



Winds of Change

Supporting Organized Voices and Empowered Communities Since 1987

Huntington, WV

OVEC

www.ohvec.org

POP Up Wherever You Are to Defend the Water!



Photo courtesy Mark Simpson.

October 23: Defend the Water Day, a day of action in opposition to the expansion of the gas and petrochemical industry in the Ohio River Valley.

On that day, leaders from a coalition of regional community groups met in Pittsburgh to stand in solidarity with Native American leaders from across the country who opened the day’s events with a water ceremony at the Ohio River, then led a march through the streets of Pittsburgh to a rally outside a conference center.

More than 700 people attended the rally, held to counter the Shale Insight Conference, where industry executives and President Donald Trump—the keynote

speaker (really, the belligerent, bullying rambler)—touted the build-out of pipelines and petrochemical facilities throughout our region.

Cheryl Angel, a Sיעangu Lakota grandmother, led the water ceremony. She says, “The water ceremony recognizes that water is not just a life-sustaining element that we draw and bring into our homes, but also a ritual to honor our ancestors and say thank you. Water is sacred. We become the vessels

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Ezell, the Land Man *A Story from the Foothills of Appalachia*

by Tonya Adkins

On a scorching hot day in late September, the winding roads of Big Hill, Kentucky, led to a field in the woods at the Clear Creek Gathering Grounds. My fellow travelers and I were there to see *Ezell: The Ballad of a Land Man*. The project was devised and performed by Bob Martin, produced by Carrie Brunk, and directed by Nick Slie. Bob and Carrie live in an off-grid cabin at Clear Creek.

According to the Ezell website, clearcreekcreative.net/ezell, “In 2014, the threat of another century of fossil fuel extraction in Appalachia arrived literally on our doorstep, when a company ‘land man’ showed up to offer a lease for the mineral rights to the lands that we and many others call home.”

Neighbors in the small rural community of Disputanta began educating and organizing themselves and others. They reached out to other communities already affected by fracking, learning from other leaders and organizations. “As we contributed to these organizing efforts, we also turned to our art as a means to access our collective resilience in the face of the fracking threat and to inspire action toward the vision of a renewable energy future in harmony with nature and one another.”

After we arrived, Mary Sansom, Brenda Kahl, and I followed the gravel road through the woods to another clearing, where participants were gathering, making introductions, getting their group assignments, and sampling hors d’oeuvres of local fare. Shortly, we were asked to gather into groups with our guide and begin the hike to the performance site. We were asked to go quietly and really take in the sights, sounds, and feeling of the woods as we walked the mile-long trip.

Dust from the dry ground and brittle leaves covered our shoes, and the shade of the trees offered



*Ezell, the land man, as portrayed by Bob Martin.
Photo by Travis Coe, courtesy Clear Creek Creative.*

little relief from the heat. The 90-plus degree weather, one of a string of scorching days in September, felt unsettling. I thought about the wildfires burning in the Amazon and across the globe. I tried to push aside the thoughts of the world in turmoil and the barrage of news stories about the impacts of climate change, but we were walking toward a story that had a connection to all these things.

As the title suggests, the plot of the play revolves around the character, Ezell, who struggles with his decision to become a mineral buyer for the gas industry. The story carries the audience along on a lifelong journey, eliciting memories of childhood dreams and

underscoring the family ties and love of the land that have historically bound the people of Appalachia to a place that is as tragic as it is beautiful. As the performance ended, the haunting strains of Jean Richie’s “Now is the Cool of the Day,” floated up through the sun-dappled leaves, and I turned to see my friends’ eyes wet with tears, as were mine.

The walk back felt much different. Somehow, the focus was much narrower, and I really looked at the forest around me, thinking about all that is left to save, rather than what has already been lost. The rest of the evening involved music, activities for reflection and connection, and an outdoor local-food feast as the day cooled into evening. We laughed, told stories, and learned a little about each other’s lives...the perfect ending to one of the most enjoyable days I’d spent in a long time.

Clear Creek Creative is planning to take the Ezell experience on the road, beginning in the spring of 2020 and through 2021. They will be touring throughout Appalachia—hopefully in partnership with OVEC and other groups here—and in communities across the country. If you get a chance to attend, you’ll be glad you did. 🍌

Thanks to Our Summer Intern, We Now Have #NoASH Videos

by Alex Cole

This summer, I had the pleasure of working with one of the smartest young men I have ever met.

Through some fluke of the universe, college freshman Evan Gilland found us and asked if he could be our summer intern.

Evan, now a sophomore studying documentary filmmaking in the Cutler Scholars Program of the Honors Tutorial College at Ohio University, went above and beyond anything we even imagined one person could do in his limited amount of time with us.

In just six weeks, he learned as much about the Appalachian Storage Hub as we could tell him, went up and down the Kanawha and the Ohio Rivers from Charleston to Point Pleasant, Huntington to Moundsville, shooting video and recording audio. Then he put in dozens of hours of overtime editing it all together, with a year's worth of our drone footage, to come up with amazingly easy-to-understand videos explaining the ins and outs of the Appalachian Storage Hub, from well head to underground storage to plastic trash.

He even used his digital animation skills to



Above: A still from drone footage taken by Nick Hood of the construction of the Shell cracker plant near Pittsburgh, PA. This footage and more shot by OVEC's Alex Cole is part of our YouTube series by Evan Gilland about the proposed Appalachian Storage Hub.

make our logo appear to grow from an acorn into a mighty oak, show the process of underground natural gas liquids storage, and illustrate the steps in the processing of turning gas into plastic.

At his insistence, to maximize views and to work around YouTube's algorithms, he created five stand-alone five-minute videos, each covering a different searchable phrase that might lead a person to learn about ASH.

So, whatever you're interested in, whether it be the plastic crisis, fracking, cancer alley, ethane storage, or petrochemicals, the next time you're surfing YouTube you very well may end up on our channel! Or, you could just visit ohvec.org to find a link to OVEC's channel.

We are quite proud of these videos and are especially excited to have our dear friend Cindy Ellis as their narrator. With her wonderfully kind ways—and teacherly sternness—we can't imagine a better fit to speak the truth about this dire threat to our region and the world.

We hope you enjoy the videos. With your help in sharing them far and wide, we educate hordes of people and build the movement to slow and ultimately stop the proposed massive petrochemical build-out that is so benignly called the Appalachian Storage Hub. 🌳



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Ohio Valley Environmental Coalition
P.O. Box 6753, Huntington, WV 25773
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OVEC is a coalition member of the WV Environmental Council and The Alliance for Appalachia, and is a 501(c)(3) non-profit organization registered with the IRS and the West Virginia Secretary of State.

Healing Waters Retreat

On October 14–15 in Charleston, WV, Creation Justice Ministries co-hosted



a Healing Waters Retreat alongside WV Interfaith Power and Light, Evangelical Lutheran Church in America, Lutherans Restoring Creation, the Episcopal Church, the WV Council of Churches (WVCC), OVEC, the Wilderness Society, and the Sierra Club.

The gathering brought together frontline water activists, people who have personally lost access to safe drinking water, scholars, and faith leaders from WV and Flint, Michigan. Twenty-one participants spent 24 hours together to build solidarity and better understand the struggle for safe, affordable drinking water.

WVCC Executive Director Jeff Allen (who served two terms on OVEC’s board) read a letter written in 2016 from the council to the people of Flint. “A Church that extends the Incarnation always asks, ‘Who is sick? Why are they sick? Who is hungry, why are they hungry?’... When we ask who is thirsty, why are they thirsty? We believe that these questions have power in and of themselves, reminding us of our neighbors and our failure to love manifested in neglect, exploitation, classism, and environmental racism.”

After the narration, Krystina White, the Chief Operating Officer of Black Millennials for Flint and Harold Woodson of the Bethel United Methodist Help Center presented the group with an overview of the Flint water crisis and the state of the city today. Harold came with the perspective of a Flint resident who has been there since the beginning of the crisis and now works tirelessly through his ministry to provide water and nutritious food to citizens of Flint. Krystina White spoke about the lead policies Black Millennials for Flint focuses on throughout black and Latinx communities nationwide.

The evening concluded with a water blessing facilitated by retired OVEC Executive Director Janet Keating.

The next morning, Lutheran Disaster Response Coordinator Pastor Sherri Schafer spoke about her

work responding to disasters caused by the disrupted watersheds in West Virginia.

Susan Farrell of the Wilderness Society shared the recently launched fossil fuel threat

mapping tool. This database and interactive map show available data about fossil fuel sites on public lands. The database also shows the Environmental Protection Agency data on bodies of water that the sites have polluted. The group zoomed in on nearby decimated Kayford Mountain as an example site and lamented the permanent damage caused by mountaintop removal mining throughout the state.

This session wrapped up with assorted civic engagement actions and a vision for next steps.

Annika Harley of Creation Justice Ministries says she left the retreat “inspired and committed to continue to work in solidarity with communities that have lost access to safe drinking water.” 🍌



The Tri-State Water Defense (TSWD) group, a collaborative effort of several local organizations, meets monthly. Robin Blakeman serves as OVEC’s staff point person on TSWD. So, you may be hearing from her about whether any groups with which you are affiliated would like to help with TSWD’s planned spring town-hall-style candidate’s forum. Local folks will be encouraged to attend and ask questions of local candidates running for office, all of whom will be invited to attend.

Be on the lookout for TSWD rack cards at local businesses in the tri-state area, designed by TSWD volunteer Jeanette Rowsey. The cards will have information on what to do in the event of a water emergency, info on ways you can help defend your water, and, of course, info on how you can join TSWD.

Help TSWD in its outreach by liking its Facebook page and sharing some of its posts. For more info or to get active in TSWD, contact Robin at robin@ohvec.org or 304-522-0246. 🍌

Defend the Water

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when we drink the water. If the waters are polluted, so are we; we are drinking a poison that leads to our demise.”

Guy W. Jones, a Hunkpapa Lakota elder and member of the Standing Rock Sioux Nation, led the rally. He says, “As we gather, pray, and march, we seek only justice—justice for those who have no voice—the land, the water, all the plants and animals, our children, grandchildren, and great grandchildren who are alive today and all those yet to be born.”

As an article by Bill O’Toole with NEXTpittsburgh notes:

At both the conference and the rally, the main topic of discussion will be Royal Dutch Shell’s massive ethane cracker plant under construction in Beaver County. [The plant is one component of the proposed Appalachian Storage and Trading Hub/petrochemical complex].

The plant, which will “crack” gas molecules to create ethylene for plastics manufacturing, has been hailed by local politicians (Republican and Democrat) as an economic lifeline for the region, whereas environmental groups are alarmed by the project’s hefty cost to public health.

Once it begins functioning, the facility will produce 1.6 million tons of plastic and 2.2 million tons of carbon dioxide every year. According to the Pittsburgh Business Times, brokers representing ExxonMobil toured brownfields in Beaver County last week, looking for a suitable site to build their own similarly sized plant.

“The Paris Climate Accord standards will be impossible to meet if the petrochemical build-out takes place,” says [Breathe Project Communications Manager] Deb Smit.

OVEC organizer Dustin White and Cheryl Johncox, Beyond Dirty Fuels organizer for Sierra Club Ohio, served as MCs for the rally. The Native American leaders were joined by frontline community leaders from West Virginia, southwestern Ohio, and Pennsylvania, who added their voices in opposition to petrochemical development in the Ohio River Valley and across the country. People spoke of the need for investment in clean industries and jobs that won’t harm the health of workers and people for decades to come. OVEC organizer Alex Cole served as one of the marshals for the march to the rally location. Thanks to OVEC member DL Hamilton who helped out before and during the day.



Cheryl Angel.
Photo courtesy
Mark Simpson.

Some members of the United Steelworkers Union (USW) attended Defend the Water Day. USW member Barbara White Stack tells an Environment Health News reporter, “We believe it’s not a question of good jobs or the environment. It’s not one or the other. It has to be both. Workers and their families need a clean environment to survive.”

She adds, “Admittedly there are steel workers that voted for Trump, but if you look at a lot of the policies the Trump administration has created through its National Labor Relations Board, those are very bad for workers, and I think a lot of union workers who voted for him realize those policies have damaged unions and damaged union power.”

During the rally, about two dozen groups, including OVEC, announced the launch of People Over Petro, a multi-state coalition of community organizations and individuals. We are working together to fight petrochemical development and reverse the expansion of the petrochemical industry in the Appalachian Basin, encouraging instead a clean, renewable, and regenerative economic foundation. See peopleoverpetro.org.

Bev Reed, with the Concerned Ohio River Residents, says, “People Over Petro formed out of a growing need for everyday citizens of the Ohio River Valley and Appalachian region to feel connected and supported as we create a healthy, sustainable future together, while working to tip the scales away from fossil-fueled corporate greed, pillaging, and plundering of the region. We cannot thrive when fossil-fuel industries wield more power than people. And we are working to make sure Appalachia doesn’t turn into a plastics manufacturing sacrifice zone.”

OVEC is deeply involved in the POP coalition, and we hope you will join us. To get involved, contact info@ohvec.org. 🍌

Report: WV Counties Among Worst in Nation on Drinking Water Health Violations

Most West Virginia counties rank *among the worst in the nation* for violations of the Safe Drinking Water Act, according to Watered Down Justice, a report released in late September.

For the report, People Concerned About Chemical Safety, the Environmental Justice Health Alliance for Chemical Policy Reform (EJHA), and Coming Clean analyzed violations of the Safe Drinking Water Act (SDWA). The analysis relied on data from June 1, 2016 to May 31, 2019.

“This report reveals that West Virginians are served some of the worst drinking water in the nation. Legacy contamination from industry, inadequate funding and support, and the potential for hazardous substance spills all pose a significant threat to the safety and security of our drinking water, particularly for those who live in communities of color or low-income. It’s time state authorities hold polluting industries accountable and take action to protect our water,” says Pam Nixon, president of People Concerned About Chemical Safety. Pam is also an OVEC board member.

Last year, the WV Legislature passed up an opportunity to consider strengthened protections for water quality standards, pledging instead to consider a bill in 2021! The state Department of Environmental Protection plans to collect comments from interested parties in 2020.

Kudos and Thanks to Pam Nixon

In September, People Concerned about Chemical Safety President Pam Nixon testified before the Congressional House Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment hearing on “The Administration’s Priorities and Policy Initiatives Under the Clean Water Act” about EPA’s failure to protect communities from water contamination from aboveground storage tanks.

It’s Pam’s second time testifying before Congress this year. In March, Pam, who is on OVEC’s board, testified before the House Committee on Homeland Security, Subcommittee on Cybersecurity and

Drinking water safety is likely even worse than described in this report. The EPA regulates only a small subset of drinking water contaminants under the Safe Drinking Water Act, and the agency has failed to adopt a single new standard for an unregulated contaminant since 1996.

The report has several recommendations to secure safe and affordable drinking water for every community in the United States. Read the report at on.nrdc.org/201wLvR. One thing everyone can do is to get active in defending our water, and the upcoming WV Legislative Session will afford opportunities for activism. Be sure you are on the West Virginia Environmental Council’s action alert list before the session starts; go to wvecouncil.org to sign up.

“Quality of life and quality of water go hand in hand. Recent studies have shown that life expectancy in many parts of West Virginia is far below the national average, and our poor health is at least partially the result of both poverty and environmental pollution. The fact that our legislature is dragging its feet on meaningful action to protect our drinking water is a rallying cry for action to everyone concerned about our health,” says Ricardo Martin, president of the Charleston, WV, branch of the NAACP.

Rally, folks! 🍌



Pam Nixon testifying before Congress.
Photo courtesy PCACS.

Stakeholder Perspectives on Improving the CFATS Program.” (Use a search engine to find Pam’s testimonies and details on the CFATS program too.) 🍌

Attending the WV Science Teachers Conference

Randi Pokladnik, PhD, is a retired schoolteacher, an Ohio resident, and an OVEC member. She has developed three curricula for high-school teachers to use in their classrooms:

- Climate Change: The Science and Solutions;
- The Benefits of Renewable Energy; and
- Fracking, Cracker Plants, Plastics, and You.

Via presentations and weekend-long tabling, Randi distributed the curricula and supporting materials to attendees of the 2019 WV Science Teachers Association Conference, held in Charleston in October. OVEC member and retired school teacher Brenda Wilson, helped Randi at the table, where they gave away 46 thumb drives loaded with the three lesson plans and supporting materials.

The Appalachian Gas Working Group's MEME team (Media Environmental Messaging and Education), which meets via monthly calls, provided support as Randi created the lesson plans. The MEME team also helped to obtain funding—thank you to the Buckeye Environmental Network (BEN)—so that we could purchase the thumb drives, print handouts, and pay the fees for attending the event, tabling, and accommodations.

The BEN grant also enabled us to purchase three Kill-o-Watt meters, which one teacher in each of Randi's presentations “won” to take back to their classroom. The meters are useful in comparing energy usage for various appliances, helping families and schools decrease energy waste. The meters also allow students to perform energy audit labs.

OVEC has the lesson plans posted online,



Dr. Randi Pokladnik, left, at OVEC's table at the WV Science Teachers Conference, along with one of the attending teachers.

available for more teachers and others to easily access and use them. Go to ohvec.org and search our blog for “High School Curriculum” to find them.

The oil, and gas and coal industries have long offered up fossil-fuel-biased lesson plans and other instructional materials to teachers working in districts where

educational programs and educators are underfunded. We hope these science-based lesson plans can help teachers in their efforts to offer their students a better education.

Randi says, “I think education is key in this battle. So few people actually realize that climate change, health, plastics, and crackers are all connected, but once they do, they are pretty upset about it.”

Thank you, Randi, for helping to educate the educators! 🍌

Have you thought about your legacy? Are you looking for a long-term way to make a meaningful difference in the movement to build a cleaner energy future?

Please consider making a planned gift to OVEC today. Planned giving options include:

- Gifts of stocks and bonds.
- Including OVEC as a beneficiary in your life insurance policy.
- Including OVEC as a beneficiary in your will.

Tax benefits apply to each of these options.

Please contact your attorney or a financial advisor for more info, or go to lalwv.org.

We Have that Sense of Urgency:



The majority of OVEC's work is ultimately about curbing greenhouse gas emissions. So, of course we took part in assorted local activities related to the International Climate Strike Week. Here are images from a poster-making party OVEC hosted to kick off the week. The signs, and many others, ended up on the streets of Huntington during the Women's March West Virginia Third Thursday Protest (The Amazon is burning) and on the Marshall University campus, with the WV Wild

Earth Guardians. A group that included several OVEC members also showed up on the streets of Spencer, WV.

Something crucial you can do right here, right now to help stop a potential regional huge new source of greenhouse gases is get involved in our work to stop the expansion of a new petrochemical industry in our region. Get involved in our #NoASH work. Contact OVEC at info@ohvec.org or 304-522-0246. 🍌

It's a Climate Emergency



Ripped from the Headlines:

4 Million Attend Biggest Climate Protest in History, Organizers Declare 'We're Not Through'

As Heat Wave Approaches, Study Finds WV Faces Hotter Future

Climate crisis: 11,000 scientists warn of 'untold suffering'

Best way to fight climate change? Plant a trillion trees

Climate Change:

An Unstoppable Movement Takes Hold

Climate scientists say Greta Thunberg's efforts are building real momentum

July was the hottest month ever

Has Climate Consciousness Reached a Tipping Point?

Restoring forests may be our most powerful weapon in fighting climate change

#WVProDemocracy Challenge: Help Us Meet Our Goal

Early on in our work to address environmental problems, OVEC recognized the need to address a root cause of every issue we tackle: special interest money in politics.

Politicians write the laws that are supposed to address these issues, and the courts step in when those laws are broken. But, extractive industries can exert enormous influence over lawmakers and judges through hefty campaign contributions.

That's why, in 1997, OVEC joined forces with WV Citizen Action Group to co-found what came to be known as the WV Citizens for Clean Elections (WVCCE) coalition, which we still co-lead.

WV Citizens for Clean Elections is working to restore health to our democracy, to clean up elections, and to assure that our courts are fair and impartial.

Right now WV Citizens for Clean Elections has an opportunity to receive an additional \$5,000 for our work if we can raise \$5,000 from our friends and supporters.

Will you pitch in?

You can donate by going to ohvec.org and clicking the "Donate" button or sending a check to:

OVEC
PO Box 6753
Huntington, WV 25773

Please be sure to include "WV Pro-Democracy Match" in the comments or memo/for line.

WVCCE is a coalition of organizations and individuals that believes that everyone should have a voice in the decisions affecting their lives—from equal access to the ballot box to the right to have our voices heard above the special interests that try to buy our elections.

We also believe that West Virginians deserve courts that are free from partisan and special-interest

influence. That's why we work on reforms such as public financing, strong recusal rules, and robust disclosure laws, which are important to preserve the fair and impartial courts upon which our democracy depends.

2020 is going to be a crucial year for this work. For instance, during the May primaries, West Virginians will vote for an unprecedented *three out of five* Justices on the WV Supreme Court of Appeals. We need to make certain people know that the May election is not only the primary for the November vote, but also that it's the *only* time they can vote for these judges in 2020.

Help WVCCE start 2020 in good shape. Donate to our #WVProDemocracy challenge grant today. We truly appreciate your financial help, and we welcome deeper participation. Please

consider volunteering to help in our WVCCE work (email info@ohvec.org to volunteer) and join the movement by signing our petition to members of the WV Legislature asking them to join you in supporting the Pro-Democracy, Anti-Corruption Platform. The petition is online at Find the Petition, as is more information at wvoter-owned.org.



This past summer, the WV Citizens for Clean Elections organized a Restore the Voting Rights rally and press conference. Delegate Danielle Walker (D-Monongalia) was among the speakers. Help WVCCE continue to champion pro-democracy legislation. See wvoter-owned.org for WVCCE contact information.

OVEC WORKS!

Thanks to everyone near and far for taking action to end environmental injustice, with an extra special thanks to all the folks fighting extreme fossil fuel extraction. We know it takes courage to speak up! We hope you know how much we appreciate you. OVEC works because of you!

THANKS!

Judicial Public Financing in WV is a Racial Justice Issue

by OVEC board member Pam Nixon and OVEC ED Vivian Stockman

A version of this op-ed ran in the Sunday, August 18 Charleston Gazette-Mail.

Two recent happenings highlight the importance of the way we choose our judges. The NAACP filed lawsuits in Louisiana, Alabama, and Arkansas that argue that their judicial election districts are discriminatory. Separately, the Brennan Center for Justice looked at states across the country and found that our state Supreme Courts are woefully unrepresentative of the populations they serve. Both tell us that the way we choose our judges has a big impact on representation on the bench and, ultimately, on our aspirations for racial justice in our criminal legal system.

The NAACP lawsuits in Louisiana, Alabama, and Arkansas are different in their specifics, but fundamentally, they all make the same argument—that the districts used to elect their judges result in a disproportionate number of white judges compared with the voting preferences of African Americans in the state. The Louisiana argument suggests that their judicial districts are racially gerrymandered. In Alabama and Arkansas, however, they argue that the black population of those states is disadvantaged by the at-large elections—in essence, that the districts are gerrymandered by being one big district (thereby diluting the voting power of large African American populations in those states) instead of allowing for some majority-black districts to elect judges of their own preference.

West Virginia also uses at-large elections for our five Supreme Court seats. According to the 2018 United States Census, West Virginia’s population is 93 percent white, four percent African American, and three percent “other,” but our five-member supreme court is all-white. According to the Brennan Center for Justice’s new report documenting representation on state Supreme Courts, we are one of 24 U.S. states with all-white state Supreme Courts. According to the Prison Policy Initiative, African Americans are over-represented in the West Virginia prison and jail system at 28 percent, with other at 7 percent and whites under-represented at 65 percent.

Of course, West Virginia’s black population is

not the same as those of Louisiana, Arkansas, or Alabama, where they are large and geographically concentrated enough to make up a majority voting block in one or more districts in the state. Gerrymandering (in the courts) isn’t our problem. Further complicating the situation, the Brennan Center’s report suggests that elections have rarely led to greater diversity on state courts, and appointment systems have traditionally been much better. But that doesn’t mean there is nothing we can do to bring greater representation to our judiciary at every level.

West Virginia stands out as one of the few states that provide state Supreme Court candidates with public financing. This came about in the wake of a U.S. Supreme Court ruling regarding former Massey Energy CEO Don Blankenship spending \$3 million in support of WV Justice Brent Benjamin’s candidacy. Blankenship’s support meant Benjamin could be considered biased in how he ruled in the case of *Caperton v. Massey*.

The aim of public financing was to remove conflicts of interest from our courts by giving judicial candidates the ability to run for office without taking money from parties who might later have cases before the court. This program may also offer us a way forward to more representative courts. If it is strengthened and expanded, it could help a more diverse set of qualified judges get over the hurdles between them and the bench.

North Carolina, which also elects its judges, is one of the exceptional states in terms of both gender and racial diversity on their bench. That may be because it had a model judicial public financing system for its judges for years, until it was unfortunately cut by their racially gerrymandered state legislature. Their new Supreme Court Chief Justice Cheri Beasley first came to the bench with the public financing program, which existed for lower-level judges as well—providing a pipeline of qualified and diverse judges for higher offices. It’s been shown that women and people of color have a much harder time fundraising



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The Courts and Racial Justice

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for campaigns for office, and a public financing program can help eliminate this barrier to office for these candidates.

Unfortunately, just as in North Carolina, West Virginia's reforms to protect judicial independence and promote a fair judiciary have come under serious threat from well-funded corporate interests channeling millions into key elections. A 2017 report from the Brennan Center for Justice and the National Institute on Money in State Politics noted that, in 2016, five candidates ran for one seat on the WV Supreme Court, attracting more than \$3 million in political advertising from outside sources. This out-of-control spending has challenged the viability of the current judicial public financing program.

In addition, a spending scandal at the court eroded public trust and confidence in the judiciary to an all-time low.

Although the court adopted some new accountability standards focused on addressing the practices that got them into trouble last year, much remains to be done to improve the integrity of and restore confidence in the court. For many West Virginians, being able to see someone on the bench who comes from a similar background and life experience is also an important part of having trust in decisions from the court. Fortunately, the WV Citizens for Clean Elections coalition has a roadmap to implementing the types of reform we need. It's the Anti-Corruption, Pro-Democracy Platform, an initiative fighting for fairer, more diverse courts in West Virginia, as well as for numerous other important reforms to our state's politics.

We know that protecting and improving public financing won't transform our courts overnight. In order for our courts to be more fair and just, there has to be a concerted effort, starting even before law school, to recruit a diverse pool of talented law students who could eventually become judges.

We also know that you shouldn't have to be wealthy, white, and male to run for state Supreme Court and that West Virginians who end up before our judges should be able to trust that there are a range of life experiences represented. 🍎



WVIPL Update

OVEC's Robin Blakeman helped found the WV Interfaith Power and Light (WVIPL) and is on its steering committee. Much of the work carried on by WVIPL intersects with OVEC's climate and renewable energy work.

Below is a look at some of what the group has been up to since September:

We are promoting a tree-planting campaign. As many experts and climate spokespersons have pointed out, planting trees en masse, or even individually in some areas, can be extremely helpful in combatting greenhouse gas emissions. So, we encourage you and your communities—faith-based or otherwise—to join this campaign and plant trees this fall and spring. See: wvipl.org/tree-planting.html

WVIPL has a new steering committee member, who is also a new OVEC volunteer: Dr. Leah Rampy, of Shepherdstown, WV. Dr. Rampy has previously served as a board member for the D.C. area Interfaith Power and Light, which means she has plenty of experience and many energetic ideas to bring to our mutual work in WV. Welcome, Leah.

We continue to advocate for passage of the RECLAIM Act, which would bring much-needed jobs to WV and other states where there are old, abandoned mine sites and would provide funds for cleaning up those sites so they can be repurposed for locally driven economic development. If you haven't signed one of our postcards to lawmakers asking them to support the RECLAIM Act, please contact Robin to obtain the postcards for you and your friends and family: robin@ohvec.org or 304-522-0246. 🍎



Goodbye, April

The OVEC board and staff join with so many others around the state in celebrating the life of April Pierson-Keating, the founder of the Mountain Lakes Preservation Alliance.

April Pierson-Keating passed from our midst on September 28; she was only 52 years old.

She lived those years to the fullest, however, and many of us were lucky enough to call her a friend and colleague.

April was a founding member of POWHR (Preserve Our Water Heritage and Rights). She was a board member of the Buckhannon River Watershed Association; a board member of ICARE (a cancer research group); a board member of the WV Environmental Council; and a member of the Sierra Club, the WV Highlands Conservancy, and OVEC.

One of her last acts on this earth was to organize the 2019 Buckhannon Riverfest—a festival honoring the water systems she and her family depend upon.

Shortly before she died, April watched one of the videos that Ohio University student Evan Gilland, with assistance from OVEC organizer Alex Cole, worked like mad to produce during a six-week summer internship. (See story page 3.)

She sent us this e-mail about the videos, which we published on our blog at ohvec.org under the title:

#NoASH: Fracking and Radium-226 by April Keating

(On the topic of the ASH videos:) Very good.

I would add information about the radium-226 in the shale. This radionuclide is released by the salts that are released by the chemicals injected.

Radium is a daughter element of uranium, along with lead and radon gas. These are all highly toxic to living things. What's worst about radium-226 is that it is water-soluble; has a half-life of 1,600 years; and causes breast, bone, and blood cancers. Radium-226 is inherent in shale and in shale gas and the liquids that are released after drilling as "flowback water."

Millions of gallons of this toxic radium-laden water have made their way onto our roads in water trucks that are not marked as hazardous because of the Energy Policy Act of 2005, aka the "Halliburton Loophole." This loophole, authored by Dick Cheney



when he was VP, after coming to that office from being CEO of Halliburton (a gas drilling company), makes all liquids produced by gas drilling exempt from regulations such as the Clean Air Act, Clean Water Act, Safe Drinking Water Act, and more. This means these liquids are regarded, even by our Office of Emergency Management, as "not technically hazardous."

This is a horrendous situation in which we find ourselves. Many third-party truckers go off onto back roads and dump this highly toxic water into small streams. Other times it makes its way to injection wells, where it then migrates into drinking water through the fissures created by the high pressure needed to inject these fluids underground. It has been found in Pittsburgh's water, and ours. 🍷

It's no joke; it's a fact: Sharing genuine smiles with one another and being able to laugh in the face of oppression and injustice are essential components of building a winning movement.
— Ted Glick

The Vanishing Birds

by Janet Keating, retired OVEC ED

While sitting on the front porch, I hear a Carolina wren, scolding in the distance. Maybe a larger bird, a black snake, or a feral cat is threatening. No matter what is causing its alarm, I feel joy knowing that this tiny feathered one is alive in the woods that surround me. Unfortunately, an alarm of a different nature, about the dramatic decline of North American bird populations, caught my attention in late September.

According to a study published in the journal *Science*, one-third of the population of wild birds, nearly three billion, has vanished from North America since 1970. That statistic is staggering and extremely troubling. The study results say that the disappearance of nearly three billion birds doesn't have a single cause. Habitat destruction on breeding and wintering grounds, loss of adequate areas to rest and feed during a long migration north or south, exposure to toxic chemicals, inadequate food supplies, overall climate change impacts, feral cats, and increased collisions with many man-made structures all contribute to avian decline. Not only the more specialized bird species have been affected, but also common birds like blue jays and red-winged blackbirds, with steep declines in grassland and forest species.

Our human species is facing similar enormous challenges. Masses of people on earth lack access to potable water, enough nutritious food, proper housing, or are suffering various ailments due to exposure to toxins in the air, land, and water. The increase of extreme weather caused by climate change is destroying homelands and making areas of our planet uninhabitable, forcing human migrations and



Chestnut-sided warbler, photographed by Dr. David Patick, one of Janet Keating's birding buddies.

resettlement of entire communities that can result in war. In some areas of southern West Virginia, life expectancy is significantly lower than in the rest of the nation.

When I first began watching birds in the late 1970s, it didn't take me long to realize that trying to protect bird habitat—on breeding grounds and wintering and migratory routes—protected my own interests and human interests, as well. Back then, just as now, birds serve as a bellwether to our general environmental health. Thus, I began my decades-long career with OVEC.

Do you remember when Rachel Carson sounded the alarm in the 1960s with her prophetic book *Silent Spring*, which eventually led the United States to ban the use of the pesticide DDT? DDT was decimating avian populations as a result of birds consuming insects that had absorbed it. Because birds consume large quantities of insects, seeds, etc., organic toxins (like DDT) in their food supply are stored in their bodies. Over time, the body burden of toxins increases—a process known as biomagnification, which can disrupt normal cellular, hormonal, organ, and, eventually, system functions.

We know now that the same thing happens to humans, but the effects on humans generally take longer to show up, due to our larger bodies and slower metabolism. But, just as with the birds, when toxic chemicals accumulate in the body of an average adult as a result of chronic exposure to chemicals, diseases like cancer and heart, lung, and kidney (and other) ailments can arise.

In simple terms, rising or falling bird populations are good indicators of environmental quality, a



Mourning warbler by Dr. David Patick.

concept that should be a no-brainer for those of us who've grown up in West Virginia. Who here hasn't heard the phrase, "canary in the coal mine"?

As I sit here now listening to the bubbling song of a very happy house finch, I am fearful and saddened by the thought of Carson's book becoming true during my lifetime—or ever. Beyond the obvious services birds provide our environment, we need their beauty and mystery along with all the feelings and inspiration they evoke. That's why I refuse to imagine a silent spring and pledge to continue doing my part to help protect our earth for the birds.

Won't you join me? Better yet, join, donate, and volunteer for OVEC, a tough and effective grassroots group that's been on the front lines working to defend our air, land, and water from polluters for more than 30 years.

Remember, it's not just for the birds, but for all future generations. 🍌



Juvenile bobolink, photographed by Josh Holland, another of Janet's birding friends.

CLEAN WATER

Better Schools

Local HOSPITAL

Safe Roads

WHY TAKE THE 2020 CENSUS?

Because it is **YOUR** Community

You, You, You, & You Count!!!



Mountaintop removal coal mining. Photo by Vivian Stockman.

The business model of the coal industry (as with most extractive industries) wherever it operates, is to capture the profits while avoiding the costs. That's why the companies appear profitable as long as they do: Their steadily rising costs, in terms of humans (deaths, injuries, illnesses like black lung), the local environment (scarred land, dirty water, air pollution), and the atmosphere (climate change) are kept off their books. The public pays for those. The business model only works as long as the industry is able to offload costs.

(Politicians) help coal executives offload costs—help them fight unions; diminish health, safety, and pollution regulations; and avoid their social and environmental responsibilities. That has always been the role of politicians in coal states. It's the only way coal companies ever stay in business, which is one reason infamous coal CEO Bob Murray [hosted] a fundraiser for President Trump. Calling it "capitalism" would make Adam Smith roll over in his grave.

Extraction industries are largely a scam through which wealthy people remove value from a region and leave behind social and environmental ruin. It's happening with coal in Appalachia and now in Wyoming, but the model is not coal's alone. It's happening with oil and gas as well. It is the nature of an extraction economy.

Fossil fuels rest on a foundation of colonialist exploitation and rent-seeking. That's how they came in; that's how they'll go out.

Read the whole article: bit.ly/344mdD1. 🍌

Here's to vastly accelerating the just transition to a cleaner energy future in 2020!

Ohio Valley Environmental Coalition
P O Box 6753
Huntington WV 25773-6753

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Season's Greetings

As the year winds down, it's time to express our deep gratitude for all your support in 2019. These are perilous times, but we sustain one another with our shared values of respect for our communities and our environment and our shared vision of a better West Virginia.

The year 2020, as a crucial one for the fate of our state and planet, beckons us to action. Our vision includes a vastly improved democracy, in which all people are valued, as are the land, air, and water that make life on Earth possible. We can't leave the work of making this vision a reality to the politicians who are in the pockets of the profiteers. We must show up and make our demands heard.

So, please rest up over the holiday season, and gather strength and motivation from your loved ones and beloved places.

Then, onward to 2020!



Cedar waxwings photographed by Dr. David Patick. Holly berries added by the magic of Photoshop, thanks to Greg Wood.