



# Winds of Change

Supporting Organized Voices and Empowered Communities Since 1987

Huntington, WV

OVEC

www.ohvec.org

## Together We Grow! Celebrating Our New Digs

In February 2015, OVEC purchased the building in which we had been renting office space for 17 years. It has been a long time coming to finally find a great space at a decent price, in an economically sound location and in an up-and-coming area in Huntington, WV: Old Central City. As OVEC's Board of Directors President Rose Edington described our search for the perfect space in her office-warming speech, "It was right here all along!"

We feel blessed by our supporters, our members, our funders and our OVEC team of past and present employees and volunteers. Without all of you contributing to more than 27 years of hard work, our newly established home would not have been possible. For this we shout from the mountaintops a huge "thank you!"

After months of remodeling the space to fit our current needs and make room for more growth, we celebrated by inviting the mayor of Huntington, Steve Williams, to participate in a ribbon-cutting ceremony on Saturday, November 7. With more than 65 guests in attendance, we had a wonderful



*On November 7, with a ribbon-cutting ceremony and office-warming party, OVEC celebrated an organizational milestone. We now own our office space! In the photo above, OVEC staff members Maryanne Graham (left) and Natalie Thompson cut the ribbon to officially open the building, located in Huntington's Old Central City. Photo by Herald Dispatch photographer Anthony Davis and used with the newspaper's permission.*

evening of recognitions, reflections, live music and laughter. It was truly a warming and rewarding experience, and our gratitude goes out to all who participated and all who were with us in spirit.

Purchasing the building is a good investment and an exciting venture, but it is so much more than that. It is a financial feat to accomplish, of course. It is nice to have new paint and more space, sure. It is also a time to welcome the opportunity to

become an open door to our community and to those who wish to become more knowledgeable about the health risks Appalachian people are facing due to environmental degradation, economical losses and medical challenges. It is a place that can provide volunteers and interns a space to work and gather. It is a communal place that will birth ideas, dreams and organizing strategies. It is a home, a rooting of history and a rooting of a future of successes and struggles.

Please contact Natalie Thompson at 304-522-0246 or [natalie@ohvec.org](mailto:natalie@ohvec.org) if you or a group you are involved in need a meeting place in our newly remodeled conference room and kitchenette.

See more photos from the ribbon cutting/office warming on pages 14 and 15. 🍁

### Inside This *Winds of Change*

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# Let There Be Starlight

by OVEC Executive Director Janet Keating

When I opened an email that told me that the Northern Lights might be visible just north of Charleston, WV, my heart skipped a beat. Witnessing the Aurora Borealis is a life dream. I scanned some of the links in the initial story. Then I checked out the online prediction map of where the Northern Lights might be seen and even checked the app on my phone. It looked like a good bet.

It was early afternoon, so I began to talk myself into taking the rest of the day off to go chasing the lights. After all, my workload was fairly manageable this week, and other than doing my part to afflict the purveyors of greed and pollution, most of it could actually wait, given this opportunity of a lifetime. If I didn't head north of Charleston and missed this rare heavenly display of the "curtains of light," I would have no one but myself to blame. Nothing is a guarantee, but I knew if I stayed in Huntington, my chances were nil.

With the daylight already being shorter, I hurried home, packed my backpack with a few necessities, arranged dog care and headed to Roane County. We all know that most every experience is best when it's shared. I called Vivian Stockman (who had sent me the email in the first place) and arranged to spend the night at her place. When I arrived, we would decide which ridge was most suitable for our hoped-for light display.

I was giddy with anticipation on the drive there — hopeful even, humming as I stopped for gas. Once there, we hung around the hollow for a while as evening began to approach. Another friend told me that usually the aurora is best seen a couple hours after sunset. As darkness approached, we headed out to Clover Ridge with blankets, a bottle of wine and some cheese and bread. Nothing is better for an evening picnic. Our destination was a graveyard atop a ridge in Clover, WV, with 360 degrees of access to the sky.

We spread our tarp and blankets, popped open the wine, and then we waited. And waited. Trees were silhouetted against the ever-deepening sky, which went from deep reds and hues of purple, then faded to black.

One by one, the stars popped out. We quickly identified the Big Dipper and the North Star. From time to time, a satellite would drift by or we would see a "shooting" star. It was an amazing night, unusually warm for November. It couldn't have been more beautiful. The Milky Way galaxy was stunning overhead. Little wonder that we began to talk about life and its meaning.

For a number of years, I've shared my concern that not having access to the stars like I did as a child growing up in Huntington has somehow given us an over-inflated notion of who we humans are in the grand scheme and of our place in the world. As a child, as

I gazed at the Milky Way clearly visible in my town, I experienced what could only be known as awe. How vast! How unknowable! And how tiny and insignificant I felt! Did you know that the Milky Way galaxy consists of some 400 billion stars — and our sun is the only one that we know much about? Or as astronomer Carl Sagan put it, the only one that we know "close up."

But these days, the ambient light within the city has obscured it from view, not just in Huntington, but also all over the world. I wonder if the loss of the visibility of stars plays a role in our human arrogance, our destructive tendencies, our abysmal treatment of fellow humans and our thoughtless ways of living on the planet, our home.

For now, we are extremely fortunate in West Virginia. We can still easily access places beyond the city lights, where the stars can overtake our senses, where we can

hear the crickets and katydids and where nature is so accessible. We can still be awed by the tiniest of insects or the magnificence of the Milky Way. Isn't that reason enough for each of us to do our part in protecting our little piece of heaven on earth?

Incidentally, the Northern Lights were not visible to us that night (or maybe to anyone in West Virginia), though I did see some awesome online photographs from Iowa. Nevertheless, the time outside was far from a bust, having spent it in good company beneath a blanket of stars. Anyone out there interested in organizing for more starlight? 🍷



*This NASA–NOAA satellite image of the eastern U.S. shows us how light pollution affects the night sky. Huge populations of people don't get the nudge to contemplate their place in the universe that comes from gazing at the vastness of the Milky Way. West Virginia still has dark zones, where one can marvel at the night sky just as our ancestors did.*

# What Did the Pope Really Say?

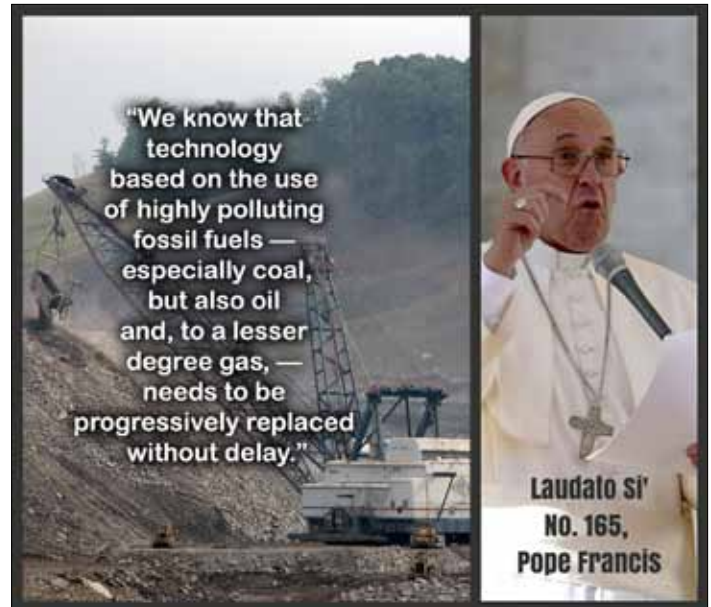
A series of three Pope's Encyclical discussion sessions were held in early October at the Charleston library.

These were sponsored by OVEC, WV Interfaith Power and Light, Citizens' Climate Lobby, WV 350.org, Energy Efficient WV, the Catholic Committee of Appalachia and Catholic Charities. During the first session, (Catholic) Father John Rausch and a protestant minister, Reverend Jim Walther, led the discussions. They identified multiple themes in the Pope's encyclical, including the following:

1) Understanding creation requires a spiritual perspective. Every year billions of flowers bloom that people never see. There are billions of stars that we cannot see. The immensity of creation puts man in his place. A spiritual perspective is required for us to understand our place.

2) The poor are disproportionately affected by pollution and environmental catastrophes. One hundred million people live within a vertical meter of the sea. The wealthy will relocate. The poor will enter a cataclysmic migration or worse. So, climate change is a moral issue. We must stabilize the climate, acting in love for humanity.

3) Everything is connected. Our actions reflect our values. To fix the way we manage our resources we have to examine what we value. We seem now to value leisure above all else — having everything easy. But work is a human need. From work, we desire to provide sustenance



for our families, to have a way to improve ourselves and have a way to contribute. Correctly valuing work will align us with the necessary principles for righting our economy.

4) Without global cooperation we cannot progress. The wealthiest nations benefitted from burning fossil fuels; they must provide the leadership in the remedy.

5) We are called to change our lifestyle. There is spiritual satisfaction in living simply. This change can be experienced in simple, small ways by each of us.

These Lunch and Learn sessions occurred in the week following the Pope's visit to the United States. Reverend Walther noted that he was most impressed with the way that the Pope interacts with common people he encounters in his travels, and that he does so with such an appearance of joy on his face. He also mentioned being impressed with the Pope's scientific and economic academic background; he has really studied all the complex issues inherent in climate change.

The other two discussion sessions focused on local issues of concern and on steps we all can take to help alleviate these issues and to decrease our personal carbon footprints. These sessions were led by Jeannie Kirkhope (CCA), Robin Wilson (WV 350.org, WVIPL and CCL), Kate Kosydar (Catholic Charities of WV) and Rick Wilson (Quaker representative). An average of about 20 people attended each lunch-time session and actively participated in some lively discussion.

EEWV representatives discussed the current options for ApCo energy audits, and WVIPL provided information about upcoming meetings.

If you want to help plan for a similar discussion in Huntington, contact Robin Blakeman at 304-522-0246.

Much of the content for this article came from summaries of the Lunch and Learn sessions provided by Rebecca Park, who did most of the organizing for these events. Thanks to everyone involved! 🍌

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OVEC is a member of the WV Environmental Council, the Alliance for Appalachia and The CLEAN, and is a 501(c)(3) non-profit organization registered with the IRS and the West Virginia Secretary of State.

**When you're finished with this newsletter - PASS IT ON!**

# Litigate, Agitate and Occasionally Even Celebrate

by Dianne Bady

## Litigate and Agitate

Recently, Joe Lovett, of Appalachian Mountain Advocates, mentioned that we'd been fighting mountaintop removal in the courts for close to 20 years now. Without this litigation and organizing, MTR in West Virginia would be more widespread than it already is. Over the years, a number of new MTR permits were unable to move forward or were abandoned. We've forced MTR companies to spend somewhere around \$500 million on selenium treatment systems and penalties, making MTR mining less profitable than deep mining. As the coal markets have declined, MTR mines have been shutting down faster than deep mines.

But Big Coal is still blowing up mountains and burying streams and there are still people whose lives are being destroyed by it. There's been major media coverage in WV of our numerous legal wins and of the more than 20 peer-reviewed health studies linking MTR to many illnesses including cancers and birth defects and even elevated death rates. *None of this has made one iota of difference to WV politicians*, whose top priorities continue to be "saving coal" — meaning "we need more mountaintop removal" (there has not been organized opposition to deep mines).

## Litigation Victories: Causes to Celebrate

Over the past two years, OVEC, WV Highlands Conservancy and the Sierra Club have won lawsuits against several MTR companies by charging that illegally high conductivity-related pollution from their MTR mines is killing aquatic life in streams. Subsequent judicial penalty decisions state that the companies should bring their pollution to legal levels. This is the case at: Alpha subsidiaries Elk Run Coal in Boone and Alex Energy in Nicholas County and Consol's Fola Surface Mines No. 2, No. 4A and No. 6 in Clay and Nicholas Counties. We've also filed suit against Patriot Coal, but due to the company's recent bankruptcy proceedings the judge has set that case aside for now.

After four days in federal court, we won again in

October, this time in the penalties phase of our case against still another Consol MTR mine: Fola Mine No. 3 at Stillhouse Branch. Federal Judge Robert C. Chambers ruled that we are entitled to an injunction

requiring the company to reduce its conductivity pollution. The judge wrote that "the Court is inclined to appoint a Special Master to further assist it in determining an appropriate remedy."

The big problem in all of our successful conductivity cases is that unless something new is invented, which wouldn't be cheap, there seems to be no easily available way to treat such massive pollution. In our most recent Fola case, one of our expert witnesses testified to the feasibility of a yet-to-be-designed huge reverse osmosis treatment plant that would likely cost around \$136 million. The company's proposal to

reduce their conductivity involves several steps, including possibly piping water from a less-polluted stream into the more-polluted Stillhouse Branch in order to dilute the conductivity, and then piping water from the Gauley River (nine miles away) into Stillhouse Branch in the hopes that all that dilution would bring the pollution to legal levels. One option the company mentioned is then piping this "cleaner" water back into

the Gauley. The piping into Stillhouse Branch would need to be continuous at a rate of about 800 gallons per minute in order to counteract the toxic drainage from the MTR operation that will continue for a very, very long time.

Some of the biggest MTR corporations operating in WV are facing bankruptcy or are close to it. There is speculation that ultimately all this pollution treatment burden could be shifted to state taxpayers at a time when state revenues are falling. *And none of this has made one iota of difference to WV politicians*, who continue their priority to get more MTR in WV.

## Agitate

If all that weren't bad enough, we here in Wayne, Putnam, Cabell and Lincoln counties now find that our area is the focus of a land grab by oil and gas

*continued on page 5*



# Groups File Notice of Intent to Sue Over MTR Threat to Bats



Much new scientific information has been published documenting the devastating effects of mountaintop removal mining on people and wildlife.

MTR threatens nearby communities with air and water pollution and an increased risk of

flooding. More than 20 peer-reviewed scientific studies have linked MTR pollution to health problems, including increased risk of cancer, cardiovascular disease, birth defects and elevated death rates.

MTR mining has also been linked to declines in birds, fish, salamanders, crawdads, insects and freshwater mussels.

Now it is obvious that two proposed MTR mines would threaten the northern long-eared bat, which became protected under the Endangered Species Act in April. Regulatory agencies have not put any measures in place to protect the bats from these mining activities, as required by law.

In September, the Center for Biological Diversity, Coal River Mountain Watch, OVEC and the Sierra Club filed a notice of intent to sue the U.S. Office of Surface Mining and the U.S. Fish and Wildlife Service for their failure to protect threatened northern long-eared bats at the two new proposed MTR mines. These mines would clear more than 1,000 acres of hardwood forest that are home to the rare bat.

The bat is found at Republic Energy's proposed Long Ridge mine on Coal River Mountain in Raleigh County. The mine would not be good for people, either. It would be directly above a church and upstream of a Head Start center. It would also destroy more than five miles of streams, threatening another species that has been proposed for protection, the Big Sandy crayfish.

Jim Justice's Big Creek mine in McDowell County is also home to the endangered bat.

"Federal agencies need to do a better job of protecting both the northern long-eared bat and the people who live around these mines," said Vernon

Haltom, director of CRMW. "Mountaintop removal is destroying wildlife and human communities in Appalachia and it is time for that to end."

"The failure to protect these bats is the latest example of coal companies getting a free pass in Appalachia when it comes to complying with the Endangered Species Act and other laws designed to protect the health of people and the environment," said Tierra Curry, a senior scientist at the Center for Biological Diversity. "The wink-and-a-nod compliance with the law is having devastating effects on wildlife and human communities in Appalachia."

More than one million acres of hardwood forest and more than 2,000 miles of streams have already been destroyed by MTR mining in Appalachia. 🍌

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## Litigate, Agitate, Celebrate

*continued from page 4*

fracking companies looking to the next generation of fracking — drilling down two and three times as deep into the Rogersville Shale, as compared to the Marcellus fracking that already is causing major problems to many folks in north-central WV.

We have little doubt that the entire power structure in WV will mobilize in support of outside corporations' "right" to pollute our water and air and bring heavy industrialization to areas where people now live in peace, all for the sake of fossil fuel corporations' mindless rush for immediate profits.

Fossil fuel spokespeople justify the need for much more fracking by saying that we need energy independence in this country.

But their clear intention seems to be to ship much of the gas overseas, and the oil too, if Big Fossil Fuels can get the U.S. ban on exporting oil thrown out. It's (still!) time to organize. 🍌



# Second Rogersville Test Well Permitted in Putnam County

In early November, Hard Rock Exploration received approval from DEP to drill a test well into the Rogersville Shale in Putnam County, located just south of the Winfield city limits. Cabot Oil and Gas has already completed a Rogersville test well near Hometown. This company alone has rights to more than one million acres in southwestern WV.

These Putnam wells are permitted to 14,000 and 15,000 feet deep. By comparison, fracked wells in the WV Marcellus Shale are around 5,000 feet deep and are causing such pollution problems and disruption to neighbors that 200 residents in

Doddridge County have filed lawsuits against the companies. The deeper the well, the greater the disturbance at the site.

The fracking impacts are so troublesome that some people living near WV Marcellus wells are leaving the area, or trying to, even though their property values have decreased due to being so near the heavily industrialized fracking process. These are not your grandparents' oil and gas wells, but rather are major industrial areas carved out of formerly clean, peaceful rural countryside. 🍷

## Fracking Pipelines!

*Columbia Gas is threatening us on my farm with a 42-inch pipeline and we are very mad. I have already had to give up some of my land for a power line and I will fight this pipeline as long as I can. These people will use eminent domain to virtually steal land from folks. We are organizing right now to fight them!*

*This pipeline can only encourage more fracking in our area! And they now want their taxes lowered so they can maintain their profits! We will also need to confront these exploiters in our state legislature. This will be a hard fight ... but our land and water are worth it!*

— Greg Carroll, longtime OVEC member from Putnam County, WV

OVEC will host a community forum on Rogersville Shale in Putnam County on January 21. No doubt, we will be discussing pipelines, too. Join us at 6 p.m. at the Eleanor Presbyterian Church, 205 Eleanor Circle, Eleanor, WV. Watch [ohvec.org](http://ohvec.org) for more info, or call us at 304-522-0246.



Construction of part of the Stonewall Gas Gathering Pipeline is underway in Lewis County, WV. This stretch of pipeline has a "mere" 36-inch diameter. Photos by Keely Kernan, [keelykernan.com](http://keelykernan.com).



# Why the Secrecy Over WV Rogersville Shale Test Well?

The Cabot test well near Hometown in Putnam County has already been drilled, according to news sources quoting WV DEP spokesperson Kelley Gillenwater. In April, Cabot requested that it be able to keep the results of the test well secret for three years, and the state granted this request. Gillenwater said it's unclear whether the Cabot test well has reached the flowback phase, when fluids and gases flow back out of the well, after an episode of fracturing of deep rock has been completed.

Normally, when a gas well begins producing and is hooked up to a meter, the company has to report their monthly production data to the state by the end of the first quarter each year. Gillenwater said that Cabot could keep this information secret according to the three year confidentiality granted by the state.

Who is served by this secrecy? Certainly the company would want to keep things quiet to prevent citizens from thinking they have a right to know whether their rural areas are slated to be turned into major industrial zones, with fracking pads, massive water tanks and heavy truck traffic — trucks to deliver the water, sand and chemicals for the fracking fluids which would be pumped thousands of feet below the earth. *The fracking process requires well over a thousand heavy truck trips per well.* Pipelines and pollution-belching compressor stations that look like chemical plants are needed to move the oil and/or gas out.

Secrecy is also important to companies so that



citizens have less time to perhaps decide that they'd rather keep their rural landscape intact. Secrecy also means less time for local and county governments to prepare for the transition from a rural area to a heavily industrialized area. For example, rural roads are not designed for continuous heavy truck traffic. And arrangements with fracking companies may be necessary to lessen their heavy truck traffic at times when school buses are carrying children.

At a depth of about 9,000 to 10,000 feet in Kentucky, the Rogersville is currently thought to contain oil, which is more valuable than gas. In West Virginia, at a depth of 12,000 to 14,000 feet, the formation is thought to be primarily gas. However, an old Exxon test well in Wayne County is just across the Big Sandy River from Lawrence County, KY, where fracking for oil is already permitted. According to the U.S. Geological Survey, the 11,000-foot Wayne Co. Exxon well “has good source rock potential, that, combined with favorable oil-source rock correlations, demonstrates a new petroleum system in the Rome trough” (of the Rogersville Shale).

Lawrence County, KY (adjacent to Wayne County, WV), currently has at least *six* permitted Rogersville wells — four are new test wells, and two already have permits to produce oil and gas.

A producing Rogersville horizontal oil and gas well is already operating in adjacent Johnson County, KY, but the results are not yet public. 🍌

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## FERCing Pipelines

In September, OVEC joined with the Allegheny Defense Project, Buckeye Forest Council, Center for Biological Diversity, FreshWater Accountability Project, Heartwood and Kentucky Heartwood to ask the Federal Energy Regulatory Commission (FERC) to dig deeper into the potential impacts of three pipeline projects.

Three Texas Eastern Transmission projects would pipe gas from our region to Midwest and Southeast markets.

We told FERC that it “must take a hard look at the direct, indirect, and cumulative effects of the projects, including the effects of shale gas drilling in the Marcellus and Utica shale formations. FERC must also consider other connected,

cumulative and similar actions in its environmental review of the projects.” We asked the agency to prepare a programmatic environmental impact statement (EIS), rather than a less extensive environmental assessment (EA).

As *Natural Gas Intel* reported, “According to the environmental groups, fines imposed on Tennessee Gas Pipeline Co. LLC last year for violations of the Clean Streams Law during work on its 300-line expansion project in north-central and northeast PA, and FERC’s failure to issue a stop work order during that construction, demonstrate ‘that there is considerable daylight between the assurances made in FERC’s EAs and what actually occurs on the ground’.” 🍌

# Could New Shale Gas Boom Be On The Way?

It's no secret that with low prices for natural gas, many fracking companies nationwide have been cutting back. Industry news sites, however, point out that some companies are remaining profitable in part by cutting their production costs (we wonder if they're following Don Blankenship's strategy of spending money on getting the fossil fuels out, while scrimping on things like pollution control and safety).

Some natural-gas analysts predict continued slow growth or decline, expecting that the gas market will remain oversupplied this winter. Others are predicting that in the near future, shale gas production will increase. According to an October 27 *Wall Street Journal* article, a new production boom in fracked natural gas could be on the horizon:

*Most of the growth in U.S. natural-gas production in recent years has been in the Marcellus Shale in Pennsylvania and West Virginia. Some industry experts say the Utica Shale, which stretches into Ohio and also lies underneath the West Virginia Marcellus Shale in some places, could be just as bountiful.*

*EQT Corp... has drilled wells in the West Virginia and Ohio Utica with very high production rates. 'A year ago, it would have been hard to imagine a more prolific play than the Marcellus,' said David Porges, EQT chief executive. 'However, if the deep Utica works, it is likely to be larger than the Marcellus over time.'*

In WV, some fracking companies are already increasing their gas production, and some are using complex financial manipulations called hedges, which allow them to make a profit when they otherwise wouldn't (see story at right). People in the gas fracking industry also hope that the 2017 planned opening of a gas export terminal in Cove Point, Maryland, will open enough export markets so that new fracked gas wells will be more profitable. 🍎

# Hedging Their Bets, Screwing Up Our Lives

Although national news stories continue to emphasize low natural gas prices and slowdowns in fracked gas production, a look at the more detailed United States natural gas market makes it obvious that for some West Virginia companies, the Marcellus Shale is still producing healthy profits, and new wells are still being drilled.

Antero and EQT are two of the biggest fracking companies operating in WV. Both companies have increased their gas production here over the past year and are making money in what looks to be a losing gas market.

A big reason for this is that both companies rely

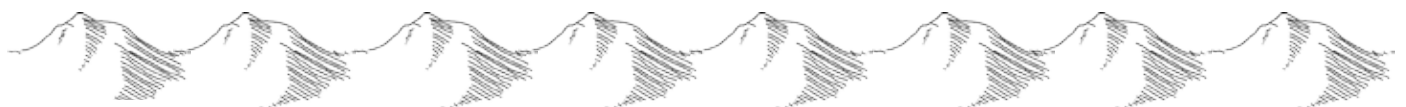
on complex financial manipulations called hedges. For example, in the third quarter of 2015, according to an October 22 article in NatGasIntel's *Shale Daily*, "EQT reported net income of \$40.8 million mainly on hedge gains. Without those hedge gains, EQT reported an adjusted net loss of \$50.2 million."

According to an October 13 article in *Shale Daily*, "Despite record third-quarter production, Antero Resources Corp. continued to search for insulation

against persistently low commodity prices, adding more hedges, cutting costs and inking another deal to send LNG (liquefied natural gas) overseas... The company's hedge book helped to offset stagnant oil and gas prices."

Why does it matter to us that frackers are making money through complicated financial schemes, despite the current low oil and gas prices? We wonder if the common financial practice of hedging helps enable companies to expand fracking into new WV counties even if gas prices remain low.

The world of hard-to-understand high stakes finance almost brought the U.S. economy down a few years ago. Here in WV, complicated finance schemes are making it possible for fracking companies to profit, while polluting air and water and making life miserable for many of their neighbors. 🍎





# Catholic Committee of Appalachia's 2015 FOCIS Award Goes to OVEC

The topic of the 45th Annual Catholic Committee of Appalachia's (CCA) Conference was "Water: Practical, Political and Spiritual Implications." Held in September, the conference drew people who care deeply about the Earth and all living things and who view issues concerning pollution, ecological destruction and poverty through a moral lens.

Keynote speakers included Denise Giardina, an award-winning author and OVEC member, who read aloud from *The Unquiet Earth*, her heart-wrenching fictionalized account of the all-too-real Buffalo Creek disaster. Denise's recounting the disaster reminded us about the huge price that people living and mining coal in Appalachia have paid to industrialize the nation.

Dr. Ben Stout, professor and aquatic ecologist at Wheeling Jesuit University, spoke about the various threats to water in our region posed primarily by coal mining and fracking for oil and gas. He talked about the toxic blue-green algae bloom on the Ohio River that spanned 500 miles from Wheeling, WV, to Louisville, KY — an unprecedented event. He elaborated that the Ohio River was at especially low flow in late August, hence concentrating the nitrates and phosphorus, two nutrients that stimulate the toxic algae growth (along with the higher temperatures of late summer).

Shannon Bell, another award-winning author, shared taped interviews of women in central Appalachia that she had interviewed for her book *Our Roots Run Deep As Ironweed*, the story of 12 Appalachian women who became environmental activists when they realized the devastating impacts that the coal industry has had on their families, their lives, their communities and their ecology.

In the past few decades, CCA has issued pastoral letters that discussed social, political and environmental conditions of people living in Appalachia. In one of the afternoon workshops, Sister Beth Davies and Father Les Schmidt discussed how they, as Catholics, and others should respond to these conditions. Sister Beth referenced the marginalized.

Much of OVEC's work is "at the margins," working with individuals and communities whose concerns are ignored and diminished by state and federal lawmakers and regulators. People who dare to speak out against polluters, especially the coal industry, are ostracized and pushed to the margins even by their neighbors who may have jobs in the industry.



OVEC has provided a supportive community for these folks. CCA apparently agrees: They presented OVEC the 2015 FOCIS award at this conference. CCA's FOCIS award is named in honor of the non-profit organization called the Federation of Communities in Service (FOCIS). The FOCIS award, given annually since 2008, may be given to any group or organization that meets the following criteria:

1. An exemplary expression of Catholic social teachings; 2. Actions

which make the Gospel concrete in Appalachia; 3. Ministering to people where they are; 4. A tradition of service; and 5. An appreciation for Appalachia.

Two OVEC board members, Reverend Jeff Allen and Pam Nixon (above, with award) joined OVEC Executive Director Janet Keating at the podium when the beautiful, original, handmade award was bestowed. Like any award presented to OVEC, this also belongs to all the incredible people — members, supporters and volunteers — with whom we have worked.

We are grateful, as well, to CCA leaders like Sister Beth and Jeannie Kirkhope, who support OVEC's environmental efforts in so many different ways. Receiving this award after Pope Francis issued his encyclical on the environment, *Laudato Si'* was a special validation of OVEC's efforts to protect the environment. Writing in the encyclical about Saint Francis, his namesake, Pope Francis declares:

*If we approach nature and the environment without this openness to awe and wonder, if we no longer speak the language of fraternity and beauty in our relationship with the world, our attitude will be that of masters, consumers, ruthless exploiters, unable to set limits on their immediate needs. By contrast, if we feel intimately united with all that exists, then sobriety and care will well up spontaneously. The poverty and austerity of Saint Francis were no mere veneer of asceticism, but something much more radical: a refusal to turn reality into an object simply to be used and controlled.*

What a different world we would be living in today if more of us approached our relationship to the Earth, our common home, with the same care practiced by Saint Francis. Thank you, Catholic Committee of Appalachia for the honor that you have bestowed on OVEC! 🍎



## **Kanawha Forest Coalition Update**

What's happening with the mountaintop-removal mine next to Kanawha State Forest?

It's been about a year and a half since surface mining began at the Keystone Development #2 permit right next to Kanawha State Forest and just two miles from Charleston city limits, but the efforts of the Kanawha Forest Coalition's (KFC) committed volunteers and supporters are starting to pay off.

From the start, an active group of volunteer "citizen inspectors" has been monitoring the mine for problems like acid runoff, poorly built drainage systems and blasting and mining not according to plan — and reporting their findings to the DEP. Since May 2014, the mine has been cited for 32 violations, many of which came directly from DEP's investigations of citizen complaints.

In February 2015, Keystone decided to idle the mine, or temporarily stop moving coal, but the violations continued, mostly involving acid runoff or other water quality issues. In early June 2015, in response to a protest that we organized outside their offices in Kanawha City, the DEP banned the two coal companies involved (Keystone Industries and Revelation Energy) from obtaining new mining permits anywhere nationwide and ordered an end to all work on this permit other than reclamation.


More recently, the DEP has also issued three "show-cause orders," which have initiated a process that could result in no future mining being allowed on this permit. The reclamation work is ongoing, which involves reshaping earth and some new blasting, to attempt to reconstruct the original shape of the mountain. About 100 acres of the permit was clearcut, blasted or mined, out of the permit's total of 413 acres.

The "reclaimed" mountainside probably won't look much like the original in terms of topsoil or biodiversity, and the streams and groundwater may be polluted with acid and heavy metals for decades or centuries to come. But thanks to our pressure, the DEP recently investigated our reports of acid drainage leaching out through the mine's drainage pond and has now ordered Revelation to line those pits to prevent pollution. We remain committed to holding these companies and their owners, Tom Scholl and Jeff Hoops, accountable for the costs of the damage to the forests, streams, air and community health. DEP assures us that they won't permit any more mining on this site, but we won't back down until we see a permit suspension in writing.

### **Arts and Activism Outreach**

For two weeks in November and December, KFC created a pop-up art gallery and events space in downtown Charleston titled "Kanawha Forest Exposition." The space featured a photography and video installation documenting the natural beauty and wildlife found in the Kanawha State Forest, in addition to showing aerial drone footage from around the forest and the KD#2 mine. Programs held in the space included live music, film screenings, family-friendly arts and crafts and other community engagement events. We thank OVEC for their support in making this happen!

### **Join KFC!**

We're always looking for new members — if you'd like to get involved with citizen inspections, building awareness and engagement by organizing events, pursuing legal avenues, or anything else, please get in touch! You can reach us at 681-214-0906 or [kanawhaforestcoalition@gmail.com](mailto:kanawhaforestcoalition@gmail.com). 

# ACHE Congressional Update

by Bo Webb

The Appalachian Community Health Emergency (ACHE) campaign has been successful in getting the ACHE Act introduced in the U.S. House of Representatives. The ACHE Act, once passed into law, will protect the health of pregnant mothers, babies in the womb, children and adults throughout Appalachia by ending the coal-mining method commonly known as mountaintop removal (MTR).

The ACHE team is now calling on the U.S. Senate to introduce the ACHE Act in the senate and expedite its passage as a matter of extreme urgency. To that end, folks visited D.C. in October to meet with Tennessee's congressional membership.

ACHE appreciates the efforts of everyone who helped organize and who participated in the event. Our message urging congress to support and pass the ACHE Act was focused on the moral issue of MTR and its threat to public health.

ACHE team volunteers Colleen Brune Kammer from Maryland and Jake Reott from West Virginia were superb in all of our meetings and were a great help with preparations. Ann League and her delegation from Tennessee, consisting of Vickie Terry, Pat Hudson, Sam Stapleton and Adam Hughes, were outstanding in articulating the importance of the ACHE Act and what it means to all of Appalachia.

We also want to thank OVEC for its continuing support of the ACHE Act and its commitment to help create a better and healthier West Virginia. In addition to meeting with staff of TN senators Alexander and Corkers, we also met with TN House members Steve Cohen, John Duncan, Phil Roe and Diane Black.

Representative Steve Cohen has since signed on as a co-sponsor of the ACHE Act as a result of our meeting, and we are following up with other TN house and senate members.

Passing legislation is not an easy task, even concerning an issue as egregious as MTR. We need a regional active campaign reaching out to all sectors of Appalachia's communities. The TN folks are organizing for more ACHE support, as Pat Hudson is working to organize religious leaders across her state.

A similar outreach is ongoing across Maryland, and Allen Johnson of Christians for the Mountains here in WV is very active, calling on religious leaders across the country, educating and inviting them to WV to see the destruction of MTR first hand. Johnson has been a member and a vital part of ACHE since we drafted the ACHE Act in 2012.

We have come a long way but we have not yet crossed the finish line. We appeal to everyone aware of MTR to become more active in ACHE. We need your help and your support. We need each other's help to end this injustice. Learn more at [acheact.org](http://acheact.org), where you can link to contact information for your federal representatives. Please email and call their offices to tell them to support and pass the ACHE Act, HR 912 (a sample letter is provided on the website).

Visit our ACHE Facebook page for daily information and updates. Please donate to help support our work in Washington, D.C. 🍌



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## Like MTR, Fracking Linked to Increased Illness

People living in two northeastern PA counties with many shale gas wells were more likely to be admitted to hospitals for heart, nervous system and other illnesses compared with residents of nearby areas with no gas fracking, according to a July article authored by researchers from the University of Pennsylvania and Columbia University in the peer-reviewed science journal *PLOS One*.

Another study, by Johns Hopkins researchers, published in October in the journal *Epidemiology*, shows that pregnant women who live near fracking wells in Pennsylvania face increased chances of high-risk pregnancies and premature births.

A recent study by Southwest Pennsylvania Environmental Health Project, a nonprofit group of public health experts, found that spikes in measured air toxins around a New York gas compressor station coincided with increases in residents' asthma, nosebleeds, headaches and rashes. Researchers noted the excessive amounts of fine particulate matter near the compressor. Nosebleeds were attributed to formaldehyde, a carcinogen found in excess around compressors in a recent State University of NY Albany study.

Gas compressors are built near fracking wells and at 50- to 100-mile intervals along pipelines. 🍌

# Free Trainings in Environmental Remediation Field

OVEC is excited to be a partner in the Quality Environmental Jobs Initiative. The first set of courses in the initiative took place in October, and round two is coming up in January.

The training program, which takes place in Huntington, is free of charge and open to the general public. Laid-off coal miners, veterans and unemployed young adults are especially encouraged to apply.

Over the course of five weeks, participants will receive an intensive immersion in the environmental field. Graduates will gain working knowledge of environmental issues and the opportunity to earn professional certifications in a variety of environmental fields, such as Hazardous Waste Operations and Emergency Response (HAZWOPER), asbestos abatement, lead abatement, mold remediation and meth-lab clean up. Additional services will include professional skills development, life-skills counseling and job placement services. The program involves close collaboration with more than 12 private-sector partners and multiple employers across the state.

The Quality Environmental Jobs Initiative is a project of the non-profit Coalfield Development Corporation and the Center for Environmental, Geotechnical, and Applied Sciences (CEGAS) at Marshall University and is funded through an Environmental Workforce Development and Job



*A 2014 coal slurry spill into a Kanawha County stream demanded the attention of lots of workers. For the foreseeable future, WV will not be lacking in environmental remediation jobs.*

Training grant from the U.S. EPA.

Coalfield Director Brandon Dennison notes, “These are jobs that help take liabilities such as environmentally damaged properties or vacant buildings and convert them into community assets. When coupled with our counseling and job-placement services, this program will truly provide an opportunity to change

lives for the better. I highly encourage anybody looking to improve their skills, to do important work for their community and find gainful employment to get in touch with us.”

Dennison adds, “Environmentally impacted employment sectors are becoming crucial to a more diversified job readiness strategy for our state. This program will help to ensure that the communities within southern West Virginia’s coalfields reap the economic benefits derived from these remediation activities.”

Other partners in the Quality Environmental Jobs Initiative include WV Region 2 Workforce Investment Board, Wayne County Economic Development Authority, Southern WV Community Action Council, Veterans Employment Council and several other environmental and community-based organizations.

If you are interested in registering for the trainings, contact Natalie Thompson at 304-522-0246 or [natalie@ohvec.org](mailto:natalie@ohvec.org). 🍷

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## Boyd School Board Joining KY Landfill Suit

*excerpt from an October 28 Ashland Daily Independent article by Mike James*

The Boyd County (KY) Board of Education and the district’s faculty association are joining as plaintiffs in a lawsuit seeking to curb alleged clean air violations at the Big Run Landfill.

Both groups say odors from the landfill disrupt schools in the district. They want to force the landfill’s parent company to comply with emissions standards.

They are joining as plaintiffs in a suit filed in July by the Ohio Valley Environmental Coalition. The suit asked for an injunction against River Cities Disposal and said the company also should pay fines and remedy any contamination or health issues related to the alleged odor violations.

“We don’t want to close the landfill, and we don’t want any money. We just want them to comply with regulations,” school board chair Bob Green said.

The district has been flooded with complaints about noxious odors from the landfill, he said.

Firefighters were called recently to Boyd County Middle School when alleged landfill odors were mistaken for a gas leak, he said. One of the district’s early childhood centers was evacuated because of the same issue, he said.

Odors at the high school, if unabated, could discourage long-term plans to develop playing fields and other facilities at the site, Green said. 🍷

# Life Lessons: From the Garden to the Table



Things got cooking as kids from the Huntington Boys and Girls Club Gardening and Healthy Eating Project prepared yummy chicken and spinach quesadillas and blooming baked apples at Huntington's Kitchen on November 4.

Our instructor, Kim Becker, planned the healthy menu and led the cooking class. With assistance from Boys and Girls Club staffers Jessica Lucas and Kayla Barry, along with OVEC's Tonya Adkins, the 12 youths not only prepped and cooked the food, but also learned useful cooking skills, such as measuring, using a knife, reading a recipe, etc. Of course, the best part was when the kids got to eat food prepared with their own hands, and all agreed it was delicious.

OVEC and the Huntington Boys and Girls Club received a mini-grant from Try This WV to support the Gardening and Healthy Eating Project. During summer, we built raised beds so the kids could learn to grow their own food.

We hit a stumbling block when the dirt we bought, which was supposed to be compost, set up as hard as cement, and most of the vegetables we were able to grow were wiped out by marauding critters.

Nevertheless, the kids were excited to see plants growing from seeds and learned what it takes for plants to grow — water, sunlight and nutrients from good soil. The kids are eager for the next growing season, when we will be amending the beds and critter-proofing them to ensure a good harvest. 🍄

*Top photo: Kids with the Huntington Boys and Girls Club build the frames for the raised beds. Middle photo: Checking on the tomatoes. Bottom photo: The whole crew in Huntington's Kitchen for a delicious life lesson. Photos courtesy Boys and Girls Club.*

## Stay Connected!

**Stay Informed by Email:** Join OVEC's Action Alert! at [ohvec.org](http://ohvec.org).

**Stay Informed by Phone:** Call the OVEC office at 304-522-0246 and ask to be put on our Call List. Don't worry — we will only call to let you know about major events or actions.

**Stay Informed Online:** Visit [ohvec.org](http://ohvec.org) frequently for updates and background information in the Issues section. Find us on **Facebook and Twitter**. Link up from [ohvec.org](http://ohvec.org).



# Together:

The newspaper headline mockup at left reflects just some of our campaigns over the years, as well as news reports on some of our achievements and victories.

Wow! We've accomplished a lot with our physical base being some really cramped office quarters. Of course, that's because our most important base is all of you who have donated time, energy and money over the years. These campaigns didn't all begin in our office space; they began when you noticed a wrong and set about gathering help to right it. They began in your living rooms and churches.

Still, there's no doubt we've carried out much work in our cramped quarters. All of this was on our minds on November 7, as folks turned out to help us celebrate an organizational milestone and break in our new office space (see story on front page). Now, we don't have to scramble to find meeting places, and we have real workspace for volunteers. Come see us! 🍂



# Celebrating a Milestone



Photos in far left column: Scenes from outside our new office space, during the ribbon cutting ceremony. Middle and right columns: Scenes from the office-warming party. Above: Our new entry space, before the guests arrived. Find caption information and more photos from our November 7 event on our blog at [ohvec.org](http://ohvec.org).



I give financial contributions to the Ohio Valley Environmental Coalition because I think it is very important to support locally based groups that work for positive changes in our state and region. I will continue to support this group because they do good work, preserving a better environment for all of us, and I urge others to do the same.

*- Bobby Nelson, a former state senator and former Huntington mayor*

Our new building features highly energy-efficient lighting, heating and cooling, insulation and windows. Our cabinets and counters are salvaged from our old space or from local deconstruction projects. We are in the midst of a fundraising campaign — Together We Grow — to help pay for the energy-efficiency renovations. So far, we've raised about \$21,000 toward our \$60,000 goal. If you'd like to help out, donations, earmarked "Together We Grow," may be made online at [ohvec.org/join](http://ohvec.org/join) or via mail: Attn.: Maryanne Graham, OVEC, P.O. Box 6753, Huntington, WV 25773-6753. 🍎

# Report on the Call to Action for Racial Justice

by Rose Edington, OVEC Board Chair

When OVEC Exec Director Janet Keating asked if I could represent OVEC at the Race Matters meetings, I was happy to go, but I also wanted to know her reason for wanting OVEC to help sponsor Race Matters' latest event — the Call to Action for Racial Justice, held November 3 at West Virginia State University (WVSU). She replied, "Our environmental justice work is tied to undoing oppressive systems. I know in my heart of hearts that this is vital work."

I believe that this holistic understanding that environmental justice work is tied to justice everywhere is one of OVEC's greatest strengths, contributes to our effectiveness, and it is a major reason that I am proud to be part of OVEC. We need all of us at the intersectional table of justice, interacting, raising questions and sharing how policies that lead to injustice affect our lives in order to have an inclusive, dynamic approach for creating deep, transformative, systemic change.

OVEC is one of 23 organizations that are part of Race Matters WV (RMWV), which coordinated this Call to Action event. Sponsors ranged from overall staff support and coordination provided by the WV Economic Project of Americans Friends Service Committee to the Partnership of African American Churches, YWCA, WVSU chapters of NAACP and Our Children Our Future, as well as the state-wide OCOF, WV Citizens Action Group, WV Coalition Against Domestic Violence, WV Center on Budget and Policy, WV Free, West Side Revive, East End Family Resource Center, Planned Parenthood, etc. OVEC was definitely in good company! Sponsorship involved sending out email blasts to our list, posting the event on our Facebook page, and sending a representative to the event: an easy, yet valuable, investment of our time.

Just a little background on Race Matters WV (check out the new website, [racematterswv.net](http://racematterswv.net)): RMWV came together in November 2014 with a summit on Race Matters in Charleston, where about 200 interested citizens, including several staff and board members of OVEC, gathered to learn about and strategize around issues of racial inequality. We wanted to be pro-active on issues of racial justice, instead of getting caught up in reactions as was happening in St. Louis, for example.

More recently, in June 2015, a Call to Action for

Racial Equality was held at Charleston's East End Family Resource Center, as well as at the summer Freedom School, put together by Takeiyah Smith, an amazing student at WVSU. The school involved 36 students from around the state learning about youth organizing during the civil rights movement, how and why structural racism persists today and what they can do about it.

The June call looked at the need for more voter engagement, criminal justice reforms, West Side affordable housing and the school-to-prison pipeline that happens when student behavior (primarily students of color) gets criminalized.

As valuable as this earlier call was, we knew it would not be enough, so we decided to plan for the November 3 call, and now we're starting to plan follow

ups. RMWV also sponsored events at Concord University on November 18, using the resource (a film braided with facilitated discussions) "Cracking the Code: Conversations on Racism and How to Take Action." Also, RMWV facilitators will lead a session on "Cracking the Code" at KISRA's Strengthening Families conference. I have years of experience with antiracism training, and this is one of the most valuable tools I'm aware of. If you've not seen it, I invite you to check it out online (by Googling or at the Race Matters West Virginia site), and consider getting in touch with Lida Shepherd at [LShepherd@afsc.org](mailto:LShepherd@afsc.org) for help in putting together a showing and conversation.

More than 100 of us met for the November call. The opening, provided by WVSU students, got us energized before we broke into one of eight focus groups: Voter Engagement, West Side Revive, LGBT Safety and Advocacy at WVSU, Reducing Disparities in Arrest Rates, Race Matters Dialogue and Education, Keeping Race, Gender and Human Identity Curriculum at WVSU, Juvenile Justice Reinvestment and Second Chance Employment Act.

Everyone was so highly engaged, it took effort to return from the focus groups to the overall group for action plans and closing. Everyone wanted to sign an action commitment card! It was a dynamic event, and there will be more. I am happy to represent OVEC for future Race Matters West Virginia events and thankful for OVEC's help in spreading the word and helping to engage more people in this work.





## What Is This Concept of Intersectionality?

I mentioned the need for all to be at the intersectional table of social justice. “Intersectional” is a relatively new word, one I find more dynamic than the term “linked oppressions” that some of you who have longtime involvement in social justice trainings may be more familiar with.

Social justice issues, such as racial and environmental justice, do not go away — they morph and get expressed in new ways, and we need language and actions to counteract the new ways. Using the term “structured racism” resonates better today than does “institutional racism.” Likewise, when I first heard the term “intersectionalism,” I immediately liked it even without fully understanding it. I’ll try not to get really wonky here, and if you want a good resource to learn more, I suggest googling Olena Hankinsky’s Primer on Intersectionality.

Intersectionality considers who you are when you come (symbolically or in actuality) to the table. It realizes we are all shaped by the interaction of various social locations (race, gender, class, ability, migration, geography, religion, etc.) and how these interactions play out in our lives through connected systems and power structures (laws, governments, policies, media, educational institutions, etc.), like the realization that depending on the context of a particular situation we can experience both privilege and oppression at the same time.

Intersectionality’s approach is to build coalitions among different groups to, as Janet said, undo oppressive systems. Intersectionality seeks to transform a situation, society, or when it comes to climate change, the planet. It calls for creativity and getting beyond a one-size-fits-all response to an issue. Imagine how different the response to Katrina would have been if the most affected had been equal participants in finding solutions to the devastation. In the long run, environmental justice and dealing with the effects of climate change will need an intersectional approach, because so many power structures currently contribute to environmental destruction. Everyone affected needs to be represented at the table if we are going to have justice-based social stability.

Closer to home, Janet is taking an intersectional approach to oil and gas industry issues, especially fracking, with the call for all organizations in WV concerned with justice in the oil fields to get together in December. Around the table we will learn who we are and what we’re doing and what we’d like to see for our state. This session can help prepare us for the upcoming legislative session and also prepare us to bring intersectionality (consideration of who is most affected by race, class, location) to the table that includes representatives of fossil fuel corporations — but only when we are seated at the table as equal participants. 🍷



## Solar Open House in Roane County Features DIY Solar

by OVEC member Mary Wildfire

I live on a land trust on a ridge near Spencer, WV. Two houses on the property — the one I live in with my husband Don Alexander and another occupied by Robin and Brenda Wilson — are powered by solar energy.

On October 3 and 4, we hosted a Solar Open House. At the Wilson’s house, visitors learned how grid-tied solar panels work. A short walk away, visitors to our house learned about an off-grid system.

Both systems use a yard-mounted array supported by pressure-treated wood, which Don designed and which has been copied by others. Learn about this design at [spectrumz.com](http://spectrumz.com), under the Going Solar section. Here you can see photos of the Solar Open House, such as the ones here (photos by OVEC staff member Vivian Stockman), a copy of the First Steps to Solar speech I gave to participants and watch Robin’s PowerPoint on solar energy.

At the open house, we also talked about passive solar in our homes and other sustainable living topics, concluding with a walk through our gardens for those interested.

Unfortunately, Saturday was a bit rainy, but we still had 35 to 40 people, thanks in part to publicity by the Sierra Club WV Chapter, OVEC and others. At the last minute we added a second session on Sunday, to which another 10 people came. A good time was had by all, or so it seemed to me. We answered countless questions, and I think we brought several households closer to the threshold of going solar.

Plans are already in the works to do it again next year, probably at the home of a local doctor who has 24 panels on the same kind of wooden mounts. The 30% federal tax credit for solar installations expires at the end of 2016, unless Congress renews it, so you might want to go solar by then to take advantage of it! 🍷



# Money, Politics Tipping Scales in State Courts?

*excerpt from a November 3 Charleston Gazette-Mail op-ed by Julie Archer and Natalie Thompson*

If you went to court tomorrow, would you ultimately get a fair and impartial decision? Or are the scales of justice tilted by special interests spending big and playing dirty in efforts to shape elected courts to their liking?

A new national report underscores the troubling answer to these questions. “Bankrolling the Bench: The New Politics of Judicial Elections 2013-14,” by nonpartisan organizations Justice at Stake, the Brennan Center for Justice and the National Institute on Money in State Politics examines such attempts to influence state supreme courts. It also asks whether we are ready to acknowledge the reality that state judicial elections have become overrun by money and politics and decide that the risk they pose to democracy is no longer acceptable.

During the most recent election cycle, more than \$34.5 million was spent on state Supreme Court elections in 19 states, with a record 29 percent shelled out by special-interest groups in so-called “outside” spending, not coordinated with candidates or parties.

This means outside interests, pursuing their own agendas, are spending millions to support — or more often attack — judges for reasons that voters may never know. Much of this spending is by shadowy organizations that don’t disclose their donors. In several states, including WV, it’s impossible to fully account for spending by these groups.

Where does the money go? Much of it bankrolls negative and misleading TV ads and billboards. Data show that crime themes are most popular in judicial election advertising nationwide and that 82 percent of attack ads in judicial elections criticized incumbent judges for being “soft on crime.”

At its worst, this translates to ads with grainy footage and somber music, lambasting a judge for letting some predator “go free.” Ads have accused Supreme Court justices in numerous states of coddling child predators and terrorists, of sympathy for rapists, of tolerating attacks on women and children, and more.

Sound familiar? Most of us remember the \$3 million that Don Blankenship spent to influence West Virginia’s Supreme Court under the guise of “And for the Sake of the Kids,” as Massey Energy



was preparing to appeal a \$50-million jury verdict.

Unfortunately, similar scenarios have played out over and over again in Supreme Court races across the country in recent years, especially since the Citizens United Supreme Court decision, which unleashed unlimited independent spending on elections.

But, back to those crime-themed ads. Although they’re clearly intended to scare voters, they apparently scare judges just as much. “Bankrolling the Bench” notes mounting evidence that politicized judicial elections are undermining our justice system and the ability of criminal defendants to get a fair trial. Elected judges, possibly haunted by the pressure to be “tough on crime,” hand down tougher sentences in criminal cases, including more death sentences. That’s appalling, because it raises the very real possibility that life-and-death decisions are being made with an eye toward re-election.

The harm isn’t limited to criminal defendants, either, because state Supreme Courts actually have enormous influence over people’s everyday lives. They decide cases that affect education, labor, the environment, voting rights, real estate, corporate accountability and health care. When partisan players put political and financial pressure on a court, these are the very issues that end up in the crosshairs. Issues invoked in 2013-14 state judicial campaigns ranged from environmental protection in Montana to fracking in Ohio to anti-tobacco litigation in Illinois.

Thankfully, in WV our recent Supreme Court elections haven’t been contentious or the target of huge outside spending. But, the evidence is overwhelming: Special interests and partisan politicians are exploiting judicial elections to stack our courts in their favor. The good news is that there is a range of solutions that help fix this problem. They include public financing of judicial elections, which WV adopted in 2010, along with strong disclosure of political spending, so we know who’s trying to influence our elections, and tough recusal rules to make sure that special interests can’t buy justice.

Although our public financing program isn’t a perfect solution for all the problems created by our

*continued on page 20*

# WV Citizens Have the Right to Know: Who is Funding Electioneering Communications?

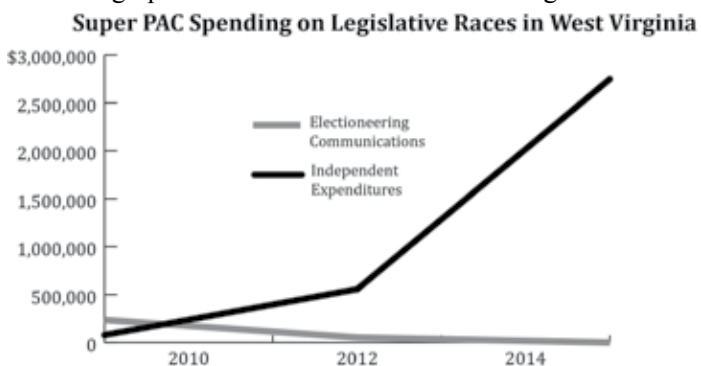
by Natalie Thompson

On September 11, WV Citizens for Clean Elections met with our allies to discuss disclosure of money in WV elections.

Logan Bush, WVCCE's intern hired over the summer, presented data he compiled from various resources as to just how much money and what types of contributions are involved in WV politics. WVCCE will release Bush's final report and PowerPoint at a later date.

In short, Bush found that the influx of money in politics in WV has increased exponentially since 2010, and we still don't know where all the money is coming from.

This graph illustrates some of Bush's finding:



In the chart above, you'll notice two things: the sharp increase in money given to legislative candidates by Super PACs and a shift in how Super PACs give their money. In 2014, the PACs gave no money for "electioneering communications," but instead gave all money for "independent expenditures."

According to Open Secrets, electioneering communications are "broadcast ads airing within 30 days of a primary election or 60 days of a general election that mention or refer to a federal candidate and are aimed at 50,000 or more members of the electorate of the office the candidate is seeking."

According to Wikipedia, an independent expenditure is "an expenditure that expressly advocates for the election or defeat of a clearly identified candidate and is not coordinated with any candidate's campaign, authorized candidate committee or political party committee."

WV law dictates that Super PACs must disclose these independent expenditures (IEs) with the WV Secretary of State; however the position towards a candidate, for or against, is often omitted from the forms, either due to the form lacking a place to make the distinction or a failure to comply. In addition,



Huntington resident Logan Bush (left) interned with WV Citizens for Clean Elections this summer. Bush is passionate about politics and public policy. He is currently working on his master's degree in political science at Marshall University.

there are not enough employees in the secretary of state's office to monitor these forms.

So, the shift in the way Super PACs give money to candidates in WV is making it more difficult to fully understand how this money is being spent leading up to an election. Bush notes, "What we do know from the independent expenditures and electioneering communications is that specifying their position bolsters a popular notion of politics: Labor-backed Super PACS support Democrats and big business Super PACS support Republicans."

Bush wasn't the only presenter at our September 11 meeting. We also had a special guest speaker from Washington D.C. who shared ideas for taglines, one-liner storytelling, and media outreach on a disclosure campaign for WVCCE.

Jeff Raines, Media Associate of the Money in Politics/Fair Courts Collaborative, works with state watchdog and fair courts groups to boost their press coverage at the local, state and national level. Having studied under some of the best speechwriters in Washington, Jeff focuses on imagery and story to illustrate how toxic big money infects all aspects of everyday life, not just our government.

"*In a democracy everyone's voice should be heard.* The framers of the Constitution and the founders of West Virginia intended to form a government that would be accountable and representative of everyone, not just wealthy donors and special interests. Making your voice heard shouldn't require a price of admission in West Virginia," Raines says.

"*Everyone has a right to know.* Increased disclosure ensures the public knows who is trying to influence our elections. There are plenty of liberal and conservative organizations, secretive dark money groups, and wealthy billionaires and corporations trying to align our government with their beliefs instead of the people's will."

*continued on page 20*

# Right to Know

*continued from page 19*

On November 9, the *Charleston Gazette-Mail* published an article by statehouse reporter Phil Kabler. The article, headlined “WV drops to D-level rating in government openness, transparency,” states “West Virginia’s grade in the latest edition of the Center for Public Integrity’s State Integrity Investigation dropped from a D-plus to a D. However, the state moved up from 27th to 17th nationally, as most states scored dismally when it came to open and transparent government.”

The article’s focus on the state’s move up from dismal got my ire up. The integrity investigation is not scaled like a grade on a law school case exam. Simply put, yes you are right: The whole nation is not doing well when it comes to government with integrity. Yes, we’ve moved up from terrible to rotten, but does that mean we can pat ourselves on the back? No. Does that mean that WV voters know who is writing the checks for candidates? No. We have a billionaire running against a millionaire for the governor’s seat here in WV! Does that say it all? Yes! Do we need disclosure in WV elections? Yes!

Let us take a look at the Fs on our grade card and not just concentrate on being better than Texas...

- Public Access to Info - GRADE: F (44)  
RANK: 28th
- Political Financing- GRADE: F (55)  
RANK: 31st
- Electoral Oversight - GRADE: F (57)  
RANK: 40th
- Judicial Accountability - GRADE: F (59)  
RANK: 18th

Regarding judicial accountability, although we are 18th in the nation, there are three criteria that WV has no law for, unlike, for example, Virginia. In VA law, there is a process in place to evaluate the performance of judges. In practice, state-level judges’ performance evaluations are complete and detailed, and by VA law, citizens can access the performance evaluations of judges.

Then, on November 11, in a *Daily Mail* editorial, “Transparency is great, but comes with costs,” the newspaper opined:

*Conservatives, like the Daily Mail Opinion Page editorialists, believe and demand in a government that operates in the most efficient way possible. Yet requiring high-level management personnel to page through document*

*after document to fulfill a FOIA (Freedom of Information Act) request — taking them away from their other work — is not necessarily the most efficient use of time or taxpayer dollars.*

*The issue of cost plays out in a more direct way. Many don’t realize that every information request entails time spent by government employees who must retrieve, review and sort the information. Every reasonable effort should be made to provide open and transparent government. And to do so, lawmakers and budgeters must be sure to account for the personnel and record-keeping resources that are needed to keep our democratic form of government open and transparent.*

As you might imagine, this one got my goat, too. So, we don’t allocate enough of our budget to monitor or audit expenditure reports and we can’t pay enough employees to produce federally mandated FOIA reports either? But, money spent by Super PACs on legislative races has increased by more than 4.5 times from 2012 to 2014. I believe taxpayers would be more upset over the unknown buying and selling of democracy as opposed to being upset about hiring more staff for the WV Secretary of State’s Office.

To get involved in our Clean Election work, contact me, Natalie Thompson, at 304-522-0246. 🍌

## Money in State Courts?

*continued from page 18*

current method of judicial selection, it does play an important role in protecting the impartiality of the court and the justices on it by shielding them from the biasing influence that can come with private contributions. Unfortunately, the current state of affairs in West Virginia allows anyone to hide their identity while influencing our elections. We deserve to know who is trying to influence our votes, not be kept in the dark.

The big spenders in our elections are banking on voters thinking there’s no solution to the growing politicization of judicial races and attacks on state courts. It’s time to show them they’re wrong and get behind serious reforms that will help keep money and politics out of the courtroom and restore public confidence that the scales of justice are in balance.

*Julie Archer and Natalie Thompson are co-coordinators of WV Citizens for Clean Elections, a coalition of organizations that advocates for transparency and accountability in elections through reforms such as public financing and full disclosure of political spending.* 🍌

# Don Blankenship's Castle Overlooking the Site of Another Tragedy

by Vivian Stockman

In August, folks at Coal River Mountain Watch took a *Mother Jones* magazine reporter on a tour of Massey Energy's (now Alpha Natural Resources) messes for an article that came out on the eve of the start of Don Blankenship's trial.

The ex-CEO of Massey faces charges over lying to regulators and investors about safety measures at a coal mine where a horrifying explosion killed 29 men on April 5, 2010. As this is being written, the trial is ongoing. Many West Virginians are hoping for some semblance of justice for the families of the miners who have died in Massey mines.

For the *Mother Jones* story, photographer Stacy Kranitz wanted aerial shots of Blankenship's mountaintop mansion that looms over Mingo County, WV. On August 29, a SouthWings volunteer pilot flew Kranitz over Mingo County, with me on board as an aerial guide. Of course, I snapped some shots from my seat behind the photographer.

Coupled with all the news about his trial, my aerial view of Blankenship's castle made it hard not to think of numerous other instances in which people have struggled for justice as Massey (and other coal corporations) altered WV's history.

Long before (and ever since) the fatal Aracoma and the Upper Big Branch Massey coal mine tragedies, OVEC, Coal River Mountain Watch and our allies have been confronting slower-motion coal-industry-created tragedies, such as the poisoning of the groundwater feeding people's wells in Sprigg, Lick-Creek, Merrimac and Rawl, all communities in Mingo County.

My aerial view of Blankenship's castle reminded me of one of my first views of that strange structure on the mountains. I was standing inside a home in Sprigg. Just as the family members had to do every day, I stood at the kitchen sink, turned on the family's tap, breathed toxic hydrogen sulfide fumes, watched coal-slurry-contaminated water fill the sink,



Above: Blankenship's mountaintop compound overlooking Rawl and other Mingo County communities.  
Below: Rawl well water.



and looked out the kitchen window at Blankenship's castle. Up there, he had clean water piped in. Meanwhile, all the families down in the hollows below had been trying for years to get public water piped in, because their once-sweet well water had become contaminated. The water was causing people to develop all manner of severe illnesses.

The source of the well-water contamination? Massey Energy's Rawl Sales and Processing had been injecting *billions* of gallons of coal prep-plant waste underground to "dispose" of it.

Standing at the window in that Sprigg home, I couldn't help thinking of *The Simpsons*' Mr. Burns and Burns Manor, from which Burns gleefully rubs his hands together, looking down upon the townspeople his nuclear plant is poisoning.

OVEC organizers and the Sludge Safety Project began working with Mingo County residents to get something done about the water

troubles in the communities. It was a long haul. Some of that history is chronicled on the OVEC website.

We eventually won a ban on any new underground injections of coal prep-plant waste. After 13 years of agitating and much illness in the community, municipal water pipes finally reached the Mingo County communities. OVEC also networked community members with the attorneys who brought a years-long lawsuit, which was eventually settled.

Let's hope this latest Massey-related lawsuit ends with some justice for the families of the fallen miners. 🍂

**Stay up to date on  
the latest events.  
Check our online calendar  
at [ohvec.org](http://ohvec.org).**



# 400 Groups to Obama: Keep Fossil Fuels in the Ground

excerpt from September 16 Common Dreams article by Deirdre Fulton

In a passionate press conference outside the White House on Tuesday, a sweeping coalition of climate, labor, indigenous and public-health groups and leaders called on President Barack Obama to make the U.S. the first nation to commit to keeping all of its remaining unleased public fossil fuels in the ground.

“Each new federal fossil fuel lease opens new deposits for development that should be deemed unburnable,” reads a letter delivered September 15. (Ed. note: OVEC was among the more than 400 groups signing the letter.)

The letter continues, “The cost of continuing federal fossil fuel leasing to our land, climate and communities is too high.” The science is clear that to maintain a good chance of avoiding catastrophic levels of warming, the world must keep the vast majority of its remaining fossil fuels in the ground.



Photo credit: WildEarth Guardians / Flickr

Federal fossil fuels — those that you control — are the natural place to begin.”

The letter’s signatories claim Obama has the power to dub untapped oil, gas and coal reserves “unburnable” under existing federal laws.

“Such leadership is necessary to ensure a livable climate and planet for both present and future generations,” they wrote. 🍌



## Global Warming: Another Smashed Record

In September, the National Oceanic and Atmospheric Administration announced that this past summer and the first eight months of 2015 smashed global records for heat. The Associated Press reported that meteorologists say 2015 is a near certainty to eclipse 2014 as the hottest year on record. 🍌

## Divestment Efforts Starting to Hit Coal and Oil Firms

excerpt from a September 24 Globe and Mail article by Shawn McCarthy

Pension funds and other institutional investors are growing wary of an increasing “carbon risk” faced by coal and oil companies that confront a divestment movement that has gone mainstream and an uncertain future of climate-related regulations.

In a report released at a UN climate session, Arabella Advisors said some 436 institutions in 43 countries, representing 2.6 trillion dollars in assets, have committed to divest from fossil fuel companies. That’s up from 181 institutions representing \$50 billion in assets making that commitment last year.

And resource companies will likely face more bad news later this fall, when the international Financial Stability Board releases a seminal report on the risk that “stranded assets” — long-term investments that are rendered uneconomic — would pose to the global

banking and pension system.

Launched by U.S. environmental group 350.org and patterned after anti-apartheid efforts, the divestment movement has become a force on North American campuses and among church leaders. Its impact has been seen as largely political, as it sought to create opposition to the fossil fuel industry and support for investment in clean technology firms.

But the movement has grown into something much larger and more threatening to producers, as pension fund managers and other institutional investors are now questioning the long-term returns offered by coal and oil companies.

In September, the University of California system announced it had sold \$200 million in holdings in coal and oil sands companies. 🍌

# Young People Carry Inspiration at Fall Summit

by Joe Solomon, a writer and bookseller based in Charleston, WV

As leaves were starting to turn orange and red in mid-October, a fiery group of veteran mountain defenders and young people descended on Kayford Mountain for this year's Fall Summit. This year, Fall Summit was organized by RAMPS and Keeper of the Mountains, with generous support from OVEC.

It's been over 10 years since the first Mountain Justice summit, and this gathering brought together old friends and new faces for a series of tours, workshops, Beehive Collective presentations, reflections, campfire songs and all "the feels" that come with being part of a long struggle, one that's seen many heroes lost and many mountains, as well.

One thing that made this gathering unusual was the infusion of local youth, as well as the rising youth leadership from the campus divestment movement.

On Saturday, a youth panel took place that featured young people from Whitesville, along with young women with the EPIC program (Empowered Prioritized Intelligent Chicks) from Sherman High School in Boone County and a young woman from Montessori in Charleston.

Chad Cordell's daughter, Ukiah Cordell, was on the youth panel, and for Chad, a WV-native and leader with the Kanawha Forest Coalition, the panel struck a personal chord.

"I was really struck by the young folks on the youth panel discussing their desire for healthy, functioning communities. It seems like it's tough to find really healthy communities anywhere anymore, but communities that have been exploited, and now abandoned, by the coal industry have become some of our most broken."

Chad saw some hope in the youth leaders on the panel.

"I was inspired to hear about some of the great work these kids are doing to support each other, including the mental health project at their school, and I'm also excited about the work that RAMPS is doing through their youth engagement project in Whitesville."

Carol Judy also brought a crew of inspiring



EPIC youth leaders. Photo by Liz Inez.

teenagers from Kentucky.

Local divestment leaders, who traveled from as far away as Earlham University in Indiana, were also moved.

Rachel Ritter, an active divestment campaigner and junior at Earlham, found her most moving moment walking onto the Kayford mine site. As Rachel reported, "My breath was taken away when I was able to look over

a ridge and see how much physical mass is just gone from the mountain."

"As much fun as it was to bond with other Earlhamites, students and activists, seeing the destruction caused by MTR was truly devastating and grounding. We have made so much progress as a group, but we have so much further to go."

Laura Rigell, a Swarthmore grad student who has done exceptional land trust work for Coal River Mountain Watch and Keeper of the Mountains, was elated to see students brainstorming ways to apply their research skills and school resources to support communities on the frontlines.

Laura also reflected that she was "grateful to see some of my close friends enraptured with the words of some of the Appalachian elders who shared stories at the Summit. I am always grateful for my peers to witness the local residents' determination and vision that keeps me coming back to these mountains."

I was able to spend a day at Fall Summit, and I couldn't help but feel the contagious energy of the young people there. It left me feeling rejuvenated and reminded me of the reasons I moved to WV: for the land and her people. 🍂

## **OVEC WORKS!**

*Thanks to everyone near and far for taking action to end environmental injustice, with an extra special thanks to residents of communities fighting extreme fossil fuel extraction who speak out courageously. We hope you know how much we appreciate you. OVEC works because of you!*

**THANKS!**



# Out by the Mailbox: Big Rig Staging Area

article and photos by Bill Hughes

For about the past two years that I have been associated with OVEC and FracTracker, a lot of my time and travel in WV has been to deep shale fracking well pads in Wetzel, Lewis, Doddridge and Tyler counties.

For most of that time, the existing footprint of deep shale drilling related activity near my home in Wetzel County, which Chesapeake Energy (CHK) started more than eight years ago, was rather dormant. Recently Southwestern Energy (SWN) bought out CHK and now it has begun to ramp up its activity on a number of existing well pads. For me personally that means daily viewing of all their trucks in their parking lot right behind my mail box down at the paved road. Fortunately, my home is almost a mile away. The parking lot is partially shown above; to show everything, I'd need a wide-angle lens.

“Thanks” to this uptick in activity, a lot of my recent travel has been very local. All of the well pads visited by the vehicles in this parking lot are slightly to the north of where I live, as in 5-15 miles.

At left is a selection of pictures from the week of October 12. SWN now has two drill rigs here and is starting one fracturing operation.

Note, in a couple of shots, that the big rigs were stopped on the highways waiting for the school buses to pass, which is good of course, but permits for oversized loads usually say these rigs should be off the road during school bus travel time.

The significance of the nighttime photo is that the industry is *not* allowed to have these over-sized, super loads on the roads after dark. The rig in the nighttime photos is of a coil tubing truck, likely weighing around 120,000 pounds. 🍷



## Fracking Has Serious Environmental Consequences

*In a Motion to Intervene before FERC regarding the proposed Atlantic Coast Pipeline, the Appalachian Mountain Advocates write:*

*Natural gas production—particularly from “unconventional” sources such as the shale gas formations that would supply the ACP—is a significant air pollution source, can disrupt*

*ecosystems and watersheds, leads to industrialization of entire landscapes, disrupts communities and presents challenging waste-disposal issues. A subcommittee of the DOE’s Secretary of Energy’s Advisory Board recently highlighted “a real risk of serious environmental consequences” resulting from continued expansion of shale gas production.* 🍷



# First Responders Want to Know: What's in There?

Monitoring fracking-related traffic is one of the many activities carried out by Wetzel County resident and part-time OVEC staff member Bill Hughes.

Bill says that first responders who may have to deal with fracking-traffic accidents occasionally have asked him about those big rigs on local roads.

Questions include: What is in it? What PPE (personal protective equipment) and procedures should we follow when the tanker is overturned and leaking, and with an incapacitated operator? What is leaking from the tank?

Bill says that answers to these questions can be hard to know, as the photos at right that he's snapped illustrate. In the top photo, the truck is marked both "brine" and "fresh water." In the middle photo, you can take your pick of "brine," "fresh water," or "residual waste."

Black goo stains the truck in the bottom photo, also marked "brine" and "fresh water," prompting Hughes to note, "The potential for some mix up and our concern can be seen here. If this was hauling, or had ever had fresh water, with the black over-run coming out the top, well, I personally would not wish to be covered with this quality of fresh water. This surely is an example of why there is some question about exactly what is in the tank or what was in the tank."

So what's in those big rigs pummeling the roads in formerly rural areas? The answer is as murky as fresh water brine. 🍷

## Appreciations for Frack Tours

We wanted to thank OVEC for providing Bill Hughes as a fantastic source of information and education on the Marcellus Shale fields of WV.

My wife, Christina and I along with Bill hosted 24 people from Engage Mountain Maryland and students and faculty from Frostburg State University on a tour of the gas fields in Wetzel County.

I have received a lot of positive feedback from many of those that attended the tour. Students from FSU are creating a PowerPoint presentation of their trip to present in class this week. The education continues!

The Doddridge County Watershed Association greatly appreciates OVEC's support to the folks in WV facing the onslaught of pollution and the decimation of our environment due to shale gas drilling.

Thank You!

— Wayne and Chris Woods, DCWA 🍷

*Thanks right back to you Wayne and Chris and everyone at Doddridge County Watershed Association and App Institute!*



Hello OVEC! I wanted to reach out and say thank you for your support of Bill Hughes' environmental tours around Wetzel County, WV.

I recently brought a group of 12 Creighton University students to meet and learn from Bill. His powerful presentation was complemented by the informative tour he gave. I've been on several tours of natural-gas sites, but this was definitely the most enlightening. I appreciated his willingness to take questions from the students and to answer them in their own vernacular — understanding their limited experience with the topic of fracking, but recognizing their eagerness to learn.

Bill's experience living and working in Wetzel County for several decades provided a unique aspect for the tour. His relationship with the community was obvious; he knew almost every household we passed by and had such great rapport with local neighbors. His blend of professional knowledge and personal passion was truly inspiring to us all.

Again, thank you for your support of these tours and of Bill's work.

— Beth Collins, director of Clifford M. Lewis, S.J. Appalachian Institute at Wheeling Jesuit University 🍷

# Coal-Mac Mine Complex Destroying Pine Creek Watershed

In November, we joined other groups in filing suit in the U.S. District Court for the Southern District of WV over widespread water pollution from Coal-Mac, Inc.'s sprawling surface coal mining complex in Logan County. The complex includes surface mines, preparation plants, and refuse facilities in the Pine Creek watershed. We allege that Coal-Mac, an Arch Coal subsidiary, is violating the terms of its Clean Water Act pollution discharge permits and its SMCRA surface mining permits. In addition, the groups claim that Coal-Mac is violating the terms of its Clean Water Act section 401 water quality certification, which cleared the way for the U.S. Army Corps of Engineers to issue a section 404 fill permit for the mine.

Before Coal-Mac began operating in the watershed, the streams had low pollution levels and healthy streams. Today, the streams are choked with ionic pollution and only the most pollution-tolerant organisms remain.

Coal-Mac's parent company, Arch Coal, is widely reported to be in dire financial straits and on the verge of filing for bankruptcy. Recent analyses show that about 72 percent of the coal from West Virginia,

Kentucky and Virginia is mined at a financial loss, and companies are attempting to limit those losses by continuing to destroy mountains despite a dramatic and increasing market glut of coal. The overall decline of Appalachian coal production and profitability is a result of a revolution in the energy sector that includes rapidly falling prices for other energy sources and overwhelming grassroots public demand for clean energy, combined with enormous environmental liabilities based on the industry's short-sighted and irresponsible mining practices.

This case is one of the first times that the groups are suing to enforce a condition in a Clean Water Act section 401 water quality certification. Before the Army Corps may issue a "dredge and fill" permit under section 404 of the Act, state regulators must certify that the proposed fill project will satisfy water quality requirements. State 401 certifications may, as in this case, prohibit violation of water quality standards and the dumping of toxic mine spoil into streams.

We are represented in this matter by attorneys Mike Becher and Joe Lovett of Appalachian Mountain Advocates. 🍷



## One Linky Dinky, Two Linky Dinky

Regular *Winds of Change* readers already know that Kroger patrons can donate to OVEC at no extra cost when they purchase groceries.

To donate this way, link your Kroger Plus Card to OVEC through the store's Community Rewards program. Then, when you use your card at the checkout, Kroger makes a contribution to OVEC. Each year we receive thousands of dollars via this program, so it really makes a difference!

Note that Kroger wipes your Reward Card's linkages clean every September. You can reconnect your card starting in August or even after September, but please do re-link. Go to [krogercommunityrewards.com](http://krogercommunityrewards.com) to join or to re-link your card. If you have any trouble, call 800-576-4377 for help.

When looking for us on Kroger's site, this information will be useful:

- Organization Name: OVEC\*Ohio River Valley Environmental Coalition
- Organization Number: 82772

You have to **live in what Kroger defines as its Mid-Atlantic region**, because this is a community-based program. The region consists of most but not all of WV, VA and NC and the eastern parts of OH, TN and KY. Although there is nothing we can do about where the lines of the Mid-Atlantic region are, we certainly hope you will check to see if your local Kroger is included. If you have questions, please contact Maryanne Graham at 304-522-0246 or [maryanne@ohvec.org](mailto:maryanne@ohvec.org), or visit [ohvec.org/Kroger](http://ohvec.org/Kroger). 🍷





Top photo: The Caudill-Miller family stands on that much-loved porch as a group of scientists snaps memories of their visit. Above: Circled, the homeplace in the midst of the Hobet MTR operation. Back cover: The old homeplace in winter.

## The Old Homeplace

Tears flowed and hearts broke as word spread that the Caudill homeplace on Mud River had burnt to the ground. Someone, yet to be charged, had robbed the place and set it on fire. For the actual family who maintained the home and for the family of visitors lucky enough to be allowed to shelter on that front porch, it's akin to a death in the family.

Ten children grew up there, back when the community of Mud still existed in Lincoln County, WV. The story of the family who fought to keep the coal company from claiming their childhood home and the land around it has been documented in this newsletter and in *National Geographic*, as well as in numerous other publications. Filmmakers have filmed there, student groups have learned there and the head of the Office of Surface Mining has visited to listen. Scientists have collected data there, generating published studies, and journalists from several countries have told the family's story in their native languages. But most of all, it's been a place for family: the old homeplace.

To the Caudill family, thank you for sharing your homeplace. We mourn with you. We'll see you there, we'll stand where the home once stood, and we'll hold it in our hearts, always. 🍷

## Farewell to Charley

OVEC extends our deep condolences to the family of Charley Kincaid who passed away on October 6. Charley and his son Mason produced an earlier iteration of OVEC's website. As his obituary notes, he dedicated his life energy to advocacy for West Virginia and its people and to protecting its environment. Charley also provided some legal assistance in our efforts to curtail mountaintop removal mining. 🍷

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*Thank you for all you've done in 2015*

*As we work to safeguard our future, may our homeplaces  
— the essence of what we strive to defend —  
be always in our hearts, even if they have disappeared from the map.  
Auld lang syne*

*Joel 1:3 — Tell your children of it, and let your children  
tell their children, and their children another generation.*