would be to communities, industry, wildlife habitat and even an aging population.

Then the resolution contains flat out lies about the specific counties that have formally opposed additional wilderness in the Mon.

My goodness.

You’d think that a resolution like this would never see the light of day, let alone attract forty sponsors. You’d think that Del. Harold Michael wouldn’t be the lead sponsor on something this outrageous. But you would be wrong.

Now many resolutions are feel good and affirming (congratulating winning teams, naming bridges for local heroes). Others recommend further studies of issues. A few are obviously political (criticizing the Bush budget).

It is rare that a resolution provokes outrage. It is extremely rare that a resolution would be critical of the position of West Virginia’s congressional delegation. And our delegation has historically supported wilderness in West Virginia.

It is even more rare for sponsors of a resolution to respond to constituent pressure and remove their names. Yet that is just what happened this week, and it demonstrates the power of an informed grassroots community.

When the folks who have been working for years (decades even) on the Mon management plan – folks like Mary Wimmer and Dave Saville — learned of this they sprang to action. In the past week there have been a flurry of action alerts, meetings, and best of all, direct constituent contact with the sponsors.

And guess what? Seven delegates have removed their names as sponsors! They are Dels. Brown, Hatfield, Hunt, Poling, Susman, Tabb and Wells. They all deserve

our thanks. Please contact them and express your appreciation.

Several delegates said they didn’t really understand the ramifications and were apologetic about their mistake. Not all politicians can acknowledge mistakes, so this is unusual.

Thanks to the wilderness advocates who worked so diligently this week, there are hopeful signs that we can “quarantine” this horrible resolution, so that it will never see a vote on the House floor.

**Friday Update: Late this afternoon we learned that a similar resolution - SCR 67 - has been introduced and is under consideration in the Senate Natural Resources Committee!!!**

**You need to contact every Senate member and particularly Senate President Earl Ray Tomblin, and let them know just how strongly you oppose this resolution!**

**Urgent: Call or e-mail this weekend and early next week! (You can even get their home phone numbers on the WV Legislative Web-site - see all info below.)**



## 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.

# Interim Panel Recommended No Water Changes

(Reprinted from March 23, 2005 Charleston Gazette article by Ken Ward Jr., Staff writer)

An interim committee studying the way West Virginia writes water pollution rules issued a final report after all. But the report, issued last week, did not recommend stripping the state Environmental Quality Board of its rule-making authority.

The two-page report made no recommendations at all concerning any legislation this session. Though the committee's last meeting was Feb. 8, members and staff did not prepare a report until March 15.

In late February, The Charleston Gazette asked for a copy of any reports prepared by the committee. Until late Monday, nothing had been provided.

Generally, interim committee reports are bare-bones documents that hardly anybody reads.

But in this case, supporters of stripping the EQB of its rule-making authority were incorrectly saying that the water study panel supported that move.

On March 14 — the day before the report was filed — the Senate Natural Resources Committee advanced a bill (SB287) to move water quality rule-making to the state Department of Environmental Protection.

“We didn't really have anything to report,” said Delegate Virginia Mahan, D-Summers and co-chairwoman of the Joint Legislative Rulemaking Review Committee. “We hadn't come up with any conclusions.”

But, Mahan thought that the committee should set the record straight and issue a report indicating it recommended no legislation.

Last year, lawmakers overruled the EQB and approved several industry-sought changes that weakened West Virginia's water pollution standards.

Fiddling time away

Industry-backed legislation to move water quality rulemaking from EQB to DEP passed the House, but died in the Senate.

At the same time, several resolutions were introduced calling for a study of the EQB, but none of them passed. Under pressure from industry lobbyists, legislative leaders ordered the study be done anyway.

Mahan said that the monthly meetings really were not very helpful or educational.

“We fiddled away a lot of our time listening to opinions from lobbyists,” Mahan said Monday.

“We didn't get a lot of real data,” she said. “To me, it seems like an exercise in futility to report on the opinion of lobbyists.”

## Erroneous statements.

Board chairman Ed Snyder noted, though, that the study committee's report repeated two erroneous statements previously published in West Virginia Chamber of Commerce position papers.

First, the report incorrectly said, “there is pending litigation in federal court regarding several water quality standards.”

No such lawsuits are currently pending, according to board officials and court records. In February 2003, there was a suit filed against the U.S. Environmental Protection Agency over West Virginia's water quality standards.

That case, brought by the West Virginia Rivers Coalition, alleged that EPA had wrongly allowed the state to weaken its pollution limits or not write stronger limits when needed. The case was resolved in a January 2004 ruling that mostly sided with EPA.

Second, the committee's report said that, “The state water quality program is also under its triennial review by the EPA.”

Actually, the board completed its most recent triennial review — required by the federal Clean Water Act — in 2003. Lawmakers, however, overruled the board and added several industry-sought changes that weakened state standards.

So far, EPA has declined to approve at least one of those standards because lawmakers did not ensure that the public had adequate input into the change.

One other item that was rejected by EPA was a site-specific lowering of water quality standards sought by Dow Chemical.

EPA rejected that proposal because Dow's consultant submitted the wrong supporting documentation, federal officials said recent board meeting.

Last month, the Chamber pulled its erroneous position paper from its Web site after a reporter asked for documentation for some of its statements.

‘Discouraging’

On Tuesday, a legislative staffer said that the study committee would probably amend its report to remove its erroneous statements.

Snyder said that he did not receive a copy of the water study committee report until a reporter faxed one to the board office Tuesday morning.

“It's very discouraging,” Snyder said. “We continue trying to provide [lawmakers] with the facts, and no matter what we provide, it seems to be ignored.”

# Campaign Finance Reform

By Julie Archer, WV-CAG

Last week the Senate Judiciary took up SB 245, intended to reign in 527 groups like 'And for the Sake of the Kids' and 'WV Consumers for Justice' by regulating electioneering that masquerades as "issue advocacy" and requiring significant disclosure about its sponsors.

These communications currently escape regulation by stopping short of expressly advocating a candidate's election or defeat.

The bill was sent to a subcommittee, where because of the 'West Virginians for Life' requested amendment to exempt 501-c-4 organizations, an amendment offered by Senator Andy McKenzie to exempt 501-c-6 organizations was adopted.

Such groups are generally "commercially-oriented" non-profits like the WV Chamber of Commerce and trade organizations like the WV Medical Association or the WV Education Association.

In a later meeting, the subcommittee reconsidered a revised version of the bill that exempted only 501-c-3 organizations, which are by virtue of their tax status, prohibited from engaging in political activity.

Unfortunately, an amendment was offered by Senator Weeks to again exempt 501-c-4 organizations.

The amendment was adopted by the subcommittee, but the c-4 exemption was removed by the full committee when they adopted an amendment offered by Senator Jenkins.

The bill now goes to the Senate floor.

**SB 247**, which would establish a pilot project to provide full public financing to legislative candidates in two Senate and three House races in single member districts has yet to be placed on the committee agenda, but we have had assurances from the Chairman and we are still holding out hope that it will be taken up.

**Your calls can still make a difference. Call Senate Judiciary Committee members and urge their support today!**

"Nothing is more important than the existence of what does not exist."

*John Hawkes*

# Support "Voter-Owned" Elections! The WV Public Campaign Financing Act — HB 2486 and SB 247!

Both the Select Committee on Campaign Finance Reform and the Joint Committee on Government and Finance have recommended a **pilot project** modeled after laws in Maine and Arizona where it is now the norm for candidates to run for office free from direct dependence on private contributions.

Under this **voluntary system** candidates in two Senate and three single member House districts could qualify for public financing by agreeing to limit their spending and rejecting private donations. Candidates must also demonstrate public support by collecting a set number of \$5 qualifying contributions from registered voters in their district. Participating districts will be chosen by lot by the non-partisan elections commission from districts with open seats. Incumbents could also volunteer their districts for participation in the pilot project.

## **Why do we need the WV Public Campaign Financing Act?**

The skyrocketing cost of campaigns pushes candidates into a money chase. In West Virginia, most contributions come from less than one-half of one percent of the voting age population. As candidates and legislators are forced to spend more time fundraising, they spend less time with voters. This discourages voter participation and political engagement and contributes to the widespread public perception that special interests have a disproportionate voice in government decision making.

## **Why should incumbents support public financing?**

- ◆ Public financing reduces the time candidates and office holders spend fundraising.
- ◆ Less time spent raising money means more time talking with voters.
- ◆ Public financing encourages interaction with voters.
- ◆ Grassroots campaigning is increased.
- ◆ Candidates can focus on issues rather than soliciting campaign contributions.
- ◆ Public financing reduces or eliminates the need for private fundraising, decreasing real or apparent conflicts of interest for elected officials.
- ◆ Empowers voters and increases participation in electoral process.
- ◆ Eliminates cost and necessity of fundraisers and holds down the costs of campaigns.
- ◆ **Voluntary** alternative to current system of funding campaigns.

## 2005 E~Day Award Recipients:

### **David Saville (Mother Jones):**

Dave gives selfishly of his time, organizing talents, and sweat & tears in pursuit of preservation and conservation of the resources of West Virginia - especially the public lands in the highlands regions. He works ceaselessly to monitor and encourage public comments on public lands management policy.

His work with the Sierra Club, WV Highlands Conservancy, Mon River Trails Conservancy, Friends of Cheat Lake Trail, Mon Valley Greenspace Coalition, and the Wilderness Coalition in pursuit of additional Wilderness designation for existing Monongahela National Forest lands, is legendary.

Dave is a walking encyclopedia of knowledge about West Virginia history, especially as that history has impacted the natural world - and works tirelessly promoting the re-introduction of the endangered Balsam Fir and Red Spruce trees species, both in danger of depletion through over-harvesting, attacks by invasive parasites, or soil nutrient depletion. He was instrumental in researching and reporting ATV damage to the wonderful treasure of Canaan Valley wetlands at a time when the proposed Wildlife Refuge was being hotly debated.

His knowledge of WV history includes a wealth of site specific, on-the-ground experience with and facts about biology, water quality, etc. from areas across the state.

### **Myra Bonhage-Hale, La Paix Herb Farm (Green Entrepreneur):**

Myra is passionately dedicated to sustainable living in West Virginia and the world. She advocates for sustainable economic development and "practices what she preaches."

This herbalist, dowser, teacher and peacemaker moved to West Virginia to get away from the fast pace of city life in Baltimore Maryland in 1981. Seeking solace in the mountains and a simpler more natural way of life for herself and her two children, Kathleen and Bill, she discovered the perfect setting in Alum Bridge, Lewis County West Virginia.

There, she established LaPaix (French for "peace") Herb Farm. There are approximately 120 acres, with woods, creeks, caves, walking trails, fung-shui garden, vegetable gardens, lavender beds, herb gardens, labyrinth, Japanese tea house, and small pavilions. Products are created and sold to help sustain the business - as a result of the plants grown on the farm. They include herbal salves, hydrosols, tonics, dried herbs for medicinal and culinary use, essential oils and more.

Myra offers her shop as a venue for other herbalists and small sustainable businesses to sell their local products.

The farm is the historic May Kraus Farm, and has been approved by the West Virginia Division of Culture and History as eligible for nomination to the National Register of Historic Places. The property also includes a pre-civil war log cabin, reportedly part of the underground railroad, and a house attached to the cabin built at the turn of the century.

Visit Myra's web-site: [www.LaPaixherbaljourney.com](http://www.LaPaixherbaljourney.com) to see more of LaPaix and her latest dream to create a "Peace Museum" either at LaPaix or elsewhere. Meanwhile, she is working on a "Virtual Peace Museum." You can help prevent new gas wells from being drilled at LaPaix by signing the petition while there!

*Green Legislative Update*

### **Judith Holyoke S. Rodd (Laura Forman Grassroots Activist):**

Judy has worked diligently since 1997 for the preservation of the Blackwater Canyon, often known as the "Grand Canyon of West Virginia".

More recently, Judy has taken up the case for the Cheat Canyon, as well. Ironically, both the Cheat Canyon and Blackwater Canyon are being timbered and otherwise debauched by the same company- Allegheny Wood Products Company (AWP).

The Blackwater Canyon is in danger of condominium development as well, again by AWP Company. And AWP now intends to try to turn the Blackwater Canton hiking and biking trail into a logging road.

Judy has become a resident expert on the Endangered Species Act and its application to endangered critters in the West Virginia highlands. She continues to insist that comprehensive siting rules (a kind of semi-zoning) be promulgated and in place before opening the West Virginia highlands to further industrialization such as utility scale wind farms, massive condominiums, and further extension of coal mining activities.

Judy Rodd was also the heart of efforts to protect Coopers Rock State Forest - and has written a wonderful book about the critters and other natural wonders of the area.

### **Maria Gunnoe ( Linda Schnautz Environmental Courage):**

Maria, a Coal miner's daughter, lives in Boone county West Virginia below a Mountaintop Removal (MTR) site. Her home has been flooded six times and she is speaking out about the dangers and injustices of MTR.

She works as an organizer in the southern coalfields and assists residents who are also suffering. Maria speaks out regularly against this practice and what it does to the land, homes, people and communities and has been the victim of vandalism and intimidation because she is a strong voice against MTR and irresponsible coal mining.

Even her personal truck was vandalized, her dog shot and dumped at her post office. Coal miners yell things at her and her children - but Maria continues to speak out and organize and fight for others. In addition to speaking out locally she has taken her opposition to MTR across the country.

True to her American Indian heritage she is truly tied to Mother Earth and is passionate in her desire to protect it.

### **Libby Chatfield (Chuck Chambers Public Service):**

Libby worked for twelve years on the Environmental Quality Board (EQB.) She has undoubtedly fought the good fight for many years, affording the state with quality work and dedication communicating with EPA and trying the impossible task of keeping the Environmental Quality Board on the straight and narrow.

Offering in-depth and insightful arguments for establishing the highest of water quality standards and defending those standards (and the Clean Water Act itself) before the incessant (and often vicious) attacks of industry and some members of the Legislature, she was instrumental in preserving both the legal and scientific integrity of the Clean Water Act.

Libby holds degrees in law and biology. The environmental movement is grateful for and will miss her dedication to preserving our water. She left EQB this year.





# Calendar of Events



**March 30: E-Day!** at the Capitol. From 10:00 am ~ 3:00 pm. Upper Rotunda & House / Senate hallways. Make this day your own 'citizens lobby day' and join us for our annual trek to the capitol. Environmental 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

**March 30: E-Day! Reception and Award Presentation.** Perfater Law Office Lobby, 1311 Virginia Street East, Charleston WV. 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, live music by Steve Himes, enviro friends - and help us show our appreciation to our Mother Jones, Grassroots Activist, Enviro Courage, Green Entrepreneur and Public Service award recipients. Suggested donation: \$10.00  
**For more information contact:** Denise at WVEC office, (304) 346-5905 or check our website: [www.wvecouncil.org](http://www.wvecouncil.org).

**March 31: The Mountain Justice Summer Campaign Rally & Concert.** Noon- 3 p.m. State Capitol back steps (stage area.) Demand an end to mountaintop removal! Join a multi-state, multi-group rally & concert to announce the Mountain Justice Summer campaign. Speakers from KY, TN, NC, VA, OH & WV - including Jack Spadaro. Music by Elaine Purkey, Paige Delparto, Matt Peters and Tonya Adkins. Shuttles running from Moose Club parking lot (1 mile from capitol off Kanawha Blvd.) regularly to event. Carpooling encouraged. Parking avail. around the capitol or Laidley Field, (which has a shuttle to the Capitol.) Please bring your friends, family and neighbors out to help us kick-off this historic campaign!  
**For more information:** [www.mountainjusticesummer.org](http://www.mountainjusticesummer.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. 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)

**May 7: Screening of "The Appalachians".** Cultural Center in Charleston, beginning at 7 p.m. John Lilly, editor of "Goldenseal" will emcee, introducing the film's producer, Marilyn Evans, Kay Goodwin, Troy Body and others. After remarks from guests, there will be a 30-40 minute performance by the group *Gandydancer*. There will be a reception following the screening in the Great Hall, with live music and refreshments.

**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.

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## 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      \_\_\_\_\_ New Membership  
\_\_\_\_\_ Change of Address      \_\_\_\_\_ Donation

### Membership Levels

Name: \_\_\_\_\_

\_\_\_\_\_ \$ 10 Student / Senior

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

\_\_\_\_\_ \$ 25 Regular

\_\_\_\_\_ \$ 50 Seedling

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

\_\_\_\_\_ \$ 100 Sustaining

\_\_\_\_\_ \$ 250 Enviro Steward

\_\_\_\_\_ \$ 500 Canopy

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

\_\_\_\_\_ \$ 1,000 Old Growth

\_\_\_\_\_ \$ Other

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

 E-Day! at the Capitol ~ March 30th 

 Mountain Justice Summer Campaign  
Rally & Concert ~ **March 31** 

*See inside for details!*