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Black Warrior River Chosen Among America's Most Endangered Rivers

Dangerous mining loophole threatens drinking water with pollution

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Birmingham, Alabama —Pollution caused by coal mining near the Black Warrior River has landed the river on the annual list of America's Most Endangered Rivers™ – a report issued by the conservation group American Rivers.

The Black Warrior River and its tributaries are a major drinking water source for Birmingham, Jasper, Cullman and Tuscaloosa. The headwaters of the Black Warrior River include the federally designated Wild and Scenic Sipsey Fork, which, along with the river's Mulberry and Locust Forks, is rated among the top 2% of United States streams by the National Park Service. The river, known for fishing, boating, commercial navigation, recreation, and wildlife, also runs through the Warrior Coal Field where most of Alabama's coal reserves are found.

For many years, the U.S. Army Corps of Engineers (Corps) has allowed the majority of the Black Warrior River watershed's approximately 95 active coal mines to operate under a general permit known as Nationwide Permit (NWP) 21. NWP 21 does not take local wetland and stream conditions into account, study the possible impacts of the mines or provide for public input. This situation contrasts with the process in other Appalachian states, where the Corps last year suspended the use of NWP 21 to require more careful consideration of a mine's impacts on water resources and the environment.

“The U.S. Army Corps of Engineers has wisely closed this dangerous mining loophole across the Appalachian coal mining region – except for Alabama,” said Gerrit Jobsis, American Rivers' Southeast Regional Director. “It's time to give Alabama's people, clean water, and wildlife the protection they deserve.”

Eva Dillard, staff attorney for Black Warrior Riverkeeper, agrees: “Under NWP 21, the Corps has allowed numerous mines to operate in our watershed with no consideration of their cumulative impacts on water quality or the environment. With NWP 21 up for possible renewal in 2012, now is the time to tell the Corps to end the use of this rubber stamp in Alabama.”

Black Warrior Riverkeeper Nelson Brooke states, “Our wetlands and headwater tributary streams are critical conveyors of clean water, controllers of runoff and flooding, and providers of fish and

wildlife habitat. Their loss under NWP 21 hurts the river, local communities, fishermen and sportsmen, and ultimately the state.

American Rivers is calling on the Corps to discontinue the use of NWP 21 and include Alabama in all protective guidance and regulations that apply to Appalachian region mining. Ending the use of NWP 21 in Alabama would force the Corps to consider the cumulative impact of mines on the Black Warrior River and allow local people to voice their concerns.

American Rivers also called on the Alabama Department of Environmental Management and Alabama Surface Mining Commission to strengthen coal mining permits and enforcement efforts. Additionally, these agencies should collaborate with the Corps to address the cumulative effects of mining on the river.

About America's Most Endangered Rivers

For 26 years, American Rivers has sounded the alarm on 360 rivers through our America's Most Endangered Rivers report. The report is not a list of the "worst" or most polluted rivers, but is a call to action for rivers at a crossroads, whose fates will be determined in the coming year. By shining the spotlight and mobilizing grassroots action, we help save rivers from sewage pollution, new dams, mining, and other threats.

Our staff and scientific advisors review nominations for the following criteria:

- A major decision that the public can help influence in the coming year
- The significance of the river to people and wildlife
- The magnitude of the threat, especially in light of climate change

America's Most Endangered Rivers™ is sponsored by Orvis, the oldest mail order company in the US, which has been outfitting customers for the sporting traditions since 1856. Orvis is a long-time supporter of American Rivers. This is the third consecutive year that they have sponsored America's Most Endangered Rivers and have also provided American Rivers with a 2010 Conservation Grant. Orvis donates 5% of their pre-tax profits annually to protect nature.

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American Rivers is the nation's leading voice fighting for clean water and healthy rivers. For almost 40 years we have protected and restored rivers, scoring victories for communities, fish and wildlife, and future generations. American Rivers has offices in Washington, DC and nationwide, and more than 100,000 supporters and volunteers. Visit www.americanrivers.org, www.facebook.com/americanrivers and www.twitter.com/americanrivers.

Black Warrior Riverkeeper (www.blackwarriorriver.org) is a citizen-based nonprofit advocacy organization whose mission is to protect and restore the Black Warrior River and its tributaries. A member of Waterkeeper Alliance, Black Warrior Riverkeeper won Alabama Environmental Council's 2007 Conservation Organization of the Year and American Canoe Association's 2008 Green Paddle Award. Nelson Brooke, Riverkeeper, won Alabama Rivers Alliance's 2010 River Hero Award.