
2022 PROGRAMMATIC REPORT

WEST VIRGINIA RIVERS COALITION

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INTRODUCTION

WV RIVERS PROGRAMMATIC REVIEW

Recognizing achievements and progress towards our mission in 2022.

Founded by paddlers and whitewater enthusiasts who cared deeply about restoring and caring for the Mountain State's renowned free-flowing waters and scenic beauty, West Virginia Rivers Coalition (WV Rivers) is the only statewide organization focused on promoting the overall health of West Virginia's waters and their downstream benefits.

Over thirty years later, we are on the forefront of policy discussions in West Virginia as the driving force for preserving and improving water quality.

We are guided by our mission of conserving and restoring West Virginia's exceptional rivers and streams.

CONSERVING AND RESTORING WEST VIRGINIA'S EXCEPTIONAL RIVERS AND STREAMS.

We believe that all people should respect and be able to enjoy clean West Virginia rivers and streams.

In this report, we celebrate our programmatic achievements towards our mission over the past year. Our programs are guided by our 3-year strategic plan, which was developed at the start of 2020. All of our programs hinge on coalition-building, public education and citizen action.

2020-2022 Strategic Plan

1. Promoting protective statewide and regional water quality standards.
2. Protecting headwater streams, especially those on public lands.
3. Educating and engaging citizens and decision-makers in assuring water quality protection from natural gas development and industrial activities.
4. Holding regulators accountable for enforcing clean water and environmental laws.
5. Strengthening local source water protection for safe drinking water.
6. Informing the public and decision-makers about the realities of climate change and engaging citizens in climate advocacy.

WATER POLICY

WV Rivers coordinates the WV Water Policy Workgroup, comprised of policy and water resource experts that provided analysis and recommendations for a policy response during the 2022 legislative session and throughout the year.

Water quality standards. Over the past year, we continued our effort to bring West Virginia's water quality standards human health criteria in line with the latest science and recommendations by the US EPA. During the 2022 legislative session, our education and advocacy made sure **30 standards were updated to be more protective of public health** and reflect the latest science. While the recommended criteria strengthened human health protections for most of the toxins reviewed this year, pollution limits for 5 chemicals were increased from prior standards. Additionally, the Legislature created a new procedure to allow pollution limits to be increased on a case-by-case basis for individual facilities without legislative review.



Executive Director, Angie Rosser, leads our policy work at the State Capitol and is a trusted voice on environmental policy.

Although we did not get everything we hoped for from this round of updates, the outcome is undoubtedly better because of public awareness and involvement.

Defense of the Aboveground Storage Tank Act. The Aboveground Storage Tank Act was once again targeted by industry lobbyists. We saw the introduction of a bill that would have weakened oversight of aboveground storage tanks in areas closest to drinking water intakes. Mobilizing our network of grassroots advocates, we were successful in sending 9,162 messages to legislators. It came down to the wire, but in the final days of the session **the bill died in committee.**

Funding for the Office of Oil & Gas. We advocated for funding to equip the DEP Office of Oil & Gas with enough inspectors to keep our water safe. At the start of the session, the agency had only nine inspectors responsible for 75,000 wells – that's one inspector for every 8,000 wells. Several bills were introduced to address the problem and two of the bills we supported advanced through committee. Full funding for the office will be a priority in 2023.

Legislative Session Engagement Highlights. Over the course of the legislative session, we provided **20 advocacy opportunities** to West Virginians.

- 2,812 West Virginians participated in these advocacy campaigns.
- 183 West Virginians acted for the first time through our action alerts.
- More than 26,000 comments were sent to legislators through our advocacy system.

WATER POLICY

Water Quality Standards Triennial Review.

This year marked the start of a new Triennial Review cycle to review the standards that limit the amount and types of pollution in our waters.

WV Rivers submitted comments requesting the following: 1) adopt a more inclusive and operable definition of trout waters; 2) require a minimum fish tissue sample to meet the selenium standard to be more in line with best scientific methodology; 3) complete the update to the state's human health criteria in line with EPA 2015 recommendations; 4) establish a conductivity standard; and 5) transition from fecal coliform to E. Coli for a bacteria standard. Our recommendations were endorsed by eleven allied organizations.

We attended a public meeting where DEP related the focus of their review would include many of our recommendations:

1. a newly formed trout workgroup to consider revisions to the definition of trout streams, of which WV Rivers is a member;
2. updates to 18 of the 35 remaining human health criteria;
3. a study on transition of the bacteria standard from fecal to E. coli.



Jenna Dodson,
our Staff
Scientist,
coordinates
the Water
Policy Work
Group.

We will continue to provide leadership in the Triennial Review process in preparation for legislative review during the 2024 session.

State Impaired Streams List. Under the Clean Water Act, states are required by the EPA to compile a list of impaired streams in need of recovery, and update that list every two years



*Stream impaired by acid mine drainage.
Photo by Kent Mason.*

West Virginia did not file an update in 2018 or 2020, instead the state issued a combined list for 2022. We found the state's assessment methodology to determine the list to be outdated and imprecise. Additionally, our analysis found that about 85% of the stream segments assessed by DEP did not have enough data to determine health of the stream.

We submitted technical comments on WVDEP's proposed list and mobilized 185 grassroots advocates to submit comments asking the agency to update their assessment methodology to reflect the most accurate science; collect more data on the state's waterways to fully evaluate stream health; and address the growing backlog of streams in need of restoration.

WATER POLICY

PFAS – “Forever Chemicals” contaminating WV’s water supplies. PFAS are a group of toxic chemicals that remain unregulated in WV. In July, WV Rivers submitted comments on the EPA’s proposed PFAS water quality standard for aquatic life. In August, the state released a report detailing results of a statewide analysis of PFAS in untreated drinking water. We created a webpage, wvrivers.org/pfas, which describes the issue of PFAS and interprets the results of the study for the public.



Autumn Crowe takes a sample of the Ohio River near the Chemours facility.

As the WV Headwaters Waterkeeper, we participated in a nationwide analysis of PFAS contamination. We took samples of the Ohio River upstream and downstream of the Chemours Washington Works facility. Analysis detected one type of PFAS in our sample that was two times higher in concentration downstream than upstream.

In November, the EPA released for public comment a plan to list PFAS as a hazardous waste. This important designation would provide more transparency around facilities that discharge PFAS and provide funding to clean up contaminated sites through the Superfund Law.

As 2022 ends, we are awaiting the results of a statewide study on PFAS in finished, or treated drinking water. Study have found that unless utilities have installed carbon filters to treat water, PFAS will not be removed. Stopping PFAS from entering water supplies and advocating for utilities to receive the funding and support they need to provide safe drinking water will be a priority in 2023.

Supporting Grassroots Water Policy Advocates. We hosted a webinar for grassroots advocates to energize and empower action as the 2023 legislative session approaches. We’ve learned that constituent meetings with legislators is one of the most effective ways to move the needle on our policy priorities. Our advocate training included an overview of our priority issues, our menu of advocacy tools, and an in-depth discussion of how to meet with legislators in-person. Additional trainings will be offered in 2023.



PUBLIC LANDS AND HEADWATERS

Our public lands campaign to protect headwater streams and promote recreational access continued its multi-faceted approach including grassroots actions, and broad partnerships with business leaders and conservation organizations to grow the movement for protective policies and enhanced access to our public lands.

West Virginians for Public Lands. We hired a Public Lands Campaign Coordinator to help strengthen existing partnerships within the WV Public Lands Alliance and attract new members. Our advocacy and outreach brought over 500 new people into our public lands work.

Protecting State Parks. One of the most contentious bills during the 2022 legislative session was a proposal to expand private business operations in state parks and forests. We coordinated over 10,000 messages to legislators opposing the bill. Because of the public response to the legislation, amendments were adopted to shorten lease terms, mandate public participation as part of the decision-making process for private development, and exempt Watoga State Park from development to protect its dark skies designation.



Mike Jones, joined the team in early 2022 to coordinate our public lands work.



Folks attended a presentation on the Monongahela National Forest listening sessions report at an event in Hendricks, a Monongahela National Forest gateway community.

Monongahela National Forest Listening Project. We completed a series of Monongahela National Forest listening sessions with diverse public lands users and Forest Service staff to learn about forest needs and priority issue areas. Findings from the listening sessions are summarized in a report which can be viewed at wvrivers.org/ourmonforest.

Top Concerns Identified

- **Water Quality and Wilderness Protection.** The headwaters born in the Mon form 5 major rivers. These rivers flow into the Ohio and Chesapeake watersheds which provide drinking water to approximately 9% of the nation's population.
- **Trails.** Trail systems through out the forest are in desperate need of development and maintenance.
- **Access.** We must advocate for people of all abilities to have safe reliable access to the forest.
- **Maps.** Adequate mapping is a problem. Work must be done to improve the accuracy and availability of forest and trail maps.

CITIZEN OVERSIGHT AND REGULATORY ENFORCEMENT

Pipelines. We maintained a multi-faceted approach to our pipeline accountability work, including supporting volunteer monitors, analyzing technical documents, facilitating public input, engaging the media, and communicating concerns to decision-makers.



Autumn Crowe, program director, is nationally recognized as a leading voice on pipeline related issues.

Public education on the impacts of large scale pipelines is an essential part of our programming. We developed a video series featuring the voices of individuals affected by the Mountain Valley Pipeline. These videos have been viewed over 4,500 views. The videos are available at wvrivers.org/pipelinevideos.

This year, WV Rivers was part of a coalition of groups that filed a legal challenge on the Mountain Valley Pipeline's 401 permit to the 4th Circuit Court of Appeals. We have provided technical assistance on erosion control failures and water quality violations to our legal team to help build the case record. As of this report, the court's decision is still pending.

The Fall of 2022 saw Congressional effort to fast-track the Mountain Valley Pipeline as part of regulatory reform legislation. We coordinated a media response to the proposal and our Program Director was featured on PBS NewsHour providing a counter-point to pipeline supporters. Watch Autumn at youtu.be/ONg7e-PRzgE?t=145.

At the close of 2022 Congressional leadership announced that Mountain Valley Pipeline fast-track bill would not be bundled with must-pass legislation. We credit the success of stopping the fast-track bill to intensive oppositional coalition-building which empowers a variety of partners, from local grassroots groups to national advocacy organizations, to speak out in a unified voice.

Large-Scale Construction. Over the last decade we have adapted our fracking and pipeline programming for application to other large-scale construction projects with water quality implication, like highways, bridges, industrial facilities, and most recently the expansion of Charleston's Yeager Airport.

This year, we held multiple meetings with groups concerned about water quality impacts resulting from Corridor H highway construction. We developed a handbook for water quality monitoring focused on highway construction impacts and co-hosted an in-person training with two watershed organizations.



Volunteers with Warm Springs Watershed Organization learn how to monitor streams for impacts from highway construction.

CITIZEN OVERSIGHT AND REGULATORY ENFORCEMENT



Yeager Airport Expansion. We were notified of the proposed expansion of Yeager Airport near Charleston which would have serious implications to public lands and water. The expansion proposal includes a runway extension that would result in cutting from neighboring mountains to bury an entire headwater stream. The proposed cut and fill areas make up 40% of the adjacent Coonskin Park, a much-loved urban park. We developed a fact sheet on the proposed project and hosted a hike along a trail, pictured above, that would be buried.

We are continuing to provide support and technical assistance local residents as they respond to the proposal.

Volunteer Stream Monitoring. We continue to train and support volunteer water quality monitors by providing training, supplies and quality assurance/quality control.

Since the program began in 2013, our volunteers have conducted almost 7,600 sampling trips, resulting in over 83,600 measurements at 585 sites. This year, our volunteers have conducted about 350 sampling trips.

We developed relationships with new monitoring partners this year. We co-hosted an in-person monitoring training with Protect our Water Heritage and Rights (POWHR) focused on the Mountain Valley Pipeline, and held workshops for the WVU chapter of Engineers Without Borders and with the Friends of Hurricane Creek watershed organization.

Additionally, we continue to provide outreach on our Stream Watch App. We presented the app at three watershed group gatherings, the New River Symposium and the Choose Clean Water Conference.

Volunteers can report all types of pollution through Stream Watch. For example, we received a submission documenting acid mine drainage in a tributary of the Guyandotte. We forwarded the issue to DEP which prompted an inspection by the Abandoned Mine Lands program.



Kids learn how pollution enters water ways at a community event in Chester, WV.

SOURCE WATER PROTECTION

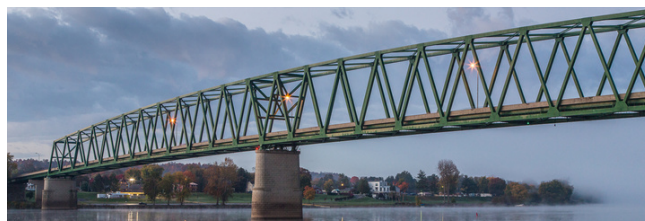
Our Safe Water for WV program promotes the protection of drinking water supplies by equipping citizens to take an active role in local source water protection efforts, and to assist water utilities in implementing source water protection plans. Pilot project communities are Buckhannon, Harpers Ferry, Lewisburg, and Marlinton. We also work with other communities in the Eastern Panhandle through the Safe Water Conservation Collaborative. Activities included:

- Co-hosting the Buckhannon River Festival.
- Partnering with Potomac Valley Audubon Society to incorporate a watershed education program in two elementary schools.
- Installing educational signage along the Greenbrier River.
- Supporting an Earth Day event in Marlinton that included a tour of the upgraded water treatment plant, watershed education booth, and a kids' fishing derby.
- Producing a brochure on the connection between trout habitat and clean drinking water in collaboration with Eastern Brook Trout Joint Venture.
- Supporting the Safe Water Conservation Collaborative. View the Collaborative website at safewatercollaborative.org.



Autumn and her son Ridge stand with a board member of the Greenbrier Watershed Group at the unveiling of new signage along the Greenbrier River.

OHIO RIVER



For the first time, we have a team member specifically focused on the Ohio River watershed. The Ohio serves an essential role in the nation's transportation, manufacturing and energy production systems. These industries have left a legacy of polluted water and hurting communities. Today, the river is recognized as one of the nation's most polluted waterways.



Heather Sprouse
serves as our
Ohio River
Coordinator.

Over the past year, our Ohio River Coordinator conducted 75 one-on-one interviews with activists and community members in the region to learn about people's connection to the river, their hopes for it, and the problems they think need addressed. We are developing a report that shares the results of these interviews and provides our recommendations for water policy and community health in the region.

Additionally, we are developing educational materials specifically for Ohio River Valley residents on issues like PFAS, invasive species, coal ash, and the industrial buildout of oil and gas production.

CLIMATE CHANGE AND ENERGY TRANSITION

We expanded our climate work this year, collaborating with regional coalitions and leading our own initiatives to raise awareness of the issues, help people make their voices heard, and promote responsible climate policy.



Morgan King coordinates our climate change & just transition campaign.

West Virginia Climate Alliance. We coordinate the WV Climate Alliance, a broad-based coalition of environmental organizations, faith-based organizations, civil rights and civic organizations, and other interested stakeholders to provide science-based information on the realities of climate change in West Virginia and facilitate citizen engagement in climate policy.

Last year, two historic pieces of federal climate legislation were adopted: the bipartisan infrastructure law and the Inflation Reduction Act. The Climate Alliance spent significant time educating the public and members of Congress on the benefits of these bills to West Virginians.

Climate Pledge. WV Rivers debuted the WV Climate Pledge, a tool to build public consensus on the reality of climate change and the urgent need for action. To date over 700 West Virginians have signed the pledge, over half of the signers are new WV Rivers advocates. Take the pledge at wvrivers.org/climatepledge.

Public Education. We participated in public education events with diverse partners to share scientific non-biased information on climate change in West Virginia. Events include "Caring for Creation Together: A West Virginia Multi-Faith Climate Conference" which we co-hosted with faith leaders in Charleston; and "Jammin' for Jobs and Justice" in Fairmont with the Chesapeake Climate Action Network.

We hosted three non-partisan candidate forums focused on jobs, energy, climate and justice. Our events were the only candidate forums in the state focused on energy and climate.



This yard sign was provided to attendees of the candidate forums.

A significant component of the past year's climate education campaign focused on efforts to "normalize" climate change as an issue impacting all West Virginians. These efforts included:

- 22 media stories.
- 13 billboards throughout West Virginia featuring the Climate Pledge.
- Three radio PSAs.
- Attendance at 24 public education or organizing events.