



Winds of Change

the newsletter of the

Ohio Valley Environmental Coalition

Huntington, WV

www.ohvec.org

COVER GIRL

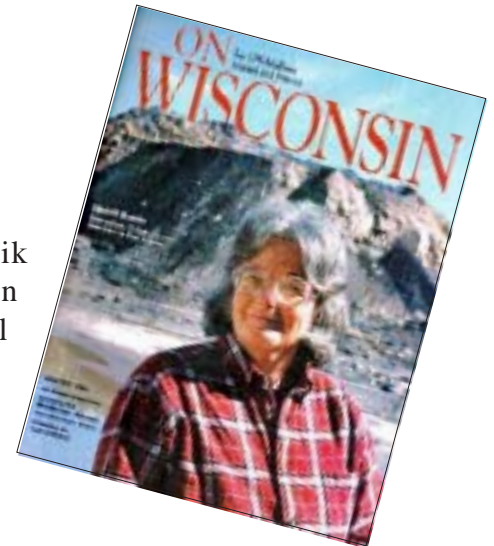
OVEC Co-Director's MTR Fight Featured in Alumni Magazine

The Ohio Valley Environmental Coalition's founder and co-director Dianne Bady is now a cover girl! She's on the Winter-issue cover of University of Wisconsin's alumni magazine, *On Wisconsin*, which has the largest circulation – a quarter million – of any such magazine.

Dianne graduated from UW in 1972, with a double degree in social work and psychology.

The excellent cover story (there's a link to it at the top of OVEC's homepage, www.ohvec.org), *Moving*

Mountains, by Erik Ness, focuses on Dianne, OVEC, Coal River Mountain Watch's Maria Gunnoe and mountain top removal:



"...So often, their well-laid plans were scuttled: they'd lose key members to intimidation, or a state or corporate maneuver would change the entire strategic landscape. OVEC responds with what they call radical trust. "We noticed that so often when we didn't know what to do, something would happen," explains Bady. "We'd get new people; we'd get a source

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The photo team gets ready for a shot amid what used to be the majestic West Virginia mountains.

YES! West Virginia's Clean Elections Bill Moving Forward

Our chances for real election reform never have been better! Even elected officials seem offended by the obscene amount of money special interest groups spent on the 2004 elections.

Blowing the top right off the offense-o-meter was Massey Energy's CEO Don Blankenship, who spent \$3.5 million of his own money to oust Supreme Court Judge Warren McGraw. Mix that in with sleazy campaign ads and some flagrant ethics violations, and we have an ideal climate in which to press forward with fair and clean election reform.

So it was that during a Jan. 9 legislative interim

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COVER GIRL

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of money that we hadn't counted on; we'd make a crucial contact with people inside of state or federal agencies who could point us in the right direction and feed us all kinds of information under the table."

"You can't argue with the results...

"She's faced off against powerful industries that nobody else would tackle," says (OVEC co-director, Janet) Fout, who calls Bady a spiritual companion and OVEC's visionary. "It's like going into the lion's den, and she's done it over and over."

New York City-based photographer Nina Kowaloff Barnett and her assistant, Rob Kinmonth, flew in to take the cover shot. Both were utterly shocked and angered about the destruction, of which they got quite



The site for the photo shoot. Blasted, gutted mountaintops are not hard to find in southern WV. an eye-ful as OVEC's Vivian Stockman escorted them and *On Wisconsin's* art director around the coalfields. Stockman supplied nine of the 10 photos used in Dianne's story.

"For Bady, the extreme degradation of mountaintop removal is symptomatic of larger problems. 'There are very, very few ordinary people involved in our democracy... Many of the fundamental changes we need in this country are not going to come from federal politicians ... They come from people in communities and neighborhoods working together to get things better. Then the change will filter upward.' "



Above and below, amid the rubble of Almost Heaven, West Virginia, or is it an OVEC moon landing?



Ironically, this vista of green trees and rolling hills was on the other side of the road from the photo shoot ... a poignant comment on what we have, and what it is too fast becoming.

Clean Elections Progress

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session, a committee asked its counsel to draw up a pilot project bill for public funding of legislative races.

OVEC's co-director Janet Fout coordinates Citizens For Clean Elections, which is advocating for this real campaign reform – the reform which makes all other reforms possible!

According to the *Charleston Gazette*:

“The committee chose a plan that would provide public financing for two state Senate and three House of Delegates races. The House of Delegates races would have to be in single-member districts.

“The estimated cost of the pilot project is \$375,000. To qualify, a candidate would have to raise a certain number of \$5 contributions: 200 for the Senate, and 75 for the House of Delegates.

“Supporters of the proposal say it will encourage

more people to run for office, and decrease the influence of special interests in the election process...” 

ACTION ALERT

Please contact your state legislators and ask them to support the Public Campaign Financing Act.

You can find out who your legislators are at: www.legis.state.wv.us/.

Write them at the State Capitol Complex, Charleston, WV 25305. You can also help advance Clean Elections in West Virginia by writing letters to the editor.

There's lots of background information on *real* campaign finance reform on our website, www.ohvec.org.

Activists' Field Trip to WV: Report Back on Mountain Range Removal

Richmond IndyMedia, Nov. 13, 2004

*by Sue Daniels**

Eighteen activists from North Carolina, Tennessee and Virginia gathered in West Virginia on Nov. 7 and 8, for a heartbreaking, yet exciting weekend of witnessing, listening and strategizing. The trip was organized for activists across the region to witness the devastation euphemistically known as mountaintop removal (hereafter called mountain range

removal), to listen to people in the coalfields speak of life on the front lines, to network with local organizers, and to further develop strategy and tactics to stop this insanity.

We first went to Kayford Mountain, a 50-acre patch on the top of a hill almost completely surrounded by the barren remnants of what once were ancient mountains.

Larry Gibson, founder of the Stanley Heirs Foundation Park on Kayford, patiently tried to explain to us, over and over, with tears welling, what the mountains used to look like... where the people used to live... where the livestock once were... where it was he used to fish and swim and run from his grouchy uncle...

Three million pounds of dynamite per day are used in West Virginia, to blast off mountains and remove the flat seams of coal. The forests are clearcut; the trees are dumped into the valley fills, followed by the mountain itself.

Slurry ponds are created to hold billions of gallons of toxic liquid containing arsenic, aluminum, mercury, lead, and other metals; their earthen dams break, causing such disasters as in Martin County, Kentucky.

Hundreds of coal trucks careen at high speeds down tiny local roads. People die, killed by coal trucks, floods, dam breaks, and the flyrock itself. Ecosystems vanish – ecosystems of globally recognized biodiversity unique to the Appalachians. The earth's topography is fundamentally altered.

... From here we drove to Blair, WV, the site of the famous “Battle of Blair Mountain.” This battle took place in

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State Bird Populations Declining, Loss of Habitat Due to MTR A Factor

Charleston Gazette, Oct. 25, 2004

Nearly 30 percent of North American bird species today are suffering “significant declines,” according to a study just released by the National Audubon Society.

... “When birds are in trouble, people are next,” (John Flicker, president of the Audubon Society) Flicker said.

... The new Audubon study found several species in West Virginia are particularly hard hit, including the Eastern meadowlark, Vesper sparrow, Brown thrasher, Cooper’s hawk, Appalachian Bewick’s wren, Cerulean warbler, Golden-winged warbler and Field sparrow.

... Greg Butcher, Audubon’s director of bird




Cerulean warbler

conservation, said last week, “In West Virginia, one of the things we are especially concerned about is the effect of mountaintop removal mining on forest birds.

“West Virginia is an important environment for the cerulean warbler, a bird that likes a varied forest, including canopy trees. Warblers are pretty susceptible to fragmentation of their

habitat. Kentucky warblers and Black and White warblers are also declining.”

“West Virginia is also an important state for bird migration. A lot of people come to the state to enjoy birds in their natural habitat. So there are economic benefits from tourists,” Butcher said. 

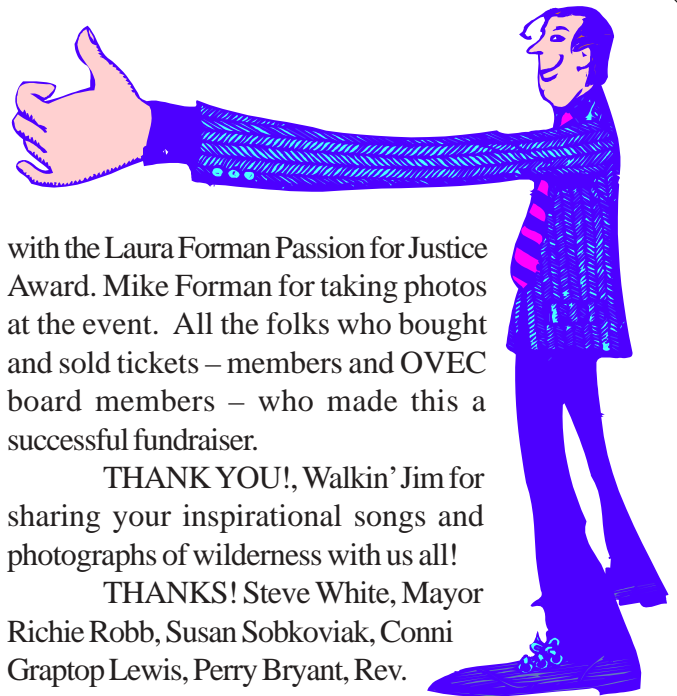
THANKS!

THANKS! to everyone who supports OVEC's work with financial contributions!

THANKS! so much to Rev. Mary Ramsey for her extraordinary, ongoing support. She conceived of the “Fiddlers in Concert for the Mountains.” The concert, held Nov. 6 in Bridgeport, CT, raised over \$1,500 for Coal River Mountain Watch and OVEC, and featured Klezmer fiddler, filmmaker, photographer and author Yale Strom, internationally-acclaimed author, composer, fiddler and improvising violinist Julie Lyonn Lieberman and other musicians. The audience learned more about mountaintop removal as Coal River’s Judy Bonds and Janice Nease presented *Appalachian Treasures*.

THANKS! so much to folks in Mingo County and those at Coal River Mountain Watch for their continued partnership in the Sludge Safety Project.

THANKS! *Forever Wild!* Walkin’ Jim Stoltz Benefit to Stop Mountaintop Removal. Thanks to Sharon Roon for taking tickets at the door, Eric Fout and Mike Forman for all the heavy lifting, Connie Chojnacki for watching Walkin’ Jim’s table and helping with his sales, John Giacalone for his incredible generosity (bought 26 tickets to give his friends and came all the way from Anchorage, AK, to see Walkin’ Jim Stoltz). John Giacalone is a person of rare courage and profound generosity who donated a kidney to Walkin’ Jim for a transplant in 2004! Julie Archer for presenting Si Galperin



with the Laura Forman Passion for Justice Award. Mike Forman for taking photos at the event. All the folks who bought and sold tickets – members and OVEC board members – who made this a successful fundraiser.

THANK YOU!, Walkin’ Jim for sharing your inspirational songs and photographs of wilderness with us all!

THANKS! Steve White, Mayor Richie Robb, Susan Sobkoviak, Conni Graptop Lewis, Perry Bryant, Rev. Dennis Sparks, Si Galperin, Julie Archer, Norm Steenstra, Winnie Strezrlecki (The Reform Institute, Alexandria, VA), Mary McClelland (Public Campaign, Washington, D.C.), John Welbourn, Sue Price, Carol Warren, Gary Zuckett, Kathryn Stone, Helaine Rotkin and Tim McClung for attending legislative interim sessions on campaign finance reform, working on a proposed pilot project and just being faithful to campaign finance reform work!

THANKS! to Debbie Wills for volunteering to work on the postcard campaign to promote Clean Elections, and to Margie McInerney for the kind words.

How Big Business is Quietly Funding a Judicial Revolution in the Nation's Court Systems

Excerpted from Nov./Dec. 2003 *Mother Jones* magazine by Michael Scherer

... Since 1998, major corporations – Home Depot, Wal-Mart, and the insurance giant AIG, to name a few – have spent more than \$100 million through front groups to remake courts that have long been a refuge for wronged consumers and employees.

By targeting incumbent judges, they have tilted state supreme courts to pro-business majorities and ousted aggressive attorneys general. At the same time, corporate lobbyists have blitzed state legislators with tort-reform proposals, overseeing the passage of new laws in 24 states over the past year alone.

Now, with a sympathetic ear in the White House, corporate America is taking its legal agenda to the federal bench with a behind-the-scenes campaign of high-powered lobbying and interest-group advertising. ...

... Big money, however, cares a great deal about

WV Lawmakers Writing Bill to Limit Giving to So-Called 527 Groups

Charleston Gazette, Scott Finn, Jan. 10

Call it the anti-Don Blankenship bill.

A committee of legislators is drafting legislation to limit independent spending for or against a candidate, like the \$2.4 million Massey Energy Co. CEO Blankenship gave to one group to help defeat state Supreme Court Justice Warren McGraw. (Ed. note: Blankenship spent \$3.5 million overall in his crusade to oust McGraw.)

The draft bill would limit at \$2,000 the contributions any one person could give to a group making an “electioneering communication” close to an election.

... The state of Vermont has limits on contributions to such independent campaign groups, known as 527s because of the section of IRS code that regulates them.

The Second Circuit of the U.S. Court of Appeals upheld the limits, as long as they applied to advertisements about specific candidates and not about issues, said Legislative lawyer Brian Skinner. 🍌

“Polite conservationists leave no mark, save the scars upon the earth that could have been prevented had they stood their ground.” –late environmentalist David Brower

who sits on the nation’s 13 federal circuit courts (as they are) the final venue for 99 percent of federal cases and most regulatory challenges. These courts, which operate in relative media obscurity... **set**

precedent on issues affecting business such as media-ownership rules, sport-utility rollover lawsuits, **or**

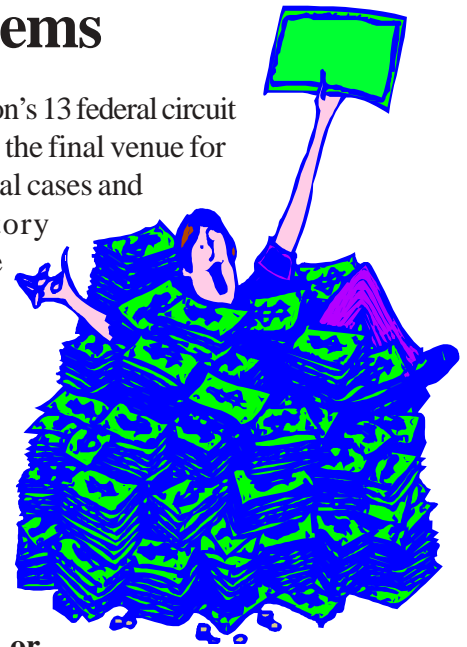
the rights of coal-mining companies to dump waste in thousands of miles of streambed in West Virginia.

... The strategy of using vast amounts of campaign cash to shift the legal landscape was developed a decade earlier by a talented young Republican direct-mail consultant from Texas – Karl Rove. Long before he took on the moniker of “Bush’s brain,” Rove realized he could energize the legal and medical establishments by targeting the once-sleepy Texas Supreme Court elections.

... Soon the business community in other states, and nationally, began to invest in judicial battles... The U.S. Chamber of Commerce joined with the Business Roundtable to set up a complex network of front groups that anonymously filtered corporate money into often divisive local television ad campaigns.

By 2000, campaign spending on state judicial races had risen to \$45.6 million, a 61 percent increase over the previous peak in 1998 and twice as much as 1994. ... The Chamber claimed victory in 21 of 24 judicial elections it worked on in eight states, as well as 11 attorneys general races. “I was an exporter of judicial terrorism,” explains (Kim) Ross of the Texas Medical Association ...

Those familiar with Rove’s operation in Texas now see the same strategy at work in the White House’s selection of federal judges. ... John Roberts, a Bush nominee who recently won confirmation to the District of Columbia Circuit Court, worked as an attorney to strike down new clean-air rules and **filed a brief for the National Mining Association, arguing that federal courts could not stop mountaintop removal mining in West Virginia.** 🍌



Activists' Field Report

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1921, when 6,000-7,000 armed coal miners tried to march to Mingo and Logan Counties to join miners struggling to unionize there. They were stopped in Blair by state police, armed mine bosses and hired Baldwin-Felts thugs. For two weeks, gunfire was exchanged across the ridgetops, while the miners tried to pass through three mountain gaps, but were stopped by the machine guns of the state. The miners were finally defeated after the mine bosses called in the assistance of the National Guard and planes flew over the woods dropping rudimentary bombs. This marked the first time in U.S. history that the U.S. government bombed its own citizens.

... We were shown many different faces of this complex struggle – this issue that includes all issues – and left this most beautiful area of West Virginia with tears in our eyes and resolve in our hearts. We look forward now, forward to organizing with our friends in the coalfields and allies across the country for a summer of empowering action against mountain range removal and the coming end to this unacceptable scourge. Mountain range removal will be stopped. Cultural harmony and biological heritage will be protected and restored.



Just after the November Friends of the Mountains meeting, Janet Fout snapped this picture of some of the attendees. Sue Daniels, third from right, died just a few days later under tragic circumstances. For Sue, for Laura Forman, for so many fallen friends, we will end mountaintop removal. From left: Judy Bonds, Vivian Stockman, Larry Gibson, Bill Price, Abe Mwaura, Bo Webb, Sue Daniels, Scott Straight and Dianne Bady.

** We are so saddened to say that biologist and stop mountain range removal activist Sue Daniels was taken from this Earth just days after this article was written. Goodbye Sue!* 🍂

Only Turkeys Would Eat That Turkey

WVAH TV News Transcript Nov. 18, 2004

Voiceover: “No thanks!” That’s what some Boone County people are saying to the Wives of Massey Energy tonight.

Video (of Mary Miller in a turkey mask): “Gobble, gobble, gobble... we won’t eat Massey turkey.”

A small protest outside the Sylvester Community Center this afternoon as the Massey Energy Spousal Group cooked up a turkey dinner inside. The meal was free to the community, but residents, hardened by their past coal problems and lawsuit say it won’t make up for the coal dust that’s ruined their town.

Mary Miller: “I say ‘no!’ I don’t want their turkey dinner. We want Massey to clean up the town of Sylvester. We don’t want dinner; we don’t want them buying us.” 🍂



Will Benjamin Be a Reliable Pro-Business Vote on WV Supreme Court? Some Fear He Will Defer to Big Money, His Election Backers

Charleston Gazette, Jan. 11, 2005

by Toby Coleman

This week, the justices of the West Virginia Supreme Court return to the bench... (with new) Justice Brent Benjamin, who comes to the bench after defeating Justice Warren McGraw in November.

Plaintiff's lawyers and unions worry that Benjamin will lean toward businesses because he won the seat on the crest of a multimillion-dollar campaign financed by (certain) doctors, businesses (the West Virginia Coal Association gave \$223,000) and Massey Energy Co. Chief Executive Officer Don Blankenship.

...Last week, (Justice) Starcher marked Benjamin's arrival by putting an editorial cartoon outside his office door.

It depicted Benjamin showing up at the high court in a shipping crate marked "courtesy of \$3.5 million from Massey Coal and other coal interests" (see at right).

... "Any concern I have has to do with those who brought him into office," said Steve White, director of the Affiliated Construction Trades Foundation.

"People don't spend \$5 million or \$10 million for nothing, and they don't do it for altruistic reasons."

The worries ran so deep that some people have called on Benjamin to promise not to hear any cases involving Massey. Benjamin refused and said he would decide whether to recuse himself from Massey lawsuits on a case-by-case basis.

"I think it's unfortunate that our system has caused people to be so jaded as to believe that justices approach cases in a biased manner, and I think that's certainly something I'm looking forward to trying to change," Benjamin said. 🍌

Next Supreme Court Race Could Be Just as Nasty, Observers Fear

Charleston Daily Mail, Nov. 4, 2004

Mud is likely to continue flying in future West Virginia court races now that attorney Brent Benjamin has knocked off incumbent Justice Warren McGraw in a race that featured millions in spending and harsh allegations, experts said.

The independent group And for the Sake of the Kids targeted McGraw... Massey Energy chief Don Blankenship bankrolled an estimated \$3.5 million to pay for the advertisements, direct mailing and a campaign of recorded telephone calls to potential voters.

...Charleston attorney Marvin Masters suggested that more companies are likely to follow Blankenship's example of heavy spending in court races.



"They would rather spend \$10 million to control the Supreme Court than \$100 million for people that they've defrauded," Masters said. "It's happening across the country. It's tobacco companies, insurance companies, big businesses that get sued, that commit fraud."

...Neely blamed a recent U.S. Supreme Court decision that means judicial races don't have to be governed by the canon of judicial ethics.

"It's an absolute disaster for the judiciary, and I don't know how we go about fixing it," he said. "It's a very, very worrisome problem. These ads work and this kind of campaign works. Now every seat on the Supreme Court is for sale." 🍌

West Virginia ‘Open for Business,’ Coal Leaders Say

Charleston Gazette, Nov. 11, 2004

by Ken Ward Jr.

The re-election of President Bush and the defeat of state Supreme Court Justice Warren McGraw signal good times ahead for coal operators, industry officials said Wednesday.

“Nov. 2 was a great day for the state of West Virginia,” said Bill Raney, president of the West Virginia Coal Association.

Speaking to a conference on national coal issues, Raney praised the “no-nonsense leadership of Don Blankenship” in defeating McGraw.

Blankenship, president of Massey Energy, has said he spent \$3.5 million on his campaign to help Republican Brent Benjamin unseat McGraw for a 12-year term on the court.

Because Blankenship donated to third-party efforts to oust McGraw – and spent money directly – he could avoid any limits on his election spending.

...“Nov. 2 was a major change in the political landscape of West Virginia,” Raney said. “We feel like we’re truly open for business in West Virginia.”

Blankenship, who also spoke at the West Virginia University-sponsored seminar, said he would not apologize for his financial efforts on Benjamin’s behalf. . . . “I’m proud

of the fact that I spent \$3.5 million to change the insurance costs for West Virginians,” Blankenship said.

... Among labor leaders, environmentalists and regulators, Massey is known for opposing unions, violating pollution rules and unsafe work practices.

But at Wednesday’s WVU conference, industry and government officials praised Blankenship and his company.

Wednesday’s event at the Charleston Marriott was part of a series of “Energy Roadmap” workshops scheduled by WVU’s National Research Center for Coal and Energy.

Inside the meeting, Cindy Rank of the West Virginia Highlands Conservancy wondered why WVU officials did not include a discussion of mining’s environmental damage.

“People have real grievances,” Rank said. “They are losing their homes and losing the value of their property.”

“I wonder if there is not a place for more discussion of those impacts, to develop a more balanced discussion,” Rank said. 🌰



Massey Chief Gets a BIG Thumbs Down from Coalfield Residents

Nov. 10, 2004: Massey CEO Don Blankenship spoke on “Challenges Facing Southern West Virginia Coal Production” at the WV Energy Roadmap Workshop on National Coal Issues. Blankenship obviously considers coalfield residents and environmental laws “challenges” to his company’s ability to blow up mountains and bury streams with impunity.

As the Massey chief spoke inside the Charleston Marriot, about 60 Friends of the Mountains rallied outside (see photo below of a few of the protesters). We are fed up with both mountaintop removal coal mining and Blankenship’s buyout of democracy. Blankenship has admitted using \$3.5 million (!) of his own money to fuel an exceedingly nasty campaign against WV Supreme Court Justice Warren McGraw. 🌰



Running Clean

Maine and Arizona Voters Reaped the Benefits of Their Publicly-Funded Clean Election Systems on Nov. 2

TomPaine.com, Dec. 6, 2004

by Micah L. Sifry

While overall campaign spending rose 30 percent in 2004, topping \$4 billion – led by two presidential candidates who raised more than half a billion in private contributions – something quite different took place in the states that have enacted Clean Money/Clean Elections systems: More candidates than ever are running for office on a limited budget of full public financing. And the system is spreading.

“In Maine, 83 percent of the state Senate and 77 percent of the House will be made up of legislators who ran clean (election campaigns).”

...In Maine, a whopping 83 percent of the state Senate (29 out of 35) and 77 percent of the House (116 out of 151) will be made up of legislators who ran clean...Both major parties are heavily represented in this group.

...It is now fair to say that in Maine, at least, the political norm is for candidates to refuse private contributions and instead rely solely on equal grants of public funds, which they qualify for by collecting a large number of \$5 contributions at the beginning of their races.

In Arizona, a total of 46 candidates for the state legislature and corporation commission were elected running clean. Clean Elections winners in Arizona were both Republicans and Democrats...In Arizona, the Clean Elections system not only has increased the diversity of the candidate pool, it has expanded public participation in the funding process itself.

...(I)t is likely that widespread reliance on the Clean Elections systems in both states will again show a tempering in overall campaign costs and a narrowing of the financial gap between challengers and incumbents.

The success of public financing in Maine and Arizona has contributed to the passage of similar systems in more states....While the prospects for passing more reforms of the federal campaign system look slender right now, opportunities abound in the states. That’s in part due to the

hard work of local activists, aided by the inevitable scandals that arise under “pay-to-play” politics...

It takes time and steady organizing efforts to enact Clean Elections-style reform, and defenders of the status quo - many of whom profit greatly from it - are scarcely indifferent to this challenge to their power.

But while the national headlines may seem discouraging, it’s important to remember this essential fact about change in America - it always bubbles up from below.

☆☆ DEMOCRACY WORKS! ☆☆

West Virginians Reverse Past Trend of Election Year Complacency

State Journal, Nov. 11, 2004

by Beth Gorczyca

Nov. 2 was a historic day in West Virginia. ...West Virginians reversed a trend they had followed for 40 years the trend of ignoring politics, of not voting, of not even registering to vote.

Consider this. According to unofficial results from the West Virginia Secretary of State’s office, nearly 1.17 million of the state’s 1.4 million residents of voting age registered. Never in the past 40 years has the number of registered voters been so high, according to the Federal Election Commission.

Last week’s election also marked one of the biggest turnouts of people voting age in 30 years - 762,000-plus ballots cast. Four years ago, 648,124 ballots were cast.

“The average person is beginning to see that unless they become engaged in the process then what they want to happen in the world isn’t going to happen,” said Janet Fout, a co-director of the Ohio Valley Environmental Coalition and co-chair of the People’s Election Reform Coalition.

But why the switch now?

“It’s a combination of factors,” Fout said. “...West Virginia, like a lot of states, saw a major effort to register new voters and then get as many of them casting ballots as they could. OVEC alone registered more than 1,000 new

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We care, We Count, WE VOTE!

WV Voters Vote

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voters this year,” Fout said. Other groups registered people, too.

Fout said she believes more people across the state are getting involved in every aspect of government. They are organizing. They are talking. They are listening.

That won’t end now that the election is over. At least she hopes not.

“If maybe the election didn’t go the way one person wanted, I hope they don’t walk away saying, ‘See, my vote doesn’t matter,’” she said. “Maybe I’m an optimist, but I

West Virginia Heads Down a New Political Road Less Taken - Republican

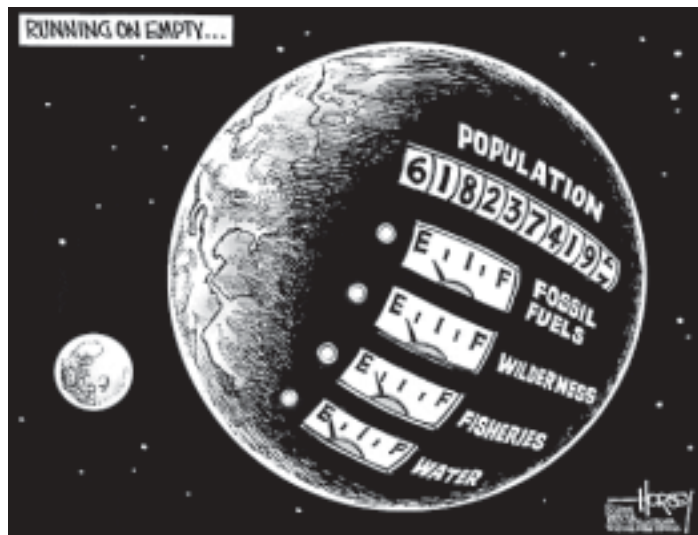
New York Times, Nov. 16, 2004

...Justice Warren McGraw of State Supreme Court, a fiery populist, was thrashed in his bid for re-election by a novice Republican candidate backed by business groups and coal operators.

And three Democratic state senators were unseated by Republican insurgents.

...Justice McGraw was vastly outspent by a phalanx of business groups led by the Chamber of Commerce and Don L. Blankenship, chief executive of Massey Energy, who poured \$3.5 million of his money into an advertising campaign harshly attacking Justice McGraw.

...At the same time, the coal fields of the south, a Democratic redoubt for decades, have steadily lost population as mining jobs have dried up and young people have moved away ... 🍌



think this election shows that even if the candidate you wanted didn’t win, you made a difference.”

(Fout

would like to) see the state adopt clean elections laws similar to those passed in Arizona and Maine that put limits on spending or force special-interest groups to fully identify themselves in both issue and candidate advertisements. Not having clean elections, she said, ends up hurting everyone.

“It’s not democracy when people can buy it,” she said. “It’s not free speech when people pay for it. It’s baloney.” 🍌

“Some of these people wouldn’t give a hungry man a hot dog yet they’ll give me \$1,000 for my campaign. And you don’t think they want something in return?”
- WV Delegate Tom Louisos, quoted in Graffiti, July 2004.

☆☆ DEMOCRACY WORKS! ☆☆

We Care, We Count and We Voted!

Civic participation is the foundation of democracy. Unfortunately, many individuals in West Virginia are left out of the democratic process, either from a sense of disempowerment, a lack of understanding of the issues, or because they don’t know their rights.

Encouraging civic participation is a major part of OVEC’s ongoing work. In our own small way, we help work on the nationwide problem of declining citizen civic involvement.

In 2004, thanks to the Janelia and Public Welfare foundations, OVEC launched its first-ever voter registration/get-out-the-vote (GOTV) project, “We Care, We Count, We Vote.” OVEC’s intern, Scott Straight, and organizer Abe Mwuara led this effort.

We carried out our non-partisan voter registration and voter information project in partnership with the Huntington-Cabell Branch of NAACP and Marshall (University) Action for Peaceful Solutions (MAPS).

We focused our efforts on Huntington’s District 5, a majority African-American, low-income district.

OVEC trained 45 volunteers for voter registration canvassing, who devoted hundreds of hours to the GOTV project.

We are proud to say we registered 1,177 people – 17% of all new voter registrations in Cabell County. 🍌

Boy Killed by Flyrock; Va. Residents Cite Flawed Regs

Washington Post, Jan. 6, 2005

APPALACHIA, Va. – It hurtled like a cannonball into Dennis and Cindy Davidson’s house, right through the wall of the bedroom and onto the bed where 3-year-old Jeremy was sleeping.

The huge boulder continued its path, crashing through a closet before finally stopping at the foot of 8-year-old Zachary’s bed. Zachary would be fine. Jeremy was crushed to death.

A bulldozer operator widening a road at a strip mining operation atop Black Mountain had unknowingly dislodged the half-ton boulder that August night. And now, more than four months later, Jeremy’s death is still being felt across the coal mines of southwestern Virginia.

For many residents, the toddler’s death has come to symbolize what they consider the companies’ and the state’s callous disregard for their safety.

“Since the child got killed, it’s sort of like when the towers got bombed and the country came together,” said Carl “Pete” Ramey, a coal miner turned anti-strip-mining activist. “The death of an innocent child that had nothing to do with what’s going on has brought us together. I think a lot of people feel guilty they didn’t do something before.”

...A special prosecutor is investigating whether to bring criminal charges. The state mining agency has fined the mining company \$15,000 – the legal maximum – and proposed changes in the law... The Davidsons, who have filed a \$26.5 million lawsuit against the mining operators, are hoping that Jeremy’s death will be a catalyst for change.

“I keep asking Cindy, ‘Why couldn’t we have had his bed sitting against another wall?’” Dennis Davidson said in an interview as his wife sat beside him, wiping away tears.... I don’t want my son’s death to be in vain. I want to see changes in the laws so that something this stupid and careless doesn’t happen again.”

...The hollows outside town, like the one where the Davidsons lived, were bucolic and peaceful places until

“Back in 1938, when fascism was sweeping Europe, legendary investigative reporter George Seldes observed (in his book, *The Lords of the Press*) that ‘it is possible to fool all the people all the time – when government and press cooperate.’ Unfortunately, we have reached that point.”

Gary Webb in *Into the Buzzsaw*

recently. About five years ago, surface mining started moving from distant mountaintops to the hills directly above Appalachia, reflecting a dramatic upswing in the fortunes of coal.

Coal produces more than half the electricity generated in the United States, and expanding economies in this country and China have created a huge demand for electricity. With natural gas prices soaring, coal is more competitive. More coal-fired power plants have been announced in the last 12 months than in the previous 12 years, according to the National Mining Association. There is even a labor shortage.

But in the valleys of southwestern Virginia, resistance to surface mining has been building as residents say their lives have grown unbearable.

Ramey last year moved away from his house of 37 years, believing that the blasting required in surface mining was sending rocks flying into his yard. Dorothy Taulbee quit sitting on her porch and hanging clothes out to dry because of dust from coal hauling trucks that speed by her house. Since Jeremy Davidson’s death, Mary Crow Pace considers it too dangerous for her great-grandson to visit.

“It’s been horrible,” said Pace, who lives nearby. “The blasting caused so much shaking and rocking when I was standing in the bathroom the other day. If I hadn’t been holding on to the basin, I believe I would have fallen over. I’ve been here 77 years, and I haven’t seen anything like this. It ain’t no fun living here anymore. It’s a scary place.”

...Many residents said they were not surprised that someone was killed, though they never imagined it would be a sleeping child....

Asked why surface mining is permitted near residential neighborhoods, agency spokesman Mike Abbott replied, “Because state and federal laws allow it.” He cited laws prohibiting surface mining within 300 feet of an occupied dwelling and within 100 feet of a public road.

...The Davidsons say they would be pleased if new requirements arising from their tragedy were passed. They would like them to be known as “Jeremy’s law.”

...The accident has been particularly hard on Zachary, they said. Most weekends, they take him to visit his brother’s grave. He usually picks up the ceramic bunny rabbits the Davidsons have placed among the artificial flowers.

After one of their last visits, he told them, “When we move, I don’t want to live by a hill. I may be next.” 🍌

Help Counter King Coal's Massive PR

You've probably seen Walker Machinery and other FOC (Friends of Coal) TV ads about how wonderful "mountaintop mining" is. While FOM (Friends of the Mountains) hasn't the mega-bucks needed to counter these extremely one-sided ads with TV ads of our own, we do have the power of truth and numbers!

The letter to the editor section of newspapers is one of the most heavily read, so make your voice heard! No matter where you live, we are asking that you regularly write to your local newspaper, as well as other papers across the state and nation.

Try to keep your letters short, about 200 words. Be sure to include your name, town and phone number (it won't be published; it's only used to verify with you that the letter is yours). You can get contact information for almost any paper in the nation at www.newslink.org/.

Here and throughout the newsletter are some recent letters to the editors. We hope these inspire you. You can also check the news section on www.ohvec.org, updated daily, for some interesting articles that just might cause you to take pen in hand.

For the Sake of the Mountains – *Write!*



Is this *really* the legacy we want our children and their children to have of West Virginia? Denuded, otherworldly-smooth "mountains;" non-native trees, when they can get trees to grow at all; and beach grass?

Beckley Register-Herald, Jan. 7, 2005

Plenty to Blame for Travesty of Mining

More are to blame for the travesty of mountaintop removal than Don Blankenship, scourge of God, and Bill Raney, president of the West Virginia Coal Association.

Our good Sen. Rockefeller did his part. Jay's first appearance in West Virginia was a poverty warrior in the Action for Appalachian Youth program, a part of President Johnson's War on Poverty. In his first gubernatorial contest, Rockefeller ran in opposition to strip mining and was defeated. When he tried again, he was a dedicated strip miner. Rockefeller seemed to have applied a Groucho Marx maxim: "These are my principles, and if you don't like them, I've got others."

On March 2, 1977, Gov. Rockefeller testified before the Subcommittee on Energy and Natural Resources: "Such methodologies as 'controlled placement' and 'mountaintop removal' should certainly be encouraged if not specifically dictated."

Land companies are certainly to blame. They don't have to lease lands to coal companies, especially after knowing of the impending destruction, but they do it. I suppose that they would do business with the devil himself if he had a dollar bill in his band.

Others share the blame: Govs. Caperton, Underwood and Wise; the West Virginia Legislature(s); the rubber-stamping DEP; the West Virginia Surface Mine Board; U.S. Sen. Robert C. Byrd and Rep. Nick Rahall; the Army Corps of Engineers ...

The list of conspirators is endless, but one thing is certain - coalfield residents are suffering.

Richard A. Bradford
Edwight



Campaign; Write Letters To the Editor!

Washington Post, Sept. 18, 2004

Razing Appalachia

Thomas H. DeSabra ["Appreciating West Virginia as It Is," letters, Sept. 1] said that "not much grows" in West Virginia's "rocky soil."

Wrong.

West Virginia is home to the mixed mesophytic forest, the most biologically diverse temperate hardwood forest on Earth. Federal studies say it will take centuries for the forest to recover from mountaintop-removal coal mining, which is gobbling up huge swaths of southern West Virginia, eastern Kentucky, and parts of Tennessee and Virginia.

West Virginia is blessed with abundant fresh water, which, in the long run, will prove to be a far more important resource for our state – and for the nation – than coal. We have the highest regional concentration of aquatic biodiversity in the country. Coal companies have destroyed groundwater and buried or otherwise trashed more than 1,000 miles of Appalachia's streams under millions of tons of former mountaintops. These streams were crucial to the healthy functioning of downstream ecosystems.

Mountaintop removal probably accounts for only about 5 percent of the coal mined in the country. We could cut energy consumption by 20 percent using available conservation and energy-efficiency techniques. Studies show that alternative energy development also will create jobs. Mountaintop removal unravels the ecological balance of our region, and it must end – not only for preserving the state's incredible beauty but because humans depend on healthy ecosystems too.

Vivian Stockman
Huntington, W.Va.



Giant bulldozers and dump trucks are dwarfed by the scale of destruction that is mountaintop removal mining in Mingo County, WV.

Charleston Gazette, Nov. 11, 2004

Big Business Bought Votes

I never thought the day would come that I would be ashamed to say I am a West Virginian. I cannot believe that the people of West Virginia have allowed big business to buy their votes. Justice Warren McGraw has dedicated his life to serving the people of West Virginia, and this is the thanks he gets. Mark my word, West Virginia won't be the Mountain State much longer, because the rolling hills will be replaced with whatever A.T. Massey wants to put there. You have sold your souls to the devil and I hope you can live with this decision.

Margaret Chico-Eddy
Durham, N.C.



Charleston Gazette, Nov. 30, 2004

Stand Up Against Don Blankenship

One would think that after a hundred years of oppression by greedy coal barons, the people of the West
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Virginia coalfields would stand up and say, Enough!

But instead, they have developed a very bad habit. That habit is a lack of care, apathy. Don Blankenship is leading a company that is totally destroying the Coal River Valley. It is hard for me to understand how anyone can sit by and watch their community be taken over by nothing less than pure evil.

These same people go to church and profess to be Christian. It is not for me to judge, but I would like to ask every person on Coal River to point to me the mountain that Jesus would blow up. Which community would he terrorize? Which school would he poison?

Why won't you stand up for God against this evil threat?

Is it because you think Don Blankenship is your salvation? Is it because he threw money at your church? God is not allowed in our schools. Why do you allow Blankenship in our schools? Why do preachers not shake loose from the devil and unite people to fight for God instead of worshipping Massey?

Bo Webb
Naoma



Charleston Daily Mail, Nov. 23, 2004
Coal Mining Process Will Ruin State's Water

The Daily Mail editorial about the study of a professor from Massachusetts said some "fringe groups keep trying to kill coal." Who are editors referring to?

Groups here in West Virginia are trying to make the coal industry mine coal responsibly. There is a right way and a wrong way.

To imply that we are trying to kill coal may be considered damaging and is an insult to people living in the coalfields who are fighting for their lives and property.

History has shown us that the coal industry has and will abuse the citizens and the state if allowed to do so.

It is a huge mistake to loosen regulations for the coal and chemical industry so the CEO can make outrageous and sinful profits, while these companies poison our state's water supply.

A lobbyist for the chemical industry recently tried to get lawmakers to lower water quality standards for our great streams and rivers. Coal lobbyists try this every year.

I found the study shortsighted. The waters of West Virginia will be in high demand. Water is essential to life and is becoming more precious than gold.

Mountaintop removal is destroying the future of the hardwood timber industry in southern West Virginia – timber and jobs lost for the next 200 years. The northern scenic parts of the state had better watch out.

Julia Bonds
Rock Creek



Charleston Gazette, Dec. 2, 2004
Blankenship's Evil Rooted in Money

In reference to Sunday's story about Don Blankenship; as a coalfield resident, I know where the root of this evil begins. His money is the dirtiest money in the world. It comes from the destruction of our communities, homes and lives.

He likes to make folks think that he supports our
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The blasting rig in the center of this photo could just as easily be a tombstone or monument for the destruction it is helping to cause in Logan County, WV.

Mountaintop minding

Ecologist leads effort to rescue plants on mining, logging sites

Sunday Gazette Mail, Sept. 5, 2004

by Tara Tuckwiller

ARTIE – Unfortunately for goldenseal, it likes to grow where coal and timber do.

It was unfortunate for Dean Myles, too. His job as an intern with the U.S. Department of Agriculture was to find patches of the elusive medicinal herb in Southern West Virginia for researchers to study.

He asked locals who had lived in the hollows for years, many of whom had long harvested medicinal herbs to treat their own ailments. They knew where the goldenseal

was, all right. At least, where it had been.

“Every person I would talk to said, ‘Oh, yeah, there’s some up on the mountain, but they’ve stripped and timbered it away,’” Myles said. “Probably 50 percent said [the goldenseal] had been destroyed by mining and timbering.”

And it wasn’t

just goldenseal. It was ginseng, cohosh, lady’s slipper and trillium. Serviceberry, dogwood, flame azalea and butternut. Native plants that provide medicine, extra cash, or simply beauty to the people of Southern West Virginia.

Some of the plants are quite picky about their habitat. They won’t grow just anywhere. And their habitat was being destroyed.

Myles decided to try to rescue valuable plants that lay in the paths of bulldozers all over the coalfields. He launched the Conservation of Appalachian Medicinal Plants project at Mountain State University, where he was a student.

Now employed full time by the MSU Medicinal Botanicals Program, Myles spent every moment he could this spring and summer searching out plants in danger. In



Trillium



Goldenseal

ACTION ALERT

The Conservation of Appalachian Medicinal Plants project is interested in surveying sites that are scheduled for mountaintop removal, timbering, construction and the like for plants whose survival is threatened in West Virginia and/or globally, such as:

Butternut

Dogwood

Ginseng

Lady’s slipper

Serviceberry

Trillium

Anyone knowing of such sites is asked to contact the Mountain State University Medicinal Botanicals Program at (304) 253-7352, ext. 1687 or dmyles@mountainstate.edu.

the fall, when the plants are dormant, he and his cadre of volunteers – some ecologists like him, and some local people who just want to help – will move the plants to safe places where they can be used for teaching.

...Recently, Myles visited a possible rescue site, 4,000 acres on a remote mountainside in Raleigh County that’s scheduled for mountaintop removal. ... “You can see where they took the top of the mountain,” he said. He turned around and faced the creek that split that ridge from the next one. That ridge will be mined, too. “It’s like that everywhere,” he said. “All through Dry Creek, Whitesville ... It’s pretty much one big surface mine.”

Preliminary results show that... if you cut down the trees that shade a stand of goldenseal, the extra sunlight will throw the levels of two medicinal alkaloids in the plant out of whack, reducing its value.

That is, if the plant survives at all.

... “I have now seen firsthand how fast the habitat, populations of plants, and



Lady's Slipper

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Letters to the Editor

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communities. Does he really think that his infomercials are fooling folks?

The lives of our children are taken into his hands every day, and he carelessly endangers them with looming toxic sludge lakes above their schools. The one behind Marsh Fork Elementary contains billions of gallons of black muck.

How is this any better than allowing a child molester loose in our schools?

Maria Gunnoe

Bobwhite



Coal Valley News

Where is Economic Development?

Editor:

I am so happy that Mr. Lodato is a "proud member" of Friends of Coal. But, I'd like to present a few things.

We have had the fact that the coal industry is a "vital part" of the growth of our state shoved at us for many years. In fact that has been the case ever since coal was discovered in West Virginia.

If you will take a look at the counties where coal is NOT produced and all the growth and wealth seem to be there, not in the southern counties where coal is such a "vital industry."

Where is the economic growth in Boone County?

Where are even fewer businesses here now than there were 25 years ago. Economic growth deals with the material wealth of mankind. It means an economy that hasn't been stagnating for 25 years, but one that is successful and thriving.

The economic growth you refer to certainly hasn't found its way to Boone County.

The economic growth is in the pockets of the coal industry itself - not in the pockets of the citizens of Boone County.

Like all the coal company commercials being run on TV, the Friends of Coal is another piece of coal company propaganda being used to shore up peoples' belief that the coal companies are our friends so that we will smile at them while they blow up our mountains, build dangerous impoundments, poison our water and cause major flooding where there didn't used to be flooding.

Instead of touting the "Friends of Coal" club why

not find some economic growth for Boone County that isn't related to the coal industry, something that doesn't destroy the environment and won't be depleted within the next 20 years.

Sue Sharps

Peytona, WV



Charleston Gazette, Dec. 5, 2004

Massey CEO Doesn't Care

It's time for West Virginia to wake up and see that Don Blankenship wants to abolish environmental laws, de-unionize miners, and depopulate the coalfields. He made \$17.6 million from October to November while the company lost \$60.4 million from January 2002 to September 2004. He gave \$3.5 million to buy Massey a judge and called it "For the sake of the kids."

Meanwhile, in the coalfields he is being sued for causing flooding, destroying water wells, polluting streams and putting kids' lives in danger with speeding, overweight coal trucks. Does this really sound like he cares about kids? He talks about the shortage of labor in central Appalachia all the while putting hundreds of experienced union miners out of work.

So here it is almost Christmas and he is trying to make himself look good again. Wouldn't it be better for the families to have jobs and food all year long, instead of the Massey Christmas Extravaganza just so Donnie can play Santa? That could happen if Massey wasn't a monopoly in Southern West Virginia. HO! HO! HO!

Patty Sebok

Seth



Huntington Herald-Dispatch, Dec. 9, 2004

Supreme Court Sides with Industry

Supreme Court Justice Spike Maynard recently stated the Court's guidance in the case of flood victims versus coal and timber operators. I've interpreted his remarks as I understand them.

- Maynard: "This court simply does not believe that the day-to-day activities of defendants necessarily create a high

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Help Us Make Coalfield Communities Safer from Sludge

In 2003, Senator Robert Byrd said, “Breaks in coal slurry impoundments can threaten the lives and health of area residents, destroy homes and businesses and contaminate water supplies. This dangerous potential looms over coal mining regions in West Virginia and throughout Appalachia.”

OVEC, Coal River Mountain Watch and concerned citizens of Mingo County have gone door-to-door in coalfield counties, asking people what is on their minds. We found that, no matter people’s opinion on mountaintop removal coal mining, most are very concerned about coal sludge impoundments.

Many, many West Virginians worry about these vast lakes of coal waste, chemicals and water that loom above their communities.

That’s why both of these groups and residents are collaborating on the Sludge Safety Project (SSP), www.sludgesafety.org. We aim, with a little help from you, to spur changes that will result in safer coalfield communities.

The project’s goals include improving safety for those who live downstream from coal sludge impoundments, advocating for the shut down of the most dangerous impoundments as quickly as possible, improving water quality for all West Virginians and

Toxic Coal Time Bomb

South Wales Echo (Great Britain) Nov. 24, 2004

A dangerous cocktail of metals and chemicals has been discovered underneath homes in a city suburb.

....Above average levels of arsenic, lead, mercury and nickel were detected in soil samples and ground below properties... The homes ... were built in the 1930s on made-up ground, including ash and material left after coal was burnt.

spurring the use of alternative methods of coal-waste disposal so that we can eventually eliminate coal sludge impoundments.




We are asking you to contact your state legislators to let them know you are worried about water quality and your own safety or that of others.

The only way legislators will know what’s on your mind is if you tell them! Check out the SSP website for plenty of information.

Coal sludge impoundments are not necessary. Some coal companies used to or are now using alternative, dry methods to dispose of coal waste. These methods are currently more expensive than the sludge “ponds.”

For people who live in the shadows of these massive impoundments – indeed for all of us – this cost is more than worth it when compared to the costs of potential disasters.

If you would like to get involved with the Sludge Safety Project, please either e-mail vivian@ohvec.org or visit www.sludgesafety.org. 



Acidic, mercury laden water (verified by testing) seeps from the bottom of a coal sludge impoundment (the lay of the land allowed us to stand below the bottom of the impoundment) in Mingo County. The water flows, untreated, into area streams, then into the Tug Fork of the Big Sandy River. Drink up!

Letters to the Editor

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risk of flash flooding.”

- Interpretation: “My friend Don Blankenship, who stands to lose a lot of money in this case, told me that Massey Energy doesn’t cause floods.”

- Maynard: “Also, we are convinced that any increased risk of flooding which results from defendant’s extractive activities can be greatly reduced by the exercise of due care.”

- Interpretation: “If you’re worried about your home being flooded by mountain range removal activity, you should move, preferably out of the coalfields.”

- Maynard: “Finally, we are unable to conclude that the great economic value of some of these extractive activities, such as coal mining, is outweighed by their dangerous attributes.”

- Interpretation: “Coal profits are more important than lives.”

In West Virginia, justice is blind to reality, deaf to the pleas of victims, and dumb as a box of rocks. We need clean elections. We need real justice and courageous justices who will live up to the title.

Vernon Haltom



Native trees frame the ongoing destruction around Kayford Mountain, WV.

Charleston Daily Mail, Dec. 9, 2004

West Virginians Do Not Realize the Huge Price They Pay for Coal

When will West Virginians begin to realize what they really pay for coal? Probably not until every mountaintop of coal has been removed and much of the state looks exactly like photos of the moon (as is already the case in Southern West Virginia). Probably not until a whole culture has been removed and we talk about it affectionately as we do the lost American Indian culture.

Probably not until state government comes clean and tells us exactly how much we have paid in taxes to restore bridges, roads and flooded areas that were damaged by overloaded coal trucks and mountaintop removal mining.

Probably not until we realize how much bribe money is paid by coal companies to keep legislators, judges and preachers in line.

Probably not until much of our clean water sources are depleted and we pay as much for drinking water as for an ingot of gold.

The huge billboards declare that “Coal keeps the lights on.” One could easily add, “Yes, but at what cost?”

Kathryn A. Stone

Charleston



Charleston Gazette, Dec. 20, 2004

Lowland Stream Areas in Danger

I’m so concerned about why our officials and government are allowing permits to be issued to big coal corporations and not making them take responsibility for our waterways. You cannot remove mountaintops without taking responsibility for the lowland streams.

It is too dangerous for the coal companies to
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OVEC Presents Si Galperin the Laura Forman Passion for Justice Award

Julie Archer gave the following (excerpted) remarks at OVEC's benefit concert, "Forever Wild" featuring Walking Jim Stoltz. Julie is an OVEC member, a research analyst for Mountain State Education and Research Foundation and lobbyist for WV Citizen Action Group.

When Janet asked me to present this award this evening I was honored because I have had the privilege to work closely with Si over the past few years as a result of CAG and OVEC's joint efforts to get Clean Election campaign finance reform passed in West Virginia. But I was also honored because this award is dedicated to the memory of someone near and dear to the OVEC staff and many people who are involved in the fight to stop mountaintop removal. Anyone who knew Laura knew she was dedicated to saving West Virginia's beautiful mountains and to helping those whose lives were adversely affected by the coal industry's destructive practices fight back ...

It is for these ongoing efforts and Si's efforts as a state legislator and organizer to abolish strip mining in West Virginia that he is being honored this evening. During the 1960s and 70s, West Virginia saw a dramatic increase in strip mining resulting in the effects we continue to see today as a result of mountaintop removal mining. In 1970, with the support of then Sec. of State and gubernatorial candidate Jay Rockefeller, Si established local chapters of Citizens to Abolish Strip Mining. That year, after finishing his second term in the House of Delegates, Si ran for the State Senate on the strip mine issue and won by a huge margin.

In 1971, with public support in his favor, Si introduced a bill to abolish strip mining in West Virginia. At that time more than 65,000 acres had been stripped and that number was doubling every year. During the legislative session the coal industry resorted to its usual scare tactics – playing the jobs card, even though strip mining accounted for only 5 percent of the state's workforce. The industry saturated the state with ads. Despite protests, petitions and widespread public opposition to strip mining, the bill never got out of committee.

Instead the legislature overwhelmingly adopted a "compromise" bill which put a 4-year moratorium on strip mining in 22 of the state's counties with no active mining and few strippable coal reserves. Si voted against the compromise bill saying, "In every case, the legislature showed more concern for the profits of strip miners than for the preservation of the state."

The next big push to abolish strip mining came in 1975, when the earlier moratorium was up for renewal. Si and then Sen. Darrell McGraw amended the moratorium bill to include nine provisions to strengthen the strip mining and reclamation law. The day before the legislature was to vote on these measures hundreds of citizens rallied at the state capitol to urge passage of the amendments. The legislature extended the moratorium but soundly defeated



In October, OVEC presented former State Sen. Si Galperin with the Laura Forman Passion for Justice Award, for his early work to ban coal strip mining and also for his efforts to bring fair and clean election reform to WV. Julie Archer, OVEC member, presented this award.

the amendments.

If anything, these defeats pushed him to devote more time to other efforts he felt were necessary to restore confidence in government such as open meetings, campaign finance reform, disclosure and conflict of interest legislation and freedom of information legislation...

As I was doing a little research in preparation for this presentation, I was constantly reminded that the more things change the more things stay the same. Today's ongoing battle to stop mountaintop removal and the fight two years ago to stop the coal truck weight increase bear striking resemblance to the battle that Si fought in the 1970s to abolish strip mining and serve as a reminder of the increasing importance and necessity of Si's current efforts to help advance Clean Elections legislation in the Mountain State.

Si was instrumental in drafting the bill and getting it introduced at the legislature in 2002. For the past two years, he has served as the lobbyist for the Citizens for Clean Elections coalition and he continues to give freely and generously of his time to help us maintain the positive momentum we have in the effort to change the way political campaigns are financed in West Virginia. Si deserves much of the credit for the advances the legislation has made over the past two legislative sessions. 🍂

Letters to the Editor

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build slush ponds in the valleys and take off mountaintops without a plan on how to control the waterways.

I feel for people that live in West Virginia and Logan County.

People who live in the lowland areas are not stupid. We can see in the future what is going to happen to the people that live in the lowland stream areas.

Remember what happened in the Buffalo Creek flood?

Our government is 15 years behind. It is time for our government to stand up for the people and take notice or I'm afraid that there are going to be hundreds and hundreds of lives lost and millions and millions of dollars in property damage.

Denver Mitchell
Wilkinson



Charleston Gazette, Dec. 23

We Must Turn Away from Fossil Fuels

We the people of the United States are making a grave mistake in how our public financial resources are being allocated. Instead of pouring hundreds of billions of dollars into the war in Iraq, we need to spend this money toward switching our energy-generation away from burning fossil fuels to solar energy, fuel cells and other nonpolluting sources.

Our ice caps are melting, deserts are expanding and glaciers are retreating at an alarming rate. These are documented facts from satellite images.

The worst consequences caused by climatic change, resulting from human influences might not be inevitable. There are things we can do to lessen the rate of climate change and spare our grandkids from an inhospitable world we now may be creating if we hurry.

Because the infrastructure supporting nonpolluting energy might not be built for 20 or 30 years, the best we can do now is limit our use of greenhouse-gas emitting fossil fuels.

We can do this by buying hybrid and other fuel-efficient cars and buying more modest energy-efficient homes. We can also educate ourselves about climate change,

contact our environmental groups focused on this issue.

Melvin Tyree
Hurricane



Charleston Daily Mail, Dec. 7, 2004

Professors at MIT Do Not Know W. Va.

So many people have written to complain about your editorial of Nov. 15, "West Virginia is an energy state," citing the advice that MIT's Richard Lester was kind enough to come and dispense. I believe these people may be missing the point Lester was trying to make.

You see, MIT is in eastern Massachusetts, and while that area has a healthy, diverse economy – well, we can't aspire to any such thing here in Appalachia, because it simply isn't our place. Our place, historically, has been to supply cheap power for the rest of the nation to industrialize upon. If we were to forsake that role now, it would be quite inconvenient to people like Lester.

Lately there has been an ugly proposal, for example, to build a whole phalanx of windmills out in Cape Cod bay. According to the Army Corps of Engineers, this will not harm wildlife or add to pollution or global warming – but just think what it will do to the view. A very expensive view, I might add.

People who buy vacation homes on this exclusive shoreline should not have their view sullied by windmills. The windmills will also interfere with the freedom of yacht travel in the bay. Unacceptable. The least we can do for them is rip up our mountains so they won't have to suffer such a thing.

It's true that the sulfur dioxide, mercury, carbon dioxide and ozone will flow downwind towards Massachusetts – but most of it will settle on less expensive real estate, on less important people, before it gets that far.

It's also true that the carbon dioxide will eventually cause a sufficient rise in sea level that those homes will be flooded out – but that's also a problem for unimportant people, people who haven't even been born yet.

Mary Wildfire
Morgantown

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

The Mourning Mountains

by an Anonymous Deer Hunter

After a 30-minute climb in the darkness, I stopped to rest a few minutes. It was 6:45 a.m., Dec. 2, 2004. A deer blew at me about 75 yards on up the mountain; somewhere up in the oak timber, so I decided to wait for daylight right where I was.

As the pinkish glow in the east gave way to another day, I found myself unable to concentrate on scanning for deer, as the totally unnatural and ungodly view 600 yards to my left dominated my full attention. I was shocked and sickened.

The entire uppermost section of the left side of 4 Mile Hollow – bordering the Kanawha State Forest, near Marmet, W. Va. – was gone! The thousands of giant oak, hickory and beech trees which stood there for the past century had vanished forever (*see photo on page 24*).

Anger, then rage set in. One of the most beautiful, big-timbered, wildlife-rich hollows in Kanawha County is now a mountaintop removal wasteland. And the world is expected to just accept this shock and awe campaign against the Appalachian Mountains.

Our state and federal regulatory agencies and our elected politicians just turn their heads and let them get by with this, in seeming homage to the coal industry's propaganda and deceptive slogans: I Love Coal; Cleaner, Greener Coal; Friends of Coal; and Mountaintop Mining – It's the Right Thing To Do.

The vast majority of the rest of the educated world – many of whom were involved in the draft environmental impact study (EIS) on mountaintop removal – think it is simply The Wrong Thing to do. The research confirmed that approximately 1,200 miles of mountain streams have already been buried forever with blasted “overburden” and over 1 million acres of the most supreme forests on Earth have already been or will be obliterated. Forever.

(*See www.ucsusa.org/global_environment/rsi/page.cfm?pageid=1442*)

Polls have shown that the majority of West Virginians are opposed to mountaintop removal. So, why are we permanently annihilating the landscape of large portions of southern West Virginia, altering the aquatic systems of Mother Nature, creating ghost towns out of dozens of 150 year old communities, allowing a practice which, with it's accompanying permanent forest mutilation, is the direct cause of the severity of all the recent ravaging floods in southern WV, and furthermore, impairing both the physical and mental well-being of human beings who live




near mountaintop removal projects? (While, promoting, of all things tourism!)

The answer is so very simple. All of these atrocities against Earth and crimes against society are for the sake of a couple of multi-billion dollar corporations that mine coal using the absolute cheapest method possible, while employing the absolute fewest number of workers possible!

Yes, presently coal provides 52 percent of the electricity consumed in the United States. But, has government or industry ever conducted any research to determine if this 52 percent could still be feasibly produced with time-honored and respected underground mining, coupled with more easily mined Western coal? And, how many more thousands of coal mining jobs would still be in West Virginia and Kentucky if mountaintop removal had not reared its ugly head?

Folks, it's never been clearer: The Will Of The People is being totally ignored, because of the sickening greed of the owners and managers of large corporations, who immorally and unjustly pander their influence with policy makers.

When an industry that has approximately 3 percent of the total workforce of an entire state has the power to successfully appeal and unfairly overturn every ruling that federal judges have made against illegal mountaintop removal practitioners, then we have already entered a period in American history which one of our most famous and respected presidents warned about many decades ago: Franklin D. Roosevelt, who said, “The Liberty of a democracy is not safe if the people tolerate the growth of private power to a point where it becomes stronger than their democratic state itself.”

That brings to mind another famous and respected President's statement. Abraham Lincoln said, “. . .and that Government, of the people, by the people, for the people shall not perish from the Earth.” 

Letters to the Editor

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Charleston Daily Mail, Dec. 15, 2004

Massey Gifts Are Cheap Tokens

Massey Energy's Don Blankenship is hosting another propaganda event in his ongoing effort to destroy the culture, people and environment of Appalachia. This time he's having a Christmas party, complete with Santa and elves, to distribute toys. I have a few suggestions for more meaningful gifts than the cheap tokens of false charity that will be passed out.

Instead of toys and candy, give back the mountains you've taken, blasted and desolated. Give back the trees you've clearcut, buried and burned. Give back the babbling streams and rivers that you've polluted, flooded or buried. Give back the peace and quiet that you've destroyed with 3 million pounds of explosives per day. Give back the fresh air that you've filled with coal dust and toxins. Give back the hollows that you've filled with rock, kiln dust and billions of gallons of toxic sludge. Give back the lives, land and homes that you've destroyed with floods.

If you can't give back all these things that you've taken from the children in your terrorist campaign of mountain range removal, your little party is merely exploiting the kids for your selfish public image. Your hellish Mount Doom logo on the invitations speaks volumes.

Vernon Haltom
Beaver



"Grassroots" graphic courtesy of www.soaw.org/new/

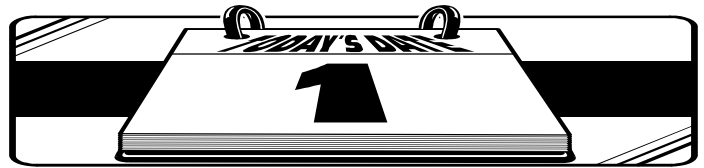
New DEP Office is ... Interesting

From an e-mail OVEC received recently:

"Have you been to the new (WV Dept. of Environmental Protection) building yet ?

"It's like a maze for observing/training mice ... multiple long intersecting hallways, with no protrusions to break up the solid walls or to indicate offices until you come upon them...

"It reminds me of the permitting process where the public can wander aimlessly in the hopes of finding that one little opening where some semblance of assistance or answers might be found if you happen to be lucky enough to stumble into the right one."



CALENDAR

Throughout February, OVEC staffers Abe and Scott will be organizing lobbying trainings for coalfield residents and others. Please contact them at the office, (304) 522-0246, to arrange for a training session. Then, use your training during the Feb. 9 to April 9 legislative session.

Feb. 7: Marshall Action for Peaceful Solutions and OVEC cosponsor a slide show on the Arctic National Wildlife Refuge and its preservation. 7 p.m. in the Don Morris Room, Student Ctr., Marshall University.

Feb. 9: The 77th West Virginia State Legislature convenes. The session adjourns at midnight on April 9. We will need you to make calls and visit the State Capitol on our issues. Please make sure you are on the OVEC e-mail Action Alert! list and check our website often.

Near Feb. 27: Buffalo Creek Day at the State Capitol. Details TBA. Check the OVEC website or call the office for more information.

March 30: 10:00 a.m. - 3:00 p.m. E-Day! Join OVEC at the West Virginia Environmental Council's 16th Annual E-Day! at the State Capitol. Activities will take place on the Senate and House Halls of the Capitol and include: displays by organizations, sustainable businesses and more; announcements of our 2005 awardees; lobbying your representatives; other details TBA.

March 30: 5:30 - 8:30 p.m. E-Day! Award Reception. Stick around after E-Day! and join us for our annual event featuring: award presentations for the 2005 recipients; live music; honoring the E-Council lobby team; refreshments; and lots of fun!

April 1: The National Public Broadcasting Service (PBS) airs the first hour of the four-hour documentary, *The Appalachians*. Check local listings for times. The documentary includes interviews with OVEC staff and other mountaintop removal opponents. The companion book to the series, by the same name, is already available in

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Saving Plants

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entire ecosystems can be destroyed," he wrote.

"One natural population of goldenseal that I observed in a healthy forest in August 2003 is now extinct, and the forest is a desolate mountain, stripped of its trees and wildlife for a coal mine operation."

...Goldenseal, along with ginseng, is listed in Appendix II of the Convention of International Trade in Endangered Species of Wild Fauna and Flora, which regulates international trade of such plants. In 1997, the

Calendar

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bookstores. A DVD and a music CD, also titled *The Appalachians*, will be in stores in March.

April 23: Earth Day 2005.

Summer: Mountain Justice Summer. Take part! See: www.mountainjusticesummer.org/. 🍄

World Wildlife Fund named goldenseal as one of the 10 most threatened species in international trade.

Goldenseal grows only in the northeastern quarter of the United States, and usually only in thin groups in very specific microclimates (at the head of an ephemeral stream on a north- or east-facing slope with rich soil that remains constantly moist and is shaded by large deciduous trees).

Nine states consider goldenseal endangered or threatened, but not West Virginia.

"I don't think the state will ever put ginseng or goldenseal on the endangered species list because of coal mining," Myles said. "Nobody wants to stop the production of coal." 🍄 ***But OVEC aims to end MTR!***



Ginseng

Make a **DIFFERENCE!** Join a **WINNING TEAM!** Get **ACTIVE** with **OVEC!**

- 🏠 **OVEC** stopped plans for a toxic waste incinerator in Ohio that would have imported waste from across the nation.
- 🏠 **OVEC** organizing forced an end to chronic pollution violations at the Ashland Oil refinery in Catlettsburg, Ky.
- 🏠 **OVEC** led the broad effort to stop plans for the nation's largest pulp mill, in Apple Grove, WV.
- 🏠 An **OVEC** lawsuit compelled state government to enforce important provisions of the federal Clean Water Act.
- 🏠 **OVEC** worked with other groups to stimulate passage of first-step campaign finance reform laws in West Virginia.
- 🏠 **OVEC** is changing the face of "politics as usual" in West Virginia through our Clean Elections work.
- 🏠 **OVEC** is committed to bringing an end to mountaintop removal/valley fill strip mining.

Cut this coupon out *today* and mail to: OVEC, P.O. Box 6753, Huntington, WV 25773-6753

_____ New member or renewal (Dues \$15-\$30 yearly, pay what you can)

_____ Donation

_____ Please add me to OVEC's e-mail Action Alert! list

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For more information call (304) 522-0246 or go to www.ohvec.org
Remember – All donations to OVEC are tax deductible!

*Without
your
help, no
place is
safe
from
MTR.*



This mountaintop removal/valley fill mining operation borders the Kanawha State Forest, which boasts over 1,000 species of plants, showcasing the mixed mesophytic forest's incredible biological diversity – until it is blown to smithereens, that is.

photo by Greg Wood

**Ohio Valley Environmental Coalition
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