

SPRING/SUMMER 2015



HEADWATERS

Conserving and Restoring West Virginia's Exceptional Rivers and Streams



25 YEARS

promoting swimmable, fishable, drinkable rivers

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Cover Photo:
Child in Elk River by Keely Kernan.

Healthy Waters: Drawing Together Diverse Voices

If you received our weekly policy emails during the legislative session, you got a glimpse of the intense negotiations that took place in the halls and offices of our State Capitol. Late into many evenings and again the following morning, we were there.

Rollbacks in the Aboveground Storage Tank Act got heavy media attention. But that result doesn't reveal the whole story. There are victories to celebrate, reasons for hope.

One press conference at the Capitol helps tell the story. The speakers represented the breadth of the movement we are building. It included the WV Council of Churches, the WV NAACP, the Our Children Our Future Campaign, and the WV Sustainable Business Council—voices beyond the “environmental community.”

Another reason for hope is the power shift that these diverse voices brought. We didn't get everything we wanted for water, but we got a lot—we were always at the table.

Never before have the voices for clean water in West Virginia been welcomed by the Governor and his administration and by legislators of both parties into stakeholder meetings. In early 2014 when Governor Tomblin called a stakeholders' meeting, only industry was invited. We've made our way into the room by bringing sound science, depth of knowledge in policy, and the voices of many people from all backgrounds.

The most significant result of the Elk River chemical leak was not only the passage of new laws. It was people coming together with passion and the understanding that water unites us.



There will always be challenges to our water and our environment. There will always be disagreements about public policy—some legitimate; others benefiting the interests of only a few.

We can be disappointed, but not defeated. When I see new faces of different backgrounds and motivations all come together united for our right to clean water, I see our advocacy is not just for “environmentalists.”

This gives me renewed hope for the waters we need to live and prosper. And it's not just wishful thinking. It's an assessment of where we are and how far we've come.

Thanks to all of you who have supported this effort by writing letters, showing up, and making donations. It has made a difference. It will continue to make a difference. Please keep expanding our reach and building power for change. Invite “unlikely supporters” to recognize WV Rivers as the voice everyone needs for clean water and healthy rivers.

—Angie Rosser, Executive Director

Meet the New Members of WV Rivers Special Projects Team



Rob Goodwin is a contracted specialist supporting our water policy and enforcement initiatives. His background involves promoting regulatory accountability in enforcing environmental and clean water laws, particularly in the mining arena. He lives in Fayetteville.



Rachel D'Agostino is a youth outreach specialist developing a pilot engagement program in the Eastern Panhandle using multi-media production to tell the stories of the Cacapon River and Warm Springs Run. Rachel also is president of the Friends of the Cacapon River. She lives in Great Cacapon.

Protecting Our Headwaters

Gas Pipelines Threaten Water Quality

West Virginia has seen a century of degradation of our water—streams filled in by mountaintop removal, wells poisoned by frack fluids, a water crisis depriving 300,000 people of safe water. Now plans are underway to cut massive natural gas pipelines from the West Virginia gas fields to the Atlantic.

It will impact all of us. The construction phase alone could cause significant harm to streams, wells, natural springs, and mountain wetlands—and forever change the West Virginia landscape. Three pipelines are in planning; two are in the routing phase. The Mountain Valley pipeline would cross 89 WV rivers and streams, including the Gauley. The Atlantic Coast pipeline would cross 21 WV rivers and streams.

But pipelines have long been part of West Virginia, you might say. Here's the reality. Pipelines of this size have never before been built across our mountainous terrain. No one truly knows the potential impacts of construction or operation. What we do know is that the karst topography that would be crossed is vulnerable—thousands of wells could be impacted. And our underground mountain springs are as ecologically important as the beautiful rivers aboveground.



Sediment pollution caused by pipeline construction in West Virginia; photo courtesy Ed Wade, Jr.

We are working with a diverse coalition: writing comments to regulators, reviewing existing laws that apply, and more.

There is an incredible rush to push these pipelines through. Politicians cite potential economic benefits. If this is so, we need comprehensive, thoughtful planning that considers and protects our waters.

Stream Monitors Protecting Headwaters

When we put out the call for volunteer stream monitors, West Virginians responded. So far 195 volunteers have been trained, with over 8,000 data points and observations made across 194 streams. Now WV Rivers and Trout Unlimited hope to expand our monitoring partnership along the proposed route of each pipeline. This presents a huge challenge; no monitoring program of this magnitude has ever before been done.

We need to get baseline water quality data for each stream in preparation for potential construction impacts. Watch for a volunteer training schedule coming soon.



Viable populations of macroinvertebrates are a key indicator of stream health.

Birthplace of Rivers, a Recreation Monument in the Headwaters

Have you ever paddled the Cherry River? Fished the Middle Fork of the Williams? The prospect of pipelines in the Monongahela National Forest is adding to uncertainty among many paddlers, anglers, and hunters. That's another reason to support the proposed Birthplace of Rivers National Monument as a way to protect recreation access in the Forest.

Visit the proposed monument area this summer. Bring your bike and ride the forest roads; find yourself captivated by Cranberry Glades; take a nap listening to birdsong; snap selfies at the Falls of Hills Creek. You'll get it. You'll see why our headwaters deserve permanent protection.



Access for fishing, hunting, paddling and other outdoor recreation would be protected through Birthplace of Rivers National Monument.

WELCOME RECENT FIRST-TIME DONORS!

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Non-profits

Ohio Valley Environmental Coalition
WV Citizen Action Group

DONOR SPOTLIGHT



Oren Kennedy

Long-time WV Rivers supporter Oren Kennedy lives in Michigan, but can usually be found volunteering at Cheat Fest or Gauley Fest. "The issues might change, but everything WV Rivers does promotes a healthy environment," says Oren. "I donate both time and money to Rivers as my way of leaving a positive environmental impact."



WV Rivers Policy News

Rollbacks In Tank Law

It had gone down to the wire in committee. WV Rivers' Angie Rosser had met with House Speaker Tim Armstead and Judiciary Committee members about an amendment to strengthen the Aboveground Storage Tank Act. The Speaker put his support behind the amendment. Kanawha County Delegates crossed party lines to support the stronger bill.

In the end, though, the House Judiciary Committee rejected by a single vote the amendments that would have improved water protections. The law is now weaker; far fewer tanks are covered by the law than when it was originally passed in 2014. Still, WV Rivers supporters have a lot to be proud of. With our allies we required the state to inventory contamination threats to our water supplies; we increased the frequency of DEP's inspections of tanks closest to drinking water intakes from every five years to every three; and made sure tank owners must share information with water utilities.

New Protections For Kanawha River

After last year's water crisis, the WV Department of Environmental Protection proposed reclassifying a 72-mile section of the Kanawha River as Category A—a potential drinking water supply. This designation would give the capital region a potential secondary water source. Industry took aim; first on the Kanawha, then on the Category A protections that protect surface water throughout the state, where more than a million West Virginians get their drinking water. Industry tried to gut this protection of 31,000 miles of our streams while scuttling the Kanawha.

But the Safe Water Roundtable joined with WV Rivers to put on a full court press to push back the attacks and win enhanced protections for the Kanawha.

WV Rivers Supporters Demand Train Safety

Following February's catastrophic train explosion in Fayette County, WV Rivers learned that the Obama administration had been dragging its feet on releasing new safety standards. New regulations, four years in the making, would phase in new generations of cars to carry highly volatile fuels like the Bakken crude that exploded along the Kanawha. The rules, which were to go into effect in January, have already been approved by the U.S. Department of Transportation. We can't wait longer for these new rules with the transport of crude oil by rail increasing 4,000% over the past five years. More than 70 WV Rivers supporters wrote to our Congressional delegation requesting they help get the rules unstuck.

WV Rivers Launches Mercury Campaign

WV Rivers teamed up with Kentucky Waterways Alliance on a campaign to reduce mercury discharges into the Ohio River. Mercury poisoning causes brain damage in children and kidney failure in adults. The campaign, "NO MORE (No Mercury in the Ohio River Environment)" rejects a proposal to further delay or abandon a river-wide ban on mercury dilution zones. The Ohio River Valley Water Sanitation Commission (ORSANCO), which sets water pollution limits for the river, ordered the ban 12 years ago on concentrated industrial discharge zones where mercury could be diluted, but never removed. Now industry wants exceptions. Over 250 WV Rivers supporters signed a petition and submitted comments urging ORSANCO to stand by its October 15 deadline for companies to comply.



The train derailment and fires at Mount Carbon, WV, along the Kanawha River. Photo by D.T. Stephenson.

WV Rivers Program Updates

Remembering the water crisis

Hundreds of people gathered at the Culture Center in Charleston January 9 to mark the one year anniversary of the Elk River chemical leak that caused the water crisis. There were workshops on water policy, a candlelight vigil beside the Kanawha River, and inspiring speeches by activists, members of the faith community, elected leaders, and officials in state government. Many of the workshop participants had never been involved in water issues before the water crisis. They got involved, and are staying involved.



WV Rivers' Angie Rosser facilitating a rare gathering at the January 9 commemorative event: Senator Joe Manchin III, DEP Secretary Randy Huffman, BPH Commissioner Rahul Gupta, and Delegate Mike Pushkin.



Elk River Blues and the Story of WV Water

WV Rivers co-produced Mike Youngren's amazing documentary on water in West Virginia, *Elk River Blues*. We co-hosted the film's world premiere at the January 9 observance of the water crisis in Charleston. The film played to a packed house, and since then has played at film festivals and has been viewed online nearly 3000 times. Solving our water challenges, says Mike, "will take more than changing our view of water. It will take a monumental change in how people view themselves."

Learn more and download at WVRivers.org/videos.



Conserving and Restoring Chesapeake Bay Tributaries

The health of the Potomac, Shenandoah, and Lost-Cacapon rivers in West Virginia are keys to restoring the Chesapeake Bay and are vital to local water supplies, recreation, and culture. As the WV leaders of the Choose Clean Water Coalition, we're building a constituency of diverse messengers and new voices in the Eastern Panhandle. We're working with watershed groups in the region to broaden local support, reach out to youth, and coordinate advocacy for federal and state water policy.



WV Rivers hosts NWF Annual Meeting

West Virginia Rivers Coalition is our state's National Wildlife Federation affiliate organization. In March, WV Rivers hosted the national annual meeting of NWF at the National Conservation Training Center in Shepherdstown, WV. At the meeting, delegates from every state and territory debated national policies, chose policy directives, and participated in workshops. It was an opportunity for the Mountain State to shine and welcome visitors to Wild and Wonderful West Virginia.



Law Gives WV Rivers Seat on Source Water Commission

The West Virginia legislature has named WV Rivers to an influential role in source water protection planning. The Public Water System Supply Study Commission was created to report to the legislature on the progress of updating source water protection plans across the state. WV Rivers worked hard to get the public seat at the table protecting local drinking water supplies. We are now your voice on the commission.



Birthplace of Rivers Coalition Grows

The coalition supporting the Birthplace of Rivers National Monument proposal continues to grow. Already, 170 WV businesses have endorsed the monument. Seven local governments including Fayetteville and Richwood have, too. The alliance that includes WV Council of Trout Unlimited, Pocahontas Trails, the WV Council of Churches and the WV Municipal League.

VOLUNTEER SPOTLIGHT



Kerren Hall

"I responded to a WVRC email because I wanted to learn stream monitoring in order to teach children," says Kerren Hall, Fayetteville, WV. "Once I started to monitor I got hooked! It only takes 15 minutes each time. I travel to some beautiful waterways, and feel that I am protecting and preserving something important: the wild beauty that makes West Virginia so special."

What's Next in Water



WV Rivers will pilot a youth engagement program this summer training youth as watershed story tellers.

DONOR SPOTLIGHT



Adam Williams

"Our future on this planet depends on the preservation and remediation of one of our most important resources: water. The West Virginia Rivers Coalition works on policies that affect our water ways as well as direct programs to protect it," says Adam Williams of Elkins, WV. "I support WV Rivers Coalition because we need organizations like ours to make sure our future is safe."

Source Water Protection Planning

The race is on for public utilities to submit source water protection plans (SWPP) to the Bureau for Public Health (BPH) according to a staggered schedule by July 1, 2016.

Affected utilities include those that draw water from surface waters (streams, rivers, or reservoirs) or from groundwater influenced by surface water. In the 2014 legislative session, we secured public participation in these plans. WV Rivers is seeking funds to develop a citizens' education program to promote community involvement in source water protection planning. In the meantime, contact your local water utility to find out how they intend to involve the public in the SWPP process. Keep up to date with Source Water Protection developments on our Take Action page at WVRivers.org.

Connecting Youth With Rivers

WV Rivers is piloting a youth engagement program using multi-media production to connect future clean water leaders with watersheds. Teams of young producers will create documentaries of the Cacapon-Lost River and Warm Springs Run in Morgan County. While learning how to produce news programs, they will learn about the values of healthy watersheds. The documentary teams will also tell stories of stewardship and ecology, and experience time in and on the water.

They will share those stories with other young people through social media and live screenings. After the pilot project this summer, we hope to lend this story-telling, youth engagement project to other watersheds around the region.

Dr. Rahul Gupta, former head of the Kanawha County Health Department, accepts the WV Environmental Council's Don Gasper Science in the Public Interest award from WVRC Executive Director Angie Rosser. Dr. Gupta is now commissioner of the WV Bureau for Public Health, where he will oversee source water protection planning. WV Rivers encourages everyone to contact their local water utility to find out how you can get involved.

DEP Moves To Weaken Aluminum Standards

In response to a 2015 legislative mandate, the WV Department of Environmental Protection is expected to release new rules in June allowing more than a 13-fold and 46-fold increase over current limits for acute and chronic aluminum toxicity to aquatic life, respectively.

DEP would move to a "hardness-based standard" pushed by the coal industry. We know that aluminum is harmful to aquatic life. But, not enough scientific data is available to fully understand the relationship between stream hardness and toxicity. We are also researching the impacts of aluminum pollution on human health and drinking water treatment.

DEP moved to implement the rule in 2014, but the legislature rejected the rule to weaken water quality standards in the wake of the water crisis. Once the rule is filed, there will be a public comment period and a public hearing, and we'll need your help in defending our streams from more toxic aluminum! Sign up for our e-news at WVRivers.org to stay informed.

Tank Law Revisited: New Rules For New Law

When the WV Legislature approved Senate Bill 423 to amend the Aboveground Storage Tank Act, it reset a new round of rule writing. Although the amended law will become effective June 12, 2015, DEP must rewrite rules to comply with the weakened new law. Those rules must then be approved by the legislature in the 2016 session, potentially opening the law once again to further compromises. WV Rivers will be participating in the process to see strong rules established and enforced. See our Citizens' Guide to SB 423 posted on WVRivers.org for more information.





Gathering, Connecting, Looking Toward The Future

WV Rivers Celebrates 25 Years

"We were founded to be truth tellers," said WV Rivers co-founder Mac Thornton. He and Roger Harrison, who had been hired in the early 1990s as the organization's first executive director—fresh out of college—were hovering close to the pizza at a party hosted by Mac and his family to kick off WV Rivers' 25th anniversary weekend. "That's still what we do; that's who we are."

"We weren't always popular because of it," added Roger, spinning a couple of yarns about battles to achieve Wild & Scenic River protections for the state's exceptional rivers. From there the conversation moved seamlessly from protecting rivers to playing in them—as is always the case when people who love the outdoors gather.

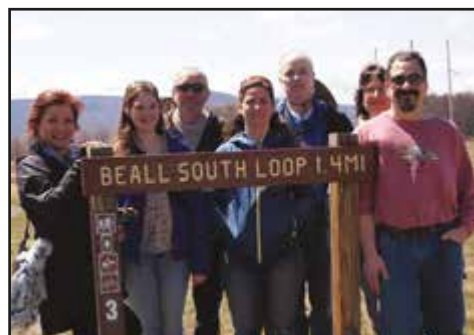
And that set the tone for a wondrous weekend of connecting—on Saturday evening at a dinner at Canaan Valley State Park, late into the evening at a party hosted by long-time board member Don Garvin, and at a series of outings on Sunday.

There were people like Elaine and Lew Komarow, who have been part of WV Rivers for more than a decade because, said Elaine, "the work we do is so important. Nobody else is doing what we do." And there were people like Lori Jo Magana, who recently connected with WV Rivers. For her the connection is elemental: "I drink water," she said.

One of the most memorable moments of the weekend was a reading by Renee Nicholson from her conversations with co-founder Jamie Shumway shortly before his death in 2014. The thrill Jamie felt when he was on the river and the responsibility he accepted for its care captured the connection for all of us. His wife Betsy Pyle, son Wesley, and several family friends were there to share in the celebration of Jamie's legacy.

Thanks to everyone who attended. And thanks to all of you for connecting—and staying connected with WV Rivers.

Photos, top to bottom: Back in the day, co-founder, the late Jamie Shumway with Roger Harrison and Mac Thornton; high fives all around for after running rapids on Sunday afternoon; chilling at Sunday breakfast; hikers after birding along the Blackwater River.



DONOR SPOTLIGHT



Elaine and Lewis Komarow have been WV Rivers donors since 2002. After buying a camp in Hardy County, WV, they fell in love with Cacapon River. When they learned about the work of WV Rivers, working to protect the Mountain State's waters, they joined the cause.



Yes! I want to help the West Virginia Rivers Coalition protect our rivers for recreation, wildlife, and for our health and safety. Enclosed is my donation to the Clean Water Action Fund to support statewide education and advocacy.

Amount of donation:

\$500 \$250 \$150 \$100 \$75 \$50 Other \$ _____

Payment Method: Check payable to WVRC enclosed. Charge my credit card (see below).

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