

annually — vital revenue in a region reeling from generations of boomand-bust extractive industries. The Gauley is a world-famous whitewater destination, beloved by kayakers and rafters from around the globe. Yet, this same remarkable watershed faces a grave threat: toxic pollution from coal strip mining in the headwaters of the Cherry River, one of the Gauley's primary tributaries.

THE RIVER

Few places in West Virginia rival the scenic splendor of the Gauley River's headwaters. Within the Monongahela National Forest, ephemeral streams and artesian springs form amidst the black earth of the Allegheny Highlands to create the Cranberry, Williams, and Cherry Rivers. These waterways meander through some of the continent's southernmost red spruce forests and cranberry bogs. including the cherished Cranberry Wilderness backcountry, offering prime spots for hiking, fishing, hunting, boating, and camping.

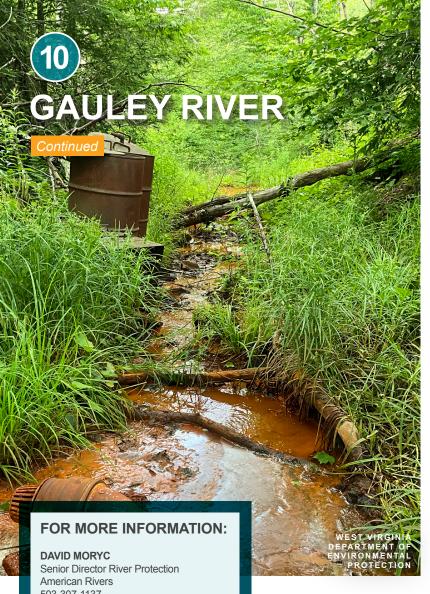
The Cherry River, in particular, shelters an astonishing range of life. It is home to the brilliantly colored and critically endangered fish, the candy darter, which has lost half of its habitat due to human impact. Native brook trout still swim and spawn here, and the Eastern hellbender — a two-foot-long salamander recently proposed for endangered species status — nests beneath submerged rocks and forages among the pristine cobble-bottom streams. By the time the Cherry flows into the Gauley, it boasts spectacular whitewater that anchors an adventure-based tourism economy valued at more than \$116 million annually.

THE THREAT

In Greenbrier and Pocahontas counties, South Fork Coal Company operates a network of strip mines, haul roads, and a coal preparation plant spanning 3,600 acres, all of which discharge runoff into the Gauley River watershed by way of the Cherry River. Since 2019, the company has released heavy metals and sediment exceeding legal limits by up to 900 percent — into the Cherry River on at least 80 documented occasions. In addition, the company is trucking over 100,000 tons of coal annually from the more than 1,100-acre Rocky Run Surface Mine across the Monongahela National Forest each year — an action that plainly violates federal law.



DAVID NORICK



Regulators closed down the haul road in January 2025 in response to complaints, but hauling has now resumed, desecrating the national forest and imperiling the Gauley River headwaters.

Under the Surface Mining Control and Reclamation Act, coal mining is prohibited in the national forest, unless a mining company can demonstrate that it had valid existing rights, prior to the passage of the law in 1977, in order to extract coal within the forest boundary. The South Fork Coal Company never proved it had these rights and misrepresented their planned operations to the public, stating in the permit for its haul road that it would not enter federal land, even though the road traverses the Monongahela National Forest. At present, South Fork Coal Company is appealing to the Office of Surface Mining Reclamation and Enforcement (OSMRE) to allow an exception and grant them rights that they never had in the first place. OSMRE's "valid existing rights" determination will not only determine the Gauley River's future, but also echo nationwide, setting a precedent for whether current safeguards for public lands remain, or whether these lands become more vulnerable to corporate exploitation and special interests.

WHAT MUST BE DONE

Whether you are a West Virginian, a public lands advocate, or simply a concerned individual — you can take action by telling the Office of Surface Mining Reclamation and Enforcement to reject South Fork Coal Company's attempt to legitimize — after the fact — its ongoing operations within the Monongahela National

Forest. By sending your comment, you can underscore the illegal use of our national forest lands and the mounting water pollution in the Gauley River watershed.

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TAKE ACTION:

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