

Maria Gunnoe

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The Senate Committee on Environment and Public Works, Subcommittee on Water and Wildlife

"The Impacts of Mountaintop Removal Coal Mining on Water Quality in Appalachia."

THURSDAY, JUNE 25, 2009

3:30 p.m.

Room 406 of the Dirksen Senate Office Building

My name is Maria Gunnoe. I am 40 years old and I am a life long resident of Boone County in southern West Virginia. My family history there goes back to the 1700's. I know the areas and the people that are being impacted by mountaintop removal very well simply because this is the homeland where generations of our ancestors before me have raised their families and lived their lives. Most of these families have depended on underground coal mining to make a living but we as a culture of people have depended on these mountains to take care of our families. We are gatherers, hunters, gardeners, fishermen, active and retired miners, loving community members, we are stewards of this land and we are now organizers. We are working to protect and preserve the communities, culture and people that we love and hold dear to our hearts

### ***Water Quality Impacts***

There is a relatively new method of mining now happening in the coal fields of Appalachia called mountaintop removal coal mining. This method of mining is where the coal companies use nearly 4 million pounds of blasting material a day (*in WValone*) to blast the coal out of the mountains. Then everything other than the coal (*including trees and topsoil*) is used to create valley fills in our headwater streams. The artificial streams running off these sites are toxic with selenium.

The energy is temporary energy. You only burn coal one time. The destruction of the land, air, communities and people is permanent. There have been 500 mountains leveled for their coal and energy in the name of homeland security. These 500 mountains were surrounded by communities who depended on the mountain's resources and water for their very existence. There have now been more than 2000 miles of streams buried by valley fills. People depended on these streams as much as any animals. The cumulative impact of the permits that are being allowed in some incidents are further depopulating and destroying communities and people. **The regulatory agencies turn a blind eye to this pollution by continuing to allow the companies to buy more time to come in compliance with the existing laws. Without enforcement these laws are only words on paper.**

Local communities truly do not have a voice in the process of these permits. The DEP will set up what is called an informal conference to inform citizens of what the DEP and coal companies are planning to do and to give community members a chance to comment. These comments are recorded and we are told that they become a part of the

permit record. In these hearings the citizens often beg the regulatory agencies to not allow these permits but commonly they approve every permit applied for. The people who live in these communities do not want mountaintop removal mining. Especially near their homes and communities simply because it is destroying everything they and their families before them have worked for.

In the 8 years of the Bush Administration the laws and courts were aligned to destroy any protection that we had for these beautiful and unique places and their people. The clean water act lost its meaning when the Bush Administration changed one word of this law – the definition of fill material. Another important rule, --the buffer zone rule- that protected our streams was done away with on the eve of Christmas 2008. With this rule change the Bush Administration opened us as residents up to nothing but destruction.

There are health impacts too. A study by Dr Michael Hendryx at West Virginia University has proven that there is reason to be concerned about the pollution that the people throughout the coalfields are being exposed to. This study has not been taken seriously by our state leaders or our state regulatory agencies as a matter of fact it has been ignored. Portions of this study were based on the community of Twilight near where I live. Twilight Surface Mines surrounds the small communities of Lindytown and Twilight and the people who live there either put up with the impacts or leave.

The blasting has been horrible and the community's members concerns are not being heard. There is near 4 million pounds of blasting material used each day in WV alone. At one point the department of defense and Department of Environmental Protection allowed the coal company to dispose of old munitions from war {*called tetryl its used as an igniter*} on the mine site behind my home. It was too dangerous to use in war so they thought they would dispose of it in our community over our people's heads.

We have for many generations depended on the water from these mountains. Now this water is being polluted forever. In the case of Big Branch Creek where I live it is now polluted with toxic level of selenium. This is also present in my well water. This was quietly done by the coal company and the regulatory agency permitted it. The entire aquifer of where I live is now pollution spill way. The loss of timber from our hollow alone will be felt for thousands of years to come. There is no way that the reclaimed land can grow the hardwood forest that the natural land does. This land is dead. It's impossible to grow a healthy forest on dead polluted land. Reclamation is a pretty word but on the ground it has been proven to be impossible.

### ***Culture***

My family before me settled these mountains through the forced removal of the Cherokee known as the trail of tears and most of my neighbors have a similar story. My grand father told me the story his mother told him of the men in the family dressing as women to allow the women and children to escape this forced removal. The women and children then followed the rivers to their headwaters and settled the area where I now live. Throughout the past 250 years our families have built these places through determination

and love for the place itself. The mountains here sustained our families by supplying us with an abundance of food and fresh clean water in our wells, springs and streams. Southern West Virginians are fortunate enough to live in the second most bio-diverse region on this planet. This is richness beyond wealth. As residents we recognize our most valuable resources as being our land, water and people not the coal that lies beneath it all. Our people were here before the coal was discovered. Why should we have to leave now in the name of coal?

Some of our current resident's ancestors were awarded their land for military service to this country. Now this very land being destroyed and the residents don't have the rights to protect it. Appalachians are the history of this country. We have given all to build the infrastructure that supports this American dream that we all share. We help to supply 48% of this country's energy and the cost of this is never truly calculated. I have heard coal referred to as a cheap and clean energy. This ignores the facts. The facts are that the true cost of coal fired energy has never been calculated. We must consider the cost of coal from the cradle to the grave. We must consider the cost of mountaintop removal coal mining not only the aquatic life and the wildlife where this coal is being extracted but on the human lives of everywhere it touches.

I have to ask what about the homeland security of the folks that are being forced to sell out to the coal companies in Lindytown W.V? The people who proudly built this community are being told that they are in the way of coal production and that they must leave their homes of many generations. The coal company engineers strategically buy out homes and family heir owned land to depopulate communities by making life unbearable. Their air land and water are being destroyed by mountaintop removal there is no way people can continue to live here and be healthy. They are being forced to leave home places of many generations to save their lives. This alone is personally and emotionally devastating. The boom of "Big Bertha" -- a dragline -- swings over the community of Lindytown. Blasting is frequent and terrifying for residents that are holding out not wanting to sell.

This same "clean coal" that forced an elder woman out of her home who happened to die of a heart attack while she packed her belongings for the first time in 72 years. She too was in the way of production. The people in Lindytown were only free to leave. Why is it as homeland security increases here in DC ours only gets less and less likely to even exist?

In our mountains we have many mountain cemeteries that date back to the beginning of civilization here. We are grounded like our ancestors before us. These cemeteries are awarded no protection by our regulatory agencies or law enforcement. We as citizens are expected to register and account for these cemeteries in order to protect them from mining activity and most of the time the coal companies won't allow us into our family cemeteries to do this work. They stop us from visiting our dead by locking us out of our ancestral land in these mountains. I know of many grave yards that were in our mountains that no longer exist. The areas where they were are now gone.

The people here belong no where but here. These folks will thrive in their own environment but taken away from here they will perish as they are not where they belong. The culture of people in West Virginia is a culture of survivalist not environmentalist. We have survived here throughout times of extreme poverty during the rise and fall of the coal markets. We have always had the land to sustain our lives. Now the very reason for our existence as a culture of mountain people is being annihilated for its coal.

### ***Jobs***

Boone County falls second in poverty only to McDowell County, WV another leading coal producing county. This is still the most impoverished area in the US today. If mountaintop removal was about jobs and prosperity where is it? In the 1960's we had 125,000 direct coal mining jobs in the coal industry in WV, but now we have less than 12,000. Ask yourselves is this really about jobs or profit and exploitation? These jobs are temporary jobs at best. The operation behind my home started in 2000. It is now closed down. These good paying jobs only lasted long enough for the employees to get in debt.

I have watched as coal companies have destroyed one of the most beautiful places in this country by mountaintop removal coal mining. The people who live in these areas are often retired or active UMWA underground miners and their families. The people who work in mountaintop removal most often do not live in the environment that their jobs create. The companies are out of state coal companies and the workers are out of area workers. The companies commonly do not hire local people.

The coal companies will tell all that will listen that they are doing this for future economic development of an impoverished region. They will say that we don't have any flat land for development. They will tell you that we need this flat land and that our mountains are useless land in their natural state. I have even heard them say that the mountains are in the way of development. There will be no future here for anyone with mountaintop removal. I cannot believe that we as a nation are depending on continuing to blow up mountains to supply energy in this country when the energy we need in this country rises with the sun everyday and blows in each churn of the wind. The ridges of southern WV are wind viable ridges until they are blown up. We cannot continue to allow this to be called clean coal.

### ***Stop Mountaintop Mining***

In my own mind I know that mountaintop removal coal mining will stop. According to USGS we are running out of mineable coal and we are quickly running out of mountains in Southern, WV. Global warming is very real. We are all just pawns on this chess board called earth. I hope that we can stop mountaintop removal and coals global attack soon enough to preserve some of what is left of one of the most beautiful and ecologically diverse places in this country. The rolling hills of Appalachia are becoming the flat plateaus of the West as I speak.

We have the opportunity to stop the annihilation of mountains and people by mountaintop removal and to change the history of energy in this country. We are at a cross roads. We must put all special interest aside and follow what we know to be best for all of our future generations. Stop the attack on Appalachia's water supply and the people it sustains.

Thank you again to Senator Cardin and Senator Alexander for standing up for what any fellow human knows to be the right thing.

I would like to extend my tremendous appreciation to Senator Cardin and Senator Alexander for introducing Senate Bill 696 the Appalachian Restoration Act. This Bill if passed could turn back some of the Bush administration changes that is currently allowing coal companies to destroy valuable headwater streams and all that is connected to them. The residents I work with in the Boone County coal fields send their support for this bill as it is in some cases the only hope we have of remaining in our ancestral homes and in our ancestral homelands.

I leave you with photos and a recent article about flooding in the coalfields caused by run off from flattened mountains.

This is what inspired me to get involved in stopping mountaintop removal. There are other organizers just like me being created everyday by this industry. We have no choice but to oppose the practice of filling headwater streams, we live here!

###

*Below are supporting documents to be submitted with the testimony of Maria Gunnoe.*







What about our homeland security? Are the people in Boone County, WV a part of this cost of coal conversations?



Is this the “clean coal” I am hearing about?



photo by Maria Gunnoe

We cannot rebuild mountains no more than we can un pollute water.



photo by Maria Gunnoe



photo by Maria Gunnoe

Marsh Fork Elementary School in Sundial, WV. [www.penniesofpromise.org](http://www.penniesofpromise.org)

I live at the mouth of the hollow in the bottom center of this photo by Antrim Caskey.

[\[PC1\]](#)

Comment [PC1]: here



Maria Gunnoe's home at the mouth of the hollow at the bottom center of the photo by Antrim Caskey.

Maria Gunnoe's home before and after flooding from 2003.







More recent flooding from Ky and WV. Mountaintop removal has been proven to exacerbate and even cause flooding.

### **The Logan Banner Devastation**

by MICHAEL BROWNING, Managing Editor  
05.10.09 - 11:10 am



Much of Mingo County was hit by severe flash flooding late Friday night and early Saturday morning. Reports said up to four inches of rain poured down on the Varney, Red Jacket, Gilbert, Delbarton and Man areas. Eddie Fields' home at Pie was destroyed by the raging waters. Photo/Michael Browning

[slideshow](#)



A double-wide mobile home at Musick was cut in half by the rushing current and the ground underneath the trailer was washed away. Photo/Michael Browning

[slideshow](#)



The Marcum family cemetery at Pie was covered with mud and debris. Photo/Michael Browning

[slideshow](#)



*The road broke under a loader clearing the highway at Gilbert Creek. Photo/Michael Browning*

[slideshow](#)



*Brothers Frank and Ralph Manuel of Varney clear debris from the bridge leading to Ralph Manuel's home after flooding submerged it. Photo/Michael Browning*

[slideshow](#)



*Hiram Justice Jr. clears mud from a neighbor's driveway. Photo/Michael Browning*  
[slideshow](#)



*A bridge at Hayton Lane at Taylorville was covered and a trailer washed into another yard. Photo/Michael Browning*  
[slideshow](#)



*A Gilbert-area firefighter is rushed down a broken section of State Route 80 to an awaiting ambulance by emergency crews. The firefighter was suffering from a heart attack, according to reports.*

[slideshow](#)



*Bobby Jarrell, Amanda Brooks, Cassie Dotson and Andy Fouch watch flood waters pack debris under a bridge at Lincoln City.*

[slideshow](#)



*Garnette Clark of Musick Bottom stands on her porch after floods washed through her house. Clark is 93 years old and was staying with relatives when the flooding occurred. Her house had several inches of water inside, the underpinning was destroyed and her fence flattened by the rushing current.*

[slideshow](#)

**VARNEY** — A flash flood washed through much of Mingo County and the Man area, Friday night and early Saturday morning, causing mass destruction and at least two injuries.

One death reportedly resulted from the flooding. According to reports to The Logan Banner, a Gilbert-area firefighter died after suffering a heart attack while providing aid in the flooded areas. The Logan Banner was unable to confirm the reported death at press time Saturday night.

At least two injuries were reported Saturday morning after a house reportedly collapsed in the Gilbert area. Those were also unconfirmed late Saturday night.

Around 1 a.m., Saturday morning, flood waters were rising in the Varney area of Mingo County and a rush of water coming out of a hillside at Pie shoved tombstones off their graves at the Marcum family cemetery.

Residents in the flood areas began moving cars to higher ground and packing clothes and other items as they headed for safety.

By 5:30 a.m., roads were blocked in the Belo, Delbarton, Taylorville, Red Jacket, Pie, Musick and Horsepen areas. In Gilbert, several sections of Browning Fork were washed away. Gilbert Creek suffered heavy damage to the road and several homes.

Residents of Bruno and Greenville and other areas near Man were evacuated from their homes and told to seek higher ground.

State Route 8! 0 from Man to Gilbert and U.S. Route 52 going out of Gilbert were both blocked by debris and flood waters covering the highway.

State Route 65 from Belo into Delbarton was blocked in several places by swift-running waters. State Route 49 from Williamson to Matewan was blocked by rock slides and debris in the road.

U.S. Army Sgt. Eric Parsley, who came home from Fort Knox to visit his mother for Mother's Day, made it all the way from Kentucky to Williamson, but had to turn around and got back due to the blocked roads leading to his mother's home at Sprigg.

At Hardy in Pike County, Ky., Corridor G was under water at the Velocity Market grocery store. Belfry High School near Hardy was being used as a shelter. Several fire departments were also in use as shelters.

At Lincoln City in Delbarton, families watched from their upstairs windows as Pigeon Creek ran like a river around their homes. Burch High School was surrounded by water and some of the rooms at Gilbert High School were flooded. The Mingo County Career Center at Delbarton also appeared to have suffered some flooding.

The Gilbert High School baseball field was destroyed, as was the Little League field sitting nearby.

Man High School's prom, scheduled for Saturday night at the Larry Joe Harless Center in Gilbert, was postponed to next weekend.

In the Gilbert area, Arville Cline and his wife, Georgetta, watched as the hillside slid down and moved their home several feet off its foundation. Arville Cline, the pastor of Sharon Heights Assembly church, said he and his wife made it safely out of their home.

"We've lost 15 feet of the church parking lot," Cline said. "We had a slide on our home and it shoved our home off its foundation and buckled the roof and the floor. Plus, there's a potential slide behind our office. We left our home at 3:30 a.m. and spent the rest of the morning in the church sanctuary as we watched the water take its toll."

At Varney, 93-year-old Garnette Clark fought back tears as she assessed the damage to her home of several decades. Clark's house at Musick Bottom had several inches of water inside and thick mud blanketing her front yard, something that had never happened in past floods — even in 1977.

"Oh, isn't this awful," Clark said as she looked at her home that had been badly damaged by the raging waters of Pigeon Creek.

Chris Beckwhit, a Man resident and the post master at the Delbarton Post Office, was out early trying to figure out how he was going to get the post office open since his three employees were all trapped at Varney.

Ralph Maynard of the Elk Creek area said he marked where water had been on his home during the 2004 flood and Saturday morning the water was five inches above that

mark.

"This one is worse than the 2004 flood," Maynard said.

Greg Dixon and Vickie Bailey walked over the rubble and mud that had covered the Marcum cemetery. He said the water rushed out of the top of the mountain.

"This has to be caused by strip mining," Dixon, who takes care of the cemetery, said as he searched for missing tombstones. "All this came from the top of the mountain."

Just down the hill from where Dixon and Bailey found one of the lost tombstones rests the grave of Taylorville businessman Wirt Marcum, whose tombstone was half covered, but was one of the few to survive the torrent.

U.S. Route 52 in front of the cemetery was covered with several feet of mud. A path was cleared for one lane of traffic to travel between the mounds of muck.

At Varney, Ralph Manuel and his brother, Frank, stood atop a badly damaged bridge and tried to dislodge trees and garbage trapped underneath that was causing water to flood Ralph Manuel's yard.

At Gilbert High School, a U.S. Army helicopter landed with a crew from the National Guard out of Parkersburg. Sgt. Alex Huffman said the flooded area is definitely a disaster area.

"It's the worst disaster I've ever seen and I was down at (Hurricane) Katrina and what I've seen in some of these small communities was worse than Katrina," Sgt. Huffman said.

Longtime Delbarton resident Bobby Robertson stood on the bridge at Lincoln City and watched as flood waters rose around houses. The bridge was halfway under water and popping from all the debris crashing underneath. Rick Hatfield, a Varney native, was also at the bridge watching the flooding and said he had tried to get home to his wife and children, but couldn't. He said his wife had to evacuate their home and took their young baby with her.

Amanda Brooks and Cassie Dotson watched with friends as Pigeon Creek overflowed its banks. The two Varney natives braved the high waters to get to Delbarton to check on friends who were flooded. They watched as debris crashed into the bridge at Lincoln City.

At Pie, Eddie Fields' home cracked in the middle after flood waters washed the foundation away from one end of his home and broke a room away from the house.

Curtis Marcum's home at Lincoln City had nearly four feet of water in the downstairs section. He said he'd never seen destruction like that in his life.

“My heat pump is completely underwater and I’ve lost stuff I wouldn’t take anything for,” Marcum said.

Carl Thompson of Taylorville kept close watch as flood waters rose throughout the night and saw a neighbor's trailer wash into a tree in his yard. A building in Thompson's yard was rushed downstream by the current and he was trapped after his bridge went with it.

“I sat out on the porch and watched it come up,” Thompson said. “Me and my wife thought we’d leave out the back way, but everything out back was under water. I watched my building float off and my neighbor’s trailer move over. It was scary. Once it started raising it came fast. It completely covered my fence and you couldn’t see the bridges.”

The number of bridges destroyed by the flash flooding was in the double digits along Pigeon Creek, Island Creek and Gilbert Creek.

Several community centers were being used to give flood relief. The American Red Cross was already in Mingo County by 5 p.m. Saturday and the National Guard was assessing the damage so troops could move in to help with the cleanup.

“This is devastating,” Commissioner Baisden said as he looked over at Chafin Funeral Home in Delbarton that was surrounded by water early Saturday morning. “We encourage everyone to help their neighbors.”

Gov. Joe Manchin was reportedly going to tour the Mingo County area this morning. A report said he planned to tour the Gilbert and Matewan areas.

Mingo County Commissioner David Baisden was out early Saturday morning, as was Mingo! County Sheriff Lonnie Hannah. Baisden said "this is Mother Nature's wrath poured out upon us. I encourage those who pray to pray.”

Several Department of Highways crews were dispatched throughout the two-county area to work on roads that were blocked or broken. Appalachian Power had crews out working to restore power to numerous communities. Tree-trimming companies had workers out cutting trees in Mingo County.

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