



# Winds of Change

the newsletter of the

## Ohio Valley Environmental Coalition

Huntington, WV

www.ohvec.org

## What Part Don't Coal Companies Understand?



"And God saw everything he had made, and behold, it was very good." Genesis 1:31

This new OVEC design just went up on one of the large billboards on Interstate 64 near Hurricane, on the way in to Charleston. OVEC owns the banner used on this billboard. If you'd like to rent billboard space elsewhere when our lease is up after 90 days, just let us know!

Whether you're religious or not, if you love the beauty of West Virginia's mountains, you probably feel these mountains are sacred - and that it is grievously wrong to blow them up.

We need to continue fighting to bring justice to people whose lives have been devastated by mountaintop removal/valley fill strip mining. We need to work to slow the feared onslaught of new mountaintop removal permits, permits that have the personal blessing of George W. Bush (see article inside about the hopeful new Pallone/Shays bill introduced in the U.S. Congress.)

But we also need to publicly acknowledge the overall

carnage, the ecocide of mountaintop removal, that continues to go on here. It is just plain wrong for powerful corporations to liquidate the treasures of *our* world for *their* gain.

If you'd like to see more billboards like this, or see this design used in OVEC newspaper ads, could you please send a check to help make this happen? (See page 19).

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# Remembering Laura

by Dianne Bady

In typical Laura fashion, when she left us so abruptly, she went out with a splash. She collapsed and died surrounded by TV cameras, surrounded by people who loved her, at a stop-mountaintop-removal protest that she had organized.

What can we learn from Laura's life, while we continue to mourn our loss of this beautiful woman who profoundly touched so many?

Her tragic passing was reported in detail by statewide newspapers, TV and radio. The day after her death, OVEC's answering machine had messages from dozens of sobbing people. Laura's memorial service was packed with 400 mourners; it lasted over three hours because person after person got up to tell how she had influenced their lives. No one had ever seen anything like this before.

I'm a much better person for having been close to Laura for nine years. Many, many others have talked about how she brought out the best in them. What was it about Laura, that she was such a strong influence on so many people?

Laura loved – fiercely. She loved her family, her friends, and the friends she worked with who were fighting for their communities, their homes, their beloved landscapes, and their very lives. Laura loved the grandeur of the southern West Virginia mountains. It was that love that pushed her onto her feet and into the faces of those who promoted the annihilation of some of the most biodiverse temperate forests on the planet.

Laura understood that the key element in fighting for environmental justice is building relationships with other people who care. It's not just about having the best facts, about making the most articulate speeches, about keeping up with your accumulated piles of papers. It's all about connecting with other people, caring for



**Laura Forman February 1, 1962 - December 10, 2001**  
**This lovely cloth collage now hangs in the OVEC office. It was created by Charleston artist Winter Ross and commissioned by Dave Cooper as a Christmas gift to the other OVEC staff.**

those who fight side-by-side with you, and helping others to get up when they fall. It's being willing to put up with other people's faults and seeing the gold that lies within their hearts. Eloquence alone won't win our battles, neither will irrefutable facts; what DOES make the most difference is masses of people who are willing to pry themselves off of their couches and get involved.

Here's a few quotes from the news coverage of Laura's passing:

"Laura will be best remembered as a staunch advocate for coalfield residents affected by mountaintop removal mining. Laura was doing what she did best and what she loved – motivating people around an issue," said Linda Mallet of WV Citizen Action Group.

"She taught me a lot about people, about organizing people and about how to reach people," said Judy Bonds of Coal River Mountain Watch, located in the belly of the mountaintop removal beast.

OVEC board member Elinore Taylor said "She was tough when she dealt with coal operators and legislators. But at the same time, she was one of the most kind-hearted and gentle persons I know."

Being close to Laura taught me to look for, and  
*continued on page 3*

# Don't Despair - Organize and Fight Back Instead!

by Vivian Stockman

Open the newspaper, turn on the news, even talk with your friends – you can instantly get your overdose of doom and gloom.

Looming over whatever we do each day is the prospect of war, the ultimate social and environmental nightmare. War is the worst possible energy strategy our government could pursue. Everyone knows this potential

## Remembering Laura

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express, the humor in even the most deadly serious situations. Because of her, I laugh more in my work.

For all of us who painfully miss Laura, let's remember her by carrying on her work and her style. Do you want to save the mountains? Then reach out to other people who care. Get to know those who share in our fight – learn more about their lives, support them when times are tough for them. Put up with their faults, but talk gently and openly to them about those faults if they cause problems. Invite someone new to the next action, then greet them warmly and introduce them to others when they show up.

Take the time to love – slow down sometimes and just appreciate the love that IS there deep in your heart. And then act upon that love, with courage and humor.

war is, in major part, about Iraq's oil. After all, there are other countries with both brutal despots and weapons of mass destruction, plus Al Qaeda has ties to at least 60 countries, yet we aren't about to bomb all of them.

What does our Governor think? He is on record as saying an extended war will bring more attention to America's coalfields! The National Mining Association, in its latest aggressive public relations push, is touting coal as important for "homeland security" (which may sell with people whose homes *aren't* in the coalfields).

Judge Haden's latest ruling that certain valley fills are illegal has been overturned. But, remember, lawsuits are but one aspect of a multi-pronged, multi-group campaign against the massacre of our mountains. More lawsuits are ongoing and in the works, as are many other aspects of the campaign.

The coal industry wants a major roll back of state mining laws, just in case they are ever forced to obey them. Massey Energy is flooding the airwaves with ads so misleading that the Department of Environmental Protection mining division chief has complained about them to the Legislature, though at least one Senator has publicly stated he believes the ads.

But...don't let the ba\*\*\*ards bring you down! You don't need me to tell you about all the beauty and goodness in life – friends, family, fun, nature, religion and more.

You know the rest of this too, but it bears repeating. Groups like OVEC are helping to safeguard the good things in life, by acting as agents for positive change. That's right, *your* participation in organized actions is critical. Not only is protesting good for your health (according to a recent study), but organized actions do get results. You'll note some organized citizens' latest victories in this newsletter – Sylvester residents having their day in court and Peytona being saved, at least for now, from a massive dusting by Massey.

Fortunately, membership in OVEC has increased over the last year. We expect the attack on federal and state environmental laws will bring even more folks into the fold. That's great because we need an ever-growing chorus of people demanding an end to the abuse of our environment. As ever, continue your letters to the editor and to legislators. Work to get your friends and neighbors involved. Stay tuned for upcoming actions! We are in this for the long haul – because our futures depend on it!

And remember – we have way more fun than the bad guys!

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<b>Winds of Change Editor</b>		Dianne Bady
<b>Winds of Change Ant Farm Wrangler</b>		Monty Fowler

### Ohio Valley Environmental Coalition

P.O. Box 6753, Huntington, WV 25773

phone: (304) 522-0246 fax: (304) 525-6984  
e-mail: [ohvec@ohvec.org](mailto:ohvec@ohvec.org) web page: [www.ohvec.org](http://www.ohvec.org)

# West Virginia Bill for Public Financing of Elections Advancing

by John Taylor

On the surface of things the right to vote is pretty much the most honored and respected right that we have in this country. Most usually, the court decisions on voting describe it as a “right,” an “entitlement” or a “privilege.”

Also, the major trend in the court system’s opinions is to expand the voting population by getting rid of the barriers erected in the bad old days such as skin color, gender, poverty and criminal record.

The West Virginia Supreme Court told us in 1942 that all voting laws and regulations in West Virginia must be interpreted liberally toward the right to vote. Written public policy is designed to increase the number of people who participate in our electoral process.

Our public policy on inclusion and increasing participation demonstrates an unacceptable discrepancy between theory and practice. As a nation, our theory and policy on elections is ripped. Anyone who thinks we’re doing good on this needs to explain why only about 40 percent of eligible West Virginians voted in the last election. You call this good?

Be serious! Why would any person of normal intelligence feel good about voting when you know daggoned well the results are not going to fully and fairly reflect the will of the majority of the working class of this country. When you know the entire system is designed for the needs and desires of rich people, what’s to like? Not very much unless you’re a rich person too.

When it comes to electing our leaders, we’re trying to make production with dysfunctional machinery.

Parts are broken and banging around in there. Threads are stripped and bearings are burned out on the machinery we have to use to conduct the most serious and significant, and the most dangerous, of our collective and social tasks, i.e., the election of our leaders and governments. (“Dangerous” because of the harmful and demoralizing social consequences of elections that don’t give full and fair results, elections that are twisted and distorted by the infusion of excessive money and influence into the process from Day number 1 until the counting and canvassing of the ballots cast.)

A Clean Elections Bill is afoot this legislative session



**Rep. Marley (center), answers questions from Dan Sammons, left, attorney for the WV House Judiciary about Maine's Clean Elections bill, as Si Galperin takes notes.**

in West Virginia. OVEC has played a lead role in making that happen.

We all have witnessed first hand how large corporate interests’ influence and control the environmental political agenda every day.

Having cleaner elections is pivotal to the possibility that we will ever have clean air, pure water, and a pristine landscape.

## Trick or Treat for George Bush - No War!



OVEC folks joined with the West Virginia Patriots for Peace, Marshall Action for Peaceful Solutions (that’s MAPS students Tony Curtis, Abraham Mwaura, and Maggie Fry pictured above) and others outside the Charleston Civic Center to protest the plans for war during President Bush’s Halloween visit to West Virginia.

National Guard Col. Bill Raney, who is president of the West Virginia Coal Association, was seen scurrying into the venue. Perhaps he was on his way to deliver *more* money to Fossil Fuel administration, and to West Virginia CCongresswoman Shelley Moore Capito? The Center for Responsive Politics says Capito is the current top recipient among all House members in contributions from coal and the mining industry: \$82,250. The coal-burning electric utility industry gave her nearly \$33,000 this election cycle, while oil and gas interests gave her \$47,000. Now, Coal is getting its paybacks, as Bush and Co. push for an open throttle on mountaintop removal mining. War in the coalfields. War in the oilfields. It’s the scariest Halloween we’ve ever spent.

# West Virginia's Clean Election Law - Let's Do the Right Thing and Return Honor to the Process

by John Taylor

Maine state representative Boyd Marley visited us Feb. 2-3 as a guest of the WV Clean Elections Coalition.

Mr. Marley was elected in 2000 under the Maine Clean Elections Act. He was invited to come to West Virginia and tell our legislators how the Maine act works in actual practice. (OVEC arranged and paid for his visit.)

During our press conference with Marley, Secretary of State Joe Manchin said 66 percent of Maine voters voted in their 2000 election cycle, in sharp and dismal contrast with West Virginia's record of around 40 percent.

Marley said a "significant majority" (around 60 percent) of Maine candidates supported the Clean Elections Process, "and said they would use it again."

One of the main benefits was candidates' increased creativity in getting out to meet the public and raising the necessary "seed money" and "qualifying contributions." For example, he said he does not refer any more to "Fund Raising" but instead uses the term "Friend Raising" to describe the process of obtaining seed money and qualifying contributions from his constituents and supporters.

During his visit, Marley met with House Speaker Robert Kiss and spoke to a good number of persons at a public reception at the University of Charleston.

Marley also met with the entire Senate Judiciary committee and the Elections Subcommittee of the House Judiciary Committee. He was featured at a press conference at the Secretary of State's office and was interviewed on the local PBS news show "Your Legislature Today."

During his visit with the House Elections Subcommittee he said, "There's honor in public service. This law puts honor back into public service. We're trying to make the election process transparent." One of his main points was the success of the Maine law in increasing public participation in elections.



**As an ambassador for clean, publicly funded elections, State Rep. Marley explains to an attentive audience that 77 percent of Maine's state Senate and 55 percent of the state Representatives are Clean Elections legislators after the 2002 election. Attendees at the public reception learned all about this creative, voluntary system for financing elections.**

## What's Not To Like?

Marley said, "This law severs the perception that money buys votes" and "puts integrity back into the process" while it "brings it down to the grass roots level."

Question: Are the terms "honor," "integrity," "grass roots level" and "transparent election process" so foreign to our understanding of election campaign finance, so destructive of our "normal" and "usual" procedures that the change the

Clean Elections Bill will bring to our election process is so utterly unthinkable and impossible to enact?

Can it possibly be that we prefer our usual way of *continued on page 6*



**Linda Mallet, Gary Zuckett and Maine state representative Boyd Marley discuss the success of Clean Elections in Maine and the West Virginia Clean Elections Act at a public reception at the University of Charleston.** *photos by Janet Fout*

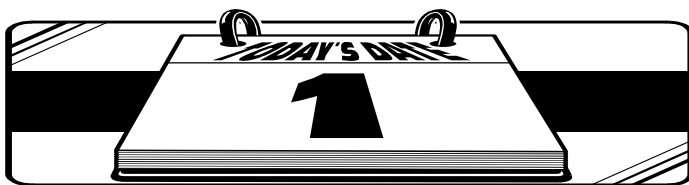
## Clean Elections

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doing business and electing our legislative representatives even though the result is 40 percent voter participation and a prevalent cynical public perception that, yes indeed, “money buys votes.”

Why would any sincere person freely choose to seek public office knowing that big money has twisted and perverted our elections to the point that the entire process is generally viewed by citizens as a cynical, hypercritical and shallow process?

The answer seems to be that those people who would favor our current profoundly flawed system, favor it because, and only because, they profit greatly from it, and therefore resist changing it.



## UPCOMING EVENTS

**Friday, Feb. 28,** 6 p.m. Taylor Books, 226 Capitol Street, Charleston. Book party with acclaimed West Virginia author Denise Giardina, celebrating the publication of *Fallam's Secret*, Denise's brand new book. Fallam is a fictional mountain lost forever to mountaintop removal. Or is it? Only time (travel) will tell. Denise will read from and sign copies of the book. Music and refreshments, as well as lots of good people, round out the event.

**Friday – Sunday, March 7-9,** OVEC's Fourth Summit for the Mountains at Pipestem State Park. Call the office at (304) 522-0246 to see if any spaces are left.

**April 9-13,** “Final Assault,” a play by actor David Selby (a West Virginia native) about mountaintop removal will be performed by the Charleston Stage Company at the WV State College Capitol Center Theatre, 123 Summers St., Charleston. The drama is about an environmental activist who struggles against a coal company's attempt to expand mountaintop removal/valley fill mining. Call (304) 343-5272.

**Saturday, May 17,** Conference in Charleston on the Free Trade in the Americas Act. More details coming.

**Friday, May 23,** 7:30 p.m., the Rev. Fred Small of Littleton, Mass., will speak on “Wake Now My Senses: The Religious Imperative of Earth Stewardship.” This is one of the River Series forums at The Unitarian Universalist Fellowship of the Kanawha Valley, 520 Kanawha Blvd. W., Charleston.

## China - Nehlen remark unwise

Charleston Gazette, Monday Jan. 20, 2003

**DON NEHLEN should stick with football. He is well on the way toward embarrassing himself as King Coal's new spokesman.**

Nehlen is to be chief spokesman for a massive public relations campaign paid for by “Friends of Coal.” At his inaugural effort, a speech before the West Virginia Coal Association's annual symposium, the former Mountaineers coach sounded like a caricature of himself.

“The best defense is a good offense,” he said of the PR effort. “You guys are 10 or 11 and 0, and everyone talks like you're 5 and 6. When you're winning, we've got to let people know.”

Well, at least he said nothing about giving 110 percent to the effort.

But the worst came when he essentially suggested that West Virginia follow China's regulatory model.

“Let's get some of these doggone regulations eliminated or at least made sound, so guys can mine coal,” he said. “I don't exactly know the regulations, but I'm smart enough to know that in China, they mine for six bucks a ton, and we have got to be able to compete with them.”

China may mine coal for “six bucks a ton,” but the cost in lives and environmental devastation is enormous. China kills almost as many miners every year as West Virginia employs. Experts say that 10,000 Chinese miners die every year.

Those “doggone regulations” that Nehlen complains about help make West Virginia mines safer. Six-dollar-a-ton coal may be worth the price for the coal companies Nehlen is shilling for, but the human toll would be too horrible for most rational people to consider.

*(Winds of Change Ed. note: Thanks to OVEC's Viv Stockman for digging up the China mining deaths information which the Gazette used so well.)*

# Sylvester 'Dustbusters' Beat Up On Massey Energy

by Vivian Stockman

Massey Energy is going to need a whole bunch more ads. The shiny “good neighbor” image it is trying so desperately to cultivate just got tarnished again – this time not by sludge, but by black coal dust – much of it coming from mountaintop removal mines.

A jury found that Massey’s Elk Run coal processing facility failed to control coal dust coming off its property, thus creating a nuisance for its neighbors in the Boone County town of Sylvester. The jury said Elk Run negligently harmed residents and violated the WV Surface Mining Act by allowing dust to escape from its permit area.

Massey will have to pay nearly \$473,000 in damages to the 150 or so folks who sued (but Massey will undoubtedly appeal).

Because Elk Run did break state mining laws, the company could also have to pay the residents’ attorneys’ fees, which amount to about \$2 million for a lawsuit that was five years in the making. The jury’s verdict also allows the judge in the case, after another hearing, to decide if he wants to order Elk Run to implement dust control measures that actually work.

For years, people in Sylvester have suffered through the constant coal dust and 24-hour noise coming from the giant Elk Run facility, which stockpiles, processes and ships coal – you guessed it, by lots of illegally-overloaded coal trucks. The fine black dust coats their homes, inside and out.

The dust got even worse when, in 1998, despite residents’ pleas, the WV Department of Environmental



**Dustbuster Pauline Canterbury in the Madison County Courthouse during the trial. Pauline and many of her dustbusting friends are active members of both Coal River Mountain Watch and OVEC.**

Protection granted a permit expansion. Elk Run took down part of a ridge in between the town and the plant, opening a new gateway for dust. Now, some homes – which were there first – are only 735 feet from the plant.

Before the expansion, the company promised in writing to make old problems better and to avoid new problems. But Elk Run moved slowly and did little. One dust control measure that was promised over two decades ago is still not in place! Sylvester residents made scores of complaints to the DEP, which finally ordered Elk Run to clean up part of its dirty act. The company appealed many of the DEP orders.

**“Our goal has never been money. We just didn’t want them to control our community.”**

Pauline Canterbury,  
Sylvester “Dustbuster”

One thing it did finally do was build a giant nylon dome over its stockpile, but that didn’t stop the dust. (In typical Massey fashion, while the jury was deliberating its verdict the dust control dome was ripped and deflated and DEP cited Elk Run for a preventable accident.)

The coal in the stockpile is of course mainly at rest, and therefore dust isn’t jettisoned into the air on low-wind days. However, there are many places at Elk Run where coal is in motion – conveyor belts, the crushing plant, transfer points, loadouts and in uncovered coal trucks. When coal is moved, fine coal dust is easily launched into the air.



**No, that's not a domed stadium gone astray in southern West Virginia - it's Massey Energy's Elk Run dome on a day when it was fully inflated and functioning, more-or-less.**  
*photo by Mary Miller*

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# Massey Energy Subsidiary Denied Permit to Cover Another West Virginia Town with Coal Dust

by Dave Cooper

Homer won't be dusting Peytona anytime soon.

As reported in our last newsletter, Homer III Processing, a subsidiary of Massey Energy, applied for a permit to build a huge plant in Boone County near Peytona to process coal from mountaintop removal mines. The proposed Homer site is only 10 miles from Massey's Elk Run Plant, which has showered the residents of Sylvester with dust (see story on page 7).

After more than five years of what Sylvester resident Pauline Canterbury calls "Black Hell," culminating in a citizen lawsuit which could cost Massey millions, it was surprising to see that Massey would *again* want to locate a coal processing facility so close to an established community.

According to the permit application, the Homer III plant would emit 5,850 tons per year of controlled particulate matter (dust) including 2,699 tons per year of very fine (less than 10 microns) dust particles. These ultra-fine particles are of particular health concern, as they are able to bypass the human body's normal respiratory defenses and lodge deeply in lung tissue, where they can contribute to or aggravate lung disorders like asthma.

OVEC, Coal River Mountain Watch and other groups wonder if Massey will ever learn from its past mistakes. The coal industry is always saying how mountaintop removal creates flat developable land for industry and factories, so why don't they locate one of these coal processing plants on an old mountaintop removal site? (*Editor's note: We suspect that when it comes to real-life investment decisions, even Massey realizes that most old mountaintop removal sites would be prohibitively expensive, if not impossible, to develop.*)

Happily for the residents of Peytona, on Nov. 8 the WV Department of Environmental Protection denied Homer III's permit application, stating that the plant "does not demonstrate eligibility and compliance."

Residents breathed a sigh of relief as common sense seemed to finally prevail at the DEP. However, the DEP also noted that "issuance of this order does not prevent Homer III Processing from submitting a modification application in the future."

On January 30, DEP held a town meeting at the Peytona Church of Christ to seek citizen input about converting a beloved and scenic rural dirt byway called Indian Creek Road into a coal haul road to service the DEP-

denied Homer III plant.

Once again, local residents, led by Paul and Nannette Nelson and Jim Browning, organized Boone County neighbors to fight to save Indian Creek Rd., which follows Indian Creek for miles through the woods, is popular for recreation and has long been used by hikers, hunters, four-wheelers, ginseng and mushroom gatherers.

Coal River's Judy Bonds spoke passionately about the importance of these woodlands to the culture of the people of Appalachia, referencing from Dr. Mary Hufford's research on the ethnography of the region. Nannette Nelson said, "I've lived here all my life, and my ancestors lived here 200 years before that!" Bill Price called the proposal "the road to nowhere – from a mine that's not permitted to a processing plant that's had the permit denied."

Imagine seeing your favorite road through the woods turned into an industrial corridor!

Massey claims they want to use this back road to keep coal truck traffic off of busy Route 3 and to try and be a better neighbor.

Yet given the past experience of its neighbors in Sylvester, Peytona residents remain skeptical of Massey's stated motives.

If Massey truly wants to be a better neighbor, then that will truly be a happy day for coalfield residents.

Until that, they are best advised to remain watchful.

## *Honoring a Great Crusader*



As has become a yearly tradition, OVEC participated in the Dr. Martin Luther King, Jr. Day march in Huntington on January 20. George Hockley, left, and Eric Fout hold the banner.



## Dustbusters Win

*continued from page 7*

Fed up at having their town coal-dust coated, 150 of Sylvester's almost 200 residents sued. They became known as the Sylvester Dustbusters.

The trial started in October, 2002. Nearly 70 residents testified about what it is like to have a Massey subsidiary as a neighbor, about how badly Elk Run affects their daily lives.



**Aerial view of Elk Run facility.**

*photo by Massey Energy*

A real estate appraiser testified that the town's property values were down \$4 million collectively, due solely to the dust. A mining engineer discredited the company's claims that there wasn't affordable, effective dust control technology available.

In closing arguments heard on Feb. 5, the Dustbusters' attorney, Brian Glasser, disputed much of the company's testimony. He said Massey had been a "terrible neighbor," making his clients "miserable" by coating the town in coal dust and by nosily moving hundreds of millions of tons of coal, with hundreds of thousands of overweight coal trucks leaving the plant at all hours.

"Is it remotely believable that nobody at Elk Run has ever seen dust leave the property?" Glasser asked the jury. He mentioned several examples of permit violations, noting "violation of a permit that causes harm is flat-out negligence."

He said the people's homes were their life savings, which had effectively been stolen by Elk Run due to the property devaluation. Glasser showed photos of other coal processing facilities that for years had been using "affordable, available technologies" to control dust. The technologies would cost the company about 4.5 cents per clean ton of coal.

Glasser said, "Elk Run's lawyer promised you there was no coal company anywhere in the world that took more steps than Elk Run to control the dust. That is a total fabrication. That was complete hogwash."

In his closing arguments, Elk Run's attorney, Al Emch, essentially called the 70-some residents who had

testified liars. He said a lot of people in the town were related, perhaps hoping to invoke the "inbred" slur in jurors' minds. He suggested that the town's residents were pursuing the case for notoriety.

Many plaintiffs were in the courtroom for the closing arguments and there was quite a bit of coughing going on as Emch said dust isn't unusual in coalfield communities and there were no health problems.

"Was it (the dust) intolerable or was it just some variation of normal, or close to normal, for a number of small southern West Virginia coal communities? One person's intolerable nuisance can be another person's welcome, or even embraced, inconvenience," Emch said. (That's a new one. Maybe Massey can work it into its ad campaign. Massey Energy: An Inconvenience to Embrace.)

"This is something that we need to keep. It's something that we need to encourage and it's something that we need to somehow tolerate," Emch said of the plant.

Despite having to sit through Emch's tripe, the Sylvester Dustbusters, some of whom are members of Coal River Mountain Watch and OVEC, are happy with the jury's verdict.

All of them are eagerly waiting to see what dust control measures the judge will order at the next hearing.

Pauline Canterbury summed it up: "Our goal has never been money. We just didn't want them to control our community."

**"At Elk Run, adaptability and innovation keep us striving for better, safer ways to produce the coal products our customers require."**

from Massey Energy web site



*Should they add a dust cloud to their logo now?*

### **The Truth is Out There - Wayyyyyy Out There, in Massey Energy's Case**

"A series of television commercials by Massey Energy is so misleading that the director of the state Division of Mining and Reclamation told a Senate committee he refuses to watch them.

"After I saw the first commercial or two, I stopped watching them because there's so much misinformation in them," Matthew Crum told the Energy, Industry and Mining Committee Wednesday."

*Charleston Gazette*, Feb. 6, "Official won't watch Massey's TV ads," by Phil Kabler

# Small Town Threatened by Huge Slurry Impoundment Proposal

by Dave Cooper

In the summer of 2002, the WV Department of Environmental Protection granted a permit to Delbarton Mining Co., a subsidiary of Massey Energy, to build a 56-acre slurry pond above the town of Delbarton, located in Mingo County, WV.

This impoundment, if built as proposed, will have a dam 250 feet high that is visible from the main road (Route 65) through town, and will contain hundreds of millions of gallons of coal slurry. The dam will be located less than a mile upstream from hundreds of Delbarton homes.

Delbarton residents are well aware of the Massey mountaintop removal coal slurry disaster just 15 miles away in Martin County, Ky., where 300 million gallons of sludge broke through into an old underground mine beneath the slurry impoundment and contaminated over 80 miles of streams and rivers. Delbarton folks turned out in force at a town meeting held on Nov. 7, 2002, to discuss the local permit with Massey engineers and officials.

Although the Massey engineers did a fair job presenting details of construction of the Delbarton impoundment at the meeting, most residents were not reassured. According to the permit, if there was a slurry dam failure, an area five miles downstream and one mile upstream would be inundated (along with hundreds of homes) – yet the emergency evacuation plan requires residents to travel upstream to reach the Delbarton Middle School evacuation area. Residents also expressed concern about their diminished property values if the dam was built.

Most troubling to residents was the omission of the old underground Pearl Mine works on the company's permit application map. Although the map did show the presence of the previously-mined Alma and Lower Cedar Grove underground mines, several longtime Delbarton residents had relatives who worked in the Pearl Mine, and felt sure that this mine was in the area of the impoundment. Delbarton resident Walter Young stated that his father used to work in the Pearl Mine.

After the meeting, Delbarton resident Larry Maynard began to search for proof of the existence of the Pearl Mine. Maynard found a reference to the 1930s era mine in a coal history reference book at the Mingo County Library in Williamson. OVEC helped Walter Young locate an attorney and Young appealed the slurry pond permit. Massey engineers and Young's attorneys located a Pearl Mine map dated 1930 at the MSHA office in Charleston.

Appalachian Citizens' Law Center attorney Amanda Moore and Appalachian Center attorney Joe Lovett represented Young for his appeal of the slurry pond permit at the DEP Surface Mining Board on Jan. 22, 2003. Expert witness John Morgan testified that mining at the Pearl Mine continued until 1932 or 1933 and that while the Pearl Mine map dated 1930 could not be considered complete or accurate, it seemed to indicate that mining progressed in the direction of the slurry pond.

According to elevations shown on the old map, the thickness of the rock between the underground mine passages and the slurry pond ranged from only 20 feet (!!!) at the toe of the impoundment to 700 feet at the back.

At the appeal, Morgan presented an overlay of the Pearl Mine map and the proposed slurry pond permit map that **showed a pattern all too familiar to those acquainted with the Martin County disaster - a Massey slurry pond above an incomplete and inaccurately-mapped underground mine.**

On the day of the Delbarton appeal, the federal Mine Safety and Health Administration released an internal report of the agency's actions leading up to the Martin County, Ky., spill of 300 million gallons of coal slurry. While the agency denied responsibility for that disaster, it found "systematic weakness" in its internal review of slurry ponds, and promised to "adopt agency guidelines to make sure impoundments get prompt and thorough review. [MSHA

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## ACTION ALERT

Please write to Mine Safety and Health Administration Secretary David Lauriski, MSHA, 1100 Wilson Blvd., 21<sup>st</sup> Floor, Arlington, VA, 22209, and DEP Acting Secretary Stephanie Timmermeyer, 1356 Hansford St., Charleston, WV, 25301. Ask them to please hold a town meeting in Delbarton to explain to residents how MSHA is going to protect the residents of Delbarton from a Martin County-style slurry pond disaster.

When you're finished with this newsletter, please pass it on!

# MOTHPERMAN RETURNS :

## *Is He Sending Us Another Dire Warning?*

In 1967, the mysterious Mothman was seen flitting about the Point Pleasant, WV, area just before the Silver Bridge across the Ohio River collapsed, killing 46 people.

After the collapse, the Mothman sightings ceased. Some believed the Mothman came to warn about the tragic disaster. (Richard Gere starred in the recent "Mothman Prophecies," currently out on video.)

Now, the Mothman has been spotted again, flitting about coalfield bridges that are groaning under the weight of overloaded coal trucks. Fortunately, OVEC member Patty Draus was in the right place at the right time to capture these recent visitations.

Is the Mothman trying to send another warning?



*Is Mothman trying to warn coalfield residents about who may be next? The mystery in the coal fields deepens ...*



***Even empty, coal trucks weigh 40,000 to 50,000 pounds. This is a full truck (above) which grossly exceeds the clearly posted 12 ton weight limit in Stollings, WV. Overweight coal trucks carrying mountaintop-removed coal inflict exceedingly costly damages to our bridges and roads. Please call, e-mail or write your state legislators today to help stop this. Toll-free number to leave messages for legislators: 1-877-565-3447. Do your part - call today.***

***Overloaded? Who, us? This tire incident, below, occurred on U.S. 23 near Ashland, Ky., and is a clear example of what one engineer dryly called, "stressing mechanical components beyond their design load." Translation: They stuffed so much coal onto this truck that one of the axles quite simply couldn't take it, and decided to fall off in the middle of the highway. Fortunately, no one was injured in this May 2002 incident.***



# Ken Hechler: A Hero for Our Time

by Janet Fout

*"No figure ever gave me more hope than you did ... When they finally strike a medal for guts and integrity, decency and inspirational leadership, the first one should be yours, hands down." – the late Ward Sinclair, Washington correspondent of *The Louisville Times* (referring to Ken Hechler).*

*(Italics are excerpts by Dan LeRoy for Graffiti where Ken was named 'Eer of the Year for 2002.)*

The year was 1987 and I was just sticking my toe in the vast waters of environmental activism, hoping to spare Greenbottom Swamp from the "let's build a dam here" mentality of the U.S. Army Corps of Engineers, aided and abetted by the West Virginia Department of Natural Resources, who at that time had only one thing in mind for the wetlands – more habitat for waterfowl.

Greenbottom Swamp, the third largest wetlands in West Virginia and a haven for many breeding and migratory birds, is also the location of the General Albert G. Jenkins pre-Civil War home and one of the most significant native American archaeological digs in the state.

Though I hadn't a clue about the waters into which I was wading, something inside me said that in order to weigh in on this issue, Huntington Audubon would need support from many interested individuals and groups (a tried and true organizing technique I now know that works).

Dr. Hechler, a local expert on General Jenkins and our Secretary of State at that time, was the first person I called. For starters, I couldn't believe how accessible he was! His secretary put me right though, and we spent a great deal of time talking about the possibilities at Greenbottom. He was full of ideas and interested in being involved. Little did I know that this was the beginning of a relationship of shared activism that has endured for nearly two decades.

Thirty years earlier, Ken Hechler had already begun his political career as a West Virginia Congressman. "He was already in his mid-40s by the time he ran his first campaign, for Congress, in 1957. And by then, he'd already accomplished more than most people manage in an entire lifetime.

*"He'd earned his Ph.D. in government and history, risen to the rank of major in the Army during World War II, written his first book (which was later turned into a major motion picture), and served two of the country's most famous presidents. Along the way,*



**Ken Hechler talks with Texas populist Jim Hightower at the November 2002 "Just Gimme Some Truth" conference organized by MAPS (Marshall Action for Peaceful Solutions). Story on page 14.**

*he'd managed to interview legendary figures like Albert Einstein (for his college newspaper) and Nazi commander Hermann Goering, get dressed down by Gen. George Patton, and court the daughter of a chief executive (Harry S. Truman's daughter, Bess). Besides that, he learned to play a mean game of tennis, a skill he still demonstrates on occasion."*

By the age of 40, Hechler had already lived a remarkable life – with so much more to come. Although I was a poor student of history and apolitical at best as a young person, the name Ken Hechler was very familiar to me. And no wonder.

*"He took on the coal companies and the Boyle leadership of the UMW over black lung legislation, and won. He was the first major political figure in West Virginia - or anywhere - to propose an absolute ban on strip mining (emphasis mine). These things take political - and physical - courage," wrote conservative commentator Michael Barone in 1974. And William Safire noted in *The New York Times* that "Hechler risked not only his political life but his actual life in his battle; he gave 'em hell and beat 'em. Hundreds of miners now owe their lives to his fearless campaign, and conservatives like me take their hats off to a liberal with the courage of his convictions.*

*"... There were other profiles in courage during his congressional career. He was the lone member of Congress to march with Martin Luther King to Selma in 1965, chartering his own plane to make the trek."*

*continued on page 14*

# Buffalo Creek 30 Years Later - Have We Learned the Lessons?

by Monty Fowler

It did not come like a stealthy thief in the night – it came on a rainy Saturday morning 30 years ago with a roar like a hundred freight trains, the hounds from Hell, the very embodiment of Death.

When it was gone, at least 125 West Virginia men, women, and children were dead. The youngest was 3-months-old; the oldest, 82. Three infants were not positively identified, so badly were their little bodies mangled. Seven of the dead were never found.

Feb. 26, 1972, forever changed West Virginians' attitude toward King Coal.

That was the day that three improperly-constructed, inadequately-inspected, business-as-usual coal slurry impoundment dams owned by the Pittston Coal Co. collapsed, sending millions of tons of black water, coal sludge and mud hurtling down the narrow, twisting confines of Buffalo Creek in Logan County.

More than 500 homes in 15 small communities were destroyed, another 500 homes were damaged, some 1,000 vehicles wrecked, and 523 people were injured when a wall of sludge that some witnesses said was 30 feet high steamrolled down the valley.

There were 53 dead in Lundale, near the head of Buffalo Creek; 18 in the hamlet of Saunders, which literally disappeared under millions of gallons of semi-liquid coal wastes; 25 from Lorado; five in Amherstdale; only one in Kistler, near the end of the rampaging sludge.

Pittston Coal called it “an act of God.” Former Gov. Arch Moore, on his last day in office, quietly accepted a pittance of a settlement. The people who were left alive on Buffalo Creek got the shaft from a disorganized state government, indifferent federal officials and politicians who sought to gain personal advancement at the expense of people who were too emotionally traumatized to comprehend what had happened to them.

This is one of the costs of coal that the West Virginia Coal Association doesn't like to trumpet in its slick television commercials or glossy billboard ads.

Buffalo Creek has been called one of the worst man-made disasters in history. One survivor, testifying at one of



**"A tree's a tree. How many do you need to look at?"**

former president Ronald Reagan,  
opposing legislation to protect our national forests

the innumerable hearings into the tragedy, caustically observed that if Pittston Coal was blaming God, why hadn't she seen God up the hollow on the bulldozers that were shoving coal waste and rock down the mountain to block the creek?



**Lundale after the tragedy**

Ultimately, some good did come out of the Buffalo Creek tragedy. The federal SMCRA law, called simply “the promise” by coalfield residents, put limits on how coal companies could build their impoundment and refuse dams. There were supposed to be engineering studies, construction standards, regular and thorough inspections.

Supposed to be. As recent events have shown, the coal companies still do pretty much what they want to in West Virginia, state and federal government officials waffle around and flail spastically as they attempt to protect the residents, and the survivors who still call Buffalo Creek home tremble or gaze fitfully at the sky every time it starts to rain.

So take a moment to reflect on the true costs of King Coal. The ghosts of Buffalo Creek will thank you.

## ACTION ALERTS - DO IT!

**Stay Informed by E-mail:** Join OVEC's Action Alert! e-mail list by sending an e-mail with “join list” in the subject line to [vivian@ohvec.org](mailto:vivian@ohvec.org). This is not a discussion list, so you won't be swamped with e-mails. You'll get four to 10 Action Alerts! per month, chock full of useful info.

**Stay Informed by Phone:** If you don't have or don't like e-mail, call the OVEC office at (304) 522-0246 and ask to be put on our Call List. We'll need your name and phone number. Don't worry - we will only call to let you know about major events or actions.

**Stay Informed by WWW:** Visit [www.ohvec.org](http://www.ohvec.org) frequently for news and action updates. Check out our extensive background information in the Issues section. Look for your friends in the People in Action section.

# Legislation Introduced to Counter Bush Rollback of Clean Water Regulations

Washington, D.C. – U.S. Reps. Frank Pallone, Jr. (D-NJ) and Christopher Shays (R-CT) introduced legislation on Feb. 12 that would **prohibit the dumping of industrial waste into rivers and streams**, a practice the Bush Administration would have allowed when it made a rule change to the Clean Water Act last May.

Pallone and Shays's legislation, the Clean Water

## Hechler

*continued from page 12*

Since facing off with me in a high school auditorium packed with angry duck hunters in the late 1980s, we've shared some other battles. Ken has been the single most vocal public servant decrying the coal industry's outrageous practice of decapitating mountains and destroying streams.

He's been chided, kicked and shoved by angry strip miners in Marmet, WV, walked several hundred miles across the country with "Granny D," Doris Haddock, to call attention to a form of legalized bribery in this country masked as campaign contributions from big special interests, and most recently weighed in (pun intended) on the ravages to lives, roads and bridges caused by overloaded coal trucks in southern West Virginia. He has always stood firmly on the side of the people supporting them with dignity and courage.

Thanks, Ken. Your life is an inspiration.

## Hey! The Truth IS Out There!

Ever feel like your some of your teachers and the corporate-controlled mainstream media aren't giving you the full picture? Don't despair – the truth is out there, but you may have to work to find it. The November 2002 "Just Gimme Some Truth" conference sought to offer ideas and tools on finding the truth.

Members of the Marshall University student group MAPS (Marshall Action for Peaceful Solutions) worked hard for about nine months to organize their superlative conference to expose some truths about peace and justice and the mass media. OVEC is so glad to be a supporter of the MAPS students. Ya'll rock!

OVEC's Dave Cooper hosted a showing of *Blue Vinyl*, a funny-sad documentary about the vinyl industry. Yup, we are living in dioxin-toxic-soup.

Populist Jim Hightower motivated the MAPS-sters to agitate and organize – as did our nation's founders – and to gol-dang have fun while doing so.

In fact, he said, the work of organizing is "...just about as much fun as you can have with your clothes on."

Protection Act of 2003, protects the definition of "fill material" in the Clean Water Act from being expanded to include mining wastes and other pollutants. The legislation restores the prohibition on using waste as "fill" that had been included in the U.S. Army Corps of Engineers' regulations since 1977.

**"Our bipartisan legislation is needed to ensure our streams and waterways aren't buried under millions of tons of mining and other industrial wastes,"** Pallone said. "While the legal debate continues, it is critical that we support the true intentions of the Clean Water Act and oppose the continued efforts of the Bush Administration to use our nation's waterways as dumping grounds for industrial wastes."

"It is my hope this legislation signals to the EPA that Congress will not sit silently by as our environment is destroyed," Shays said.

One week after the Bush Administration amended the Clean Water rule last May a federal judge in West Virginia, Chief Judge Charles H. Haden II, rejected the Administration's decision by stating that according to the Clean Water Act "only the United States Congress can rewrite the Act to allow fills with no purpose or use but the deposit of waste." Last month, the 4th U.S. Circuit Court of Appeals overturned Judge Haden's decision, making a legislative remedy necessary.

Pallone and Shays said that creating a statutory definition of "fill material" that expressly excludes waste materials will end the need for further court proceedings and will clarify environmental law consistent with the purpose of the Clean Water Act – to restore and maintain the chemical, physical and biological integrity of the nation's waters.

The new Bush administration rule also expressly allows hardrock mining waste, construction and demolition debris, and other types of harmful wastes to be dumped into rivers and streams across the country.

## ACTION ALERT

Please call the OVEC office and ask for Dave, (304) 522-0246, if you'd like to go to Washington, DC, to talk to key legislators/aides about the Pallone/Shays bill. Last year we chartered a bus and vans, influenced legislators, and had a whole lot of fun!

## Whose Monument Is It?

# Keep Miner, Ditch Industry Rhetoric at New Coal Memorial

by Vivian Stockman

In 1999, the WV Legislature approved erecting a statue of a West Virginia coal miner on the State Capitol grounds, “as a lasting memorial to the many who have perished as a result of coal mining in the state.” While environmental and citizens groups fully support a memorial honoring miners, we had to protest the way the West Virginia Coal Association warped the original intent of the resolution.

In mid-October 2002, the base for the statue went up, revealing bronze plaques that seemingly move the WV Coal Association’s public relations’ efforts off billboards and onto the State Capitol grounds. One plaque features the controversial and legally questionable practice of mountaintop removal/valley fill coal mining.

Nowhere in the Legislature’s resolution is it stated that the monument will include a plaque honoring the draglines of mountaintop removal.

News stories revealed that another proposed plaque may include wording that is a virtual coal industry ad: “In recognition of the men and women who have devoted their careers to providing the state, country and world with low-cost household and industrial energy.”

How did honoring lives lost become honoring careers dedicated to “low-cost energy?” This phrasing is especially offensive when you consider what miners, the public and the environment have endured from the coal industry for over 100 years. Our lives and our land are not cheap!

The WV Coal Association says these plaques depict the history of mining. If that is what they want to do in this public place, let’s tell the *whole* story. That would have to include mention of (and this is far from an exhaustive list!):

- ⚡ Miners’ jobs lost to the machines depicted on these plaques and to union-busting coal company tactics;
- ⚡ Communities, mountains and streams lost to mountaintop removal;
- ⚡ Surface and groundwater forever destroyed or heavily



**Coal miner's wife and a Coal River Mountain Watch leader, Patty Sebok (center) speaks out on the State Capitol grounds in favor of honoring miners, not machines that take their jobs. Behind her is the plaque that depicts mountaintop removal/valley fill strip mining. With her, left to right, are Winter Ross, Regina Hendrix, Dave Cooper, Connie Chojnaki, Bob Henry Baber, Mel Tyree and John Taylor.**

polluted by valley fills, sludge impoundments and blackwater spills;

- ⚡ Miners’ lives lost to mine wars, tragedy and lung disease
- ⚡ Democracy lost to political corruption.

Members of OVEC, Coal River Mountain Watch, West Virginia Highlands Conservancy, West Virginia Environmental Council and Citizens Coal Council gathered around the mountaintop removal plaque on Oct. 21, 2002. The brothers and sisters and daughters and sons and grandchildren of miners spoke their outrage at what the WV Coal Association has done with this memorial that was supposed to be about their families, but is instead an etched-in-bronze coal industry propaganda piece.

The groups delivered a letter to the Capitol Building Commission and the Governor, noting that if this public monument is to truly honor miners’ lives and tell the history of the coal industry, coal-related tragedies must be included.

Otherwise, the monument should feature only the statue of the miner and a plaque that is a carefully worded

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## Mining Plaque Protest

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memorial to those who have lost their lives to the coal industry. Coal industry ads and the bronze memorials to its criminal behavior should be removed from this monument in the most prominent public place in West Virginia.

On Jan. 2, 2003, the Capitol Building Commission met to hear our grievances on the West Virginia Coal Association's planned monument. At the end of the meeting the Commission said it had no authority about what was on the base of the statue. So, does the WV Coal Association get to interpret the resolution and have final say over what goes on this monument on our state capitol grounds?

Didn't anyone privy to what would be on the base of this statue question the WV Coal Association when they said there would be a plaque honoring those who have "dedicated their careers to providing low-cost energy" on this memorial that was supposed to honor miners? Who defines "low cost" energy? The people driven from their communities by mountaintop removal? The miners who have lost their lives? If, as the WV Coal Association says, this monument is intended to honor the economic impact of coal to the state, and to tell the whole story of coal, then there are some very important elements missing.

If the monument is about coal's economic impacts, where's the plaque featuring Ole King Coal stuffing a politician's pocket? Where are the plaques for the missing worker's comp money, the billion dollar super tax credits coal got, (much of which King Coal got for jobs but used for job-destroying draglines), the bonding crisis, and the all-but-sequestered abandoned mine land funds?

Where's the plaque for the lost economic value of



### **Judy Bonds at the "Honor Miners, Not Machines" protest in Charleston.**

ecosystems that are forever destroyed by mountaintop removal, the plaque for communities' ruined water, the plaque for flood-destroyed towns? Where's the plaque for the millions in infrastructure damage from overweight coal trucks? For perpetual costs associated with acid mine drainage? For the poverty-stricken area the coal industry once touted as the "billion-dollar coalfields"?

To tell the whole story, we are going to need a really big monument!

## Slurry Pond Peril

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head Dave Lauriski] said the agency will also work to verify that underground mine maps are accurate in an effort to prevent similar spills." (*"Agency Cites lax Oversight of Ky. Coal Pond," Roger Alford, Associated Press, Jan 22, 2003. This article and related editorials are available at our web site, www.ohvec.org*)

But evidently the DEP's Surface Mine Board didn't read the papers that morning, and they unanimously denied Young's appeal of the Delbarton slurry pond. Despite the clear and irrefutable evidence of the existence of the Pearl Mine, and the recent history of inaccurate mine map disasters in Martin County and at the Quecreek Mine in Pennsylvania, the Surface Mine Board called Massey's permit application "complete and accurate."

"Complete and accurate?" In fact the permit application was "incomplete and inaccurate!" Massey did not know of the presence of the Pearl Mine because Massey does not hire local residents to work at their facilities – they hire folks from far away who are less concerned about destroying West Virginia's coalfield communities.

If Massey had only bothered to ask local residents, they would have quickly learned about the Pearl Mine before they even submitted the permit application. Instead, the citizens of Delbarton and Massey's engineers are stuck with a potentially hazardous situation before construction of the impoundment has even begun.

Is this what the Mine Safety and Health Administration had in mind when they promised a "prompt and thorough review?"



# World Social Forum Shows Commonality of People's Goals

by Dianne Bady

Vivian Stockman and I traveled to the World Social Forum thanks to the Ford Foundation's 2001 Leadership for a Changing World awarded to Laura Forman, Janet Fout and I.

Close to 100,000 people from all over the planet gathered in Porto Alegre, Brazil, in late January to meet, march and celebrate the theme "Another World is Possible."

It was sobering to hear how U.S.-based extractive industries are harming other countries, but also inspiring to learn more about how in Europe, the transition to renewable energy sources is far ahead of the U.S.

One workshop I attended was called "Confronting Corporations." There were 35 of us from 19 different countries, all talking about how mining and oil corporations,

most of them U.S. based, are ravaging their environment and making a mockery of democracy.

Here in central Appalachia, where coal corporations are blowing up the mountains, being an environmental activist during the Bush administration is no picnic. But we are privileged in this country. Several folks from poor nations asked me if people in our group have been murdered, as has happened in their movements.

Activists from Columbia said they believed that the U.S. military bases there, and U.S.-dominated foreign policy, are part of the overall strategy to allow oil companies to run roughshod over their country and their people.

But, just like us, folks all over the world are organizing to try to force positive change. Austrian and Canadian people told of how mass mobilizations,

shareholder activism, and church involvement resulted in improvements in oil activities in Sudan.

People from the Pantanal area of Brazil and Paraguay, from Kazakhstan, Indonesia, Chile and Bolivia, all stressed the importance of working in international alliances.

Many are convinced that United States groups are especially important to have as working allies, because, as they say, we are in the belly of the beast.

We're all facing the same problems – the greed and power of energy and mining corporations who have a disproportionate influence over our governments and over foreign policy.

(More on the World Social Forum will be in the next *Winds of Change*.)



**The World Social Forum's opening march in Porto Alegre, Brazil, on Jan. 23, 2003. About 50,000 people from all over the globe, representing a huge array of issues, united to march in the streets as an affirmation of their collective belief that another world is possible - a world without neo-liberal globalization and its associated imperialism and militarization. All marchers beseeched the United States to withdraw from its threatened invasion of Iraq and instead take all means to work toward peace in the Persian Gulf region and worldwide.**

*photo by Viv Stockman*



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# The Field of Broken Dreams

by Janet Fout

Eating California strawberries will never again be the same for me – not since my recent trip to observe and learn from the community leadership of Rufino Dominguez, the Executive Director of Oaxaca Binational Indigenous Coalition (FIOB), and the Mixteca people with whom he works, many who cross the Mexican border to work in the farm fields of California growers.

(This trip was one of the educational activities provided by the Ford Foundation’s 2001 Leadership for a Changing World Award to Laura Forman, Dianne Bady and me. Several other Ford awardees also participated in this trip.)

We met in Oaxaca, Mexico, where Rufino and other community-based leaders organize and educate workers about their rights on both sides of the border. FIOB neither encourages nor discourages the Mixteca from migrating to the U.S., but encourages them to hold dear their culture and language. Our trip included visits to Juxtlahuaca and Tijuana, Mexico, as well as San Diego and Fresno, Calif., where FIOB has its main office.

Oaxaca is both a city and a state in southern Mexico, rich in indigenous cultures, including the Mixteca people who have survived for centuries against monumental odds. As another Ford awardee, Salvador Reza from Phoenix, Ariz., put it when asked why he wanted to visit Oaxaca he said: “I am going to learn from a community that has existed since time immemorial, a community that has survived the Spanish onslaught called conquest, has survived the independence wars of Mexico, has survived the official politics of Indigenismo always attempting to rob their lands, their language, their culture for a consumer society that has no inkling of what it means to be close to the land. Despite all of this, it is a community that has retained their language, their customs, and their traditions on both sides of the artificial geographic line called the “Border.”

Hmmm. “Rob their lands...their culture...” That sounds familiar.

After reading Salvador’s statement, I began to realize that maybe we, in West Virginia, could learn from these ancient Mixteca people “new” ways to preserve our own mountains, communities, and culture from King Coal and the politicians who are robbing us Appalachian people of our mountains and their natural wealth, communities and culture.

We began our trip from the city of Oaxaca, where

about six hours away – zigzagging over mostly narrow, winding mountain roads (including a stretch known as the “ Devil’s Backbone”). The summer-like weather and azure skies was a welcome relief from the sub-freezing temperatures and the leaden skies of home.

When we arrived in Juxtlahuaca, a

lovely town nestled in and surrounded by mountains, the trees outside our first meeting place were teeming with familiar Cattle Egrets and melodious Great-tailed Grackles.

Just like in West Virginia, the people in Mexico hold meetings to discuss community issues. At every meeting we attended, we were introduced and warmly welcomed. Aided by a talented and personable tri-lingual interpreter, Irma Luna, fluent in her native Mixteca, Spanish and English, each of us visitors spoke briefly about our work in our home communities.

Although we are fighting different problems and undoubtedly, the economic inequities suffered by the Mixteca people are greater than those in southern West Virginia, some root causes were very similar: politicians and bureaucrats who turn a deaf ear to injustices, groups of people who are marginalized to facilitate exploitation of their resources and labor, and governments at all levels not enforcing laws.

Similarly, the leadership to bring about positive change in communities emanates NOT from governments and politicians, but from the grassroots – regular people who are taking active leadership roles in community groups like FIOB (and OVEC).

I was truly impressed by the high degree of organization within FIOB, on the local, district (or county), regional, state and bi-national level. These leaders are elected by the grassroots; and if their leaders fail to do what



**Typical "housing" for migrant farm laborers, adjacent to strawberry fields near San Diego, Calif.**

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## Broken Dreams

*continued from page 18*

is expected, they can be expelled from the group. Local organizations do their own fundraising – an area where women and other family members play a major role.

But what about those strawberries I mentioned at the beginning? The absolute worst living conditions observed on the entire trip were in San Diego, Calif. (see photo). After crossing the border in Tijuana, we waited at a large strawberry field feasting on succulent strawberries. We were later joined by some leaders who help migrant farm laborers who led us down paths adjacent to the fields, among shrubs and small trees where the laborers lived.

We saw neither housing, nor facilities for bathing or cooking; but instead, makeshift shelters – not even what most of us consider a decent campsite. A hole with water was used for bathing. How embarrassing to know that while

these workers put food on our tables, they are not provided basic needs of food; clean, potable water; and shelter!

I'm reminded of a quote by theologian Walter Wink: *"Those of us who now enjoy affluence and freedom as well as power are predisposed to believe that benign forces shape our destiny. But to the extent that our blessings are incidental by-products of our citizenship in nations that currently enjoy domination status over others, our well-being may be more a result of flagrant injustice than divine providence"* (from *Engaging the Powers*).

We fail to remember that our blessings and abundance often come to us at the expense and exploitation of much of the rest of the world's people

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