



May 28, 2019

Alana Hartman  
WV Department of Environmental Protection  
22288 Northwestern Pile  
Romney, WV 26757

Dear Alana,

West Virginia Rivers Coalition, on behalf of our members and the undersigned members of the Choose Clean Water Coalition in West Virginia, respectfully submits the following comments on the draft Phase 3 Watershed Implementation Plan released April 12, 2019.

As a result of intense efforts across all sectors, particularly Wastewater and Agriculture, West Virginia met pollution reduction targets by the Chesapeake Bay mid-point assessment in 2017.

Upgrades to wastewater treatment facilities in our state's portion of the Chesapeake Bay Watershed during the WIP 2 are major achievements that are already producing significant results for cleaner water. Voluntary implementation of best management practices on agricultural land played a significant role in meeting our state's pollution reduction targets. As well, the importance of post-construction stormwater runoff ordinances to reduce pollution from impervious areas and help reduce flooding, especially in Berkeley and Jefferson counties where growth and development are greatest, has been critical.

Moving forward, the next stage of implementation practices addressed in the draft Phase 3 WIP will focus on "holding the line" to ensure that on-the-ground efforts will at least meet, if not exceed, Chesapeake Bay nutrient and sediment targets set for West Virginia by 2025.

West Virginia's draft Phase 3 WIP was developed by WV's WIP Development Team through an open and transparent process that fostered local engagement from community stakeholders across all sectors, with technical assistance provided by state agencies and local organizations. The engagement of local communities in the planning process, which began in 2017 after the mid-point assessment, and the involvement of local priorities into the draft plan, are defining characteristics of West Virginia's draft Phase 3 WIP.

The efforts of staff from West Virginia's public agencies to engage stakeholders in the drafting of West Virginia's Phase 3 WIP is commendable. West Virginia could not have achieved our current level of success without their commitment to the process and outcomes; we believe with their guidance and support our state will continue to succeed.

West Virginia's agencies also stress the importance of "co-benefits" in allocating project resources. For example, a stream restoration project that reduces nutrient pollution can also reduce drinking water treatment costs, provide improved habitat for fish and wildlife, and reduce undercutting of streambanks. This approach has proven sound, and we support this emphasis in the WIP 3.

We are pleased that land conservation is featured as a strategy to reduce nutrients and sediment. Land trusts and farmland protection boards in our state's portion of the Chesapeake Bay Watershed are among the most successful in West Virginia. Land conservation offers the prospect of permanent BMPs

while also providing co-benefits such as preserving the best soils for farming and protecting significant historic landmarks.

Finally, we are pleased to see the WIP directly and numerically express reduction goals that anticipate the impacts of climate change. We understand that additional load reductions could be assigned in 2021.

Below are our recommendations:

- **Greater focus on BMP verification in the Agriculture and Stormwater sectors.** Many Best Management Practices, or BMPs, have limited certification horizons. Without recertifying BMPs that are in place, many will expire. This doesn't necessarily mean the practices will no longer be in place, but it does mean that without funding for recertifying BMPs West Virginia risks losing credits under the Bay model. Funding is the primary impediment to verification and re-certification. The state of West Virginia must commit to secure the funding and staffing for BMP verifications.
- **Continue to fund BMPs on non-regulated developed lands to remediate non-point sources of nutrients and sediment.** One of the hallmarks of progress achieved thus far has been the ability to identify and implement projects with specific and measurable outcomes that align with the Bay model. This entrepreneurial approach has engaged local governments and watershed organizations to think outside the box to find creative solutions in stormwater management, riparian buffers, community environmental management projects, and urban forestry. These projects are working and their implementation should be continued and strengthened.
- **Secure non-federal funds for stream restoration.** West Virginia's watershed organizations, community groups, and local governments are doing their part to identify and design projects that restore watersheds and address the TMDL. However, they are often burdened by the need to secure non-federal matching funds to complete their projects. Solutions to this challenge are necessary.
- **Greater emphasis on public-private partnerships to support Source Water Protection Plans.** Municipal water utilities across the region rely on partners to inform the public about drinking water supplies and assist with implementing practices to restore impaired watersheds that serve as those supplies. The Safe Water for West Virginia program, for example, facilitates and funds community-based projects to restore impaired streams and keep healthy streams viable as drinking water supplies. Safe Water for WV partners, which include WV DEP, WV Rivers, water utilities, and other state and local agencies and organizations, have tested models for community engagement during WIP 2 and can achieve more in WIP 3.
- **List organizations and agencies that served on WIP Development Team and the organizations that provided general technical assistance.** This will make the plan even more transparent by clearly demonstrating which organizations and agencies served on the WIP Development Team, while also highlighting the work of organizations that provided general technical assistance with developing the plan.

Thank you for your careful consideration of our comments on West Virginia's draft Phase 3 WIP.



WEST VIRGINIA  
**RIVERS**



Choose Clean Water  
COALITION

Sincerely,

West Virginia Rivers Coalition

Blue Heron Environmental Network

Elks Run Watershed Group

Friends of the Cacapon River

Mountain Lakes Preservation Alliance

Opequon Creek Project Team

***The Opequon Watershed\****

Potomac Valley Audubon Society

West Virginia Citizen Action Group

West Virginia Environmental Council

West Virginia Rivers Coalition

***West Virginia Sierra Club\****

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\*Not official members, but have expressed interest in joining the Choose Clean Water Coalition