



Winds of Change

the newsletter of the

Ohio Valley Environmental Coalition

Huntington, WV

www.ohvec.org

More Legal Victories Against Mountaintop Mining

Hobet Mining Co. is being forced to pay fines for violating its Clean Water Act Pollution Discharge Permit at its massive mountaintop removal mine in Lincoln County.

But, top Division of Environmental Protection officials say that the coal company can pay off part of its fines in boulders.

While DEP continues to have over 100 staff vacancies, it is happy to accept rocks as partial payment for Hobet's contamination of the Mud River area. Scientists say that pollution there is so severe it's causing fish to grow two eyes on one side of their heads, spine deformities and the potential ecological collapse of the fish habitat in a large recreational reservoir downstream from the mines.

The fines are in response to one of our selenium lawsuits, both of which are serving to expose the WV DEP's cozy relationship with an industry it's supposed to regulate.

The following news articles detail these latest legal developments and also, we hope, will move you to help us demand a better DEP. Take action by visiting www.ohvec.org and clicking on "Safe Water and a Strong DEP."

Hobet's 20 square miles of lopped off mountains and buried streams, with serious water problems

Judge Orders End to Selenium

by Ken Ward Jr., Charleston Gazette, June 1, 2008

A federal judge has, for the first time, ordered a West Virginia coal operator to stop discharging illegal levels of the toxic mineral selenium into state streams. U.S. District Judge Robert C. Chambers gave Apogee Coal Co. four



Rocks and boulders left lying around after Hobet Mining got done rearranging the Mud River.

months to clean up its selenium discharges in Logan County. downstream, seem to contradict the claim made by some Friends of Coal that mountaintop removal (MTR) actually makes the land better.

Violations at Logan MTR Mine

months to clean up its selenium discharges in Logan County. *continued on page 3*

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"I'm really surprised the big deal everybody's making about the rocks," DEP Secretary Randy Huffman said to the Associated Press (AP). He said the agency routinely includes non-cash items in settlements. "The main thing is, it sends a strong message."

OVEC Executive Director Janet Keating told AP the DEP is letting Hobet off easy. Operations at Hobet produce literally mountains of rock. She asked, "How about money? How about cold cash and maybe hiring more inspectors? How about filling the 100 vacancies they have in DEP?"

Corp's Complacency Allows Continued Destruction

In a rush to beat the legal system, Hobet Mining Company has already destroyed miles of streams that community groups sought to save from expanded operations at the Hobet mountaintop removal coal mine. However, the mining company is required to do its duty under the Clean Water Act and limit the amount of toxic selenium it releases into local waterways. In addition, Hobet must take additional measures to attempt to reclaim the land affected by their mining operation.

"It's high time that West Virginia state agencies stop giving coal companies a free pass for mountaintop removal. Selenium limits and other safeguards are there to protect the health of our citizens, and it's about time the Manchin administration starts enforcing them. I'm glad to see that is finally beginning," said Jim Sconyers of the WV Chapter of the Sierra Club.

Shrouded in secrecy by the U.S. Army Corps of Engineers, and protected by the complacency of public officials, the proposed mine expansion was approved without the opportunity for public input and failed to include limits for selenium, which when released into the environment by mining, causes deformities, reproductive failures, and the eventual collapse of fish population in nearby waterways. **This case is yet another example of the failure of the Corps pandering to coal companies.**

"It's neither fair nor morally correct to have eliminated the communities of Mud, Berry Branch and others to make way for the continued pollution from the over 20 square miles of mining at this Hobet operation," said Cindy Rank with the West Virginia Highlands Conservancy.

"The sad reality is that once again the citizens have to force the government to do its job," said Vernon Haltom, co-director of Coal River Mountain Watch. "The Department of Environmental Protection should have already been enforcing selenium limits. The Corps is complicit in issuing permits without public involvement, covertly issuing permits in such a manner that the citizens' rights to clean water are trumped by the coal company ready to fill streams at the drop of a hat. The politicians of this state care only about one industry's corporate welfare, to the extent of encouraging illegal activities that impact the rest of us."

"When I heard that the streams at Hobet 22 had been hastily destroyed, my heart sunk; and frankly, the governor's 11-hour involvement is too little, too late. Where has he been for the last four years? Many citizens are suffering as a result of illegal mining activity. As governor, he should be serving everyone's interests; after all, most West Virginians



Aerial view of Sylvester (upper left) and part of the impoundment that looms over it. Unseen is the massive lake containing billions of gallons of toxic sludge.

are concerned about quality of life, healthy families, and the future of our state," said Janet Keating, OVEC's Executive Director. 🍄

Persistence Pays! OVEC Members Win Sludge Warning System

Boone County contains 19 coal sludge impoundments high in the mountains, and numerous sediment ponds sitting above neighborhoods and communities. Sludge dam breaches and failures have happened before in West Virginia, and residents fear that homes and neighborhoods could be annihilated with little or no warning if there were a major impoundment failure.

For the past four years, Boone County residents and OVEC's Boone Organizing Team have worked hard, and this Reverse 911 system is now up and operating! The people in Sylvester got their first test call on July 15, 2008.

This system will supply folks in Boone County with information on what to do if one of the area sludge dams breaks. This could potentially save many lives.

Thanks to all of the dedicated volunteers who made this happen – this was quite a long effort! The active involvement of people from throughout Boone County showing public officials that there was widespread concern, was instrumental to our success.

We would also like to thank the Boone County Commission and Greg Lay of the Boone County Office of Emergency Services for their commitment to the people whom they represent. Now let's get to work on the individual community evacuation plans. 🍄

Judge Orders End to Violations

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Chambers gave Apogee, an arm of Magnum Coal, (until July 24) to submit a plan containing a compliance schedule. The company has 90 days after that to implement the plan or show the judge why it cannot do so.

“In passing the (Clean Water Act) Congress made a clear policy choice in favor of environmental protection,” Chambers wrote in a 20-page decision. The judge added, “There is no exception to permit compliance because such compliance is expensive.”

Chambers issued his ruling on May 27 in one of two lawsuits environmental group lawyers have filed against Magnum Coal operations over the company’s repeated selenium discharge violations.

The Ohio Valley Environmental Coalition and the West Virginia Highlands Conservancy filed citizen suits against mine operators after inaction by the state Department of Environmental Protection to stop the violations.

“DEP has been trying to get out of actually enforcing selenium limits in all of these permits,” said Cindy Rank, mining chairwoman for the Highlands Conservancy. “We have to be grateful to Judge Chambers that he recognized that was just not adequate.”

Selenium, a naturally occurring element found in many rocks and soils, is an antioxidant that is needed in very small amounts for good health. But in slightly larger

amounts, selenium can be highly toxic... In 2003, a broad federal government study of mountaintop removal coal mining found repeated violations of water-quality limits for selenium in water downstream from mining operations.

The following year, a report from the U.S. Fish and Wildlife Service found troubling levels of selenium in fish downstream from large surface mines.

Coal industry lobbyists have tried - so far unsuccessfully - to persuade lawmakers and the DEP to relax West Virginia’s selenium limits.

The Manchin administration moved instead to give nearly 100 coal operations **three more years** to fix violations of their selenium permit limits. Environmental groups are challenging about two dozen of those DEP compliance orders before the state Environmental Quality Board.

In a related case (**filed by OVEC and West Virginia Highlands Conservancy**) pending before Chambers, selenium expert Dennis Lemly has warned that pollution from another Magnum operation is dangerously poisoning Mud River fish, leaving some with serious deformities.

Fish samples taken by state officials showed some specimens with two eyes on one side of the head, and others with curved spines, according to a report filed by Lemly last month.

Mines’ Selenium Extensions Wrong, Appeals Board Finds

Excerpted from an article by Ken Ward Jr., Charleston Gazette, June 13, 2008

The Manchin administration must revisit two dozen orders that gave coal operators three additional years to fix selenium pollution violations, a state appeals board ruled Thursday (in response to a case filed by attorneys from the **Appalachian Center for the Economy and the Environment** on behalf of **OVEC, West Virginia Highlands Conservancy and Coal River Mountain Watch**).

Environmental Quality Board members unanimously ruled that the Department of Environmental Protection wrongly gave the coal industry a blanket extension of time to comply with selenium limits.

In a 46-page decision, board members ordered DEP to come up with site-specific compliance schedules within 30 days. Companies affected include subsidiaries of

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OVEC is a founding member of Community Shares of West Virginia and a 501(c)(3) non-profit organization.

Selenium Extensions Wrong

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Massey Energy, Magnum Coal and CONSOL Energy Inc.

Board members sided with coal company lawyers on a variety of legal issues in the case, but also harshly criticized the industry and DEP for a slow and ineffective response to growing concern over selenium runoff from mining operations...

Mining Company to Pay \$1.48 Million Selenium Pollution Fine

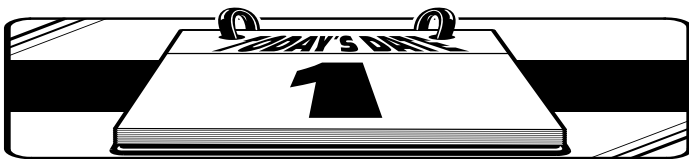
Excerpted from an article by Ken Ward Jr., Charleston Gazette, July 13, 2008

Hobet Mining Inc. will pay a nearly \$1.5 million fine to resolve a lawsuit by state regulators over repeated selenium water-quality violations from its sprawling mountaintop removal operations along the Lincoln-Boone county line.

(Ed. Note: The only reason DEP moved to sue Hobet was because OVEC and the West Virginia Highlands Conservancy began our own citizen enforcement actions. By law, if state regulators are diligently pursuing their own case, environmental groups can't file citizen lawsuits.)

Hobet also will give the West Virginia Department of Environmental Protection \$500,000 worth of rocks (that

Go Green for A Day of Action



Sept. 16: 5 p.m.-6 p.m., Rally at the Capitol for the Coal River Mountain Wind Project and "Safe, Union Jobs Forever!" Go to WWW.COALRIVERWIND.ORG.

Sept. 26-27: Educational symposium to address the impacts of the extraction industries on our educational system in West Virginia. Contact lorelei@crmw.net for more information.

Sept. 27: Picnic in Mingo County for Green Jobs and Safe Communities starting around noon (location TBA). Evening events include a panel discussion and movie about the proposed wind project. Visit WWW.WESTVIRGINIAFUTURE.ORG for more information.

Sept. 27: Green Jobs For All National Day of Action. Celebrate by joining us at the educational symposium in Charleston, which will include a field trip to Marsh Fork Elementary, or join us at the community picnic in Mingo County. Hope to see you there!

In its ruling, signed by Chairman Ed Snyder, the environmental board made it clear that it thinks DEP and the industry are still not moving quickly enough.

"What is perhaps even more amazing is how little the WVDEP seems to expect from the coal industry," the ruling said. "WVDEP and the coal industry are asking for more time and yet the lack of urgency continues."

is, boulder-sized rubble created when the company blasts the mountains), perform two studies of selenium impacts, and get credit for \$1.5 million in "supplemental environmental protections," for installing selenium treatment systems at its mines.

The DEP plans to move the boulders to Coal River and use them for "aquatic restoration."

As part of the deal, DEP officials are giving Hobet nearly **two more years** to stop those pollution violations.

A national expert on selenium has warned that the pollution is poisoning Mud River fish, leaving some with deformities and pushing the river ecosystem "to the brink of a major toxic event."

DEP Secretary Randy Huffman is fighting a state appeals board ruling that ordered his agency to more closely scrutinize industry efforts to clean up selenium pollution.

However, environmental group lawyers are hoping that federal court lawsuits will stop the industry and the DEP from continuing to delay compliance with West Virginia's water-quality limits for the toxic mineral.

"For six or seven years now, the operators and the DEP have known that the coal industry has a huge problem with selenium," said Joe Lovett, lawyer with the Appalachian Center for the Economy and the Environment.

"We have tried to ensure that the state actually enforces the law, but the state is doing everything it can to allow the industry to violate the law."

Goodbye, Tony

OVEC extends our deepest sympathies to the family and friends of Tony Seaton, who passed away on July 7. Tony was working as a journalist for HUNTINGTONNEWS.NET and was a strident opponent of mountaintop removal. Many OVEC volunteers knew Tony and we are all saddened by his passing. Tony, you will be missed!

WWW.COMMUNITYSHARESWV.ORG/

Cabell Co. Democratic Delegates Pass Resolution Opposing Mountaintop Removal, Supporting Underground Mining

Our thanks goes out to OVEC member Robin Blakeman, who initiated a resolution opposing mountaintop removal/valley fill mining that was passed by the Cabell County Democratic convention at their April 12 meeting (Huntington is in Cabell County).

Former Huntington mayor Bobby Nelson and former House of Delegates member Susan Hubbard worked together with Robin to author the Cabell County resolution.

The Young Democrats Caucus brought a similar resolution to the WV Democratic party meeting on June 13 and 14. Danny Chiotos was a driving force behind the Young Democrats' resolution. Neither resolution passed the entire Democratic party vote in June, but a vigorous discussion was held there that demonstrated the growing opposition to mountaintop removal in West Virginia. The Cabell County resolution says, in part:

Whereas we, Cabell County & West Virginia Democratic party convention delegates, are highly concerned about the health and well-being of our state and regional natural environment, and about the overall health and well-being of our residents;

Whereas we respect the role of coal mining in WV's economic and socio-political history, and we continue to

OVEC Adds Mingo County Native to Help Organize and Empower Southern WV Coalfield Communities

Hello, my name is Shana Hughes. This summer I am interning for OVEC by serving as the outreach coordinator in Mingo County. I grew up in Delbarton, in Mingo County, and just graduated with a degree in social work from Marshall University.

From Mingo County to DC, Lobbying for Change in WV

by Carolyn van Zant

I have made three trips to Washington D.C. to lobby for the Clean Water Protection Act (H.R.2169), and they have been among the most rewarding experiences of my life. I have encountered some of the most inspiring people I've ever met, ranging in age from early twenties into the seventies.

I've learned that there are alternatives to coal but no substitute for water. Every time a permit for mountaintop

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support responsible, regulated underground mining – preferably employing UMWA miners - we now stand with the majority of West Virginia citizens, the West Virginia Council of Churches, and a variety of environmental, historical and civic groups who oppose further use of the process called “Mountain Top Removal (MTR) Coal Mining”;

Whereas Mountain Top Removal Coal Mining has led to significant negative impact on more than 1,200 miles of Central Appalachian streams, with 750 miles of those streams now permanently buried under huge valley fills necessitated by MTR mining;

Whereas more than 300,000 acres of hardwood forest has been destroyed by Mountain Top Removal mining, and whereas the health of citizens in MTR mined areas has been significantly impacted through polluted water, flooding, and air pollution caused by these mining operations;

Whereas we would like to see increased economic diversification and the development of renewable/ “green” energy resources (including wind-, solar- and water-based resources), instead of the mono-economic focus on coal-fueled power sources.

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Shana Hughes

This summer, we are forming a community group to bring people together to protect and strengthen our communities. I am working with people from Rawl, Delbarton, Williamson, Lenore and other places in the southern coalfields that have been damaged by strip mining. The group does not have a name yet, but we will be voting on one soon.

I helped organize meetings in Varney and Chatteroy to inform people of a proposed MTR mine in the area. The *Williamson Daily News* ran a long story (see page 23).

The proposed mine would be over 2,000 acres, have at least 12 valley fills, and stretch from Delbarton to Rt. 119. Sediment from the mine would empty into the Buffalo Creek Watershed and also affect the Miller Creek Watershed.

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Mingo Intern

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The local group in Mingo County is looking for ways to increase job opportunities. We are currently working on a wind power project to discuss setting up small community wind projects.

The vision is that a company will provide green energy for the surrounding neighborhoods, and hopefully provide more jobs for the region.

This internship is an exciting experience, and I really enjoy working for OVEC.

I am looking forward to all the good things our community group is doing. 🍄

Lobbying for Change

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removal is granted, the way is cleared for headwater streams to be buried. These headwaters contribute to the water supply for all of America; once they are buried they are never coming back!

Some members of Congress seem to grasp the absurdity of blowing up our mountains to quickly extract a mere 5 percent of our coal supply. They are from such diverse areas as Michigan, Missouri, Oregon and Rhode Island.

There are supporters of the H.R.2169 from Kentucky, Virginia and Tennessee, **but not one congressperson from West Virginia is willing to do anything to stop the destruction of our mountains.**

The representatives from West Virginia are in some cases supporters of this most environmentally destructive practice and are supporting the coal companies' rush to our destruction.

Clearly the people of West Virginia need representatives who will protect their right to a clean

Major Mountaintop Removal Lawsuit Appeal Scheduled for Sept. 23

On September 23, the Fourth U.S. Circuit Court of Appeals in Richmond, Va., will hear arguments in our mountaintop removal lawsuit.

The coal industry lawyers and the U.S. Army Corps of Engineers are appealing two related rulings (victories for our side!) by U.S. District Judge Robert C. Chambers to curb mountaintop removal.

The *Charleston Gazette* reported that in a March 23, 2007, ruling, Chambers concluded that the corps had not fully evaluated the potential environmental damage before approving four Massey Energy strip-mining permits. Citing

TAKE ACTION!

Learn how to read a permit. The more people who know where to find the key parts of a permit, the better equipped we will be to impact DEP's decisions and make sure coal companies follow the law. We need all the help we can get here in Mingo County! **If you would like to join us in learning how to find useful information in a permit, call (304) 475-2529 and leave a message.**

Shana is seeking volunteers to go with her door-to-door in areas in Mingo County that have been or could be impacted by mountaintop removal, flooding or sludge impoundments. **If you want to help by handing out fliers, making phone calls or knocking on doors, please call (304) 475-2529 and leave a message.**

Whether you live in Mingo or anywhere else in West Virginia, help us collect signatures on a petition to hold the DEP accountable. Visit www.OHVEC.ORG and print a copy of our petition, which calls on the legislature to investigate the DEP and the millions of dollars in fines that remain uncollected from polluters. **Still have petitions sitting around? Please fill those puppies up and mail them to P.O. Box 212, Rawl, WV, 25691.**

environment. How can West Virginia convince its senators and members of Congress to protect the people and environment of the state of West Virginia? 🍄

the "alarming cumulative stream loss" to valley fills, Chambers ruled that the corps needed to more thoughtfully consider a mine's potential impacts before granting a permit.

In a second ruling on June 13, 2007, Chambers concluded that the Clean Water Act does not allow coal operators to build in-stream sediment ponds at the bottom of valley fills.

OVEC, Coal River Mountain Watch and the West Virginia Highlands Conservancy, represented by the **Appalachian Center for the Economy & the Environment** and **Earthjustice**, filed the lawsuit. 🍄

Water Testing, Health Problems In Boone County



In July, members and supporters of Sludge Safety Project met with scientists who sampled water wells and streams along Prenter Road (Rt. 5) in Boone County.

About 12 homes were tested as part of an effort to address people's concerns that polluted groundwater may be affecting their health. The testing is part of a community partnership with an EPA Community Action for a Renewed Environment (CARE) grant.

After the day of testing, local residents met to prioritize environmental concerns that could be addressed with the CARE partnership.

Foremost on people's minds was the need for emergency water in the community.

Many people were concerned about the hazardous substances used in the coal mining process and the lack of accountability for the use and disposal of these chemicals.



New toilets in the Prenter area quickly turn into biology experiments.

A nurse who has been conducting health evaluations with Prenter-area people has recorded 80 people with gall bladder disease. The nurse has observed about 3 percent of the population around the Charleston area having the disease, whereas 98 percent of all the folks she has seen from the Prenter area have the disease.

Children in the area are having their teeth literally dissolve, and people fear that the bad water is the cause of this grave problem.

People living near Lavinia Creek have reported thick layers of foam coursing down the stream at times, likely from the mining activity because no one lives in the area where the foam is originating.

Sludge Safety Project will continue to work with Prenter-area folks to demand clean water. ♻️

Sludge Safety Project Has Internship Opportunity Now for 2009 Session

The Sludge Safety Project (SSP) seeks an intern to help West Virginians build citizen power for the 2009 legislative session. Depending on skills and experience, the legislative intern will perform the following tasks:

H Coordinate citizen lobby days at least weekly. This includes sending mailings, making phone calls and making sure people have rides to get to the Capitol; keeping track of where legislators stand on our issues; preparing for each lobby training; and offering general support.

H Develop and improve informational packets and outreach

materials such as postcards and letters to educate and move citizens to take action (make phone calls, meet with their legislator, write letters to the editor, etc.).

H Regularly check in with allies and lobbyists with the West Virginia Environmental Council, Council of Churches and Clean Elections; and stay informed on recent information, health articles, etc. pertinent to sludge safety.

H Provide updates to the group.

H Set up meetings between citizens and their legislators to

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Cabell County Resolution

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Be it resolved that Cabell County convention delegates call for the following:

👉 Re-apportionment or increase of the coal severance tax in order to provide additional investment for renewable/green energy resource development, and repair to the infrastructure (water, soil and forest ecology, schools, etc.) already damaged by MTR operations, and **for re-training of currently employed MTR operation workers who are**

residents of this state.

👉 Further study of the long term environmental, physiological and sociological effects of MTR coal mining, sludge impoundments and coal processing plants on the health of adjacent communities, and on the watershed of the Kanawha and Ohio river systems.

👉 An immediate end to new permits for Valley Fills and/or Mountain Top Removal Mining Operations in this state.

👉 Full enforcement of all existing state and federal level environmental legislation. ♻️

SSP Intern

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discuss important issues as needed.

Desired Skills and Qualifications Include:

H Strong interpersonal skills, not afraid to pick up the phone or meet new people.

H Attention to detail and well organized. Dependable, on time, self-motivated, able to work with limited supervision.

H Basic understanding of the issue of sludge and water in the southern West Virginia coalfields.

H Basic understanding of the role legislation has in making change.

H Able to create Word documents and send through e-mail. Experience with graphics and mail merge a plus.

H Lobbying experience a plus.

Location:

Internship involves some travel. Preferred base of operation is Charleston, WV. Must be available to be at the State Capitol at least two days per week.

Compensation and Hours:



Full- or part-time starting ASAP and committing through April 2009, the end of the legislative session. Stipend and mileage reimbursement provided, depending on commitment and experience.

How to Apply:

Send an e-mail to patricia@sludgesafety.org or call (304) 235-2618. Deadline is rolling until we fill the position.

What is Sludge Safety Project?

SSP is a coalition of OVEC, Coal River Mountain Watch, Concerned Mingo Citizens and others working for clean water and community safety in the midst of coal waste sludge impoundments and underground coal sludge injections. We provide support to communities by building a capacity to organize and connecting people to resources that will support their efforts. We offer a forum for communities to work together across county lines for solidarity and policy change in the state. 🍄

Books and Films and CDs

Wow! There sure are a lot of books, films and music out now that document the movement to end mountaintop removal, and they provide an easy way to spread the word. Here's a roundup of some of the newer ones (and some that have recently been in the news) that feature the work of OVEC members.

Music

CO2AL Train To Amos. You can order mp3's of songs from Peter Britton's *Hollow Girl*, a musical-in-progress. If you order the mp3's online, a portion of the proceeds go to OVEC. Hear and buy the songs at CDBABY.COM/CD/PETERBRITTON.

Documentaries

In January, more than 125 folks attended the premier of *Rise Up! West Virginia* at the LaBelle Theatre in South Charleston. Get involved with screening this moving, motivating film. See WWW.PATCHWORKFILMS.COM/WVHILLS.HTM.

On Earth Day (April 22), OVEC sponsored the WV premier of independent filmmaker David Novack's *Burning the Future: Coal in America* at the WV International Film Festival in Charleston. On May 13, the film debuted on national TV on the Sundance Channel. Order the DVD, complete with a take action/learn more section, at WWW.BURNINGTHEFUTURE.ORG.

Michael O'Connell's film *Mountain Top Removal* won the Nashville Film Festival's 2008 Reel Current Award,

given to a documentary that provides extraordinary insight into a contemporary global issue. Al Gore chose the winner and presented the award. Coal River Mountain Watch's Ed Wiley and his granddaughter Kayla Taylor, who are featured in the movie, met Al Gore at the awards ceremony. The film also took second place at Huntington's Appalachian Film Festival. Learn more and buy the DVD at WWW.HAWRIVERFILMS.COM.

Catherine Pancake's film *Black Diamonds* screened at the Metropolitan Museum of Art in New York City in February and March. To order, see WWW.BLACKDIAMONDSMOVIE.COM.

Books

A review on Amazon.com states, "One of the most important books WVU Press has published to date is *Bringing Down the Mountains*, by Shirley Stewart Burns... The author is the daughter of a coal miner and knows firsthand what devastation this practice wreaks ... If you care about Appalachia, the most diverse temperate forests in the world, a major source of water... read this book." Order at WWW.WVUPRESS.COM/CATALOG/INDEX.PHP.

The No. 1 *New York Times* bestseller, *50 Simple Things You Can Do to Save the Earth* is back, and this time, the authors have joined forces with 50 leading environmental groups – including OVEC! We're excited to be one of the 50 groups chosen as partners in the new edition. Order at 50SIMPLETHINGS.COM/BOOKS.HTML. 🍄

Bob White Listed Among Planet's Disappearing Destinations

Boone County's OVEC organizing team is hard at work and we've been having meetings as we need them.

Here, we recognize that we have an obligation to our children and grandchildren to stop mountaintop removal from destroying our culture one community at a time. Learning to organize your own neighbors in the impacted communities is key to our success.

If you aren't sure about what mountaintop removal is doing to our county, join with OVEC and the great volunteer pilots from SouthWings (www.southwings.org) to get a bird's eye view. Several of your neighbors have already taken flyovers to see, often for the first time, the vast sprawl of mountaintop removal above our communities. Thirty folks are already on the waiting list for upcoming flyovers.



Our congratulations to OVEC board member Larry Gibson and Carol Kirkpatrick, who were married on August 9!

Take part in a National Day of Action on October 11, 2008, along with OVEC, Coal River Mountain Watch, WV Highlands Conservancy, Earthjustice, Sierra Club and others to help end mountaintop removal. Take your camera with you if you're in the mountains and add your photo to the world's largest virtual mountain range at WWW.STOPMOUNTAINTOPREMOVAL.ORG.

Our virtual mountain range will tell the coal companies and the politicians who support them that we will stand together to protect our mountains. **Be sure to sign the on-line petition and consider hosting a house party to gather more signatures.** See the above website for more info. 🍄

A new book, *Disappearing Destinations*, by Kimberly Lisagor and Heather Hansen, documents 37 places around the planet that are in peril and what can be done to help save them. Places in Appalachia such as Hawks Nest in Fayette County and Bob White in Boone County are listed alongside places like the Amazon and the Florida Everglades. See WWW.ENDANGEREDPLACES.COM.

Happening Now In Boone County

m Coal trucks are running amok in Boone County. Speak up for your community and attend Public Service Commission meetings. Call (304) 245-8481 for info. In the meantime call in your complaints to the PSC at **1-866-SEE-TRUX** or **866-733-8789**.

m Thanks to a national effort, water-testing training is coming to Boone County. Let us train you on how to test your water and how to read the results you find. Get your name on the list of trainees now. Call (304) 245-8481.

m Be a stream saver in your area. Keep an eye on local streams and call in complaints to the DEP on blackwater spills. The **spill hotline number is 800-642-0490**. Keep a good record of the conversation (dates, time, and who you talk to). Follow up on the complaint to see that it is investigated. 🍄

TAKE ACTION!

There are many ways volunteers can get involved in their communities to make a difference, so please give us a call and let's all stand our ground together.

Contact us for more information about any Boone County events or opportunities – call (304) 245-8481 or e-mail vw hollowgirl@gmail.com.

And no matter where you live, **take action!** Write letters to the editor of the local papers and to your representatives. Sign up for online action alerts. Click on "action alerts" at WWW.OHVEC.ORG.

Become an OVEC member today! If you are active and not a member, please join. If you are a member already, please ask a friend about joining. **Let's build our strength by building our numbers.**

Thugs and Bullies Beware: The Whole World is Watching You

On May 29, members of OVEC and Coal River Mountain Watch held a press conference at the State Capitol to expose the increasing harassment and threats we've received from some in the coal industry.

West Virginia author, religious leader, and former gubernatorial candidate Denise Giardina began the press conference with a prayer. Denise noted that we all have an obligation to speak against and witness the atrocity of mountaintop removal, and we have the right to do so without fear of violence.

Participants asked the media and law enforcement to take seriously our reports of threats and harassment. We called upon the governor and other state government officials, coal industry leaders, and union leaders to refrain from inflammatory statements that could incite violence against citizens seeking to protect their communities from mountaintop removal.

Mountaintop removal supporters have recently accused opponents of being anti-family extremists out to ruin the state and economy and take coal employees' jobs, among other things. As these utterances escalate, so do the threats, harassment, and property vandalism endured by those who take a stand against mountaintop removal.

"I've been threatened, and my family and home have been threatened. I've had to take extra security measures, simply because I don't want any further damage to my home and community from mountaintop removal," said OVEC's Maria Gunnoe, who lives in Boone County. "No American, no one anywhere, should endure intimidation for speaking out for their rights to protect their health and their property."

Retired coal miner Chuck Nelson said, "We demand that our government and its state agencies make it



Denise Giardina speaks at the State Capitol press conference while Judy Bonds (left) and Maria Gunnoe (center) look on. *photo by Mark Schmerling*

a priority that justice be served, and that democracy and our constitutional rights be upheld. Our state government should not be depriving certain individuals or certain groups of their civil rights."

"As citizens of the US, we have a right to free speech without fear of injury to ourselves, our families, our property, and our innocent pets," said Judy Bonds of Raleigh County. "If the strip job workers or their employers do not like what we do, then they should find a way to express their dislike other than through violence and threats."

"Mountaintop removal is a subject worthy of debate, but we need to consider our words and our actions," said Mari-Lynn Evans, who filmed *The Appalachians*. "One thing we must learn is that there is no place for violence." A worker objecting to her filming told Evans that she would be found "dead in the woods" if he was filmed. 🍄

De-Escalating Bullying Through Training to Handle Volatile Situations

Tensions and threats of violence are on the rise in the coalfields. As residents win more victories and speak out about mountaintop removal, the opposition has become more hostile and vocal.

Increased threats have left some residents afraid to leave their homes unattended, and activists face a greater likelihood of encountering angry opposition at meetings, events and rallies. To help people deal with potentially volatile situations, OVEC hosted a non-violence/de-escalation training session on June 29 in Charleston, WV.

Nadine Bloch, an activist with Oil Change International, and Andrew Miller, with Amazon Watch, facilitated the training. Twenty people attended, including

several OVEC staff, board, and members, along with folks from Coal River Mountain Watch, Kentuckians for the Commonwealth, the Sierra Club, and West Virginia native Kathy Mattea.

As part of the training, participants identified upcoming events that could be potential flash points and brainstormed ways of heading off violence.

Both Bloch and Miller want to continue working with OVEC on the issue of mountaintop removal. After the training, they suggested several ways in which they could be of assistance, including the possibility of hosting an awareness/fund-raising event in Washington, D.C., when OVEC representatives are there. 🍄

Wind Farm or Mountaintop Removal on Coal River Mountain?

Excerpted from an article by Fred Pace, Beckley Register-Herald, June 3, 2008

Wind farming or strip mining? Which energy extraction method should be used on Coal River Mountain?

Residents of (Raleigh County), with the support of environmental and community organizations such as Coal River Mountain Watch, the Ohio Valley Environmental Coalition, Appalachian Voices and the Sierra Club, asked the Raleigh County Commission to support a proposed wind farm, which they say offers more long-term economic, social and environmental benefits to the county...

Lorelei Scarbro of Rock Creek said she owns 10 acres that are at risk due to four massive strip mining permits for Coal River Mountain that would level 6,600 acres and lead to the construction of 19 valley fills, 14 of which would impact the Sycamore Creek watershed.

"These permits haven't been issued yet," she said. "These mines would be at the heads of Horse Creek, Dry Creek and Rock Creek, and will surround nearly the entire length of Sycamore Creek, which is considered to be the most pristine stream in the area."

Scarbro said many residents living in the proposed strip mining area favor an alternative – wind power. "We want Raleigh County to be in the forefront of renewable energy sources."

Rory Mcilmoil of Coal River Mountain Watch told commissioners that in the latter months of 2006, Dr. David Orr, a professor at Oberlin College in Ohio, (commissioned) a study of the wind potential on Coal River Mountain.

"The study was conducted by WindLogics, a

nationally recognized wind modeling and development firm, and it showed that the ridges along Coal River Mountain exhibited strong Class 4 to Class 7 average annual wind speeds," Mcilmoil said. "It was found that Coal River Mountain has enough wind potential and land area to accommodate 220 two-megawatt wind turbines.

Calculations showed that this was enough energy to power over 150,000 homes or over 90,000 total electricity customers, including residential, commercial and industrial units."

"So far, we have been in contact with two interested companies, and it also would have the strong support of both local and national organizations interested in supporting sustainable community development initiatives in Appalachia," Mcilmoil said. "Not only would the development of a Coal River Mountain wind farm be more economically beneficial in the long term that the

proposed mountaintop removal would, it would result in the preservation of the mountain for the development of other economic alternatives, such as tourism, sustainable timber harvesting, hunting and fishing, and providing the resources for local craft and furniture production. Raleigh County could ultimately serve as a model for other counties in southern West Virginia facing a post-coal future." 🍄



WIND POWER FACTS

Author Jeff Biggers writes that the Coal River Mountain Wind Project would:

- ✓ Create 200 local employment opportunities during construction and 50 permanent jobs. It takes only 35 years for a wind farm to provide a greater number of one-year jobs than the proposed four surface mines *combined*.
- ✓ Allow for concurrent uses of the mountain, including harvesting of wild ginseng and valuable forest plants, sustainable forestry and mountain tourism, as Coal River Mountain is one of West Virginia's finest mountains.
- ✓ Preserve Coal River Mountain's heritage, and protect the communities from blasting, dusting, poisonous drinking water, increased flooding, damaged homes and personal property, and devastating wildlife habitat.

...The realities of global warming and climate change, and the brutal process of extracting coal, should remind us that it is not too late (for all of us) to be a part of this exciting new energy future for Appalachia, and the entire country. 🍄



TAKE ACTION!

In July OVEC staff facilitated a meeting between Coal River Wind Project proponents and the union organization Affiliated Construction Trades Foundation. ACT is willing to help us contact wind energy companies.

You can help move this project forward too. Visit WWW.COALRIVERWIND.ORG to learn more and take action.

Faith in Action

As Decision Approaches, A Call for Peace in the Coalfields

from WV Council of Churches' Government Concerns and Peace and Justice Programs

Arguments will be heard on Sept. 23 in a West Virginia case being reviewed before the Fourth Circuit Court in Richmond, Va.

This case is the appeal of an October 11, 2007, decision by U.S.

District Judge Robert Chambers prohibiting a coal company from starting new valley fills at Jupiter Holdings' Callisto mine in Boone County. Judge Chambers ruled that permanent damage to streams and forests outweighed temporary and speculative economic harm to the company.

As the time for a decision on this appeal approaches, it is clear that whichever way the court decides, many West Virginia residents will consider themselves to be adversely affected. Some residents in the coalfield communities fear their homes and heritage will be lost and their health threatened by valley fills. Miners are worried about losing

surface mining jobs and the ability to support their families.

As people of faith, we feel it is of great importance to support all our fellow citizens involved in this situation by calling for calm, non-violence and reasoned dialogue surrounding this issue and the upcoming court decision.

Therefore, we invite people of conscience to a period of fasting and prayer for peace in our communities. We are designating the two weeks prior to September 23 as a Fast for Peace in the Coalfields, and our neighbors are welcome to select one or more days to join us in this effort.

Individuals or groups desiring to join the fast are asked to contact Carol Warren, chair of the Council of Churches' Government Concerns Program Unit, at peacelovemom@gmail.com to sign on. This will help us verify that people are participating each day throughout the two-week period of September 9-23, 2008.



Tell Congress It's Past Time to Pass the Clean Water Protection Act

It's time for Congress to stand up for what's right and put a stop to the devastation of our rivers, streams and headwaters.

The Clean Water Protection Act would protect our waters from being filled with millions of tons of waste from mountaintop removal mining.

Help us get the message to Congress that we will not stand for coal companies polluting our water! Please sign the on-line petition now.

Go to ACTION.EARTHJUSTICE.ORG/CAMPAIGN/CLEANWATER. See related story on page 5 for how OVEC members are getting involved.

Billboards Part of New Outreach, Website Campaign in Mingo County

Mingo County volunteers are working on a website, WWW.WESTVIRGINIAFUTURE.ORG, and we have two billboards up along Rt. 119 to spread the word.

The billboards advertise our call-in number, (304) 475-2529.

Success! People are calling in and getting involved.



You can call for updates on upcoming meetings. Please leave a message and someone will get back to you.

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

Family Cemeteries Another Victim of Mountain Massacre Mining

by Dianne Bady

A committee of OVEC and Sierra Club people are working toward the passage of a state law that will protect family cemeteries in the coalfields. We expect that the bill will be written before the 2009 legislative session begins in February, and we welcome your suggestions, questions, information and involvement.

Why are we working on the issue of family cemeteries? Because as a consequence of the mad rush to blow up mountains and dump them into valleys to get the coal out as quickly as possible, family cemeteries all over the coalfields are disappearing – and many more are now being threatened.

Cemeteries are yet another casualty of “cheap” coal – another heartbreaking loss that accompanies mountaintop removal, and the overture to global warming.

We’ve heard numerous stories about people being unable to visit their family cemeteries that are now surrounded by desecrated mountains.

State law requires coal companies to allow people to visit cemeteries, but mining companies are refusing to grant access. Our committee took a copy of the law to DEP and State Historical Preservation Office officials. The officials say that the law does not give any state agency the authority to enforce it.

Worse yet are the stories of cemeteries that no longer exist...the stories of people’s pain upon finding out that their loved ones’ and ancestors’ bones now apparently lie at the bottom of a valley fill or are part of the “overburden” used to shore up highwalls from old mining sites. Are family remains literally part of the “reclamation” that we hear so much about?

Walter Young of Mingo County tells of his vanished family cemetery:

“So the coal waste impoundment up above me

is being constructed each and every day now, ever since 2001, I guess. It’s being built in little stages, but upon completion and when full it will be 56-acres big, and could be allowed to expand. My ancestors were buried right at the toe of (what is now) that impoundment, in a little cemetery that I thought was safe. But it wasn’t. When they built the coal waste impoundment, they ran an ad in the paper and then removed the cemetery.

I called up one Memorial Day – my great-grandmother was buried there. And I asked the coal company, it being surrounded by mining, “What’s your rules or policy on me coming up to visit that cemetery?”

And they said, “That cemetery is no longer there.”

I said, “Where is it at? My ancestors were buried there.”

The boy on the phone at the mining company says, “Well I’ll find out for you and let you know.”

So he calls back a couple days later and says, “I’m returning your call about the cemetery.”

“Yeah? Right. Where’s my family at?”

“I’m sorry, that’s the reason I called. We don’t know.”

They didn’t know where they moved the cemetery to! Or the people that’s in the cemetery.”

Another Mingo County resident says, “I went to Kayford Mountain and looked at Mr. Gibson’s plight. I watched them set a drill right in the middle of a family cemetery that had been there over a hundred years. I watched them drill a borehole right in the middle of it.”

Stories like these will continue to multiply, and more and more pieces of our Appalachian past will disappear forever, unless we do something about it.

If you’d like to get involved or have information or suggestions, **please call Dianne at (304) 360-2072.** 🗣️

Gore: Mountaintop Removal an Atrocity; Clean Energy Needed Now

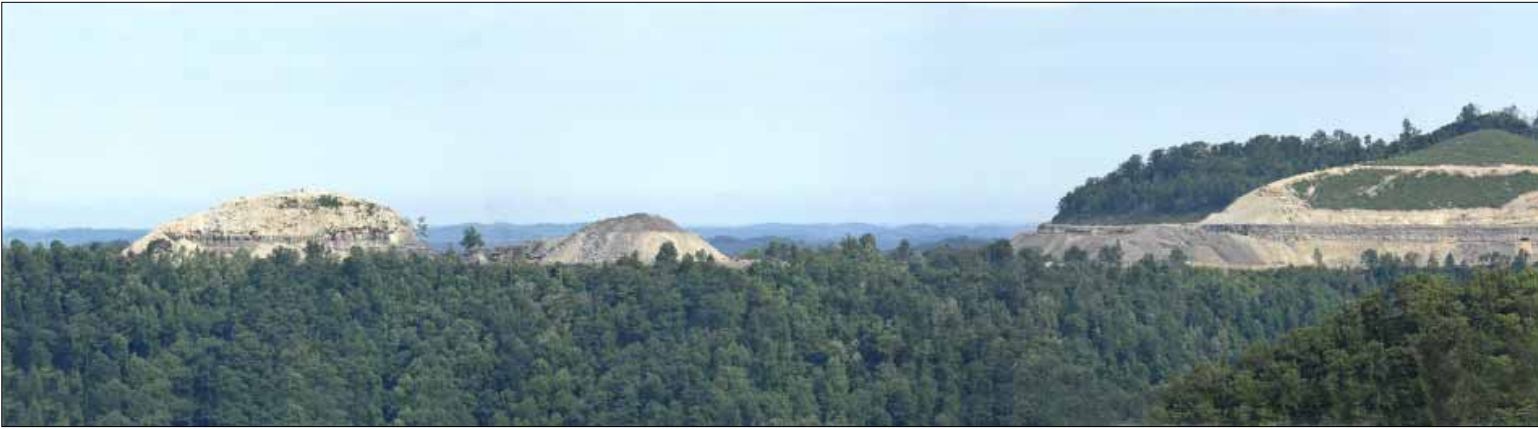
At the Netroots Nation conference held this summer, Al Gore said mountaintop removal is an atrocity and an outrage that is part and parcel of the same dysfunctional energy system that is causing global warming. He said this form of coal mining is facilitated by a moral blindness that ignores the consequences of our energy consumption.

Gore noted that coal-to-liquid is insane. (Has he been reading OVEC newsletters? Well, maybe the facts are just obvious...) Gore said we need to commit to supplying

100 percent of our energy from cheap, clean renewable sources in 10 years.

He emphasized that as we make the transition to renewable energy, we should guarantee a job in the clean air and sunshine for every coal miner that is affected by the transition.

Add your voice to the call for a transition into a cleaner energy economy. See POL.MOVEON.ORG/GORECHALLENGE/. 🗣️



Wake up Ansted, Jodie and Gauley

by Katheryne Hoffman

Acres and acres of trees have been felled, with the land left denuded and bare. The birdsong is silenced. The wildlife is now foraging and prowling into nearby towns. I listen hopefully for the sound of the whippoorwill or bobwhite, **but all I hear is the sound of heavy earth-moving equipment and the rumble of the beautiful mountain peaks being blasted away.**

No, this is not the Amazon rainforest, and the animals and birds are not jaguars, monkeys and parrots. The indigenous people are not the natives of the Amazon, but the people of the towns and hollows of West Virginia.

This is not a third-world country, but an area less than 50 minutes from Charleston, our state capitol. The Gauley and New rivers join here at Gauley Bridge to form the Kanawha. Our economic engine here is tourism, fed by the beauty of the mountains, the hunting, the fishing, the hiking,

the biking and the relaxation that only the forest can bring. The merging of various trails would bring access from Kaymoor to Gauley Bridge.

The area is becoming nationally known and enjoyed by numerous visitors, giving a wonderful image to our state. The mountains here are steep and sheer and the valleys narrow. Ride with me to Sugar Creek or Rich Creek and see for yourself. But also be prepared to see the forest primeval and breathtaking beauty. It must have looked the same 100 years ago.

However, this can all change. What many people don't know is that the mountains behind the town of Ansted are filled with old abandoned mine workings and tunnels.

If you do a flyover, you can see the huge sediment pond above the town of Jodie: Another Buffalo Creek in the making? A major rain event could be catastrophic to the town of Ansted. In 2004, a small rain event and a blowout from one of the old tunnels flooded Ansted Hollow and Shade Creek. Where will all that water go now that acres have been clearcut and the soil removed?

The blasting that will occur from a large mining operation puts Ansted and Jodie at risk, not only from the potential flooding, but from the silica from the rocks in the area. **Powellton Coal Co.'s own permit states that one of the coal seams here is so filled with toxic selenium that if it is not encapsulated quickly and correctly, the damage could be irreversible.**

There are many toxins present in a mining operation: mercury, arsenic, selenium,

Top, mountaintop removal begins on Gauley Mountain. Gauley Mountain in the background (this is the scene looking over Ansted from a ledge on Gauley Mountain).





y Bridge!

silica, oils used to clean equipment, blasting metals, etc. Do we really want to chance the further pollution of the Gauley, New and Kanawha rivers?

I recently talked with a woman who was present on Larry Gibson's Kayford Mountain 12 years ago. She then observed a small operation on one side of the mountain, ugly but contained.

Today, for miles in every direction, that area is a veritable moonscape, ugly beyond belief. This is the future from Gauley Bridge to Meadow River unless people work together to stop it.

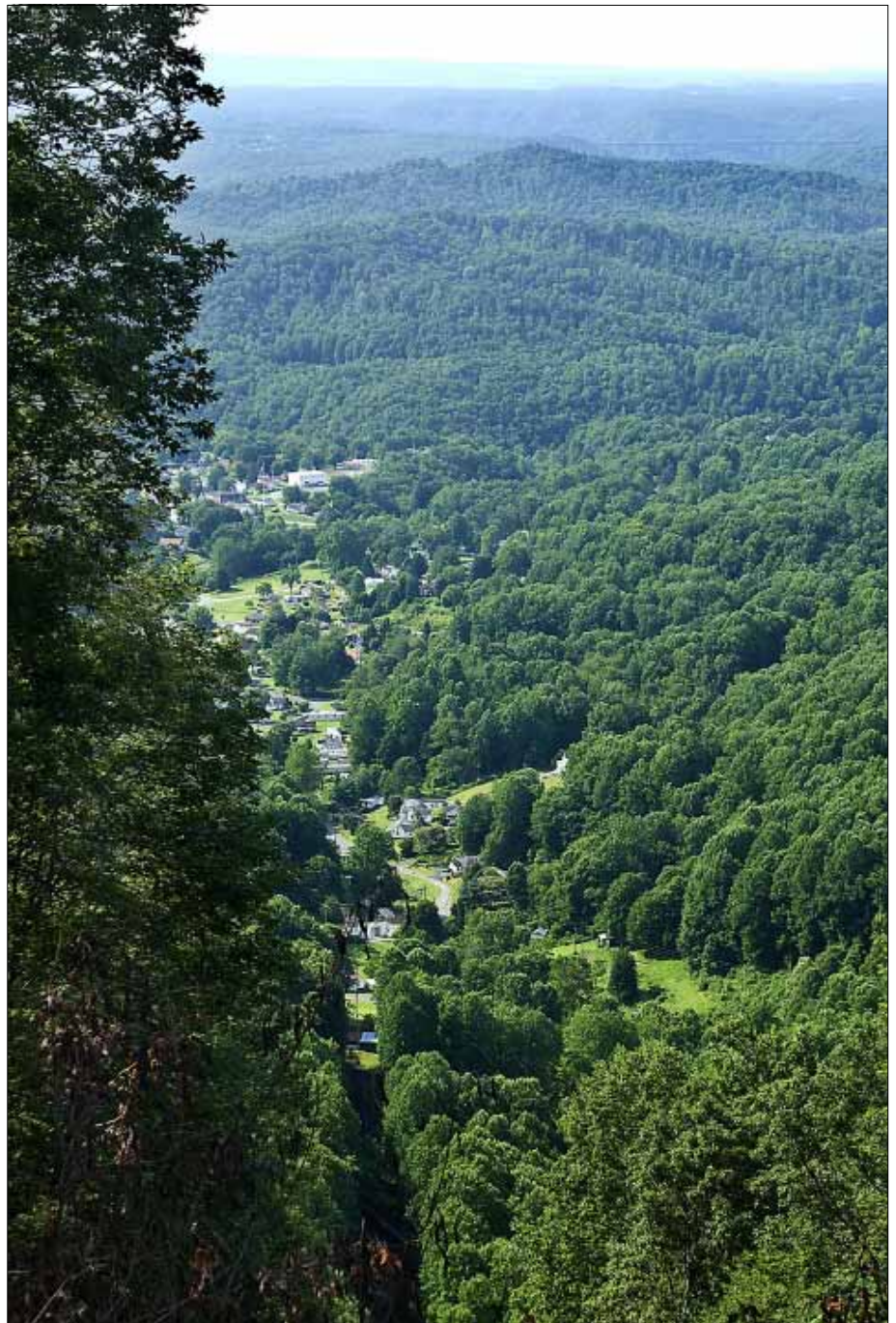
Take a trip to Kayford Mountain – I guarantee it will jolt you out of your complacency.

Wake up Ansted, Jodie and Gauley Bridge!

Katheryne Hoffman is secretary of the Ansted Historic Preservation Council. Please come to the Third Blessing on Gauley Mountain on October 5 (see Calendar on page 26).

Video Extra

Watch the video at WWW.ILOVEMOUNTAINS.ORG/ENDANGERED/ to hear local folks like Rev. Roy Crist and Cary Huffman talk about the mountaintop removal mining threat that looms over their Fayette County communities. 🍄



mountain; at left, the New River Gorge Bridge with
ene on West Virginia's state quarter); and right,
in. photos by Viv Stockman and Paul Corbit Brown

A Better Vision:

Working Together For A Sustainable Appalachia

What would a sustainable, re-localized economy look like in Appalachia? How can we create a future that doesn't depend on fossil fuels or big outside corporations, but instead depends on small businesses and natural materials close at hand?

September 19-21, come to the Appalachian Community Economics conference in the mountains near Abingdon, Va., to explore these questions and spark positive change for Appalachia.



Your skills and tools need to be shared! Maybe you've never realized that you can make money pursuing a hobby that you love. Or perhaps there is a grant or service that you didn't know about. There might be practices or funds just waiting for you to get your hands on them for those solar panels or that business license. This weekend could spark the discussion that brings your farm, garden or forest into a new market.

Come and make new connections. There will be tables for organizations located in a resource section of the conference space, and a demonstration area to show skills and economies that are already working in Appalachian communities.

The conference is the beginning; the end goal is a giant ripple effect from what each group and person is trying to accomplish. Please participate! If you are involved or want to be involved in promoting local Appalachian economies, please contact us at: WWW.APPALACHIANCOMMUNITYECONOMICS.ORG.

Thanks to OVEC volunteer Mary Wildfire, who has been a part of ACE planning. 🍄

You Keep Krogering, OVEC Keeps Earning - It's That Easy!

Thanks to everyone who has enrolled in OVEC's Kroger gift card program, we have received \$5,132.17 directly from Kroger's so far this year! Just by shopping at Kroger and using your gift card, you make a donation to OVEC – without adding to your grocery bill.



So, remember to use those cards when you purchase your groceries at Kroger. If you need refreshed on how to use the card, don't have a card yet, or don't know what the program is about, contact Maryanne at the OVEC office – (304) 522-0246 or maryanne@ohvec.org. 🍄

YES! I want OVEC to receive 5 % of my purchases from Kroger! Please enroll me in the EAT FOR OVEC Kroger gift card program.

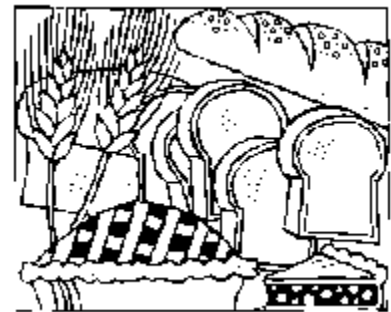
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Phone _____

E-mail _____ @ _____



My \$20 check is enclosed (please write Kroger Gift Card on the Memo line). Send me a Kroger gift card with a \$20 balance so OVEC can start benefitting from my purchases today. Make checks payable to OVEC. Mail with this coupon to: OVEC, P.O. Box 6753, Huntington, WV 25773.

We care, We Count, WE VOTE!

Clean Elections Summit Clarifies Strategy

The WV Citizens for Clean Elections coalition was joined by Adam Smith and Jeannette Galanis from Public Campaign for a three-day marathon of meetings and strategy sessions June 3-5.

These included quite productive meetings with our lead House sponsor for the WV Public Campaign Financing Act, Del. John Doyle, and with House Judiciary Chair Carrie Webster.

Several supportive legislators attended a lunch meeting and gave us valuable input: Sen. Dan Foster, Sen. Randy White, Del. Bobbie Hatfield and Del. Doyle.

Our allies from Public Campaign were impressed by the fact that our legislative supporters are willing to contribute strategy ideas and work directly with us on convincing other legislators to support the bill.

On June 4, the coalition convened for an all-day Clean Elections Summit at John XXIII, which was attended by 19 representatives of partner organizations.

There was much animated discussion about the political lay of the land affecting our bill's prospects, such as

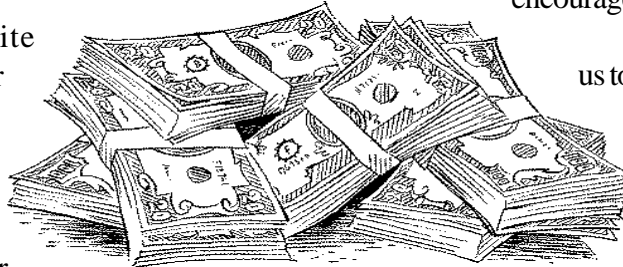
the embarrassing Maynard/Blankenship scandal and the WVU/Bresch incident. Both served to draw negative attention to the influence of money in politics and to encourage citizen action.

Public Campaign will be working with us to create several mini-reports on specific issues of concern in West Virginia where money has affected policy outcomes, such as health care, prescription drugs and the environment.

The group suggested a number of new and creative ideas for getting our message about the advantages of the clean elections system out to the public.

The work of the Summit helped put in place a detailed year-long strategy and related actions for the coalition's work in supporting the bill. We will need to generate contact with legislators, especially from people in their districts, in order to secure passage during the 2009 session (see related article on the new GetActive webpage).

To find out how you can help, see our Clean Elections website at www.wvoter-owned.org or contact Carol Warren at peacelovemom@gmail.com.



Taking Action: New GetActive Web Page Launched

Our Clean Elections partners at Public Campaign have made an exciting new service available to us. The WV Citizens for Clean Elections coalition now has its own GetActive web page.

Our alerts on public campaign financing will direct supporters to this page, from which they can sign our petition, send e-mails about clean elections to legislators, or send letters to the editor to newspapers throughout the state.

Be sure to sign up on the GetActive site as soon as possible so we can e-mail you updates and alerts about the progress of our WV Public Campaign Financing Act during the legislative session and throughout the year.

You can then take immediate action from the web page, as well as share the information with others.

Why not check it out now and sign our petition supporting Clean Elections?

Surf on over to www.ga3.org/campaign/westvirginia-petition.



Another Reason We Need Clean Elections

The Associated Press reported that in the first three months of 2008, a coal industry-backed group spent nearly \$1.9 million lobbying against congressional efforts to combat global warming through mandatory reductions in carbon dioxide and other greenhouse gases.

The American Coalition for Clean (sic) Coal Electricity lobbied against the legislation, which Senate Republicans then blocked.

According to the AP, the group's members include Allegheny Energy (parent company of Appalachian Power) and several other power companies, as well as several coal companies including CONSOL, Arch and Natural Resource Partners.

**Please support OVEC through
Community Shares**

We care, We Count, WE VOTE!

Public Campaign Financing a Focus for Catholic Women

OVEC's Faith-Based Liaison Carol Warren was part of a panel at the June 21 Annual Conference for the WV Council of Catholic Women.

The focus of the gathering, attended by about 50 women, was Forming Consciences for Faithful Citizenship.

This is a program of the U.S. Conference of Catholic Bishops during election years that encourages people to think carefully about various issues in our national life and to exercise their right to vote.

Public campaign financing fit into the discussion extremely well, because it would allow more people with good ideas to run for office. It would give voters more choices and require more accountability from their legislators. And, Warren noted, people will have greater input into policy decisions that directly affect their lives.


Many participants at the conference heard about

our state's public campaign financing proposal for the first time and considered it to be an important vehicle for encouraging and strengthening democratic participation.

Sister Ellen Dunn, O.P., noted that she was appalled by the amounts of money being spent on political campaigns this year.

She believes that flooding campaigns with money is an injustice, both in terms of individuals who wish to run for office and the real needs of people.

"I would like to see that much money spent to provide for the people," she says. "And the money involved directly influences who is able to run for office. I would like the government to fund campaigns appropriately for all elections, in ways that are more focused and contained and that allow more people to participate."

Let the people say, "Amen!" 

Disclosure Legislation Helps; Publicly-Financed Campaigns Better

The *Charleston Gazette* published this op-ed by OVEC staffer Carol Warren on July 22:

If money equals speech, our democracy is really in trouble. The voices of the wealthy already have the power to drown out the expressed interests of the vast majority of more moderately situated citizens. All who desire genuine democracy should be grateful to Gov. Joe Manchin and our legislators for passing the revised disclosure legislation during the recent special session to keep secret money from having an unhealthy influence on our elections.


It's difficult to understand why there are groups of people who want to influence our state's policies and elections without identifying themselves. Why do they want their identity – and their money – to be kept secret? Is it because if we know who they are we will find their assertions less credible? Do they have biases so obvious we would all recognize their attempt to manipulate? Or perhaps most disturbing, would we discover the wealth of a few individuals being used to influence policy on numerous fronts?

Some say, "It's the right of individuals to use their money in whatever way they choose." Few of us would disagree. But if wealthy groups or individuals intend to use money to influence policies that affect all citizens, the people of the state have a right to know who is behind that money. This is what the disclosure bill is about – letting the people know, shining the light. Groups or individuals can still run ads blasting a candidate's character if they wish. The source

of contributions paying for the ads must simply be disclosed to the Secretary of State's Office.

Others have said the disclosure law was aimed only at protecting certain candidates in the upcoming elections. Protecting candidates from anonymous mass mailings or advertisements that make claims about their character and fitness? Which of us would want to be placed in such a position with no knowledge of where the accusations originated? If a credible group or individual has reasonable proof of wrongdoing by a public official, they should present the information openly for all to see. Keeping one's identity a secret casts doubt on such accusations.

There is a solution to this debate about individuals and groups unfairly influencing our political campaigns: public campaign financing, or as it is known in the seven states and two cities that already have it, "clean elections."

Publicly financed candidates must agree not to accept private contributions from individuals or groups, and may not use their own money for the campaign. By adopting this voluntary system of public financing, we can end speculation about who is lurking in the shadows trying to influence West Virginia's elections and policy decisions. Without special-interest donations to influence the candidates, they are more accountable to the public. In addition, adopting clean elections can strengthen our democracy by allowing people from many backgrounds to run for office with a fair shot at being elected. 

Mountain Keepers Music Festival Celebrates Appalachia

The second annual Mountain Keepers Music Festival drew more than 300 folks to Kayford Mountain July 5 and 6 for music and speeches celebrating Appalachian culture.

Speakers and organizations highlighted the need for environmental justice in southern West Virginia: We need good-paying, green jobs and an end to the ravages of mountaintop removal.

The free two-day event featured local and regional musicians playing a variety of bluegrass, gospel, country and old-time music. Children's games, potluck meals, camping and a silent auction rounded out the event.

Kayford Mountain champion and OVEC board member Larry Gibson says the festival shows support for "human rights, health and water rights, and basically everything that we have."

Larry's extended family – folks who work actively to end mountaintop removal – and people who were making their first visit to the mountain, joined together to create a warm and enjoyable weekend.

Festival organizers Jen Osha, Sam McCreery and Danny Chiotos were assisted by dozens of volunteers, and we extend a huge thank you to the musical artists who helped

Ode to the Mountains

**Help! My mountains are dying,
here in the West Virginia hills.
Can you hear their moans and sighing,
as each branch of nature is killed?**

**Oh the trees are quietly weeping,
as the streams are quickly filled.
In our wells the poison is seeping,
Even as the sun sets in its golden gild.**

**The fate of the nation has come to depend,
on the corporations and their dividends.
Logging, stripping, drilling - mines;
everybody's worried about that bottom line.**

**Still she stands in all her glory,
that majestic mountain oh so high.
And Mother Nature is imploring,
For anyone - to help her dying mountains.**

*By Debra May-Starr (Mingo County),
March 18, 2001* 🌳



Hundreds of people attended the two-day festival.

us celebrate our home and heritage and gave us some much-needed fun in the midst of the struggle to end mountaintop removal:

- ♪ Elizabeth and Sandy LaPrelle;
- ♪ Jim Savarino;
- ♪ Keith, Joan and Jake Pitzer;
- ♪ The Lone Tones;
- ♪ Corporate Orange (with Joe Lung sitting in on congas);
- ♪ Willie Dodson;
- ♪ Jason Neff;
- ♪ Molly Andrews;
- ♪ Mary Dailey;
- ♪ T. Paige Dalporto.

The event was co-sponsored by the Ohio Valley Environmental Coalition, Student Environmental Action Coalition and Coal River Mountain Watch. 🌳



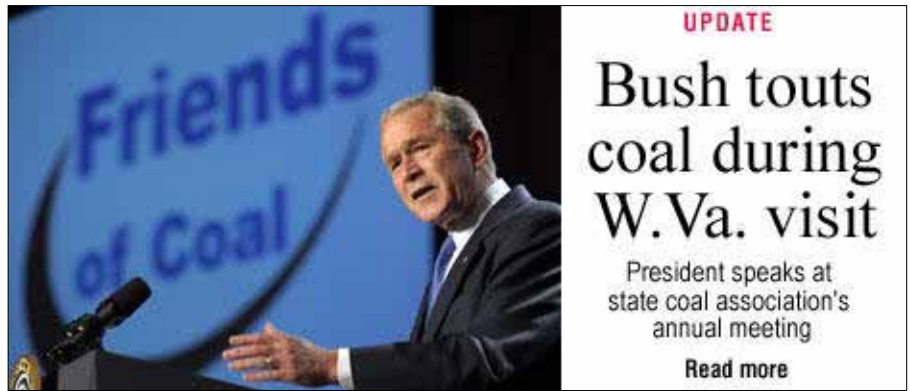
Many who attended the Mountain Keepers Music Festival also got their first look at the ongoing atrocity that is mountaintop removal mining.

How Can Coal Be Carbon Neutral? Because Walker Machinery Says It Is

Upon seeing Walker Machinery's latest billboard, which reads "Carbon Neutral Coal," an OVEC member remarked, "Coal is carbon. How can it be carbon neutral? That's like saying 'Violence Neutral War'."

Or "Heat Neutral Fire," or "Radiation Neutral Uranium," or "Oxygen Neutral Air" or ... you get the idea.

Walker's ad campaign is a really neat bit of linguistic detoxification - and much cheaper than carbon sequestration, which has still not been proven to be effective or affordable. 🍷



The chief FOCer (Friend Of Coal) left no doubt at all where he stood during a speech before the Friends of Coal at the WV Coal Association's annual meeting at the Greenbrier on July 31, 2008.

OVEC Involved in Southeast Climate Convergence

OVEC member Carolyn van Zant recently attended the Southeast Climate Convergence in Louisville, KY. Here's some insights she passed along:

"Public relations firms say that we have three brains: the reptile brain, the mammal brain, and the human brain. The reptile brain understands fear and instinct. The mammal brain understands protection and security. The human brain understands effectiveness and reason. The coal people... speak to the reptile brain, (evoking) fear. Our message has been one of reason to the human brain. When people are afraid they don't hear reason, only fear. We must relearn how we speak to people and learn to speak to all three (parts of the) brains. We need to speak to peoples' values and emotions."

"In trying to build coalitions, it is important to share our successes; celebrating wins is very empowering. Don't always talk about how bad things are."

"To win we should not spend our time and energy hammering at those who are our active opposition. To prevail we only need get the passive opposition, neutrals, and passive allies to shift... It is not productive to only talk to our allies. We must identify who it is that we are trying to engage."

"Larry Bush (Southern Appalachian Mountain

Stewards) and Bill McCabe talked about their struggle in Wise County, VA. The stream near Larry's house is now dead. In the past, churches used that stream to baptize people. Twenty-five percent of the county has been stripped (mined) and 40 percent of the county is permitted to be mined. Wise County has a 24 percent poverty rate. The county now has 3,500 miners compared to 17,000 at one time."

"Recently the Southern Appalachian Mountain Stewards was successful in getting an injunction to stop pre-mining construction. **A federal judge ordered a halt to logging on the proposed mountaintop removal site.**" 🍷

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GLOBAL WARMING / CLIMATE INSTABILITY In the Mountain State



Global Climate Change Effects on World Economy Will Be Greater Than Both World Wars, Great Depression Combined

by Mel Tyree

According to Sir Nicholas Stern's *The Economics of Climate Change* (2006), if humanity doesn't stabilize and significantly reduce its greenhouse gas (GHG) emissions within the next 10 to 20 years, the economic effects on the world's economy will be greater than the cost of the 20th century's world wars and the Great Depression combined.

Those expensive consequences are already apparent. For example, the Alaskan communities of Shishmaref and Kivalina must be relocated within the next decade or so, or rising sea levels and coastal erosion caused by climate change will destroy them. The U.S. Army Corps of Engineers estimates that cost at up to \$200 million.

Estimates of 21st century sea-level rise range between one and six feet, depending on how soon and how much we reduce our GHG emissions.

Now, if it may cost \$200 million to move two small communities, imagine how much it would cost to relocate residents of New York City or Miami, if we don't make

The Ethics of Climate Change - Pay Now or Pay Later, But We All Pay

by Mel Tyree

When it comes to priority lists, climate change is rarely at the top. People typically rank gas prices, the economy, health care, the Iraq war and terrorism as their main concerns.

It's just human nature; those problems are immediate and urgent, whereas climate change doesn't affect most peoples' paychecks just yet. Plus, climate change is sneaky. For the most part it's only noticeable if you compare weather patterns in an area over periods of decades.

The United Nation's Intergovernmental Panel on Climate Change consists of a group of about 2,500 climate scientists from over 100 countries. It was their consensus in 2007 that we have less than a 10 percent chance of avoiding climatic catastrophe from global warming.

Catastrophic climate change is a fairly abstract term. What exactly would that be like?

In the world we may create for our descendents, cyclones like the one that killed more than 100,000 people and left another million homeless in Burma (Myanmar) would

radical GHG emission reductions.

A June 2008 study released by the National Oceanographic and Atmospheric Administration (NOAA) titled *Weather and Climate Extremes in a Changing Climate* noted that the erratic and heavy precipitation events we are now seeing can be attributed to human-induced warming. This conclusion seems consistent with the storms that caused the recent 500-year flooding in the Midwest.

According to NOAA, in June 2008, over 1,100 daily precipitation records were set in the Midwest. NOAA also noted that Midwest two- and four-day precipitation totals represented a 1,000-year event. The resulting flood caused nearly \$1 billion in losses to Cedar Rapids, Iowa, alone.

The conclusion of many studies over the past few years is that the longer we delay addressing GHG emission reduction, the more damaging and costly fires, floods, droughts and storms will become. We should pay attention to them. 🍓

be more commonplace. Droughts would last decades. Rising sea levels would create over two billion environmental refugees from coastal regions. One-third to one-half of all the Earth's plant and animal species would die before this century's end, leaving us a world impoverished biologically beyond imagination.

Finally, if we are so foolish as to delay taking action in time, the planet's permafrost will begin to melt irreversibly, causing the atmospheric concentration of greenhouse gases to nearly double due to the release of methane from rotting vegetation.

This situation requires us to make some profound ethical decisions. How much are today's prosperity and standard of living worth compared with that of the next generation? Are this generation's comforts more important than the potential deaths of hundreds of millions of our descendants? Is their nonexistence such a bad thing?

These questions are further explored in the article *The Ethics of Climate Change: Pay Now or Pay More Later*, in the May 2008 issue of *Scientific American*. 🍓



Students from Loyola Catholic High School in Los Angeles view mountaintop removal, complete with dragline.

High School Students from LA View A Massacre, WV Style

Twenty-five students from Loyola High School in Los Angeles and their five adult group leaders visited the Mud River Road site in June for a view of the Hobet 21 mountaintop removal mine. The students were taking part in an Appalachian Study program sponsored by the Appalachian Institute at Wheeling Jesuit University.

The students learned about mountaintop removal during the program and wanted to see for themselves. OVEC staff member Carol Warren accompanied the group to the site, along with Jill Kriesky of WJU.

The students were amazed at the size of the equipment and asked a number of questions about how such massive pieces of metal could be brought to such an isolated location. They were also quite inquisitive and interested in the effects on the community from blasting, coal dust, water pollution and possible intimidation.

But the overwhelming reaction was one of horror at the size and scope of the horizon-to-horizon destruction they were seeing. Student Kyle Moran describes his reaction to the experience:

“I believe that being allowed the opportunity to go to Appalachia has been a great experience that I will keep with me for the rest of my life. One of the

most shocking and disturbing parts of the immersion trip was seeing the mountaintop removal site. On the way up to the site we traveled along beautiful, lush greenery. The hillsides were full of vegetation and the atmosphere was peaceful.

“After traveling for roughly 30 minutes or so, we came upon our final destination, the mountaintop removal site. It looked as though a bomb had been dropped on the mountaintop! The land that stood in front of me was colorless and reflected a lifeless disrespect for our environment. The site expanded beyond what I could see.

“An example of the vast expansion of the site was a crane that looked like a small toy from where we were. The crane was actually 10-stories tall, although it only looked like a little toy compared to the rest of the mine.

“I was not prepared for what I saw that day.

“We sat in on presentations that educated us to what mountaintop removal sites were and how they affect the community and the environment. Take it from me, it doesn’t come close to being there to truly take in the destruction of these actions.” 🍓

Citizens Voice Concerns with Proposed Mining Operation

by Julia Goad, Williamson Daily News, August 2, 2008

Citizens concerned with a proposed mining and construction site met this week at the Chattaroy Gospel Revelation Church to discuss possible effects the project will have on their community.

About 20 people met with representatives from West Virginia Future, a grass roots organization which concerns itself with the mining industry's impact on the environment and the families who live near mining operations.

The company which has obtained the permits to begin mining the Chattaroy/Miller's Creek area is Consolidated Coal. The mining would be done in conjunction with construction of the King Coal Highway, part of which is now under construction near Red Jacket. Parts of the highway will be built on flat land created by mountain top removal mining.

(OVEC member) Donna Branham was the unofficial spokesperson for the organization at the event. She said the community couldn't depend on governing bodies to protect them and their property from the negative effects of coal mining. She said the organization has spoken many times with the Division of Environmental Protection, and that the agency itself says it is short staffed.

"They told us they were five years behind on following up inspections," she said. "And that there are over 100 vacancies at DEP."

Branham said citizens must work together to protect their rights.

Among the concerns aired by citizens were contamination of water, transporting the coal after it is mined, damage to homes from blasting and loss of property value. But the biggest concern voiced was that of flooding. Freddy Runyon lives at Dan's Branch on land his family has owned for three generations. He said he never thought flooding was a concern to him and his family due to the higher elevation of the hollow.

"I always said if it flooded Dan's Branch, nothing of Williamson would be left," he said, "I was wrong."



Ash Camp Branch, on property of Butch and Donna Branham, near Laurel Creek (Lenore), WV. A coal company wants to start mountaintop removal operations at the head of this stream, which would ruin the stream and the water quality, which has been found to be outstanding.

photo by Mark Schmerling

The community of Chattaroy, as well as Dan's Branch, received water during the 2004 flood.

"If they remove the top of the mountain at Dan's Branch, we could be the next Buffalo Creek," Runyon said, referring to the 1972 disaster in Logan county where negligent strip mining and heavy rain produced a raging flood when a coal mine dam failed, leaving 118 dead and 4,000 homeless.

When the *Daily News* phoned the EPA, it was referred to the state's Department of Environmental Protection. Officials were asked about staffing issues as well as the possible affects of the proposed mine.

Larry Alt, permit supervisor at the Logan branch of the DEP, says the department realizes Chattaroy residents are concerned with flooding, and is working to address their concerns.

"We have done a surface water runoff analysis," he said. "If structures are put in place as they have been designed, then there should be no net increase in the amount of water runoff than there is now."

Benny Campbell, deputy director at the Logan branch, agreed.

"In my opinion, drainage structures, when used

continued on page 24

Citizens Voice Concerns

continued from page 23

correctly, can help with flooding issues,” he said.

Campbell also said transporting the coal shouldn't lead to any problems with highway safety or air quality.

“The coal would be taken to Miller's Creek,” Campbell said. “The trucks would travel on an access road designed specifically for that purpose, and would not travel through Chattaroy.”

Sandy Kees is a human resources specialist at the DEP. She told the Daily News that while the department did have quite a few vacancies to fill, she wasn't sure how the staff shortage would affect inspections.

“We have 106 openings,” she said. “But that number changes almost daily, as some positions are filled as others come open. I'm not sure how many of those positions are administrative and how many are jobs out in the field.”

Campbell said the DEP feels comfortable the plans Consol has in place, if followed correctly, will have no negative environmental impact.

“We have been looking, and will continue to look, at this project,” Campbell said. “We wouldn't issue a permit if we thought there were issues that hadn't been addressed.”

Consol spokesperson Cathy St. Clair says although the company isn't usually involved in highway construction, it always follows state as well as federal regulations at its mines.

“Although this project is different in the reclamation aspect, it will follow all regulations set forth concerning the

environment,” she said. “Consol will follow the standard set forth by the state.”

The highway project will follow rules laid out by the state governing post mine land use. Under the current plans, Consol will construct five miles of the highway site to rough grade from Buffalo Mountain to Belo. St. Clair said she hopes area residents can see the bigger picture when considering the project.

“One thing to look at is the broader idea,” she said. “American energy to meet America's energy needs.”

Several residents say they already have been trying to work with local groups so that if they could not prevent the mining altogether, they could at least ensure their interests are protected. Lonnie Bowen and Ray Curry are among those who spoke to the Mingo County Commission about the issue.

“We have met with the Commission and with Consol,” Curry said. “(Commissioner) Hootie (Smith) and (Commission President) John Mark (Hubbard) both talked straight, just like we are talking tonight. They told Consol they didn't want Chattaroy mined.” However, Curry says he feels the project will move forward.

“They are going to build this highway, and they are going to mine coal,” Brown said. “We just need to keep informed about our community.”

Some of the Chattaroy residents expressed frustration with the system in place designed to protect them and their families. They said they feel politics plays a large part in these types of battles, and so the deck is stacked against them.

“These coal companies give money to the politicians,” she said. “And then it is politics as usual in Mingo County. I wish you good luck, and advise you to get flood insurance,” Newtown resident Barbara Chafins said.

Members of the Ohio Valley Environmental Coalition attended the Chattaroy meeting to offer their support and assistance. Patricia Feeny is with OVEC and she says the group wants to work to help people from the area network with professionals who can provide them with information and contacts.

“These scientists want to know your concerns,” said Feeny. “They want to help.”

Branham said people can work together and create change.

“We need a coalition of communities so we will not be forgotten,” she said. “As more people come together, we can find people to help us. There is strength in numbers.”

GET ACTION ALERTS!

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. This is not a discussion list, so you won't be swamped with e-mails.

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 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.

Major Discovery Primed To Unleash Solar Revolution

Excerpted from ScienceDaily (Aug. 1, 2008)

In a revolutionary leap that could transform solar power from a marginal, boutique alternative into a mainstream energy source, MIT researchers have overcome a major barrier to large-scale solar power: Storing energy for use when the sun doesn't shine.

Until now, solar power has been a daytime-only energy source, because storing extra solar energy for later use is prohibitively expensive and grossly inefficient. With today's announcement, MIT researchers have hit upon a simple, inexpensive, highly efficient process for storing solar energy.

Requiring nothing but abundant, non-toxic natural materials, this discovery could unlock the most potent, carbon-free energy source of all: The sun. "This is the nirvana of what we've been talking about for years," said MIT's Daniel Nocera, the Henry Dreyfus Professor of Energy at MIT and senior author of a paper describing the work in the July 31 issue of *Science*. The key component is a new catalyst that produces oxygen gas from water.

"Solar power has always been a limited, far-off solution. Now we can seriously think about solar power as unlimited and soon."

Sunlight has the greatest potential of any power source to solve the world's energy problems, said Nocera. In one hour, enough sunlight strikes the Earth to provide the entire planet's energy needs for one year.

James Barber, a leader in the study of photosynthesis who was not involved in this research, called the discovery



The new, efficient oxygen catalyst in action in Dan Nocera's laboratory at MIT. photo by MIT

by Nocera and Kanan a "giant leap" toward generating clean, carbon-free energy on a massive scale.

"This is a major discovery with enormous implications for the future prosperity of humankind," said Barber, the Ernst Chain Professor of Biochemistry at Imperial College London.

"The importance of their discovery cannot be overstated since it opens up the door for developing new technologies for energy production thus reducing our dependence for fossil fuels and addressing the global climate change problem," Barber said.

To read the rest of this story, go to:

WWW.SCIENCEDAILY.COM/RELEASES/2008/07/080731143345.HTM.

Governor Commits Taxpayer \$\$\$ to Questionable Coal-to-Liquids Scheme

Governor Manchin has committed large sums of WV taxpayer dollars to fund the nation's first modern coal-to-liquids plant near Wheeling.

Both presidential candidates have pledged to regulate carbon emissions. When this happens, a coal-to-liquids plant could lose enormous amounts of money. Investors have been running from coal liquefaction plants like pigs from the slaughter. So who will help pay for this financially risky venture in West Virginia? We the taxpayers.

According to the *Charleston Gazette* (August 12): "The Manchin administration has agreed to give nearly \$200 million in tax breaks and other incentives to developers of a coal-to-liquids plant proposed for Marshall County...

That's about \$3.3 million in government incentives for each of the 60 jobs the facility would provide."

OVEC member Mary Wildfire has written letters-

to-the-editor pointing out reasons why coal-to-liquids is a bad idea: "The most important of these is that this process produces twice as much carbon dioxide, the primary greenhouse gas causing global warming, as the petroleum it replaces. It's extremely irresponsible to ignore the global warming impacts just because the worst effects will happen in decades, not immediately. Some scientists are saying that we must reverse course within a very few years or face a planet that doesn't support much human life, or at the least, a severely impoverished world with excesses of rainfall in some places and great droughts in others, coastal cities drowned, a surge in disease, floods of refugees, and decline in harvests causing massive starvation."

Breathtaking advances are being made in renewable energies and in energy efficiency. Wouldn't you rather see your tax dollars spent on energy solutions for the future? 🍌

Early Deaths in WV Coalfields - The Price We Pay

Thanks to OVEC member Antrim Caskey, who wrote and distributed this Public Service Announcement in New York City (at right).

In other news, *The Reversal of Fortunes* is the title of a new report from Harvard researchers Ezzati, Friedman, Kulkarni, and Murray. The news for West Virginia is shocking. People in our state have among the lowest life expectancies in the United States, and in areas, the number of years we live is actually declining.

In areas of the country where the economy and people are doing well, life expectancies are slowly increasing. In counties that are poor, and in which people's health is already in jeopardy, life expectancies are going down.

West Virginians for Affordable Health Care (WVAHC) issued a report on the data for West Virginia, with the title *Early Deaths*. Only four WV counties (Pendleton, Grant, Tucker, and Monongalia) had life expectancies above the national median for (74.1 years for men and 79.6 years for women).

The news for women is particularly grim. In no county in West Virginia is women's life expectancy above the national median. Tucker County had the highest life expectancy for women, 79.5 years. Women in the coalfield counties of Mingo, McDowell, Logan, and Wyoming had life expectancy in the lowest 1 percent nationwide. If women

CALENDAR

Sept. 9-23: Fast for Peace in the Coalfields. Details on page 10.

Sept. 19-21: Appalachian Community Economics conference. See

WWW.APPALACHIANCOMMUNITYECONOMICS.ORG.

Sept 23: Fourth Circuit Court of Appeals in Richmond, Va. Oral arguments in one of our major lawsuits.

Oct. 5: 3 p.m., Third Blessing on Gauley Mountain. Pray with others near an active mountaintop removal site (see



Antrim Caskey

Kenneth Stroud demonstrates his bath water at home in Rawl, West Virginia, February 3, 2006. More than 700 citizens in Rawl and the surrounding communities are suing the coal company responsible for at least two decades of underground disposal of toxic coal waste, which they allege has contaminated their well water and poisoned them.

This public service announcement is sponsored by the Ohio Valley Environmental Coalition, ohvec.org.

“Every year, more than 3,500 people die prematurely in Appalachian coal mining areas from cancer or kidney disease.”

- Dr. Michael Hendryx, West Virginia University
Department of Community Health

- Dr. Melissa Ahern, Washington State University
Department of Pharmacotherapy

To learn about the true costs of coal:

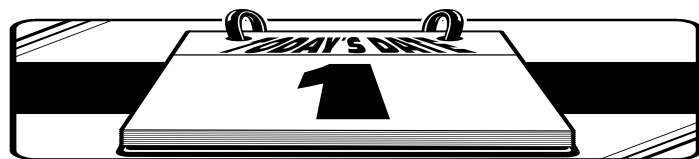
Sludge Safety Project sludgesafety.org

Ohio Valley Environmental Coalition ohvec.org

in these counties had the same life expectancy as women in Tucker County they would live an additional decade! In ten counties, life expectancy for WV women fell more than one year between 1989 and 1999.

OVEC will be working with a group of concerned organizations convened by WVAHC to investigate causes of these startling statistics. We will join in pushing for policy measures our state can pursue to address our citizen's health needs.

You can read the full WVAHC report on their web site, WWW.WVAHC.ORG.



pages 12 and 13 of this newsletter), Ansted, WV. For details call Kathy Hoffman, (304) 658-4224, or Roy Christ, (304) 640-3338.

Oct. 11: National Day of Action on Mountaintop Removal. See WWW.STOPMOUNTAINREMOVAL.ORG/.

Nov. 15, Saturday: OVEC Annual Meeting. Time and place to be announced.

For more events in WV and beyond see OVEC's online calendar, WWW.OHVEC.ORG/EVENTS_CALENDAR/INDEX.HTML.

Power Lines Promise PATH of Destruction, TrAIL of Tears

Excerpted from stories by Ken Ward Jr., Charleston Gazette

The WV Public Service Commission has approved Allegheny Energy's plans to build a huge electric transmission line that will stretch across much of northern West Virginia.

The Trans-Allegheny Interstate Line, being promoted by Allegheny as TrAIL, will be a 120-mile-long, 500-kilovolt transmission line running from southwestern Pennsylvania across West Virginia and into Virginia.

Commissioners concluded in a 135-page ruling that the \$1.1 billion project "results in an acceptable balance between reasonable power needs and reasonable environmental factors."

The case was among the most controversial PSC matters in years, and is the first of two proposed major in-state power-line projects to go before the commission.

The other project is the Potomac-Appalachian Transmission Highline, being promoted as PATH. That line would run 290 miles from near the John Amos power plant outside St. Albans to a substation proposed southeast of Frederick, Md. PATH is a joint venture between Allegheny

and American Electric Power.

Supporters say that these projects are needed so the nation's aging electricity grid can continue to provide **cheap and reliable power to big Eastern cities and their growing suburbs.**

But TrAIL has - and PATH is almost certain to - draw intense opposition from West Virginians who fear huge power lines and towers will mar scenic views, lower their property values, **and continue what they say is an environmentally damaging reliance on coal-fired electricity.**

"The Sierra Club will be monitoring this issue closely, and we expect to be involved when the application is filed with the PSC; however a final decision will likely be made at that time," said Jim Kotcon, a spokesman for the group. "A lot may depend on the precedents set in the TrAIL case, as that could revise our opportunities for effectively influencing the outcome."

The WV Sierra Club will continue to fight this (donations for legal expenses will be essential), go to WWW.WESTVIRGINIA.SIERRACLUB.ORG for more information. Other groups opposing PATH and TrAIL include:

- ~ Laurel Run Watershed Association, WWW.LAURENRUNWATERSHED.ORG, Monongalia County information.
- ~ Halleck and Southern Monongalia County Community Association, WWW.NOTOWERSINWV.ORG.
- ~ Piedmont Environmental Council, WWW.PEVCA.ORG (Virginia).
- ~ Energy Conservation Council of Pennsylvania, WWW.STOPTHETOWERS.ORG (Pennsylvania).

The Alliance Continues to Work Together

The Alliance For Appalachia is a collaboration of 13 organizations in Central Appalachia working to bring an end to the devastating coal mining technique known as mountaintop removal. The Alliance For Appalachia also seeks a just and sustainable economy and a clean, renewable energy future in our region.

Member groups are: OVEC, Coal River Mountain Watch (WV), WV Highlands Conservancy, Kentuckians For The Commonwealth, Save Our Cumberland Mountains (TN), Southern Appalachian Mountain Stewards (VA), Appalachian Citizens Law Center (KY), Appalachian Voices (NC), Appalshop (KY), Sierra Club Central Appalachia Environmental Justice Program, Southwings (NC), Heartwood (IN).

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Battle of the Titans

In this corner, weighing 8 *million* pounds, Hobet 21's pride and joy, Big John the Dragline, waddling across Mud River Road in Lincoln County in May. And in this corner, weighing maybe 3 ounces dripping wet, is Ned the Eastern Newt, trying to get across the same road ahead of Big John. Our money's on the newt - wayyy cuter than a 20-story-high, mountain-gobbling hunk of iron, and cute *always* wins in the end.



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