

SPRING/SUMMER 2016



HEADWATERS

Conserving and Restoring West Virginia's Exceptional Rivers and Streams



Joining together for clean, safe water for all

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The Future In An Age Of Uncertainty

West Virginians are living in a time of economic uncertainty. People are worried about making a living. Young people say they can't stay in the state. Fear about the future has led to distrust of science and resentment over regulations.

We at West Virginia Rivers don't pretend to have all the answers, but we do believe this: The future of our state depends on access to clean water. That's what will bring new businesses and good jobs to our state; that's what will grow our tourism economy; that's the investment that will yield returns for decades to come.

There's a brighter future for West Virginia, and rivers run through it. That's what we're working for.

Like the water we drink, that future starts in the headwaters. So much of the nation depends on waters that begin somewhere else. For us, it starts right here. Protecting our headwaters does more than ensure our drinking water gets a fresh start on the way to our faucets. Healthy headwaters strengthen our tourism economy and send a powerful signal to the nation that West Virginia's most important natural resource — water from the rains and snows the heavens send — is a renewable one.

The proposal to create the Birthplace of Rivers National Monument is part of that work. So is our work in the headwaters of the Potomac and Ohio, where we work with watershed groups and agencies to improve the health of our tributaries.

Then there is the water that utilities draw from our rivers to send to us — source water. The most effective way to make sure drinking water is safe is to keep our rivers clean and know about what threatens our water supplies.

Water quality standards are another piece, one that no other organization champions. Aluminum, selenium, "Category A" designation for our rivers — these technical, legal standards are not great bedtime reading, unless you're having trouble sleeping! But they are essential to assure our rivers are safe to use. They are what enable us to turn rivers into drinking water.

Policy is the heart of WV Rivers' work. It's also about education and action — working on the ground, in the media, and online to help people get involved and stay involved in protecting their water supplies.

There's something else about rivers we need to talk about more. They're fun! My happiest times are when I'm on a river. When I see kids splashing or paddling, I can't help but smile.

We are born of water. Our drinking water comes from the rock of our headwaters. When we remember this, when we cherish this gift that West Virginians have been given in bounty, our faith in the future is renewed.

For clean, wild rivers and safe water for all,

—Angie Rosser, Executive Director



Our Headwaters, Our Drinking Water

Hiking along Seneca Creek near the famed Seneca Rocks, the daily grind forgotten, our thoughts are on the sights and sounds of the woods, not on the special status of the stream as headwaters of the South Branch Potomac. Amid such inspiring scenes, our minds may not be on the drinking water intake at Shepherdstown, WV or those near Washington, DC that draw nearly 500 million gallons a day.

The Cheat River is birthed at Parsons with the confluence of Shavers Fork and Black Fork. Paddling the Blackwater or snapping photos at the Falls, do we stop to ponder the river as one of Five Forks of the Cheat? Rollicking and dancing into the night at Cheat Fest, maybe, just maybe, we pay homage to the water that becomes The Monongahela River, the drinking water for Morgantown and, eventually, the 5 million people who get their water from the Ohio.

It's the same all over the forested mountains that give West Virginia its name. The romance at the Falls of Hills Creek in Birthplace of Rivers is made a little sweeter knowing those waters find the Greenbrier River and, eventually, a faucet that fills a family pet's bowl.

Paddling the Elk tops the bucket lists of many kayakers; drinking the Elk is a daily reality for people in 15 counties — once taken for granted, but not now. When we go to the mountains to refresh our spirits, we play in the headwaters that eventually make their way into our public water supplies.

WV Rivers supporters understand this. In a recent member survey, half of respondents said water quality and safe drinking water were among our three most important programs; almost as many, 42%, ranked conserving public lands — including Birthplace of Rivers — among our top priorities.

**Only 0.8 percent
of the earth's
water is available
for household use.**

The headwaters are where rivers begin, and they are not all safe from harm. Excessive selenium and aluminum from mining harms aquatic life and threatens public health. Downstream, drinking water is threatened by countless contamination threats like railroads, chemical spills, sewer overflows, industrial pipelines to name a few. Our aging water infrastructure needs to be upgraded for many towns to receive safe, reliable drinking water.

We've come far since January 9, 2014. Then, we were all taken by surprise — aghast at what we didn't know. Now most public utilities are required to have source water protection plans that identify and manage potential threats to drinking water supplies. Strong water quality standards and viable source water protection plans are essential to keeping water safe from the headwaters to the tap.

Drinking water is the core of our Safe Water for WV program. The new project focuses on involving the public in source water protections plans that are due July 1 (see page 6 for more).

We've come a long way thanks to your involvement. We need to stay vigilant until there is clean water for everyone.

Seneca Creek, headwaters for Washington DC drinking water. More than 10 million people get their drinking water from the WV headwaters, including 3 million from the Ohio and 5 million from the Potomac.

**60% of the human adult
body is water; for babies
it's closer to 80%.**

Business Support

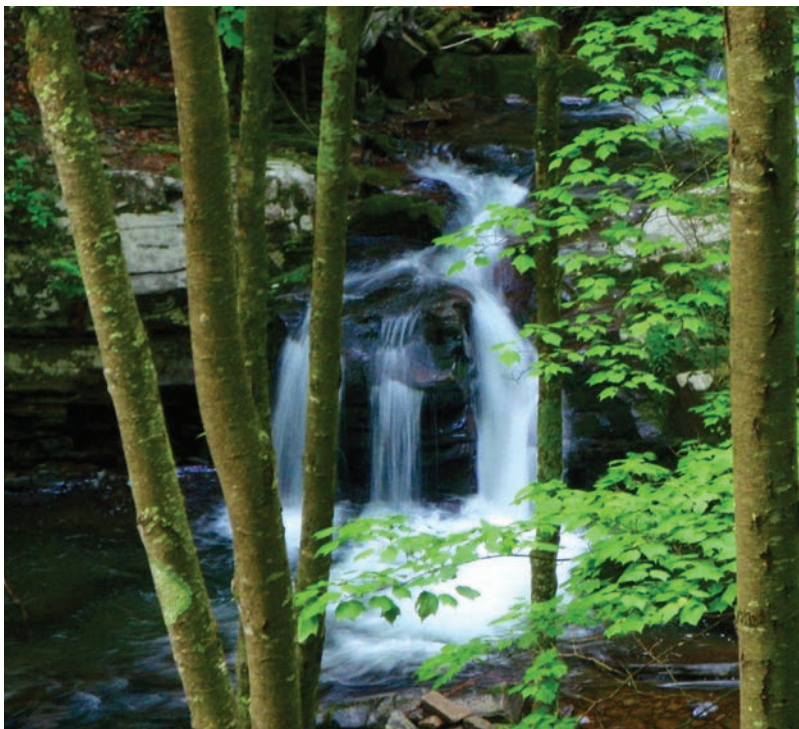
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Policy Update

The Public Prevails On Water Information Rights

Gov. Earl Ray Tomblin has signed SB625, a new law that allows utilities and agencies to share information related to potential sources of contamination to local drinking water supplies. The bill was championed by WV Rivers to provide transparency in source water protection planning. It passed both chambers unanimously.

The legislation has immediate relevance. Water utilities working on source water protection plans must inform and involve the public in the development of their plans. However, conflicts in the law hampered sharing information on contamination threats. Senate Bill 625 clarifies that. "This bill preserves the public's right to information and involvement in the protection of their drinking water supplies," said WV Rivers Executive Director Angie Rosser. "Now citizens can more meaningfully participate in source water protection planning with their utilities."

Passing SB625 was a major focus for WV Rivers during the legislative session. "We reached out to people on all points of the political spectrum," said Rosser. "In the end, common sense prevailed. Government should be in the business of sharing information and building alliances with citizens to protect public health. This is good for everyone."

Unanimous passage of SB625 was assisted by the tremendous actions of WV Rivers members. Using a new online advocacy platform, WV Rivers called on members and their friends to write letters on several bills before the legislature. This new digital initiative resulted in 4,640 letters from WV Rivers members to legislators.

WV Rivers members and supporters wrote 4,640 letters during the 2016 legislative session leading to unanimous passage of SB625.

Category A – Our Best Protection

The name is technical, but the impact is like a grade in school: "A" is the best in protecting human health. Category A rivers and streams receive protection as potential drinking-water sources. In West Virginia, all rivers and streams are deemed Category A unless specifically excluded. That's a good, minimum standard.



Seventy-five citizen activists attended a press conference for clean water at the Capitol Building in Charleston during the legislative session.

Last year WV Rivers led a successful effort to restore the Kanawha River near Charleston as a Category A river segment — it had been previously excluded. This year, industry is seeking to change the law. They want to exclude all WV rivers and streams except small sections closest to existing public drinking water intakes. That idea flies in the face of common sense. It ignores the need to protect rivers and streams as future drinking water sources. Such a change would increase the concentration of pollutants most harmful to human health across the state, threatening the viability of future and existing drinking water supplies.

WV Rivers and clean water allies successfully fought off changes to Category A standards in the legislature. But already industry has proposed gutting these protections in the 2017 Triennial Review of water quality standards. Nearly 40,000 of miles of rivers and streams are at stake.

Aluminum and Selenium

Industry-backed changes to aluminum and selenium standards were presented in 2015 under an "emergency rule." DEP had proposed making these weaker standards permanent through legislation during the 2016 session. These provisions died in the final moments of the legislative session when the House and Senate failed to agree on an unrelated issue.



West Virginia Rivers Coalition Executive Director Angie Rosser speaks to a crowd at the Capitol in February. WV Rivers' priorities included guaranteeing transparency in source water protection planning, defending Category A status to keep all WV rivers and streams available as potential drinking water sources, and water quality standards supported by the best science.

The Legislature still might approve these weakened standards this year, if the DEP “rules bundle” is taken up during a special session of the legislature.

The U.S. EPA has advised West Virginia regulators that the proposed changes may not meet sound scientific standards — and they might not align with EPA’s forthcoming recommendations. EPA must approve the standards revisions before they can go into effect.

The battle to prevent rollbacks in water quality standards is an ongoing priority. The Triennial Review is already underway, with any changes set to take place in 2017. WV Rivers’ Water Policy Workgroup has been working to safeguard these standards for over a year, and will continue to advocate sound science over industry-backed weaker standards.

Tank Bill Upheld

WV Rivers is still defending against attacks on reforms enacted as a result of the 2014 Elk River chemical leak. During the legislative session we worked to restore protections stripped from the Aboveground Storage Tank Act’s regulations, with success in preserving special considerations to protect surface and ground water when new tanks are installed.

We also successfully intervened in defense of court challenges to the Act. In another attempt to exclude tanks, the Independent Oil and Gas Association of WV appealed methods for delineating zones that determine which tanks are regulated. The WV Environmental Quality Board agreed with our arguments and upheld the zones, a victory for public confidence in the security of drinking water supplies.

Breakthrough for the Ohio River

For years, representatives from chemical manufacturers, power plants, and other industries have had a formal role in advising the Ohio River Valley Water Sanitation Commission, or ORSANCO. The commission, which sets pollution limits for the Ohio River, had been the subject of intense focus last year during deliberations over mercury standards.

The WV Rivers Water Policy Workgroup has been working to safeguard water quality standards intensely, and will continue to advocate sound science over industry-backed weaker standards.



Angie Rosser of WV Rivers was included as one of the founding members of ORSANCO’s Watershed Organization Advisory Committee.

Now, at the request of an alliance of WV Rivers and partner water and conservation organizations, ORSANCO agreed to form the Watershed Organization Advisory Committee to offer formal policy recommendations for the Ohio River. “This is one positive result of thousands of people speaking up last year on mercury,” said WV Rivers Executive Director Angie Rosser, noting that WV Rivers members generated 327 letters to ORSANCO.

“That kind of public action got their attention,” said Rosser. “We were able to bring solid science

and policy credentials to the table, but having the public back us up like that makes a difference.”

The new committee will be chaired by Judy Petersen, executive director of Kentucky Waterways Alliance. “In the entire 68-year history of ORSANCO, there has never before been an official seat at the table for watershed and wildlife advocacy organizations,” Peterson said.

Twenty-five million people, almost 10 percent of the U.S. population, lives in the Ohio River basin. About 1.5 million West Virginians live in the Ohio drainage.



Members of Sleepy Creek Watershed Association, Cacapon Institute, and staff from Region 9 Planning and Development accompanied WV Rivers to meet with Rep. Evan Jenkins, third from right, and other Congressional offices to advocate for federal funding of watershed restoration efforts and water infrastructure.

Program Updates

Gas Pipeline Specter Grows

It's like nothing this state has seen. Within just the past couple of years, over 630 state permits have been issued for new natural gas pipelines and compressor station construction, disturbing over 24,000 acres of land and crossing thousands of streams. With an oversupply of natural gas fracked from WV's Marcellus and Utica shales, the race is on to build pipelines to get the gas to market.

For WV Rivers, the focus is on water. "We need to make sure this is being done with consideration for the future," said Angie Rosser. "Our concern is the impact on water, and the prospect of aging infrastructure that gets left behind when it's all done."

To address this new threat, we are working on three fronts.

Monitoring. WV Rivers and Trout Unlimited are training volunteers to monitor water quality along pipeline routes as part of the WV-VA Water Quality Monitoring Program. The pipeline monitoring protocol is designed to identify and minimize potential impacts from pipeline development on sensitive water, fish and wildlife resources.

Volunteer monitors participating in pipeline monitoring will be prepared to monitor before pipeline construction begins, so

we can establish baseline watershed conditions. During and after pipeline construction, they will identify potential pollution events and assess erosion and sedimentation best management practices.

WV Rivers Volunteer Stream Monitors By The Numbers

23	trainings held
305	volunteers trained
1,707	sampling trips
17,154	data points
323	monitoring locations
282	streams



WV Rivers and Trout Unlimited have trained 305 volunteers to monitor before construction of pipelines. This will establish baseline watershed conditions.

Involving the public. WV Rivers has been meeting with regulatory agencies to clarify opportunities for public participation in pipeline planning and construction. We're participating in public forums and meetings to learn more about local concerns and connect people with the resources they need to understand their rights to information. Last year WV Rivers teamed up with West Virginia Highlands Conservancy and Dominion Pipeline Monitoring Coalition to commission a study from Downstream Strategies outlining the opportunities for public engagement regarding erosion and sedimentation on the Atlantic Coast Pipeline (go to Fact Sheets at wvrivers.org under the News tab).

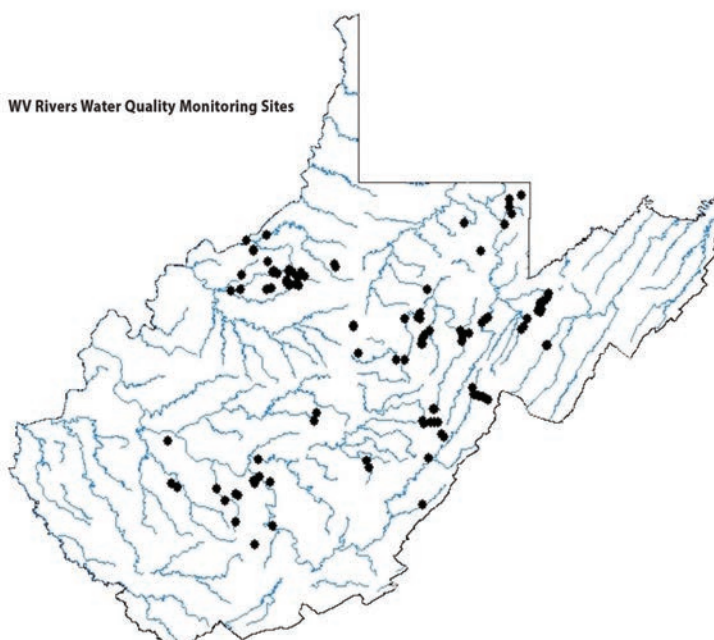
Impacts on drinking water. What are the potential impacts of the pipelines on drinking water? No one yet knows. WV Rivers and partners are working to produce a report detailing potential impacts of major pipeline construction projects on public and private drinking water. It will be available by June 1. Be sure to sign up for our e-news at WVRivers.org to be notified.

Safe Water for West Virginia

Keeping drinking water safe is a multi-layered challenge. In addition to safe water supplies, we need modern, effective water infrastructure. We're working on both.

Source Water Protection Planning. July 1 is coming fast. After the water crisis in 2014, WV Rivers worked to pass legislation to ensure that public utilities adopted source water protection plans by July 2016. Utilities are busy developing those plans with required public input. To help West Virginians participate in the development of water protection plans, WV Rivers launched the Safe Water for WV program. Highlights include:

- Five public forums to help people connect with their water utilities and participate in developing water protection plans. Nearly 150 people attended the first forum in Charleston on January 9, the two-year anniversary of the water crisis. Other forums attracted standing-room crowds.



- A safe water toolkit called “Drinking Water Protection: A Citizen’s Guide to Getting Involved.” This guide has been distributed at public forums and is available online at WVRivers.org.

- A webinar for people throughout the state to learn about source water protection planning and opportunities for public involvement. More than 50 people, including water utility staff, attended the live webinar, and many others have watched it or downloaded it since.

**Join us in Slayfork,
WV July 9–10 to
explore the Best of
Birthplace of Rivers. See
WVRivers.org for details!**

“Ensuring safe water for West Virginia won’t end with the completion of protection plans,” said WV Rivers’ Autumn Bryson. “The goal is to empower people to be the eyes and ears — and the nose — for potential threats to drinking water. Remember, it was a citizen who first alerted authorities to the Elk River chemical leak.”

Restoring Aging Infrastructure. One of the biggest threats to water security is America’s aging water infrastructure and out-of-date sewage systems. A federal program called the

State Clean Water Revolving Fund, or SRF, offers low-cost loans to public utilities to modernize these facilities; often the loans are matched with grants from the WV Department of Environmental Protection.

**WV Living magazine
named WV Rivers the
state’s best environmental
organization in 2015.**

The SRF has helped WV towns upgrade systems and bring new systems online. Keeping this program funded was a top priority for WV clean water advocates on a March visit to our Congressional delegation.

The effort also included support for a package of bills to support clean water infrastructure nationwide. These would triple the funding available for infrastructure and for updated lead testing and prevention for public water utilities. Twenty-five WV community organizations and clean water groups joined WV Rivers in asking Senators Joe Manchin and Shelley Moore Capito to co-sponsor the measure.

Birthplace of Rivers: First Step in Drinking Water Protection

Who cares about clean water? We know large majorities of all political persuasions do. When WV Rivers polled voters statewide, 79% said we can protect land and water quality in West Virginia and have a strong economy with good jobs at the same time, without having to choose one over the other. More than four out of five voters said government should play a role in preserving headwaters in West Virginia. And both Democrats

(86%), Republicans (77%) and Independents (87%) support efforts to establish Birthplace of Rivers National Monument to highlight the state’s natural beauty, preserve traditional land uses like hunting and fishing and protect important sources of West Virginia’s drinking water.

With no legislative action yet on the monument proposal, WV Rivers and partners are calling on President Obama to create the monument through executive action. Utilizing our digital advocacy platform and old-fashioned postcards and letter-writing parties, we’ve generated nearly 1,500 messages to the president so far.

Have you ever seen where your drinking water begins? Or the water used by your favorite eateries and breweries? WV Rivers is hosting an event in the Birthplace of Rivers area July 9–10. Dip your toes into the headwaters and get a whole new appreciation for how clean our rivers begin.



WV Rivers hosted Safe Water for WV forums in regions of the state attended by nearly 400 people.



Safe Water for WV forums were family-friendly learning events. This young man’s message captured the spirit.



Yes! I want to help the West Virginia Rivers Coalition protect our rivers for recreation, wildlife, and for our health and enjoyment. 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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