



# HEADWATERS

Conserving and Restoring West Virginia's Exceptional Rivers and Streams

FALL / WINTER 2018

**Working with partners  
in communities  
to protect water**

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## COVER PHOTO

WV Rivers Staff Scientist Autumn Crowe and landowner Ashby Berkley at a pipeline crossing location on his land along the Greenbrier River; photo by Chris Jackson.

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## Growing A Bigger Safe Water Movement

If you have been a friend of Rivers for a while, you have been part of the Big Stretch: the rapid growth in the breadth and reach of our water advocacy and activism over the last five years. This expansion of programs and staff has been purposeful, as we drive to activate more people in advocacy and devise innovative approaches to protecting water for drinking and recreation.

Growing our capacity has been a major focus of our board of directors, too. We've added five new board members over the last year and a half. They have received extensive training in organizational development, finance, and fundraising. The board and staff have spent countless hours looking to the future to determine how best to position WV Rivers to do more.

Now, at long last, we are poised to organize our efforts in a new way, more befitting a mature yet still growing organization as it approaches age 30 (see page 7 for details). We will be adding staff and reorganizing our leadership structure.

We're not growing just to get bigger.

We know we need to get stronger to confront the challenges facing water now and to be more pro-active about an economic future for West Virginia in which clean water for drinking, recreation, and business is the foundation for a more prosperous future. West Virginia Rivers, thanks to you, is the group to lead.

Now is the time to stretch more than ever because we're seeing close up that the right to safe water is tenuous.

The political establishment now openly praises rollbacks to the Clean Water Act and water quality standards, as if pollution were something to be celebrated.

If we're going to do more, we can only do it together. West Virginia Rivers is a member-supported river advocacy charitable nonprofit. Only with the support of you, our members, and with your

support in inviting new members, can we succeed.



— Angie Rosser, Executive Director

### Double your donation

Thanks to a generous challenge grant from the Keith C. Campbell Foundation for the Environment, donations to WV Rivers of \$250 or more before December 1 will be matched dollar for dollar. The grant will go toward creating a full-time staff position in the WV Potomac Headwaters region. This community-based program enables us to provide technical assistance to watershed groups, advocate for critical federal and state watershed restoration funding, and work with land trusts, water utilities, and watershed groups to involve the public in model programs to protect drinking water supplies.

*Above: WV Rivers board and staff enjoying some levity after an intensive strategic planning session on organizing for the future.*



## Water Policy

# Eat Fish? Proposed Water Quality Standards Say, “Not So Much”

By now, many West Virginia Rivers Coalition members know the drill. Every three years the WV Department of Environmental Protection conducts a triennial review of the state’s water quality standards — the standards that determine how much pollution is allowable in our waterways. First DEP publishes a list of proposed changes, then solicits comments from the public. It then finalizes any proposed changes to the standards, and their recommended changes are sent to the legislature for consideration and approval.

Throughout this process, WV Rivers leads the WV Water Policy Work Group, a team of policy experts and science advisors to review and evaluate DEP’s recommendations. As with all WV Rivers policy work, getting the science right is the key. “We often see proposed changes to water rules that aren’t based on sound science,” said WV Rivers science advisor, Evan Hansen, who is president of the consulting firm Downstream Strategies. “I’m able to collect data, do the research, and get information out so that policy-makers can be better informed when making decisions.”

The current review cycle involves proposed changes to pollutants most dangerous to human health. EPA updated the National Recommended Water Quality Criteria to protect human health for 94 chemical pollutants. The criteria are calculated based on things like the amount of water people drink, how much fish people eat, and average body weight. EPA’s updates reflect the latest scientific information.

During last year’s 2019 triennial review comment period, WV Rivers recommended DEP accept all 94 changes, even though some lowered standards, because the recommendations were based on the best available science. We were joined by 596 of you commenting in support of protective standards.

But rather than accept all the recommendations, as our neighbors in Kentucky and Pennsylvania did, DEP has chosen to adopt the updated criteria for only 56 pollutants. DEP also is recommending using a fish consumption rate, based on a 2008 WV survey, that is half the national average.

With WV Department of Health and Human Resources fish advisories in place statewide, West Virginians are wise to keep themselves protected by eating less fish. DEP’s policy is basically saying that because people are heeding the advisories and eating less fish, more pollution can be discharged into local waterways without impacting human health — as it relates to fish consumption. That doesn’t mean these pollutants aren’t harmful to people or fish. It just acknowledges that people are often afraid to eat fish caught out of our rivers and streams because of known contamination levels.

This logic is backwards. It says, if people stopped eating fish altogether out of fear, DEP would allow even more pollution. Instead, we need to be stricter in the amount of toxins we allow in our waters so that, someday, it will be safe again to eat what we catch.

The move also is at odds with the state’s drive to expand recreation tourism. “We have some of the best fishing in the East, and the state is spending millions to promote it,” said WV Rivers Executive Director Angie Rosser. “We need to address water quality so that people come to West Virginia knowing it’s safe to eat the fish.”

In January, the DEP recommendations go before the 2019 legislative session. “We will be educating the public about these changes, and asking them to contact their legislators,” Angie said. “We’re really going need our supporters to show up, write letters, and make phone calls to make a difference.”

See the WV fish consumption advisory at [https://www.wvdhhr.org/fish/Current\\_Advisories.asp](https://www.wvdhhr.org/fish/Current_Advisories.asp).

*Above left: Clean water is essential to support healthy populations of native brook trout; photo by Philip Smith.*

*Above right: Evan Hansen of Downstream Strategies is the science advisor to the West Virginia Water Policy Work Group, which provides policy analysis and recommendations on Water Quality Standards.*

## Pipeline Monitors Gettin' It Done

On an October morning, after weeks of rain had lifted and the sun shone on the Greenbrier River in Summers County, WV Rivers' Staff Scientist Autumn Crowe and Ashby Berkley stood looking out over the river. Autumn was there to learn more about the impact the Mountain Valley Pipeline could have on Ashby's land, where construction would divide his land in two.

A month earlier, a Summers County judge had ordered a temporary halt to construction following a suit filed by Ashby, the Indian Creek Watershed Association, Greenbrier River Watershed Association, and WV Rivers members Ty and Susan Bouldin. The pipeline company had already begun removing trees on Ashby's land without his knowledge.

Since 2013 WV Rivers Coalition and Trout Unlimited (TU) have teamed up to provide the WV-VA Water Quality Monitoring Project, a TU program implemented in WV in partnership with WV Rivers Coalition. The project trains and equips volunteers from across the state to monitor streams that support trout populations and high-quality warmwater fisheries that have the potential to experience impacts from shale gas development.

With construction underway on four massive lines in West Virginia — even as legal challenges to permits continue — the focus has shifted to real-time, visual assessments of potential permit violations.

It is a mammoth undertaking, far too much for

WV Rivers alone. Fortunately, three local partners have stepped up as examples to mobilize additional volunteer monitors. Two groups are monitoring on the ground, one by air.

Ohio Valley Environmental Coalition has partnered with WV Rivers to monitor the Mountaineer XPress pipeline. WV Rivers and TU have trained 31 OVEC volunteers who are monitoring 13 sites over 55 miles. OVEC project coordinator Robin Blakeman says the partnership with WV Rivers has helped expand OVEC's volunteer opportunities. "It's given us a way to learn about and monitor the pipeline construction in some very important areas," said Robin. "We believe that the reports we've made, based on knowledge gained from the program, have resulted in increased attention to those affected sites by regulators; this can only be good for all concerned."

Indian Creek Watershed Association has had 15 volunteers trained to monitor 6 sites along 25 miles of the Mountain Valley Pipeline. "Fighting to protect the waters (and trees and ridges and farmland) of Monroe County from the environmental onslaught of the Mountain Valley Pipeline has been a long haul and daunting task," said ICWA's Nancy Bouldin. "We would have burned out long ago if it weren't for the ongoing support and shared mission we've had with WV Rivers."

All monitors send their reports, which are based on photographs of observed conditions, to Autumn. She reviews the submissions to determine whether the conditions are the result of a failure to comply with a permit or a failure of a BMP required by regulation.

"If there is no erosion control measure in place, I look to see if they are doing what they said they would do in their permit. If not, I file a report," said Autumn. "If there is a failing erosion control measure, we report the potential violation at a specific location and forward to the DEP hotline."

For the most part, says Autumn, DEP has been responsive. "It all depends on the circumstance. If there is a muddy stream after heavy rains, for example, we might have no way of tying it to a specific location or violation. That is why we filter the information we get from monitors. If we have a photo of the violation at a specific location, we can move on it," she said.

In monitoring construction of the Atlantic Coast Pipeline, we have teamed up with the Allegheny-Blue Ridge Alliance, a multi-state coalition of 51 organizations, including WV Rivers. ABRA's Pipeline Compliance Surveillance Initiative, or CSI, includes

### Pipeline Partners

Monitoring four major pipelines under construction in West Virginia takes many people and local partners. WV Rivers coordinates the monitoring teams and provides analysis for incident reports, which are forwarded to regulators.

**Indian Creek Watershed Association:** 15 volunteers monitoring 6 sites on the Mountain Valley Pipeline.

**Ohio Valley Environmental Coalition:** 31 monitors covering 13 sites on the Mountaineer XPress Pipeline.

**Allegheny-Blue Ridge Alliance:** Monitoring the Atlantic Coast Pipeline by air and on the ground. A grant from WV Highlands Conservancy has expanded field coordination in WV.





*Left: This photo was submitted through our pipeline visual assessment program by a volunteer. It shows construction of the Mountaineer XPress Pipeline in Jackson County, WV. The volunteer documented failure of erosion control measures that are impacting Little Mill Creek. WV Rivers sent this incident report to DEP for follow-up. Right: Volunteer monitors at a training in Elkins, WV, held in partnership with DEP's Save Our Streams program. Although the monitoring program has shifted to visual assessments to support permit enforcement, benthic monitoring remains an important component in tying permit violations to measurable stream health.*

aerial surveillance. Since June 2018, CSI has conducted 13 flights combining for 55 air hours covering 3,700 air miles. Already CSI has captured 35,000 aerial photographs to assess impacts on forests and streams. Through our partnership with ABRA and WV Highlands Conservancy, we are able to provide additional support in WV for trainings, water quality monitoring and communications with regulatory agencies.

At the same time, the original water quality monitoring program is still actively monitoring sites on the ground. "There is a turbidity standard that companies have to comply with," said Autumn. Turbidity measures the level of soil in water, which can be a result of construction.

A new monitoring training method makes it easy for volunteers to learn by taking an online webinar. "With the visual assessment webinar, we can train anyone across the state, as long as they can log in to get the recording," Autumn said. "We train volunteers to monitor construction and how to identify violations; we go over the best management practices — the BMPs that companies will use, and how volunteers can spot violations in sediment and erosion control."

The gigantic challenge of monitoring has brought many organizations together in new ways, enabling WV Rivers to

focus on facilitating collaboration, analyzing data, and reporting violations. "Working with WV Rivers is like having a really smart cousin you can call up for advice ... the same one who also comes up with really smart ways to pull folks together and get important things done," said Nancy of Indian Creek Watershed Association.

"WV Rivers is an amazing resource for this state," Nancy adds. "It's a powerful catalyst for grassroots environmental efforts. They do an incredible amount of work on their own, and they inspire, advise, support and amplify the efforts of small groups around the state like ICWA. They also have the integrity and credibility to listen to, and be heard by, folks on all sides of environmental issues, which is crucial."

You can view the CSI online map at <http://pipelineupdate.org/csi>.

*Facing page: A pipeline storage yard in Raleigh County. Below left: WV Rivers joined the U.S. Forest Service to get an up close look at macroinvertebrates on Horseshoe Run in Tucker County. Below right: WV Rivers Executive Director Angie Rosser describes current and upcoming water policy issues at the 2018 Watershed Celebration Day.*





## Public Lands

# A Step Forward For Conservation Funding, And A Looming Concern For Roadless Areas

Visiting the vast roadless area surrounding Seneca Creek from above, we see the inspiring, towering rocks and the rush of the creek on its way to the Potomac South Branch. Matt Kearns, who until recently served as public lands coordinator for West Virginia Rivers Coalition, sees something more. People. Not just the faces of fellow hikers and climbers, but people and communities who care about this place and others on our state's public lands.

Matt has spent a lot of time in the field getting to know conservation organizations, community groups, and volunteer advocates working to protect public lands. "I've loved listening to the people who are trying to make public lands work better for everyone," he said. "These lands are managed for multiple uses, so there is a complex web of rules and laws that impact people personally and economically. I've learned a lot about what matters to our people."

Coordinating the West Virginians for Public Lands alliance, Matt spearheaded a summer-long campaign for permanent reauthorization of the Land and Water Conservation Fund. It has helped purchase some of West Virginia's iconic public land areas. The response was huge: volunteers published letters and op-eds in newspapers, and generated over a thousand postcards and letters to our Congressional delegation. As of early October, prospects for permanent reauthorization of LWCF are brighter

than ever. "It's been amazing to see people step up like this," said Matt.

One of those people is Mark Lewis, a former raft guide who grew up playing in the creeks and hollows of Boone County. He now heads the Parkersburg Convention and Visitors Bureau, and has joined the public lands business advocacy team. "I'm a true believer in the power of outdoor recreation . . . and children aren't out playing anymore like when I was a kid. Time outside is not a luxury, it's a necessity," said Mark. "We lose something significant when we lose our connection to nature — as individuals and society. So we have an obligation to be cheerleaders for outdoor recreation and public lands."

An issue on the national front is the looming assault on roadless areas in national forests. Many people aren't aware of the Roadless Rule and how those special designated areas help define the backcountry experience here in West Virginia. There have been numerous Congressional and administrative attacks on the Roadless Rule, which could impact places like the Spruce Knob-Seneca Creek National Recreation Area. It contains the roadless area surrounding Seneca Creek and Smoke Hole Canyon, two areas favored by anglers.

Although current proposals from the administration and Congress don't specifically target the Monongahela or George Washington national forests, there is growing concern that changes to the Roadless Rule could threaten roadless areas throughout the forest system.

To stay in the loop on these proposals, and to take action to protect roadless areas, sign up for the public lands e-news at [WVRivers.org](http://WVRivers.org). Click on email sign-up.



*Above left: The backcountry of Seneca Creek, an area that could be impacted by changes to the Roadless Rule; photo by Samuel Taylor Photography. Above right: The Upper Falls of Seneca Creek in the Spruce Knob-Seneca Creek National Recreation Area; photo by Samuel Taylor Photography. Left: The Land and Water Conservation Fund has been essential to providing access to the New River Gorge National River; photo by Melvin Hartley.*

## WV Rivers Reorganizes To Expand River Protection Programs

To paraphrase an old adage, “Sometimes you build the boat while paddling down the river.” Over the past several years, as the threats to our waters have increased and opportunities to protect drinking water supplies have grown, WV Rivers has been in a continuous process of invention to find new ways to do more. At the same time, our work to protect headwaters in public lands — and the recreation access they provide — has been growing.

WV Rivers has had to grow our programs and staff to keep up. We’ve also staffed coalition activities among our partners. Our Water Policy Work Group of policy and science experts meets monthly to map and implement strategies.

The West Virginians for Public Lands alliance has achieved coordinated success on issues like preventing commercial logging in state parks and securing congressional support for key funding programs like the Land and Water Conservation Fund. The Safe Water for WV program involves dozens of partners working to protect drinking water. In the Potomac River watershed, we’ve coordinated advocacy to shore up federal funding for watershed improvements like sewage-plant upgrades, best practices for farming, and the work of volunteer watershed groups.

We jumped into the water with eyes open, working to get the job done while retooling the operation to increase our capacity to do more. We’ve put systems in place to improve our business operations and our activist technology. WV Rivers supporters have probably noticed these incremental changes in things like our website, which is now a valued source of news and information on water and public lands.

Two years ago we launched a digital advocacy platform. In our first year, you helped generate 10,000 letters to legislators and regulators. We quickly outgrew that system. So late last year, we upgraded to a more robust platform that already this year has generated about 20,000 actions — letters, postcards, telephone calls, and comments on proposed regulations and rollbacks.

In 2017, we built a cloud-based project management system. Now we’re using the best technology we can afford to make sure we deliver on programs as geographically diverse as the challenges we face — on budget, so we can make the best use of our members’ investment in clean water.

Our overall “capacity building” effort has been funded by generous grants from partners and foundations. The National Wildlife Foundation, of which WV Rivers is the West Virginia affiliate, has provided multiple grants to upgrade our systems. The Chesapeake Bay Funders Network supported us with grants to review which systems to improve and funded customized consulting for board and staff trainings and organizational development. Most recently, The Campbell Foundation is investing in our plan to bring on a full-time field coordinator for our regional work in the Potomac Headwaters.

“We know we have to be in this for the long haul. We’re positioning ourselves for growth that is sustainable at a pivotal time in our organization’s evolution,” said WV Rivers Executive Director Angie Rosser. “Our advocacy is funded by individuals who care and entrust us to make the most of their donations. So



*From left, WV Rivers Operations Manager Kathleen Tyner, Executive Director Angie Rosser, and Staff Scientist Autumn Crowe. The staff has collaborated with the board to map out a staffing realignment to form mission-critical positions.*

we’re being thoughtful about how to build a strong foundation for growth that makes us more impactful now and well into the future.”

All this time we’ve been looking to the future with a question: What kind of organization does WV Rivers need to be to achieve our goals? After a year of planning among board and staff, we are set to re-organize our staffing structure and bring on new talented people to work for our rivers.

We are in the process of hiring a program director to take over management and development of all of our programs. Over the next year, WV Rivers will form new positions for field coordination, development and operations. The development position is essential for us to grow and diversify our funding sources. Having all operations under one position will help streamline administrative functions that are currently shared across several positions.

For the first time, WV Rivers will add regional field staff for the growing work in the Potomac River watershed. There, we serve as the state lead of the Choose Clean Water Coalition, an alliance of organizations working to restore Potomac tributaries. We also support local watershed groups and three ongoing Safe Water projects, including a pilot with local land trusts to protect drinking water through land conservation.

WV Rivers’ board of directors has thought long and hard about this expansion. “A larger staff in key positions will make us more effective. It will also cost more money, something small nonprofits in West Virginia have always been challenged to secure,” said WV Rivers Board Chair Krissy Kasserman. “If we want to get our state paddling in the right direction — through clean, safe waters — we need to build the best boat we can.”



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