



Member's Press Release

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Legislature too Investigate Dunkard Creek Fish Kill

MORGANTOWN, W.Va.—The Joint Legislative Oversight Commission on State Water Resources will meet on Thursday, Oct. 15 to examine the 30-mile fish kill in Dunkard Creek. The meeting will take place at the State Capitol from 9-11 a.m. in Room 208-W, the Senate Judiciary Committee Room. It is open to the public.

"The frustrating thing is that folks in the Upper Monongahela River Association predicted that something like this would happen last year. Although our local delegates introduced a bill last session, HB 2960, intended to remedy what happened, sometimes it takes a disaster to get legislation passed," said Delegate Barbara Evans Fleischauer.

The first report of a fish kill in Dunkard Creek, which criss-crosses the Mason-Dixon line, was recorded on Sept. 1, 2009. The kill has since affected at least 161 aquatic species.

"Some of the thousands of fish that were killed were huge," said Fleischauer. "It is particularly sad that this occurred in a beautiful stream that local residents had banded together to restore, maintain and protect through their watershed association."

There is not yet any official conclusion as to the factors which caused or contributed to the fish kill, but the presence of golden algae bloom, *Prymnesium Parvum*, which has not previously been identified in Mid-Atlantic waters, has been confirmed. Increased levels of total dissolved solids during the relevant time periods have also been recorded.

House Bill 2960 was introduced during the Regular 2009 Session. It was sponsored by Delegates from the Dunkard Creek area including Fleischauer, Marshall, Beach and Shook (all D-Monongalia) and Delegates Manypenny (D-Taylor) and Longstreth (D-Marion). It would have required the DEP to establish standards to control the levels of total dissolved solids in state waters.

In addition, the bill would require submission of data to the DEP regarding withdrawal of water for fracturing and other purposes, as well as treatment for discharge of fluids into state waters. The bill did not pass, but legislators plan to reintroduce it in the 2010 Regular Session.

The Joint Water Resources Committee is chaired by Delegate Tim Manchin (D-Marion) and Senator John Unger (D-Berkeley).

"I hope the interim meeting on Thursday will bring attention to the causes of this modern environmental disaster. I think it is important to look quickly into what other states have done in order to prevent this from spreading to other streams in our state," said Manchin.

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