

Three trout streams proposed for Tier 2.5 designation

By Liz Garland

Three tributaries of the Cheat River have been nominated as waters of special concern, otherwise known as Tier 2.5 designation under West Virginia's antidegradation policy. The streams are Watkins Run and both forks of Fill Hollow Creek in Preston County. The streams' high water quality support aquatic insects and native brook trout.

Tier 2.5, waters of special concern, are of high quality and deserve special protections. Legally, short-term degradation may occur in a Tier 2.5 stream, but no significant long-term degradation is allowed.

The nomination was made by Preston County resident Ladd Williams to the Environmental Quality Board (EQB). The EQB notified riparian landowners and mineral rights owners of the proposal by newspaper public notices and direct mail after its June meeting. The nomination process involves several levels of approval:

1. EQB considers if all nomination criteria are met and if designation is applicable at its regularly scheduled public meetings.
2. The Tier 2.5 list is amended in the state's legislative rule 46CSR1, "Requirements Governing Water Quality Standards".
3. The amended list is submitted to the WV Legislative Rule Making Committee.
4. The Legislative Rule Making Committee forwards the amended list as a bill to the WV Legislature for consideration.
5. With legislative approval, the streams become waters of special concern.

The three Cheat tributaries are the first stream nominations accepted for consideration of Tier 2.5 designation under the state's antidegradation policy through the EQB. Tier 2.5 protections have been controversial and contested across the state. Acceptance by the legislature of these nominations may set precedence for increasing the number of protected trout streams in West Virginia. To follow the nomination process, check the EQB web site at www.state.wv.us/eqb.