

Testimony before OSM on proposed rule change re Buffer Zones

My name is Mary Wildfire, and I live on Decker's Creek, which flows into the Monongahela River. I'm incorporating herein by reference the 70,000+ comments that were submitted opposing mountaintop removal, valley fills, and the environmental desecration caused by these activities, in response to the mountaintop removal draft EIS.

I want to emphasize to you this point: Water is not negotiable! Water is like air—we all must have it, it should never be treated as a commodity, nor should it become a waste dump. Water is not negotiable.

I could discuss the details of the rule change proposed, but we all know it comes down to this: the coal industry wants standards relaxed so it can continue breaking the law without threat of legal action... and OSM is eager to accommodate the industry. Yes, there are new standards—no increase in sedimentation downstream, and efforts made to protect fish and wildlife “to the extent possible,” ha ha ha. What does that mean? Well—we all know what it means, don't we? It means that just in case of any challenge, someone on the crew will have to say, “Oh yeah, yeah, we protected the stupid critters to the extent possible. Too bad more wasn't possible, but after all they're lower life forms and they don't vote.” Just like now they can put a “Dolphin Safe Tuna” label on while fishing in the middle of pods of dolphins, just as long as someone on the boat certifies that HE didn't see any dolphins caught. In other words, the new rule means NOTHING. It means, Open Season on creeks that happen to run above coal seams.

I ask that you forget about this contorted attempt to “clarify” the law by muddying perfectly clear language in order to facilitate the muddying-- or outright burial-- of thousands of perfectly clear streams. Fish and invertebrates and worms and crawdads and any number of other non-voting Appalachian residents need those clear streams, birds and foxes and humans need those fish and other creatures, and our children and great-grandchildren will need to use these *same* streams. God is not making new ones. We can't use these streams up and throw them away. Water is not negotiable.

Yes-men of OSM, I have an invitation for you. April is the prettiest time of year in Appalachia. Get out of Washington DC one day very soon, get out of that stupid uncomfortable suit, get out of your car and go find one of these creeks. Then, get out of your hot shoes, put your feet in the water, and rediscover what a creek is., and what it's worth. In fact, if you'll just get out of your mindset, you'll realize the worth of a stream is infinite. Water is not negotiable.