

SPRING / SUMMER 2017



# HEADWATERS

Conserving and Restoring West Virginia's Exceptional Rivers and Streams





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## COVER PHOTO

Photo by Samuel Taylor Photography:  
WV Rivers board member Bill Turner offers  
fly-fishing tips to Talia Miller on the Williams River  
at Best of Birthplace Weekend.



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## WV Rivers Members: Where Science And Hearts Converge

There is no way to sugar coat it. This year's legislative session was hard for water. The hits just kept coming. Pollution permit calculations were weakened to allow higher levels of the most dangerous toxins in our waters; the science-based methods for monitoring water quality that have served West Virginia for decades were abandoned for untested, unreliable methods that no longer consider holistic ecosystem health; there were more rollbacks in chemical storage tank regulations enacted after the 2014 water crisis.

Throughout the session, backers of anti-water measures claimed that each change was sought merely to align West Virginia's regulations with those of surrounding states. But that's not what happened. The result of these changes is that now West Virginia's water standards and protections are headed to be among the weakest in the nation.

For many people, the session brought into question the very foundations of democracy. More people got involved in the process than ever before. The memberships of every organization we partner with spoke up and showed up. WV Rivers members and supporters wrote over 10,000 letters to our legislature. At one public hearing in the House, 29 spoke against a bill harmful to water. Only three spoke in favor of it, all coal industry lobbyists. And yet the bill passed.

What many advocates call a war on water might rightly be called the crusade against science. We have always based our policy

priorities on the scientific facts about water and public health, safe recreation, healthy ecosystems, and whole communities. And we don't buy the claims that business can flourish only when we foul our rivers.

Is it a stretch to say there's a silver lining in all this? Not for me. I see in our rising numbers of water supporters a hope that democracy can be strengthened.

Just look at the success of our Science Fund matching challenge. When we saw we had to double-down on our science-based response to the barrage of attacks on water, you responded. You, our members, helped us meet a \$10,000 challenge to tell the truth. We are, and always will be, truth tellers. You make it happen. These days, we need science and the strength of our values. You bring both.

We are not a collection of party affiliations; we are people — hunters, anglers, paddlers, small business owners, water drinkers, Democrats, Republicans, Independents, young and old. We are people who care. We cannot allow ourselves to be so discouraged that we go silent.

You can bet we won't. And we're sure you won't either.

With gratitude,

—Angie Rosser, Executive Director

### Save the date! Join us Labor Day, September 4 at Coonskin Park!

Come to paddle the Elk, come for the fun, come to support our public lands. It's Elks Expedition II, our second annual celebration of the connections between our headwaters in the Monongahela National Forest, our recreational rivers, and the drinking water we rely on every day. Be sure you're on our email list for updates throughout the summer!

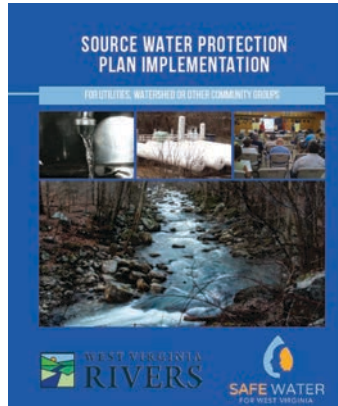


## Helping Communities Protect Drinking Water

It's a February morning at Cool Spring Preserve in Jefferson County, WV. A snow flurry flitters over Bullskin Run, a tributary of the Shenandoah. Indoors, we are talking with water advocates, educators, and scientists to look at potential projects that both steward the river Indians called Daughter of the Stars and assist the City of Charles Town in implementing its source water protection plan.

There is a project ranking system and animated conversation on which actions would have the most impact. WV Rivers' David Lillard is capturing notes on flipcharts. Toward noon lunch arrives, but most of the group is too busy to notice.

In another corner of the state in Pocahontas County, Autumn Crowe of WV Rivers is coordinating a similar process. And in Buckhannon, and Marlinton, WV Rivers is working with community members and utilities to overlay source water protection with existing watershed-based plans that identify pollution sources — and create plans to address them. An example of one of the projects underway is on Knapp Creek, Marlinton's drinking water supply, where fecal coliform is a primary pollutant into this tributary of the Greenbrier.



Along Elks Run, Harpers Ferry's water supply, and along the Cacapon River in Hampshire County, our new source water protection implementation projects are just underway.

Also in Jefferson County, WV Rivers and the West Virginia Land Trust are taking a new approach to protecting drinking water: conservation easements, where landowners voluntarily donate or sell development rights on their land and agree to a permanent stewardship plan. Why would they give up their development rights? Because they love their land and want it to stay the same forever. The question is, "Can more easements along waterways help protect drinking water?"

In all these projects, WV Rivers is bringing together local utilities, community leaders, watershed education groups, and others to nurture a sense of shared responsibility for safe water for all. These are all part of the Safe Water for West Virginia program, a long-term effort to help communities come together to protect their local watersheds and drinking water.

After the 2014 water crisis, WV Rivers championed the bill to require source water protection plans for public water utilities. Now Safe Water for West Virginia is our way of empowering communities and utilities to implement them. The focus is on drinking water; the vision is more vibrant communities with strong connections to their life-giving — and life-enhancing — waterways.



*Above: Barbara Humes of Harpers Ferry, volunteer president of Harpers Ferry Water Board, at Elks Run, the water supply for Harpers Ferry and Bolivar. WV Rivers is working on three pilot Safe Water for WV projects in Jefferson County.*

*Left: Adam Webster of WV Land Trust, Natlie Monticelli and Michael Schwartz of The Conservation Fund, and Bridget Tinsley of Potomac Valley Audubon Society at the February gathering of the Safe Water Shenandoah initiative gathering to assist Charles Town in implementation of its source water protection plan.*





## West Virginians Unite for Public Lands

Poll shows deep support for public lands, national monuments

When the 115th Congress convened January 3, one of the first actions from the House of Representatives was an anti-public lands resolution that assigns a zero-dollar value to federal public lands. This maneuver opens the way to give national forest lands to the states or sell them to commercial interests without needing to account for lost revenue associated with leases and royalties.

Two weeks later came a Senate bill to gut the Antiquities Act, a law signed by President Teddy Roosevelt that has been used by most modern presidents to give enhanced protections to special areas within national forests and Bureau of Land Management acreage. This bill would remove presidential authority to create new national monuments and require state approval for monument designations — effectively, having Congress abdicate its responsibilities for public lands.

The big question then was whether the Administration would

follow suit. It did. In April the president ordered a review of all national monuments created since 1996 to see which would be rescinded or reduced in size. No president has ever undone a predecessor's monument proclamations.

To defend against alarming actions like these, WV Rivers and partner groups have formed West Virginians for Public Lands. The alliance broadens the coalition that has been promoting the Birthplace of Rivers National Monument. It adds public lands defenders like Friends of the Cheat and Kanawha Forest Coalition to the coalition that includes partners like WV Wilderness Coalition, WV Highlands Conservancy and the WV Chapter of the Sierra Club.

The good news is that West Virginians across the board support strengthening, not weakening, America's public lands. WV Rivers and the National Wildlife Federation conducted a statewide poll in April. The results show overwhelming support for public lands.

We'll need everyone to stay alert and involved in the months ahead. One looming battle is one WV Rivers supporters know well. It's the Land and Water Conservation Fund. It uses money from offshore energy leases to buy lands within "the authorized boundaries" of federal lands. In West Virginia, it's helping complete the original land acquisition along the Gauley and New rivers. It's buying lands from willing sellers within The Mon Forest to improve recreation access. And it doesn't cost the taxpayers a dime.

Powerful members of Congress want to eliminate LWCF — they don't want any more public lands. They don't know how important these lands are to our heritage and economy. They're on an ideological crusade that could hurt West Virginia.

The WV Congressional delegation traditionally has been strong for public lands. Both our senators favor permanent funding for LWCF. Anything can happen, though, in the halls of Congress. We'll need every voice to be heard.

If you're not already receiving the West Virginians for Public Lands e-news, sign up at [WVRivers.org](http://WVRivers.org), and click under Programs, Public Lands.

### West Virginia Poll on Public Lands

A poll of WV voters by Global Strategy Group shows a majority support conservation initiatives and public lands issues. This includes voters who cast their ballot for President Trump in 2016 by a 2-1 margin. The poll found that:

- 65% of West Virginians oppose removing presidential powers to set aside lands via the Antiquities Act;
- 87% believe that national monument designations for protecting special places should remain in place;
- 93% support protecting special areas like Birthplace of Rivers National Monument.
- 64% of oppose turning public lands over to private companies for development or resource extraction;
- 96% recognize that the hunting, fishing, and outdoor recreation opportunities that these lands provide improve their overall quality of life.



In the path of pipelines

## Helping Communities Speak Out

Twenty-three hundred! That's the number of pages in the Draft Environmental Impact Statement for the Atlantic Coast Pipeline, or ACP. WV Rivers staff and partners have had to review every page to protect water supplies and groundwater from potential impacts. And that's just one pipeline. WV Rivers is tracking four others, including the massive Mountain Valley Pipeline (MVP).

Sometimes it's not what's in the application that raises concerns — it's what's missing. On the ACP application, problems include failure to address water quality and aquatic life on stream crossings; the lack of mitigation plans for wetlands; a failure to account for potential damage to drinking water wells impacted by blasting; and mitigation to avoid groundwater contamination in karst areas.

An environmental impact statement is supposed to identify potential risks and outline mitigation. The draft is hardly a credible statement of the impacts on water. WV Rivers has filed extensive comments to address these shortcomings, and how they could impact trout streams and water recreation on places like the Greenbrier River.

It's not enough, though, to file papers. Communities in the path of pipelines need help. So WV Rivers lent a hand to Eight Rivers Council, Greenbrier River Watershed Association, and Mountain Lakes Preservation Alliance to set up community education events Buckhannon and Linwood.

There, residents learned about the project and — most importantly — how they could be involved in the process.

They learned about the laws guiding the permit process, and how to submit their own comments to FERC.

MVP, the second major transmission line targeted for West Virginia, involves three separate state permits. As with ACP, WV Rivers brought the technical expertise and policy analysis, then worked to empower communities by hosting a public meeting in Lowell and attending a public hearing in Hinton.

The regulatory bar for these permits is high; unfortunately the same can't be said of the approval process at the WV Chad Cordell

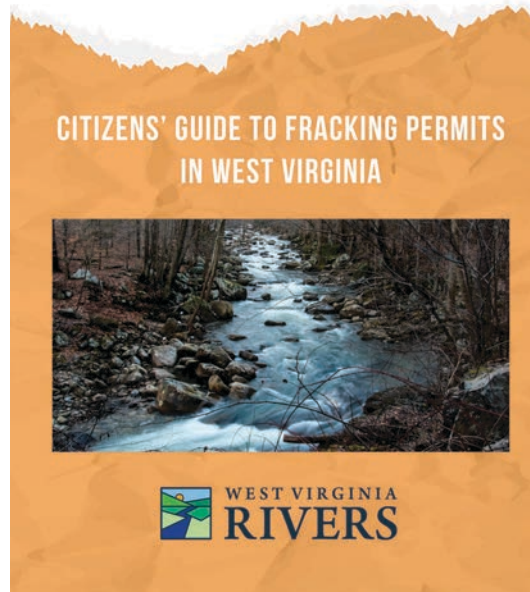
Department of Environmental Protection. Despite MVP's vast deficiencies in addressing legal requirements, DEP brushed aside community and landowner concerns to quickly approve the permit.

WV Rivers and partners, including landowners and Indian Creek Watershed Association, filed a request with the DEP Secretary for an appeal hearing. The request was denied. So now Appalachian Mountain Advocates are helping us take our appeal to federal court.

To help all West Virginians learn about pipelines and fracking, WV Rivers has published a *Citizens' Guide to Fracking Permits in West Virginia*. If you're confused by the complicated permitting process required for shale gas development, check out the at [WVRivers.org](http://WVRivers.org) under Resources/Publications.

These pipeline projects pose substantial risks to water and overwhelming challenges to water advocates. The bright spot on the pipeline horizon is the level of cooperation across the region for the cause of justice, democracy, and clean water.

If you haven't already signed up for WV Rivers alerts and e-news, visit [WVRivers.org](http://WVRivers.org) and click on Email Signup.



U.S. Forest Service District Ranger Cindy Sandeno at Best of Birthplace Weekend, photo by Samuel Taylor.



Citizens at rally for public lands in Charleston, WV, photo by Chad Cordell.

# WV Rivers News Briefs

## Water Standards: What's Been Lost, What's Next

Two major water bills dominated the 2017 legislative session. In both, despite an incredible outpouring of concern from citizens, critical water protections were lost.

In HB 2506, at issue were allowable pollution discharges and “mixing zones.” In the past, discharge-permit limits were based on seasonal water levels, or flows. In short, the ability of a water body to dilute pollution was based on low flows, those typically associated with droughts and seasonal dry spells. The logic was that if a stream could safely accommodate discharges in low water, then higher flows — in spring or after storms — could also safely dilute pollution.

The bill passed by the legislature calculates allowable discharges based on a much higher flow rate, harmonic mean, or average annual flow. It also allows overlapping mixing zones — “toxic hot spots” where water quality standards are allowed to be exceeded.

In an ironic twist, even though it passed both chambers, the bill may have been nullified by the passage of SB 687, the “coal bill,” which amended the same section of law. This bill changed narrative standards for water quality. For decades West Virginia employed the same monitoring standards as the rest of the country: monitoring streams for macroinvertebrates, or bugs. Because bugs are the basis of the food chain, they are the canaries in the coal mine when it comes to water quality. We know when we don't see the bugs we expect to find, we have a problem.

The new standard pushes the state to rely on fish sampling. But fish move around; they are not always easy to find — even more difficult to find in polluted waterways — and are much more costly to survey.

## What's In The Water?

Volunteer water quality monitors play a critical role in protecting rivers and streams. Watershed groups gather data

on local conditions, and provide this information to the public and agencies charged with protecting water supplies and public health. They raise money to buy and maintain equipment, train volunteers, and catalogue thousands of data points at sites throughout West Virginia.

They welcome new volunteers! That's why WV Rivers and our partner in the WV-VA Water Quality Monitoring Program, Trout Unlimited, created a directory of volunteer water quality monitoring programs throughout the region. The new online Citizen's Directory of Volunteer Water Quality Monitoring Programs can help you connect with organizations near you looking for help. Check it out at [WVRivers.org](http://WVRivers.org), under Programs.

## WV Advocates Bring Home Watershed Funds

When President Trump recommended all but eliminating funding for water programs that impact our state, WV Rivers coordinated a group of 12 advocates to visit Capitol Hill. Sleepy Creek Watershed Assn., Warm Springs Watershed Assn., and Cacapon Institute — along with West Virginians from across the state — went to DC to make the case. They participated in Bay Day on the Hill, hosted by the Choose Clean Water Coalition, an alliance of organizations promoting the health of the Chesapeake Bay watershed across five states, including West Virginia.

Advocates met with the staffs of Senators Capito and Manchin, along with staffs of Representatives Jenkins and Mooney to describe how EPA and agriculture funding have helped our state make progress on restoring local streams to health. These funds enable local watershed groups and state agencies to work with farmers and municipalities on things like streamside tree plantings, livestock fencing, and green infrastructure projects.

With support from the WV delegation, funding was maintained for the remaining months of FY 2017. Now advocates are poised for upcoming deliberations on 2018.



## WV Rivers' Angie Rosser Honored With Two National Awards

The work supported by WV Rivers friends and donors continues to gain national attention — most recently with two prestigious awards recognizing the leadership of executive director Angie Rosser.

At May's annual River Rally in Grand Rapids, Michigan, Angie was named a River Network River Hero. Angie credits WV Rivers staff and volunteers for the award, and for the growing awareness of the need for safe water. “Angie brings a unique leadership style and inclusive attitude that proves very effective in building a strong coalition of supporters,” said Autumn Crowe, WV Rivers program director.

WV Rivers outreach manager Kathleen Tyner said she appreciates Angie's inclusive approach: “Angie's ability to bring folks from different paths and viewpoints together, for the

betterment of our rivers and streams, is an inspiration to all who work with her.”

Paul Dalzell of WV Environmental Council credits Angie for inspiring him to work for clean air and water. “I would not be doing the work I do without Angie's leadership, passion, knowledge, and clear focus on protecting rivers,” he said. “She truly is a River Hero.”

At the June annual meeting of the National Wildlife Federation in Stevenson, WA, Angie received the Charlie Shaw Conservation Partnership Award, the group's highest honor recognizing the special relationship between NWF and its affiliates.

“The words ‘fearless,’ ‘tireless,’ and ‘effective’ perfectly describe Angie Rosser's advocacy for West Virginia's waters and wildlife,” said Collin O'Mara, president and CEO of NWF. “Thanks to Angie's leadership, West Virginia Rivers has broadened its reach and increased its impact. She is a phenomenal partner, and we are honored to have her as part of the Federation family.”



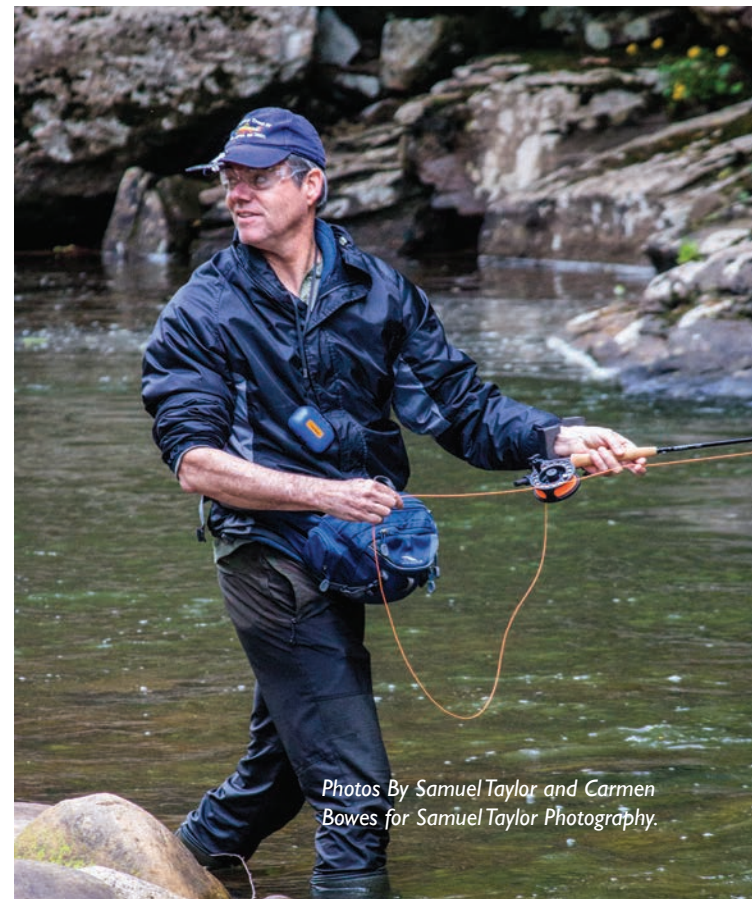
# Making Memories in the Mountains

WV Rivers hosted friends old and new in the heart of the Monongahela National Forest for a special Best of Birthplace of Rivers weekend, celebrating one of our state's most treasured landscapes.

Over two days we explored and learned about our public lands: from the habitat they provide for wildlife to the unique hydrology that provides drinking water for much of the state. Partners from the Elk River Inn, WV Department of Natural Resources, and the US Forest Service led presentations on bats, bears, streams and snakes. Experienced guides led four outings: hiking, biking, and fishing across the Birthplace of Rivers from misty spruce forests and bogs to tumbling rivers and waterfalls.

The fellowship fueled by good food, great conversation, and crackling fire started only with sticks and tinder, made for a memorable weekend.

Thanks to our friends who made the weekend possible, and for everyone's commitment to West Virginia's public lands. Special thanks to our guides and presenters: Frank Gifford, Eddie Fletcher, Bill Turner, Gil Willis, USFS District Ranger Cindy Sandeno, and DNR's Chris Bartley.



Photos By Samuel Taylor and Carmen Bowes for Samuel Taylor Photography.





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You can also give online at [www.wvrivers.org](http://www.wvrivers.org).

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