

## **Buffer Zone Rule Change Proposal -- Public Hearing Comments March 30, 2004**

My name is Vivian Stockman. I work for the Ohio Valley Environmental Coalition, which is based in Huntington, W. Va. I live near a stream that, like so many others, needs more protection, more buffer, not less. I want to do better for this stream and the life it supports. I need your help. Don't "clarify" —instead enforce—the stream buffer zone rule.

One year ago, I and many others, received a letter from the Office of Surface Mining, Reclamation and Enforcement asking for our input about the proposal before us today.

Knowing the agency's history of ignoring the Reclamation and Enforcement portions of its duties, we nonetheless dutifully wrote letters detailing the numerous reasons you should not meddle with the buffer zone rule, including the fact that your proposal would severely weaken protections required under the Surface Mining Control and Reclamation Act. We are here today because the agency has ignored the input requested of us.

Why are we ignored? Because there are some here who want to remove even the semblance of regulation for mountain range removal / valley fill coal mining.

I know that there are regulators and politicians who want to do better for streams—and, therefore, for people, too. You are not the ones who are former coal and energy industry lobbyists, lawyers and executives. You are not J. Steven Griles, Jeffrey Jarrett and Gale Norton. You are not the politicians performing backflips for energy industry campaign contributions. You are not George W. Bush, Rep. Joe Barton or Rep. Shelly Moore Capito.

Those of you who are calling for the so-called "clarification" of the stream buffer zone rule—you are the ones who trick yourselves into believing your own misrepresentations and flat out lies. You are the masters of linguistic detoxification who would have us all believe what you are doing is about "cheap energy" and good for homeland "security." What is cheap about the lives and futures of coalfield residents? What is secure about unleashing upon the Appalachian Mountains every 11 and a half days the explosive equivalent of the atom bomb dropped on Hiroshima?

You are the ones who talk about jobs, jobs, jobs, while you replace tens of thousands of miners with massive machines, while you do all you can to suppress the development of cleaner, alternative energy, which reports like Job Jolt and the Apollo Plan show could provide millions of jobs with a future, for the future.

You are the ones who can justify anything to satisfy your pursuit of maximum possible short-term profit. You are the ones who ignore the yearly \$33 trillion (worldwide) value of the ecosystem services you destroy—as if your children won't need water to drink, as if water isn't vital to life. You are the ones who, in your mad dash for mountaintop-removal-mined coal, pooh-pooh global warming, which even the Pentagon admits may be the biggest threat ever to national security.

Your self-deceptions allow you to justify mind-boggling annihilation of biologically crucial headwaters streams and some of the most biologically diverse temperate hardwood forests on Earth.

You are the ones who allow mountaintop removal to forever destroy a yearly sustainable harvest of tens of millions of board feet of hardwood lumber.

You are the ones who belittle the emotion of coalfield residents who plead their cases to you—as if emotion were unwarranted when you live in fear of the next flood raging off a valley fill; as if emotion were unwarranted when your children cannot sleep during a thunderstorm wondering if the coal sludge impoundment is going to break; as if emotion were unwarranted when your hunting and fishing grounds are destroyed; when you can no longer hunt herbs in the woods; when blasting ruins your well water and your homes' foundation and fills the air with dust that damages your lungs; when your property values plummet; when your community is driven away; when you are denied access to the cemetery where your ancestors bones lie; when you see streams—vital zones—obliterated under the rubble that was the mountains that filled your eyes and soul with the beauty of God's creation; when you watch your homeland and very culture being destroyed in the name of “cheap” energy.

If you are for this “clarification,” then you are among the ones justifying mountaintop removal, which is a crime against people, a crime against the Earth, and is, in the long-run, economic insanity.

To those of you who are for clean water, clean air and jobs with a future, please help us stop OSM from “clarifying” away the water which supports our lives.