



22 January 2013

Alabama Surface Mining Commission
Attention: Ann Miles
P.O. Box 2390
Jasper AL 35502

Dear Ms Miles,

I am in favor of the petition to the Alabama Surface Mining Commission designating the intake area of the Birmingham Water Works Board (BWWB) in the Mulberry Fork as "Lands Unsuitable for Mining." Proposed new coal mines located immediately upstream of the BWWB water intake on the Mulberry Fork threatens the drinking water supply for over 200,000 people in Birmingham. In addition to this drinking water risk, there is an imminent threat to the aquatic animals that live in and migrate through the Mulberry Fork. This includes fishes sought after by the public for recreational and commercial use as well as other species that are important components of the ecosystem of the Black Warrior River drainage, including imperiled species.

I am a freshwater ichthyologist who spent 25 years at the University of Alabama Department of Biological Sciences studying fishes in the southeastern United States, with an emphasis on Alabama fishes. I am currently an Aquatic Conservation Biologist at the Tennessee Aquarium Conservation Institute. There are at least 62 species of fishes in the area of the Mulberry Fork being petitioned as "Lands Unsuitable for Mining." This fish list includes suckers, catfishes, and basses that are recreationally and commercially fished for by the public. Runoff by the proposed mines would include sediments and other mine effluent pollutants that would negatively affect water and habitat quality for these fishes, which could result in contamination and reduction in numbers of individuals, both negatively affecting fishing opportunities. There are also two migratory species that the proposed mines would impact, the Atlantic Needlefish (*Strongylura marina*) and the American Eel (*Anguilla rostrata*). Atlantic Needlefish adults migrate into freshwater rivers to spawn, with juveniles migrating downstream to saltwater after hatching. This species is affected by altered large-river habitats which negatively affect migration and the quality of spawning areas. The American Eel hatches in saltwater and the young migrate to freshwater to feed, grow, and mature before returning to the ocean to spawn. The American Eel is currently being considered for federal protection by the U.S. Fish and Wildlife Service as threatened because of altered large rivers, which negatively affects migration and freshwater habitats (USFWS 2011). Allowing the new mines in the Mulberry Fork would further degrade the large-river habitat present in the area and cause additional jeopardy to these migratory imperiled fishes.

Thank you for considering this letter in support of the petition to the Alabama Surface Mining Commission designating the intake area of the BWWB in the Mulberry Fork as "Lands Unsuitable for Mining." If you have any question you can contact me at brk@tnaqua.org.

Sincerely,

Bernard Kuhajda, Ph.D.
Aquatic Conservation Biologist
Tennessee Aquarium Conservation Institute

Literature Cited

U.S. Fish and Wildlife Service. 2011. Endangered and threatened wildlife and plants; 90-day finding on a petition to list the American Eel as threatened. Federal Register Vol. 76(189):60431-60444.