



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 5 – Missing EQB

The political hijinks over the state's water quality standards that began last week in the Senate Energy, Industry and Mining Committee continued on an even more pathetic level this week, as DEP officials huddled in the hallways with coal industry lobbyists discussing the best strategy for permanently weakening pollution limits for aluminum.

Last week EIM Chairman Bill Sharpe (D – Lewis) agreed to "lay over" S.B. 326, DEP's legislative rule governing water quality standards, supposedly to accommodate an amendment supported by Bill Raney and the WV Coal Association.

Later we learned that the Coal Association wants to jump the gun on DEP and make permanent the temporary standard in this year's rule that weakens the pollution limits for aluminum.

DEP officials told us last week that they realized that any change in water quality standards requires a full public comment process under the provisions of the federal Clean Water Act, and therefore they would oppose the Coal Association proposal.

This week activity at EIM resembled a scene out of an old Keystone Cops movie, as committee meetings were called, and then cancelled, and lobbyists from the Chamber of Commerce and the Coal Association were seen furtively whispering in the ears of committee staff and friendly committee members.

It was only then that we heard rumors that DEP has decided to make the weaker aluminum standard perma-

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E-Day at the Capitol ~ Valentine's Are Green Too

By Denise Poole, WVEC President

Believe it or not, we purposefully chose Valentine's Day for our E-Day! at the Capitol this year. Visions of green hearts swirling in our heads, and brainstorming for a catchy theme, we just could not come up with anything better or simpler than "Love Your Environment". We decided it really doesn't get any more straight forward than that sending out an SOS message of green - to redeem a clean, healthy environment. So what - we do love our environment, and I for one couldn't be prouder to display green hearts, or wear green for E-Day! So, if you attend E-Day, wear the color green so we can stand out from the rest and literally wear our (green) hearts on our sleeves.

This has been an interesting year for the environmental movement. Marking the year from E-Day 2005 to E-Day 2006, we have experienced a heightened awareness of mercury poisoning, more evidence pointing to global warming, more sludge impoundment failures, more water quality issues, more mountains destroyed from mountaintop removal mining ... a light on West Virginia as a major dirty energy source with the recent underground mine disasters ... the list goes on.

Why go over this now? It's elemental my fellow 'green hearts'. An old college philosophy professor of mine asked his students on the first day of class the answer to this very question: **Why?** Those that answered "**because**" received a B. Those that answered "**why not?**" received an A. I did receive an A that day, and felt very clever. As environmentalists we are always asking why not? As in, "why not switch to renewable energy

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E~Day at the Capitol: Tuesday, February 14, 2006

Lower Rotunda - 10:00 till 3:00 pm

Evening Valentine's Soiree: Perfater Law Office Lobby

1311 Virginia Street East, Charleston - 6:00 pm till 10:00

* See details in this issue

Wanted: Citizen Lobbyists

This E-Day put on your favorite green shirt and give lobbying a try. We'll make it easy for you. Give us a call at 1-866-WVB-FAIR (toll-free) or 346-5891, let us know when you'll be there and where you live and we'll set up appointment for you with your legislators. We'll help you navigate your way around the marble halls to make the most efficient use of your time.

Your timing will be perfect. There are two WVEC issues poised to be taken up in Senate Judiciary this week: Clean Elections and the Bottle Bill. Your visit to legislators on these issues will help us let them know that citizens, not just powerful special interest groups, have an interest in how they vote and you are watching.

Remember, wear your favorite green shirt, blazer or sweater so we can identify each other! See you there!

Friends of Blackwater Job Opportunities:

Join the Friends of Blackwater Team and work to protect West Virginia's Scenic Highlands, Endangered Species and Special Places and restore mine scarred lands.

Part-time Outreach/Media Coordinator 16-20 hrs. per week: Immediate Opening. Need a project oriented person with the heart of an activist who is a people person and works well in both a group settings and independently. A goal oriented self-starter. Useful computer skills: Microsoft Office Professional 2003 including Word, Excel, Access, Outlook, Adobe Photoshop and Pagemaker. Please send resume with relevant past work experience, education, salary requirements, personal and professional references. Work is in Charleston, WV. No benefits, personal transportation required, dress is business casual. Send resume to resumes@saveblackwater.org

Part-time Office Manager 16-20 hrs. per week: Immediate Opening. Need person with strong Computer and Communication Skills and attention to detail. The employee will to manage multiple accounts and a large database, will need to be able to work independently and in small groups and to manage their own work flow. Useful computer skills: Microsoft Office Professional 2003 including Word, Excel, Access, Outlook . Please send resume with relevant past work experience, education, salary requirement, personal and professional references.

Work is in Charleston, WV. No benefits, personal transportation required, dress is business casual. Send resume to resumes@saveblackwater.org

Judy Rodd, Director - Friends of Blackwater

501 Elizabeth St., Charleston, WV 25311

304-345-7663

Legislative Session 2006 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

WV Environmental Council Web-site: 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 and 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.

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www.wvecouncil.org

Legislative Update welcomes letters, articles, and art work from readers and reserves the right to edit or reject submissions. Please send materials to:

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ment by filing it as an emergency rule. So much for DEP's belief in the public comment process.

Let me quote to you the exact language from the water quality rule: "Until July 4, 2007, the aluminum criteria will be implemented as follows: the chronic aluminum criterion shall be 87 ug/l for trout waters (as defined in section 2.20 of this rule) and shall be 750 ug/l for all other waters of the state. The implementation of the interim criteria provides for a study to develop aluminum criteria for waters of the state which are based upon sound science and are protective of aquatic life."

The rule clearly states that making the interim criteria for aluminum permanent depends on a study "based upon sound science and are protective of aquatic life."

Well, friends, the first thing DEP did when it took over water quality standards rulemaking from the Environmental Quality Board was DUMP the aluminum study.

Even though that study was being funded in some fashion with coal industry money, Evan Hansen representing the WV Rivers Coalition was participating in that study and was pointing out that the industry analysis was ignoring aluminum toxicity under the normally acidic pH conditions that exist in many waters of the state.

In a letter to other members of the Aluminum Study Review Team, Evan wrote, "While your contractor has obviously put a lot of time and effort into its literature search, the analysis is fundamentally flawed."

Well, not to worry. DEP dumped the study.

This is not a new issue, folks. The coal industry has been trying to get the state to weaken the aluminum standard for years, yet to the best of my knowledge not one mining permit has been denied based on coal's inability to meet the stricter standard.

So what's the rush?

Where's the study?

How can DEP justify making the weaker standard permanent by filing an emergency rule?

And that's just one of many examples to come of why we will miss EQB.

There's a snowstorm headed this way for the weekend, so don't forget to fill your bird feeders.

" Think Renewable Energy "



E-Day at the Capitol ... continued from page 1

sources?" Why not make sludge impoundments safe? Why not have a container law in West Virginia? Why not want to breath clean air and drink clean water? And there's a whole litany of answers when we offer solutions to better our environment and say "because": "Because it makes sense to use renewable energy - "fossil fuel is finite - renewable energy is infinite." "Because clean air and water lead to better health." And the best 'because' of all - that does deserve an A today: **"Because It's E-Day!"** So, with no grading system in mind please, here's your top 10 reasons to attend to E-Day! Just attend. It does help our cause - tap into your altruism and join WVEC at the capitol. It really is a great opportunity to do something. Don't forget to wear green!

Top 10 Reasons to Attend E-Day!:

10) You just don't get enough use from your Marshall Thundering herd green sweat-shirt or your Saint Patrick's Day hat and you can use E-Day as a good excuse to wear them both at the same time.

9) That poster you made that says "Stop Mountaintop Removal" gives you something to bring with you.

8) You bought an extra heart shaped box of chocolates and want to pass them out to your friends for Valentine's Day and most of the ones you really care about will be at the capitol, so again - "why not?"

7) You noticed that the "Bottle bill" the "Clean Elections" bill, and the "sludge impoundments" bill have sponsors, are in committees and are really going somewhere - hey, you want in on the action. Now's the time to talk with your legislators about them. (see related articles and action alerts in this issue of *Update*.)

6) You have been saving your beverage containers all month, and want to rake in \$5.00 for them at the recycling center (open from 11:00 till 1:00 only - so get to the capitol early.)

5) You have intended to attend for years and decided you'd see for yourself what all the buzz is about.

4) The 2006 award recipients have really made a difference for WVEC, and you want to give them all a hug for Valentine's/E-Day.

3) You would feel guilty all year if you didn't go.

2) It's the right (left) thing to do. Besides, you get free bumper stickers!

1) It's E-Day. The more environmentalists that show up at the capitol the better.... and afterward, the Valentine's Soiree at Perfater Law Office Lobby beckons you.

Nurses Should Know

By Allan Tweddle, WVEC Lobbyist
allantweddle@msn.com

Some Legislators call us tree huggers, but standing in front of 100+ nurses at the Cultural Center this week, I said “I’d rather hug a nurse”. And embrace them we have. They are joining us in the fight to defeat WV DEP’s proposed Rule 45-CSR 37 (SB316 & HB4140).

I hope you all read the article in last week’s issue of *Legislative Update*, the reprint of “*The Failure of Chemical Regulation: The Case of Mercury*” by Peter Montague (from *Rachel’s Democracy & Health News* #840, Feb. 2, 2006). I suggest that you read it again, and then read the citations that we offer here today. When you understand the deadly facts about mercury, you, too, will be angry. The WV DEP is ignoring the science and bowing to the pressure of the industry-driven Bush EPA, rather than pursuing the “Protection” part of their responsibilities.

Your E-Council is building a coalition of organizations to fight the roll-back of mercury control standards that the Bush Administration (and, by default, the WV DEP) is calling “a toughening of standards”. We know from other documented sources that the EPA was on a path to tighten the controls until the Bush Administration took a 90° turn to the right (naturally) and came up with a sweet sounding name “*Clean Air Mercury Rule*”. In fact, it’s quite sour—a roll back, a delay and, for the first time in the 30+ year history of the Clean Air Act, **advocating trading of emission credits of a toxin!**

After years of progressive discussions with all stakeholders, the EPA abandoned consensus building and adopted just what coal and the power companies wanted... a rule that is touted to be doing the “right” thing. In fact, in the opinion of the professionals, it has the potential to do **nothing** until 2018!

Two national organizations of professional air pollution control officers, State and Territorial Air Pollution Program Administrators (STAPPA) and the Association of Local Air Pollution Control Officials (ALAPCO), have issued an excellent document critical of the Bush-driven EPA action. It traces the history of the efforts to control mercury and its deadly form, methylmercury. It is 47 pages long, but well worth your time to read. The web site is www.4cleanair.org, and the title is “*Regulating Mercury from Power Plants: A Model for States and Localities*”.

WV DEP is a member of these organizations, while ignoring the excellent STAPPA and ALAPCO professional opinions and analysis. DEP cites our State’s legal structure

that says they can be “no more stringent than” and must adopt whatever the Federal EPA forces upon them, and no more, whether or not it is in the best interest of our citizens and our health. In the Senate Finance hearing Thursday, Secretary Timmermeyer added that **if** they do not adopt the EPA rule, the “Feds” will force it upon them/us. **If** that is the case (we are researching the legal aspects of this situation), then something **must** change. **If** we determine that the Feds are not being good enough, then “good enough... isn’t” and **West Virginia must do better.**

Back to the nurses. The STAPPA/ALAPCO report cites 26 scientific and medical studies and reports, including several by EPA (all prior to the Bush ordered “right” turn), that build the case for tightening mercury controls. Here are just a couple of examples of their findings:

“...studies reveal that the harmful effects tied to methylmercury exposure, such as cognitive impairment, are likely irreversible...”

“...there is no evidence of a safe level (of mercury exposure)...”

“Mercury is “highly toxic, persistent, and bioaccumulates in the food chain... remaining in breast milk many months after exposure... resulting in severe effects in children such as mental retardation, cerebral palsy, deafness and blindness.”

If that isn’t enough, we received a 2006 edition of the “*State of the Evidence*” report by the Breast Cancer Fund (www.breastcancerfund.org). It also cites the connection to breast cancer from minute exposures to methylmercury in the food chain.

The technology is both technically and financially viable to remove 95% of all coal-powered mercury emissions by 2009. It is time to say “**ENOUGH... Make our rivers, our fish, our women and children... indeed all of us... absolutely clean of the neurotoxin methylmercury.**”

I am left with the question... why would Stephanie Timmermeyer, herself a new bride, and every other woman in the Legislature want to support the roll back of mercury controls. *Why*, if the national and international scientific literature is saying “there is no safe limit of mercury in our food chain”, *why* would they tolerate this? *Why*, when the technology is available to greatly reduce the threat, *why* wait?

We have the nurses with us. We have educators with us. We are expecting two of the State’s biggest religious organizations to support us with letters and to stand beside us at the next hearings and on the floor of the houses of the Legislature.

I call on all of you to join us and ask... **WHY?**



WVEC Action Alert

Critical Vote for “Clean Elections Bill” ... Ask Senators to Support S.B. 124

The Public Campaign Financing Act (S.B. 124) has been placed on the Senate Judiciary Committee agenda for Monday, February 13th, at 3:00 p.m. in Room 208 West. While there is very strong support for this bill in the committee, it still appears the vote will be close.

So we still need your help. If you are able to come to the Capitol, or if you can send people from your organization, a strong citizen presence at the committee meeting would let legislators know that West Virginians are ready for “voter-owned” elections.

We want to thank those of you who have already phoned, written or sent e-mails to your Senators urging support for the bill. You have already made a difference. However, we still need you to contact the following Senate Judiciary Committee members who may be the swing votes, and ask them to support S.B. 124:

Sen. Chafin (D-Mingo) 357-7808
htchafin@mail.wvnet.edu

Sen. Minard (D-Harrison) 357-7904
jminard@mail.wvnet.edu

Sen. Lanham (R-Mason) 357-7843
Sen. Oliverio (D-Monongalia) 357-7919
cglagola@mail.wvnet.edu

In the past, lawmakers wondered how to fund the West Virginia Public Campaign Financing Act. Thanks to State Treasurer John Perdue – a Clean Elections supporter, we now have an answer. State Treasurer Perdue has agreed to provide \$1 million from the sale of unclaimed property to help fund the program. This will provide the “seed money” to get the West Virginia’s program started and will likely be enough to provide public financing to those candidates who opt for and qualify for funds during the program’s first year. This is great news and we are extremely appreciative of the Treasurer’s support of our efforts to change the way campaigns are financed in the Mountain State.

Here are a few other talking points:

- This past November, Connecticut passed a public financing bill, joining seven other states and two cities that have done the same over the past decade.

- In Maine in 2004, where the movement started, more than 80% of last year’s legislative candidates rejected private money, freeing them to spend more time talking to voters about the issues instead of having to spend time raising campaign contributions. Nearly 83% of Maine’s Senate and 77% of the House is composed of legislators who ran on public funding.

- In Arizona, 56% of all candidates in 2004 ran with “clean money.” Arizona is the first state to elect a Clean Elections governor, Janet Napolitano, who ran a successful campaign against a candidate funded by wealthy special interests.

- Vermont, New Jersey and New Mexico have also adopted public financing on a limited basis, as have Albuquerque and Portland, Oregon.

Elections are the bedrock of democracy and its time that the public claim ownership of them — not big special interests who are currently financing them at the public’s expense.

We appreciate your support for fair and clean elections in West Virginia, and hope to see you at the Capitol on Monday.

New MTR Lawsuit

West Virginia environmental groups last week sought a new federal court order to block three mountaintop removal mining permits issued by the U.S. Army Corps of Engineers. Lawyers for the three groups asked U.S. District Judge Robert C. Chambers for a preliminary injunction to stop the mining operations.

The new legal motions were made as part of a suit originally filed in September 2005 to force the corps to conduct more detailed environmental studies before it approves valley fill permits for new mining operations.

Plaintiffs in the suit include the Ohio Valley Environmental Coalition, the West Virginia Highlands Conservancy and Coal River Mountain Watch.

“Trying to get the Corps of Engineers to follow the law is like trying to nail Jell-O to a wall: It is awfully hard to make it stick,” said Vivian Stockman, project coordinator for OVEC.



Senate Judiciary Poised to Take Up Bottle Bill

By Linda Frame, WV-CAG linda@wvcag.org

After receiving technical clean-up in subcommittee, the WV Container Recycling and Litter Control Act (SB 136) will probably be taken up by Senate Judiciary next week. Legislators are getting lots of calls from the Pro-Litter Coalition, made up of the beverage industry and retailers, who think a litter tax is the best way to clean up trash along our roads and in our streams. Unfortunately they refuse to acknowledge that a Bottle Bill is the time-tested way to clean up a large percentage of our state's litter and is an incentive for the trash to not get there in the first place. A litter tax would simply fund others to clean up after litter bugs.

We've said it before, we'll say it again - **now is the time to call the committee!** Calls to members of Senate Judiciary are crucial at this time. Please contact Senate Judiciary committee members and ask them to vote for SB 136. Its members are: Senators Kessler (Marshall), Oliverio (Mon), Caruth (Mercer), Barnes (Randolph), Harrison (Kanawha), Dempsey (Lincoln), Jenkins (Cabell), Lanham (Putnam), Weeks (Raleigh), Fanning (McDowell), Chafin (Mingo), Minard (Harrison), Deem (Wood), Foster (Kanawha) - bill sponsor, Hunter (Mon), White (Webster) - bill sponsor, McKenzie (Ohio) - bill sponsor.

Link to their e-mails at www.legis.state.wv.us/committees/senate/judiciary/sencomJUD.cfm or call them toll-free at 1-877-565-3447. In your message, ask them to support SB 136 to increase recycling in West Virginia and to follow the lead of 11 other states in adopting a Bottle Bill, the most effective litter prevention policy, for our state.

Remember, **February 14 is the Third Annual Deposit Day at the state Capitol.** Bring your empties to our booth and we'll "refund" you 10-cents for each one (up to 50). Wear green and meet your legislators. We'll let you know if the SB 136 is on the agenda for that day.

Thanks so much for your time and to those of you who have already called your senators. If you have any questions contact me at linda@wvcag.org or 304-346-5891.

Did you know: Special interest groups spent more than \$700,000 to defeat the expansion of Connecticut's bottle bill according to CT Common Cause. Even though the measure passed the Senate 31-3, it died in the House. Two days after the release of Common Cause's report, CT Governor Rell called a special session to consider public financing of campaigns. "The death of the bottle bill is a case study of how campaign contributions have corrupted the legislative process," said Andy Sauer, Executive Director of Common Cause.

Sludge Update

By Ted Boettner, WVEC Lobbyist

We have a bill. This past week the sludge safety lobby team, along with the critical support of our lead sponsor Del. Larry Barker, was able to get five delegates to co-sponsor our sludge bill. They are Charlene Marshall (D – Monogalia), Bobbie Hatfield (D- Kanawha), Cliff Moore (D – McDowell), and Lidella Hrutkay (D – Logan). These delegates should be applauded for supporting this bill; it's certainly not easy these days to take a stand against the coal lobby when re-election is just around the corner.

On Thursday, the bill was sent down to bill drafting and will be introduced some time early next week.

The sludge bill does the following:

- * After June 2006, the DEP can no longer issue permits authorizing the construction, enlargement or modification of any sludge pond.

- * Bans disposal of coal mine waste by injecting it into underground mines

- * It calls upon the DEP to conduct a study of existing sludge ponds by looking at their structure, chemical makeup and whether current mapping indicates all existing abandoned mines. The report is to be completed no later than June 2007.

At noon this Tuesday, February 14th, during E-Day at the Capitol, we will hold a press conference in the lower Rotunda (First Floor) on the introduction of this bill. We hope to see you there.

Climate Change? What? Me Worry?

Last month was the ninth-warmest January on record for Charleston, according to the National Weather Service. The NWS started recording area temperatures in 1901. The coldest morning last month was Jan. 27, when the temperature dropped to 20 degrees. In 1977, the coldest January on record, the monthly mean temperature was 18.6 degrees.

The mean daily temperature was 43.2 degrees in Charleston, 9.8 degrees warmer than average. Only 3.1 inches of snow fell, which was 8 inches less than average. January was 11 degrees warmer than average in Huntington, where just two-tenths of an inch of snow fell. Parkersburg was also 11 degrees warmer than average.

Groups Ask U.S. Court to Block Mine Permits

By Ken Ward Jr., Staff writer for Charleston Gazette

West Virginia environmentalists on Wednesday (Feb. 01) sought a new federal court order to block three mountaintop removal mining permits issued by the U.S. Army Corps of Engineers.

Lawyers for the three groups asked U.S. District Judge Robert C. Chambers for a preliminary injunction to stop the mining operations.

“Trying to get the Corps of Engineers to follow the law is like trying to nail Jell-O to a wall: It is awfully hard to make it stick,” said Vivian Stockman, project coordinator for the Ohio Valley Environmental Coalition.

“The corps gives coal companies permits that are little more than a wink and a nod, and the coal companies waste little time before ripping out trees, choking off streams and filling in valleys with mining waste.”

The coalition sought the injunction along with the West Virginia Highlands Conservancy and Coal River Mountain Watch.

Wednesday’s legal motions were made as part of a suit originally filed in September 2005 to force the corps to conduct more detailed environmental studies before it approves valley fill permits for new mining operations.

The case was a follow-up to a ruling by U.S. District Judge Joseph R. Goodwin to block the corps from reviewing valley fill proposals through a streamlined “general permit” process.

Goodwin’s ruling has since been overturned by a three-judge panel of the 4th U.S. Circuit Court of Appeals, but environmental groups have asked the full appeals court to reconsider that decision.

In the new case, the environmentalists argue that the corps was wrong to approve mining operations through more detailed “individual permit” reviews because those reviews did not include a study called an Environmental Impact Statement.

Originally, the suit targeted just one new Massey Energy surface mine in Logan County. It later added another Massey mine in Boone County, and on Wednesday lawyers targeted a third Massey operation near the intersection of Kanawha, Fayette and Raleigh counties.

“The mining and valley fills at these three mines collectively will destroy over 2,000 acres of land and smother over seven miles of streams,” the lawyers said in the court papers. “Yet, the corps has neglected to examine in a meaningful way the inevitable damage that will be caused by these mines, or to develop any realistic plan for mitigating that damage.”

Green Legislative Update

My Prius

By *Freddie Davis, Charleston resident*



What is your car to you?

Admit it. You eat in your car, work in your car, catch up on the news or rock out to music. Your car does more than just carry you around. Placement of cupholders is important. Your car is an extension of your personality and your lifestyle.

I’m active with lots of diverse interests. I’m not fussy about appearances and I’m messy.

I wanted a work horse, a chameleon and a clown. I wanted a car that could carry all that stuff that we all carry, you know- the exercise bag, the packages to be mailed, the books to return to the library and even the dogs. And I need a car in which I can easily load and unload 50 pound bags of horse feed or an extra bale of hay. I need a car I can fill with two weeks of recycling, including a large bag of glass, a large bag of cans, stacks of newspaper, boxes, etc. I need a car that I can throw things in the backseat without guilt (doesn’t everyone use it as a temporary trash can), that I can park and jump in and out of easily and a car that makes me laugh when I see it.

Oh, and I’d always wanted a hybrid. I test drove the original Prius and Honda, but they were sedans. Then, at the Auto Show two years ago I saw the hatchback Prius. Love at first sight and no regrets. It is fun, functional and simple. So far the only maintenance is the regular oil changes.

And my Prius is making me a better driver. It has a screen that shows your gas mileage at any moment so it let’s you know when you are driving efficiently. No more fast starts and stops. If only my daughter’s car had this!

**E~Day at the Capitol
Valentine's Day, February 14th
Lower Rotunda ~ 10 till 3**

E~Day! at the Capitol

Tuesday, February 14, 2006
Lower Rotunda

Exhibit Participants Include:

West Virginia Environmental Council
WV Highlands Conservancy
Ohio Valley Environmental Coalition (OVEC)
Coal River Mountain Watch
WV Citizen Action Group (WV-CAG)
Mountaineer Chapter ~ Trout Unlimited
WV Environmental Advocates Office /DEP
Omega-Alpha Tire Re-Use Services
Spring Creek Natural Foods, Inc.
WV Wilderness Coalition
Sludge Safety Project
Citizens For Clean Elections
Peoples Election Reform Coalition (PERC)
Friends of Blackwater Canyon
Stanley Heirs Foundation
Medicine Song Crafts
Friends of the Mountains
WV Chapter, Sierra Club
Sierra Club Central Appalachian Environmental
Justice
Interfaith Global Climate Change Campaign
Trout Unlimited State Council – Back The Brookie
Campaign

E~Day Agenda

Exhibits Open: 10:00 am ~ 3:00 pm
(Lower Rotunda)

WVEC Brief Announcements ~ 11:30

Welcome: Denise Poole, Chuck Wyrstok WVEC

Introduction of Lobby Team: Don Garvin

Recognition of 2006 Award Recipients

Introduction of 2006 Lobby Team

Sludge Safety Project Press Conference ~ 12 noon

Deposit Day – 11:00 am ~ 1:00 pm

Bring your beverage containers (up to 50) & receive
10 cents each

Evening Valentine's Soiree:

Perfater Law Office Lobby ~
1311 Virginia St. East, Charleston
6:00 pm until 10:00 pm

• **Deluxe Baked Potato Bar Buffet**, with lots of toppings and side dishes to choose from, salads, desserts and drinks.

\$ 10.00 donation at the door (with buffet)

\$5.00 donation at the door (without buffet)

• *Music by:* Steve Himes

2006 Award Presentations ~ 7:30:

Laura Forman Grassroots Environmental Activist:
To Dave Cooper (Lexington Ky), for his outstanding activism against mountaintop removal coal mining, sludge impoundments and his Mountain Justice Roadshow.

Presented by: Julia Bonds

Linda Schnautz Environmental Courage:
To Paul Gaujot (Morgantown WV), for his outstanding courage fighting the proposed Longview Power Plant.

Presented by: Jim Kotcon

Green Entrepreneur:
To William McGlinchey, AFV International, for his innovation and leadership promoting alternative fuel sources. His company is leading the way.

Presented by: Bob Hamburg

Chuck Chambers Public Service:
To Senator John Unger II, for his leadership on WV Water Protection Act that for the first time protected water quantity in the state.

Presented by: Don Garvin

Mother Jones Award:
To Frank Young, who's two decades of dedication includes; Coalition for Responsible Logging, Wind Power, the Mountain Party, Mining issues, State Legislature lobbying, local Solid Waste Authority, Recycling, WV Environmental Council and serving 6 years as president of the WV Highlands Conservancy.

Presented by: Cindy Rank

Plus: A special surprise award to an impervious activist!

Music resumes at 8:30 pm:
Mark and Andy of the VooDoo Katz



Calendar of Events



February 11 and 12: The West Virginia Energy Gathering for Students and Youth. This statewide summit meets Feb. 11 at St. John's Episcopal Church in Charleston, W.Va. Feb. 12 field trip to [Kayford Mountain](#). Housing assistance is needed; please contact abe@ohvec.org if you can provide shelter to the youth.

Many non-student youth from around the state, and students from Shepherd, Marshall and WV Universities as well as Glenville State have committed to attend; students from Wheeling Jesuit, Bethany College and Fairmont and other higher education institutions have also expressed interest. Get your college or friends involved!

For more information: E-mail abe@ohvec.org

February 14: E-Day! at the Capitol! - 10 AM ~ 3 PM. Lower Rotunda. Featuring environmental organizations and sustainable business displays. Join WVEC to show how much you love WV's environment!

For more information: Call WVEC office, (304) 346-5905.

February 14: WVEC's E-Day Valentine Soiree & Award Presentations. Perfater Law building, 1311 Virginia Street East, Chas. 6 PM ~ 10 PM. Featuring music by Steve Himes and others; Potato Bar Buffet with yummy desserts. Donation of \$10 includes buffet. \$5. without buffet.

For more information: WVEC office - (304) 346-5905.

February 22: "WV's Water & Renewable Energy" - Zando's Restaurant, 241 Capitol Street, Charleston. 5:30 pm - 8:00 pm. Keynote address by Allan Tweddle; dinner catered by Zando's Restaurant. This event is sponsored by WV Rivers Coalition and WV Environmental Council.

***Reservations are required, as seating is limited. Cost is \$25. per person. (See page 5 for menu).**

To make reservations, call WVEC office: (304) 346-5905.

Feb. 27: Buffalo Creek Day at the State Capitol. Join members of the [Sludge Safety Project](#) (SSP) in Room 252 of the House Side of the State Capitol (Lewis McManus room). Legislators will be invited to attend and see clips of "Buffalo Creek – An Act of Man" and "Buffalo Creek Revisited". SSP members whose health and safety suffers because of coal sludge impoundments and coal slurry injection will be present to speak with the public and legislators.

March 11: Regular Legislative Session ends.

March 11, 2006: 7 p.m. West Virginia premiere of "Black Diamonds - Mountaintop removal and the fight for coalfield justice." The film screens at the LaBelle Theatre/Museum, 311 D Street, South

Charleston. Documentary charts the escalating drama in Appalachia over the alarming increase in large mountaintop removal coal mining. Filmmakers Catherine and Ann Pancake were born and raised in West Virginia. Catherine has become an award-winning filmmaker and Ann is an award-winning author. Working for more than 4 years on this project, they have traveled throughout Appalachia to chronicle the unparalleled destruction. . See www.blackdiamondsmovie.com/. and www.geocities.com/scmuseum/. Admission is a \$2.00 donation to the museum.

April 29: Greenbrier River Trail Association's 20th annual "Race of the River & Trail" - Marlinton, WV.

For more information: www.greenbrierrivertrail.com.

May 19-21: Annual Greenbrier Trail Bike Trek. Sponsored by the American Lung Association of WV. This three-day, 100 mile ride begins at the Inn of Snowshoe - and takes participants along the Trail through Pocahontas & Greenbrier counties - ending at Greenbrier County Youth Camp near Lewisburg.

For more information, and to register: Rachele Beckner, (304) 342-6600 or visit www.alawv.org

May 25-29: The 16th annual Heartwood Forest Council and the 6th annual Summit for the Mountains, Cedar Lakes Conference Center, Ripley, WV (38 miles north of Charleston). Includes programs on Forests, Mountains, and Coal: the connections between them; their impact on air, water, and climate; their role in our history, economy, and culture; with a special focus on ending the devastation of Mountaintop Removal coal mining. Invited and confirmed speakers include: Granny D*, Cynthia McKinney, David Orr*, Jack Spadaro*, Woody Harrelson, Judy Bonds, Maria Gunnoe*, Larry Gibson*, Willie Nelson, Bobbie Ann Mason, Erik Reece, Ed Wiley, and more.

*confirmed

For more information & to register: Janet at (304) 522-0246. ohvec@ezwv.com or Andy Mahler atandy@blueriver.net (812) 723-2430.

June 24: 4th Annual Lavender & More Fair, "Livin' Easy". LaPaix Herb Farm, Alum Bridge WV. Featuring sustainable initiatives; workshops; presentations; wood walks; artisan, environmental & herb booths. Live music, gourmet food prepared by chef Dale Hawkins and so much more. Stay tuned for more detailed information. Please visit the website listed below.

For more information & to register: lapaixherbfarm.com

Support the West Virginia Environmental Council

1324 Virginia Street East, Charleston WV 25301

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

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

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

Send Us Your Love!

Valentine's Day is next week and you are all our "sweethearts" and we just *know* that we are your sweethearts, too.

So why not send us your love "offerings" to help warm us up? We really do rely on your contributions to keep the WVEC lobby team working on your behalf at the capitol. And we need your support now more than ever.

So send us a Valentine gift today, and you'll see how much it will warm your heart as well.

Happy Valentine's Day to all our Sweeties,

Don Garvin, WVEC Legislative Coordinator

Join us Valentine's Day ...
Tuesday, February 14th
for our 17th Annual
E~Day! at the Capitol
From 10:00 am ~ 3:00 pm
Lower Rotunda