



March 26, 2015

Citizens Advisory Council
Department of Environmental Protection
25 Technology Drive
Coal Center, PA 15423

The intention of CONSOL Mining to divert water from the Upper Wheeling Creek Watershed (UWCWS) into the Buffalo Creek Watershed (BCWS) has recently come to the attention of the Buffalo Creek Watershed Association. It is our understanding that water is to be pumped via pipe from wells along selected streams within the UWCWS overland to the BCWS to augment the stream(s) under which long wall mining is to occur.

Given the Department of Environmental Protection (DEP) designation of the Buffalo Creek Watershed as a high-quality (HQ) warm water fishery, the Buffalo Creek Watershed association would like to express its concern regarding the possible hydrological and ecological impact as a result of this proposed transfer. While there appears to be no specific laws/regulations relative to water transfers between watersheds for the purpose of augmentation; and, adverse effects of moving water between watersheds is controversial and difficult to predict – none-the-less, the BCWA requests assurance that (A) a thorough science-based environmental impact assessment has been undertaken to address all potential short and long-term implications; (B) the UWCWS aquifer in question has been or will be stress tested before making any major withdrawals; (C) an Alternatives Analysis has been conducted; and, (D) the operator will use the best technology available to minimize any and all disturbance to aquatic life and habitat within both the withdrawing and receiving watersheds.

Some of the concerning issues associated with this water exportation proposal include:

- Alteration of the existing ecosystem and high-quality water of the receiving watershed due to the potential of sedimentation loading and transfer of non-native invasive species, biota such as benthic invertebrates, vegetation and seeds, and/or different concentrations of metals and nutrients
- Impact on water temperature variances and sedimentation transfer on fish and aquatic habitat on the receiving watershed
- Impact of water flow disruption and changes in downstream watercourse from points of diversion on the ability of the withdrawn watershed to respond naturally to an unplanned natural drought or torrential rain
- Depletion of the aquifer withdrawal source
- Ability of the withdrawn water source to assimilate pollutants during/following withdrawal

Protection of both the source and receiving watersheds is paramount to assuring continued safe and secure drinking water and sustainable healthy aquatic ecosystems. The impact on the households, agricultural users, and the aquatic environment contained in both watersheds should be carefully assessed. The residents of both should be aware of the threshold of diversion as well as the duration of withdrawal; daily quantity of water to be removed; the guarantee of sufficient oversight to assure industry compliance; and, regular monitoring for early identification of any evidence of adverse impact.

The BCWA maintains that the moral and ethical, if not legal, burden of proof that the proposed exportation of water from the UWCWS to the BCWS will have no substantial short or long-term adverse implications for either watershed rests with the entity enacting the withdrawal. The BCWA further maintains that even a modicum of plausibility of harm requires that prudent environmental impact assessment and precautionary action be applied prior to approval of this proposed water transfer.

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cc Center for Coalfield Justice
Upper Wheeling Creek Watershed Association