

Citizens Advisory Council Meeting of 17 February 2015

Public Comments of Stephen P. Kunz
(Senior Ecologist, *Schmid & Company, Inc.*)

Good Morning. For those of you who don't know, my name is Steve Kunz and I am a Senior Ecologist with Schmid & Company, a consulting firm in Media, Delaware County.

I'm looking forward to hearing the presentations today on the latest Act 54 Report. I have read it through several times myself, so I'm fairly sure I'll be familiar with what Mr. Tonsor from the University of Pittsburgh will have to say. I'm actually more eager to hear what Mr. Callaghan has to say on behalf of the Department.

Even though the report was prepared by the University of Pittsburgh, at the end of the day it's the Department's report. The legislative mandate to prepare these reports every five years is imposed on the Department.

And this 4th Assessment in particular points out a lot of problems with the way the Department identifies impacts from underground coal mining, and tracks them, and monitors efforts to mitigate those impacts. But it also provides a lot of good suggestions and recommendations for ways to address those problems --- very specific and, I would say, quite practical recommendations.

So I'm eager to learn (as I'm sure Council is) what the Department thinks about these problems, and about the recommendations.

- Since this is the Department's Report, are its conclusions and recommendations those of the Department? Or, at the very least, does the Department agree with them?

- Is the Department going to commit to adopt these recommendations? All of them? Some of them? Which ones, specifically?

- Does the Department have any plan or timeframe for implementing any of the recommendations, and if so, what is it?

After all, the reason that these reports are required to be prepared every five years is that the Legislature, back in the 1990s, knew that some surface damage would occur once Act 54 was adopted and longwall mining became acceptable, but it wasn't clear how extensive that damage would be, how much damage would need to be repaired, or how effective any restoration might be. It also was unclear how much collateral damage was going to occur to local and regional water resources. So this reporting requirement is meant as a reality check --- to make sure matters aren't getting out of hand.

But the way I read this Report, there's a lot of damage occurring that isn't being fixed per se, and some damages that aren't being tracked very well, and yet other damages --- especially to surface and ground waters --- that sometimes just can't be fixed at all.

So how does that square with the Department's public trust responsibility, and what is going to be done about it? That's what I hope to learn.

Thank you.