

Press Release from the Southern Environmental Law Center and Black Warrior Riverkeeper
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Advocates Challenge Corps' Lenient Approach to Stream Filling in Black Warrior River Basin

Birmingham, AL—Conservation groups are challenging the U.S. Army Corps of Engineers' approval of a permit authorizing coal mining material to be dumped into streams that feed into the Locust Fork of the Black Warrior River. The groups charge that the agency failed to account for the permit's adverse effects on a watershed that has been continuously degraded by previous and current mining activities for more than a century.

The Southern Environmental Law Center filed the challenge on behalf of Black Warrior Riverkeeper and Defenders of Wildlife, arguing that allowing stream filling at the Black Creek Mine site is yet another case where the agency has rubberstamped approvals without properly analyzing the site-specific and broader impacts of the permit, including compromised water quality and threats to aquatic wildlife.

"The Corps' lax approach toward issuing these permits has resulted in many miles of important streams and acres of wetlands being filled with soil, rock and pollutants," said Nelson Brooke from Black Warrior Riverkeeper. "This permitting system is the wrong path for Alabama's water resources, which deserve lasting protection from such activities."

With over 100 permitted coal mines in the Black Warrior River watershed, impacts from coal mining are some of the biggest threats to water quality in the region. The Black Creek Mine would be a new 287-acre surface coal mine operated by Canadian company Global Met Coal Corporation.

Polluted water discharged from this mine will go directly into waters that are already listed as impaired by the Alabama Department of Environmental Management, and which are federally-protected habitat for many of Alabama's rarest species. The Locust Fork is a popular destination for fishing and other forms of outdoor recreation, a multi-billion dollar industry for Alabama.

"Issuing an individual permit requires the Corps to look closely at the direct and indirect impacts of stream filling, and the harmful effects on water quality can go well beyond the footprint of the fill," said Catherine Wannamaker from the Southern Environmental Law Center. "Neglecting to take appropriate action to mitigate for these impacts—especially from a large site like the Black Creek Mine—is irresponsible and sets a terrible precedent at the expense of Alabama's waters."

EPA has commented that the discharge limitations and best management practices typically required at coal mining sites on the Locust Fork are ineffective in maintaining water quality and are allowing the continued degradation of the river. Yet, the Corps continues to issue these permits with inadequate protections and mitigation measures.

“This permitting process not only fails to comply with federal laws, it wreaks havoc on Alabama’s beautiful waterways, the quality of our drinking water, and the fish and wildlife that depend on these resources,” said Ben Prater from Defenders of Wildlife. “When entire segments of streams and wetlands are permanently filled in, they can no longer function to filter out pollution such as sediment and heavy metals.”

For a high-resolution picture of the Locust Fork in Jefferson County by Nelson Brooke, [click here](#).

For a link to the complaint, [click here](#).

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About the Southern Environmental Law Center:

The Southern Environmental Law Center is a regional nonprofit using the power of the law to protect the health and environment of the Southeast (Virginia, Tennessee, North and South Carolina, Georgia, and Alabama). Founded in 1986, SELC's team of nearly 60 legal and policy experts represent more than 100 partner groups on issues of climate change and energy, air and water quality, forests, the coast and wetlands, transportation, and land use. www.SouthernEnvironment.org

About Black Warrior Riverkeeper:

Black Warrior Riverkeeper’s mission is to protect and restore the Black Warrior River and its tributaries. The citizen-based nonprofit organization promotes clean water for improved public health, recreation, and wildlife habitat throughout the Black Warrior River watershed. Learn more at BlackWarriorRiver.org.

About Defenders of Wildlife:

Defenders of Wildlife is dedicated to the protection of all native animals and plants in their natural communities. With more than 1 million members and activists, Defenders of Wildlife is a leading advocate for innovative solutions to safeguard our wildlife heritage for generations to come. For more information, visit www.defenders.org