

West Virginia Rivers Coalition

HEADWATERS

Fall/Winter 2010 Volume 20, Issue 2



Down by the Bay The Chesapeake Bay: A National Treasure



Seeking the Conservation and Restoration of West Virginia's Exceptional Rivers and Streams

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Michael Moore

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Christine Zeltner

Staff

Executive Director

Shanda Minney

sminney@wvivers.org

Member Services

Manager

Amanda Hussion

ahussion@wvivers.org

VISTA Volunteer

Kathleen Tyner

kttyner@wvivers.org

Science Advisor

Evan Hansen

ehansen@downstreamstrategies.com

Bookkeeper

Donna Armentrout

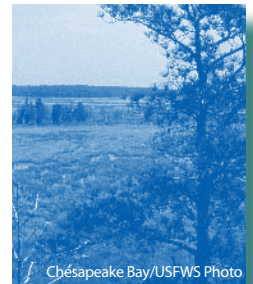
darmentrout@wvivers.org



Seeking the Conservation and Restoration of West Virginia's Exceptional Rivers and Streams

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A Note From The Director

The leaves have turned, the first snow has fallen and the warm days of summer are fast becoming just a memory here in Elkins. As you will see in the following pages, all the staff at WVRC have been very busy this summer.

You will see from the cover that WVRC has been actively involved in recent efforts to clean up the Chesapeake Bay. While it seems a long way away to most West Virginians, the Bay is only as healthy as the rivers that feed it. As a headwater state we have a special responsibility to lead by example, ensuring that the water that leaves our state is as clean as it can be.

The challenges to our goal of clean water for all have come from many fronts this year. We have spoken often over the past two years about the issues surrounding the expansion of gas exploration across our region. As this industry ramps up, we continue to be involved in efforts to ensure our water resources are protected along the way.

As we continue to expand our Pharmaceutical Take Back Program across the state we reach more people every day. Look for a site near you and take advantage of this great programming.

I am pleased to announce that Kathleen Tyner has joined our staff full time here in Elkins. Kathleen began work with us last year as a VISTA Volunteer and has become a valuable member of our team.

From all of us here at WVRC, we wish you a happy and peaceful holiday season.

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329 Davis Avenue, Suite 7, Elkins, West Virginia 26241

(304) 637-7201 • Email: wvivers@wvivers.org

Website: www.wvivers.org

Headwaters is written by Shanda Minney, Kathleen Tyner and Amanda Hussion.

Designed by Nanci Cross-Fregonara

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National Spotlight on Marcellus Shale Development



WVRC recently co-sponsored a showing of the award-winning documentary *Gasland* at West Virginia Wesleyan College.

Also on the national stage the FRAC Act (S.1215), sponsored by Senator Bob Casey (D), is moving through the legislative process. The Fracturing Responsibility and Awareness of Chemicals (FRAC) Act was written to amend the Safe Drinking Water Act in two ways:

1. It would repeal the exemption from restrictions on underground injection of fluids near drinking water sources granted to hydraulic fracturing operations
2. It would require oil and gas companies to disclose the chemicals used in hydraulic fracturing operations.

The FRAC Act is currently in the Environment and Public Works committee.

As Marcellus shale development continues to grow, steps are being taken to regulate the practice. Nationally, the Environmental Protection Agency has announced it will conduct a \$1.9 million study into the effects hydraulic fracturing may have on human and environmental health, primarily the relationship between hydraulic fracturing and drinking water. The hydraulic fracturing study is slated to be published in 2012.

Over the summer the EPA held a series of public comment gathering meetings throughout gas producing states. The proposed hydraulic fracturing study is a review of a 2004 study which concluded the practice to be safe. The 2004 study, which was met with wide criticism, is now viewed as scientifically obsolete due to growing concerns over water quality and public health as a result of new technical developments in hydraulic fracturing. According to Dr. Paul T. Anastas, assistant administrator for EPA's Office of Research and Development the new review "will be conducted through a transparent, peer-reviewed process, with significant stakeholder input."

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--Dr. Paul Anastas, EPA

West Virginia Moves Forward with Marcellus Shale Regulation

With the increased Marcellus shale development in West Virginia a panel of experts has been named to help guide the Department of Environmental Protection review oil and gas operations. The nine person panel consists of six industry members and only one environmental voice, which is that of WVRC board member Don Garvin.

The panel will be advising the DEP in the review of existing oil and gas regulations and the writing of new legislation and regulation. Issues such as water quality and water quantity will be addressed. Also in need of review is the number of oil and gas inspectors employed by the DEP. Currently, there are only 17 inspectors statewide and there are over 55,000 gas wells.

West Virginia Rivers Coalition will continue to be involved in the commenting process as the new legislation is written. We also will be sending each legislator a copy of our Marcellus shale report entitled *Drilling in the Marcellus Shale: An Overview*

of the Process and Issues in West Virginia. If you would like a copy of the report please contact kytner@wvivers.org or visit our website at www.wvivers.org.

Become a Paddling Partner!
 With monthly contributions as little as \$10 a month deducted from your account, you can help us ensure a steady income throughout the year. For more info visit our website or contact Amanda Hussion at ahussion@wvivers.org or 304-637-7201.

Ashley Hockenberry Photo

The Chesapeake Bay — A National Treasure

West Virginia Rivers Coalition has a long history of working in the Potomac Headwater region of our state with the goal of improving and protecting our high quality headwater streams. The additional benefit and goal of our work in this region has always been to do our part to improve the overall health of the Chesapeake Bay, and to be good upstream neighbors.

Recently, West Virginia Rivers Coalition has become an active member of the Choose Clean Water Coalition – a broad coalition of organizations committed to improving the overall health of the Bay. We want our supporters to be aware of this important initiative and to help us promote the goals developed by the Coalition, goals that we at WVRC have long supported.

Clean water is a choice that must be made by all of us -- individuals, communities, states and countries. Hundreds of choices are being made today and tomorrow that will have results for our streams, rivers and bays. We have to make sure those results improve our lives and our communities, and lead to cleaner water, not more pollution. We need to make choices so that our kids can swim in their local river without fear of getting sick. The deteriorating condition of the Chesapeake Bay is an indicator of our accumulated failure,

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To this end the Choose Clean Water Coalition was launched last year to seek federal leadership to improve water quality in the hundreds of rivers and streams that flow into the Chesapeake Bay. With 125 member organizations, the Coalition and its constituencies work with the 53 members of Congress who represent the Chesapeake region and in our local communities as well. Coalition members accept responsibility for doing their part to hold federal officials accountable for achieving clean waters, encouraging individuals and communities to support the goals and programs necessary, and assisting wherever possible to implement programs needed to achieve clean waters.

In January 2010, the Coalition held its first annual Choose Clean Water Conference in Washington, D.C. The Conference was attended by over 250 participants from all seven Chesapeake Bay jurisdictions. Speakers included EPA Administrator Lisa P. Jackson, nine members of Congress, and local and national advocacy leaders. Coalition members also unanimously

Measure



Chesapeake Bay Bridge/USFWS Photo

adopted our 2010 federal policy priorities during the meeting.

As established at the first annual coalition conference in January 2010, the top priorities of the Choose Clean Water Coalition in 2010 are:

- Reform of the U.S. EPA's Chesapeake Bay Program through passage of the Chesapeake Clean Water and Ecosystem Restoration Act (S. 1816 & H.R. 3852);
- Strong implementation of Executive Order 13508 on Chesapeake Bay Protection and Restoration, with focus on water quality improvements from agriculture and urban stormwater; and
- Ensuring the cleanup plan for the Bay (Chesapeake Bay Total Maximum Daily Load) protects every stream throughout the 64,000 square mile Chesapeake Bay region.

There will also be four member-led initiatives in order to address other important issues in our region. These issues include:

- Passage of comprehensive climate and renewable energy legislation with protections for water quality and species in the Chesapeake Bay region;
- Improved regulations on natural gas drilling in the Marcellus Shale area to protect drinking and source waters, as well as downstream areas;
- Passage of the Clean Water Restoration Act (or subsequent legislation) to ensure that all waters are covered under the Clean Water Act; and
- Development of ambitious land protection and sustainable land use and transportation strategies throughout the region.

Over the past 18 months, there has been a great deal of activity going on in the Bay region. This process began with the Presidential Executive Order in May 2009 that established a Federal Leadership Committee to oversee implementation of baywide restoration, and has moved through the administrative to draft a strategy for restoration. Most recently, we have seen the USEPA outline targets and goals for each watershed in the bay, and request plans from each state outlining how they will meet those goals. The EPA has designed what is being termed "A Pollution Budget for the Bay (TMDL)."

The development and implementation of a pollution budget for the region's waters, technically called a Total Maximum Daily Load (TMDL) plan, is a key component for cleaning up our streams, rivers, and eventually the Bay. The development of this "Baywide-TMDL" and the subsequent sub-basin plans will be a technical, regulatory and political challenge. Engaging in the process at all levels is critical to ensuring that this plan is not merely a paper exercise.

The development of the pollution budget will happen in a new context. Leadership at the U.S. Environmental Protection Agency (EPA) has released letters to the Bay region's states outlining strong clean up measures and penalties for inaction. In addition, expected infusions of federal dollars for infrastructure may be tapped by states and municipalities to fund necessary upgrades at sewage treatment plants and improve stormwater management practices.

West Virginia Rivers Coalition, and all of the *Choose Clean Water* member organizations are vigorously engaged in the development and implementation of the Chesapeake Bay TMDL and sub-basin TMDLs.

To find out more information about how the TMDL process is being implemented in your area, visit the EPC Chesapeake Bay TMDL website at <http://www.epa.gov/chesapeakebaytmdl/>. In addition, we will keep you updated on this process as we move along to clean up one of our nation's greatest treasures. §

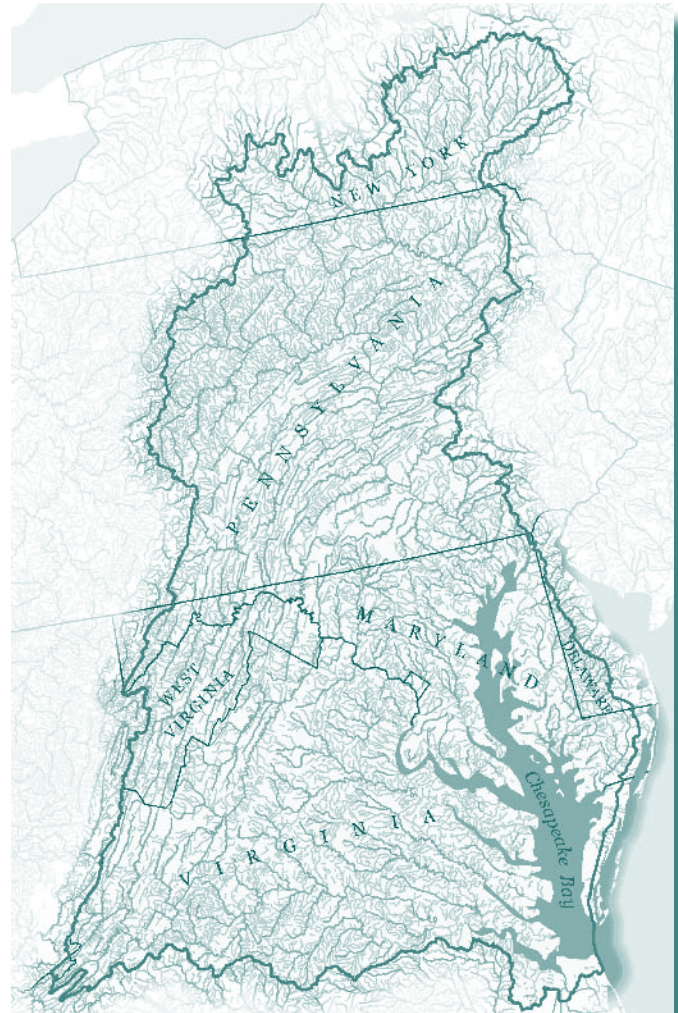


Illustration of the Chesapeake Bay watershed courtesy ChooseCleanWater.org.

Oh, The Places We've Been!

Where We've Been...

As the season comes to a close here at West Virginia Rivers Coalition we look back at all the places we've been. All of the WVRC staff, board members and volunteers had a great time at each place we traveled to. We were able to update our visitors about programs and legislation we are working on, as well offer visitors a chance to play our pharmaceutical take back game. The pharmaceutical game encourages others to properly dispose of their medicine at a secure take back location, while winning prizes.

Harpers Ferry Outdoor Festival

Board members Ricky and Chrissy represented WVRC at the annual Harpers Ferry Outdoor Festival in June. Congratulations to all of our members who placed in the Tim Gavin Down River Race. It was a fun time had by all along the Shenandoah River.

Girl Scouts

Recently staff member Kathleen Tyner helped local Brownie Troop 4059 earn their Water Everywhere badge through a stream investigation. The girls learned about water quality and stream health by catching aquatic creatures in a nearby stream. The Brownies learned that the stream was healthy and they talked about ways to keep it that way!



Gasland

On August 15th, WVRC along with the Highlands Conservancy and the West Virginia Surface Owners Rights Organization sponsored a showing of the award winning documentary about Marcellus shale development, *Gasland*. The film's director, Josh Fox, was in attendance and answered questions concerning Marcellus shale and hydraulic fracturing. The three sponsoring organization were also on hand to answer WV specific questions.

WVRC hoped that by co-hosting this event we were able to help stimulate a dialogue on issues that may affect our statewide water resources. For more information on the drilling process please visit our website at www.wvrivers.org to read or download a copy of *Drilling in the Marcellus Shale: An Overview of the Process and Issues in West Virginia, a summary report*.

Gauley Fest/Raffle 2010

WVRC staff had a wonderful weekend at Gauley Fest on and off the river. This year WVRC pulled for River Raffle winners at Gauley Fest. Ian LaRose was the winner of our grand prize, a



Wilderness Systems Pamlico 100 kayak in Orange from River and Trail Outfitters. Joesph Cholka was a bigger winner, with four prizes a NRS Aquablaster, a canoe trip for two from Blue Mountain Outfitters, a Paco Grande Pad from Jacks Plastic Welding, Inc. and a Pro Spincast Combo Fishing Rod from Cabela's. Thank you to everyone who supported the raffle and congratulations to all of our winners. Check out the WVRC website at www.wvrivers.org, for a complete list of winners.

Dining Out for Clean Water

On Saturday, September 25th, WVRC hosted *Dining Out for Clean Water* in Fayetteville WV. Participating restaurants this year were Pies and Pints, Gumbo's and Whitewater Bar and Grill. 15% of the evening's proceeds from each location was donated back to WVRC. Thank you to Angie and her staff at Pies and Pints, thank you Susan and all the girls at Gumbo's Restaurant. Thank you to Steve and the staff at Whitewater Bar and Grill, and thank you to everyone who came out and joined us. It was an awesome evening -- great food and great friends for a great cause.

If you are interested in helping WVRC set up a Dining Out for Clean water in your area contact Amanda Hussion at 304-637-7201, or at ahussion@wvrivers.org.

Marcellus Shale Drilling Meeting

On August 28th, West Virginia University Research Corporation hosted a workshop in Pennsylvania, discussing the many issues surrounding natural gas drilling in the region. Representatives from environmental groups, universities and drilling services companies attended the workshop to learn more about the issues related to drilling for gas in the Marcellus shale. " Shanda Minney, executive director of the West Virginia Rivers Coalition was there to present on behalf of WVRC.



Updates From Our Pharmaceutical Campaign

►The West Virginia Consumer Drug Partnership continues to expand, and we are now operating at 19 sites throughout the state. We continue to be the only ongoing pharmaceutical return program in WV. We would like to congratulate and welcome our new partners at Friend of the Lower Greenbrier River for sponsoring a take-back in Alderson, at Alderson Pharmacy. We are continuing to look for partners to sponsor take-back locations or to make a contribution to pharmaceutical collection. Please contact ktyner@wvrivers.org or sminney@wvrivers.org for more information. (For a list of all the participating pharmacies, please turn page).

►On September 25 the U.S. Drug Enforcement Agency sponsored a one-day nationwide medicine take-back event, including all controlled and non-controlled substances. WVRC



WVRC Executive Director Shanda Minney at the Randolph County medicine take-back day.

partnered with local organizations in Randolph County and collected over 42 gallons of medication. As a state, WV properly disposed of 2,397 pounds of pharmaceuticals and as a nation over 121 tons of medication were taken out of our communities and waterways!

►At the federal level, the Secure and Responsible Drug Disposal Act of 2010 was passed and signed into law in October. The Act will promote community take-backs though an amendment to

the Controlled Substance Act. Until recently the collection of controlled substances was not feasible for most community take-backs due to the need for DEA registrants to be in control of the substances at all times. The passing of the Secure and Responsible Drug Disposal Act of 2010 is just part of the changing public view of consumer medications. Recently the Office of Drug Control Policy changed their official stance on how unused medication should be disposed of, instead of flushing medicines down the toilet, now it is recommended that consumers take their medication to a community take-back. Take advantage of a return location near you!

Partnering to Support a Pharmaceutical Return Site

A second watershed group, Friends of the Lower Greenbrier have decided to sponsor a pharmaceutical return site in their watershed at Alderson. WVRC is excited to have a second partnership with support at the local level. If your organization would like to fund a take-back site in your community please contact Kathleen Tyner at ktyner@wvrivers.org or Shanda Minney at sminney@wvrivers.org.



Renee Hemmelgarn of the Friends of the Lower Greenbrier, with James Coleman of the Alderson Pharmacy, the pharmaceutical return site that they help sponsor.

Please Support West Virginia Rivers Coalition's Efforts

Please keep WVRC in mind when planning your gift giving now and in the future. We graciously welcome gifts of stock and appreciate being remembered by members who include us in their wills. Such gifts are key ingredients in our financial stability and our long term river protection efforts. If you are interested in either of these options please contact our office.

YES! I want to support the West Virginia Rivers Coalition with my contribution of:

- \$500 River Guardian
 \$250 River Protector
 \$150 River Steward
 \$100 Sustaining
 \$75 Mountaineer
 \$50 River Friend
 Other \$ _____

Printed name _____ Phone (____) _____

Address _____ E-mail _____

City _____ State _____ Zip Code _____ - _____

(Please make checks payable to West Virginia Rivers Coalition, or complete additional credit card information below.)

Please charge **amount above** to Visa OR MasterCard Expiration Date (MM/YY) ___/___ 3-Digit Security Code _____

Credit Card Number # _____

Signature _____ Date _____



West Virginia Consumer Drug Return Program Locations

Name and address of location	County
CVS Pharmacy 1200 Edwin Miller Blvd., Marinsburg	Berkeley
CVS Pharmacy 46 Middleway Pike, Inwood	Berkeley
Judy's Drugs 24 North Main St., Petersburg	Grant
Alderson Pharmacy 105 Railroad Ave., Alderson	Greenbrier/Monroe
Greenbrier Medical Arts Pharmacy Rt 219 North, Lewisburg	Greenbrier
Greenbrier Medical Arts Pharmacy Express 200 Maplewood Ave., Ronceverte	Greenbrier
CVS Pharmacy Rt 50 East, Hampshire Shopping Plaza, Romney	Hampshire
Reeds Pharmacy Route 50 East, Romney	Hampshire
CVS Pharmacy 743 North Main St., Moorefield	Hardy
Pharmacy at EA Hawse Medical Center 17978 State Road 55, Baker	Hardy
Wardensville Pharmacy 333 East Main St., Wardensville	Hardy
CVS Charles Town 130 Augustine Ave., Charles Town	Jefferson
Eastern Panhandle Free Clinic 1212 N. Mildred St., Ranson	Jefferson
Suncrest Pharmacy 3121 University Ave. Morgantown	Monongalia
Union Pharmacy 100 Main St., Union	Monroe
Morgan County Health Department 187 S. Green St., Suite 2, Berkeley Springs	Morgan
Pill Box Pharmacy 203 North Main Street, Franklin	Pendleton
Health Center Pharmacy 909 Gorman Ave., Elkins	Randolph
Staats Pharmacy 100 E. Main St., Spencer	Roane



CAN'T DECIDE WHAT TO GET THAT GREAT OUTDOORS-LOVIN' FRIEND?

Visit our new and improved gear shop where we have lots of great ideas for holiday shopping. Buy a WVRC item and you'll both feel great. Not only do you share how you support clean water, but c'mon, just how many cheese trays can your friend eat anyway?

Simply go to our website at www.wvrippers.org and click on the "get our gear" box in the menu bar under our name. Another idea? You can also make a donation in their name!

Ashley Hockenberry Photo

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