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Will Duke Lake ever see water?

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Will Duke Lake ever see a drop of water? We are beginning to wonder. Optimism prevailed last year when an agreement was announced between the state Department of Conservation and Natural Resources and Consol Energy Inc. Under that plan, Consol will pay \$36 million to replace the lake's dam and give DCNR eight parcels of land it owns adjacent to the park containing 506 acres. The \$36 million will be adequate to complete all the work that needs to be done there. The addition to park property of the eight parcels will increase the size of the 1,000-acre park by 40 percent. Moreover, Consol agreed to pay DCNR an 18 percent royalty rate for gas under the park after \$13.7 million was realized on Consol's wells. The company also will be permitted to mine the coal it owns in the eastern portion of the park once it receives the required mining permits, but it will be prohibited from mining under the dam or lake. Consol will be required to monitor stream flows and ground movement with DEP oversight, according to the agreement. The company will, in addition, be prohibited from using water from the park for drilling activities and will build a new maintenance building for the park. Duke Lake, the 62-acre gem of Ryerson Station State Park, was drawn down in 2005 by the state because of subsidence damage to the dam from longwall coal mining operations nearby at Bailey Mine. The agreement last year ended litigation before the state environmental hearing board, although Consol admitted no liability regarding damage to the dam. Nonetheless, when that agreement was announced, DCNR Secretary Richard J. Allan said, "I'm very happy to report we

have a resolution and we will be rebuilding the dam and restoring the lake as soon as possible.” He said the department hopes to have the lake restored by the summer of 2017. This summer, though, the organizers of the annual DRYerson Festival chose as its theme, “Streams Under Attack, Let’s Fight Back,” picked in part because of Consol’s plan to undermine a number of streams that would feed a reborn Duke Lake. A recent permit issuance allows coal mining below 14 streams, with predicted flow loss or flow reduction in at least four streams, including North Fork Dunkard Fork, Polen Run and Kent Run, which all flow through Ryerson Station State Park. Our optimism began to wane with that news. But it took a real dive last week during an informal public conference on a permit application to engage in longwall mining beneath Polen Run in Richhill Township. Polen Run is a feeder stream to Duke Lake and the public conference was held by the state Department of Environmental Protection to receive comment on a permit application by Consol Energy’s Bailey Mine to engage in longwall mining beneath it. We recognize this is becoming a very sensitive and emotional issue – consider what Terri Davin of the Greene County Watershed Alliance said, reflecting on her initial delight Duke Lake was going to be restored: “Now, it’s a whole new situation. The issue is we need water to flow into the reservoir.” She said she was concerned that, with all the mining planned for the area, whether enough streams will remain in place to provide water to fill Duke Lake. As Ken Dufalla, president of the Izaak Walton League of Greene County, said, “Why spend all that money bringing the lake back when you have no water to fill it?” A good question. We are hoping we will soon hear some answers.

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