

Cosco, Kathy

From: Morris Creek Watershed [morriscreekwatershed@verizon.net]
Sent: Thursday, March 25, 2010 3:36 PM
To: DEP Comments
Subject: Water Quality Comment

Dear Mr. Huffman:

The Morris Creek Watershed Association, located in Kanawha and Fayette counties, would like to comment on your recent request for ideas and scientific theories for the agency's implementation and enforcement of water quality standards.

The Morris Creek Watershed Association (MCWA) works with several agencies within the Department of Environmental Protection to treat acid mine drainage since 2002 to present. The Morris Creek Watershed area is peppered with old mine seeps that have been leaching acidic runoff into the stream; killing off the majority of its aquatic life. The MCWA received federal funding to install four passive treatment systems to help restore the stream's water quality. During this process the MCWA has worked closely with the DEP Nonpoint Source program, Abandoned Mine Lands program, and the Stream Restoration program as well as the state's Office of Surface Mining.

All three of these agencies have played an important role in restoring Morris Creek's aquatic life. Recently there have been some problems with our passive treatment systems. A meeting with all of the agencies mentioned above was held, where water quality data collected by a biologist's and watershed members, all certified WV Save our Stream volunteer water monitors, was presented. The data illustrated that two of the systems are not currently working properly and a request for maintenance and an upgrade design of the current systems was requested. Even though the data presented illustrated the failure of these systems, several state officials said that additional water sampling data would be required before any work could be completed. The MCWA completed the additional sampling required for the sites and the data was present to the agencies. A response that confirming the agencies received our data was never received as well as a response to the information presented.

The lack of communication and the lack of cooperation between the DEP's internal agencies has stymied a remedy to solve these problems, according to MCWA officials. The MCWA believes that the lack of oversight between the department internal agencies has caused many projects to be neglected or ignored. For instance, the DEP's Abandoned Mine Land program does not consider water quality to be an issue, however other internal agencies such as the Nonpoint Source program does. All agencies need to understand the importance of the water quality standards and that if they are not being enforced it causes a variety of problems when implementing water quality projects. The MCWA is aware that DEP has numerous project sites to oversee and has a large workload however, the lack of management and enforcement has caused projects in the Morris Creek Watershed area to come to a halt.

A way to improve this situation is to develop a protocol that requires your department's inner agencies to work together to ensure projects move forward. There are so many projects that overlap within the department and there needs to be some communication between these offices in order to ensure that each project is moving forward on a timely manner. The lack of cooperation between each agency is causing harm for the residents of West Virginia.

We believe that once the internal agencies start communicating and working together on projects that the enforcement of the state's water quality standards will improve.

If you have any further questions regarding our comment please feel free to contact us at 304-442-4581 or email at morriscreekwatershed@verizon.net.

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