



**DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, HUNTINGTON DISTRICT
502 8TH STREET
HUNTINGTON, WV 25701**

March 4, 2019

Regulatory Division

Mr. Scott Mandirola
West Virginia Department of Environmental Protection
601 57th Street, S.E.
Charleston, West Virginia 25304

Dear Mr. Mandirola,

I refer to your proposed modifications to the Section 401 Water Quality Certification for the 2017 Nationwide Permits (NWP). You have proposed to add a new standard condition (No. 22) and modify Special Conditions A, C and L of the Section 401 Water Quality Certification for Nationwide Permit 12. As you are aware, any modification request should be submitted to the Huntington District office. The district engineer will submit your request to the division engineer, which will determine whether the proposed water quality certification modifications are acceptable and comply with the provisions of 33 CFR 325.4. If found acceptable, those conditions would proceed through the process of being recognized as regional conditions of the nationwide permits. If certain conditions are clearly found to be unacceptable, the water quality certification would be considered administratively denied.

Please be aware, before we could evaluate supporting any proposed modifications, the Corps' would need an official request including the results of the West Virginia Department of Environmental Protection's (WVDEP) public notice and outreach process regarding these proposed revisions to the Section 401 water quality certification for NWPs. The intent of public outreach is to provide much needed clarity to the regulated public on the information and processes required to qualify for a general 401 water quality certification and/or obtain an individual 401 water quality certification from WVDEP.

We request you contact the Huntington District Regulatory Office to schedule a meeting to begin the discussion of our specific concerns with any proposed modifications as well as more intensive collaboration on revising any proposed modifications. Please contact me directly at your earliest convenience at 304-399-6918 to setup a meeting.

Sincerely,

Michael E. Hatten
Chief, Regulatory Division

cc: Mr. Jon Coleman (via email)



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March 4, 2019

West Virginia Department of Environmental Protection
401 Water Quality Certification Program
ATTN: Nancy Dickson
601 57th Street South East
Charleston, WV 25304

By Electronic Mail – WQSComments@wv.gov

**Re: West Virginia 401 Water Quality Certification Modification for the U.S.
Army Corps of Engineers Nationwide Permits**

Dear Ms. Dickson:

On behalf of Sierra Club, West Virginia Rivers Coalition, West Virginia Highlands Conservancy, Indian Creek Watershed Association, Appalachian Voices, Chesapeake Climate Action Network, and Appalachian Mountain Advocates (collectively “Commenters”), please accept these comments on the draft modifications to the West Virginia 401 Water Quality Certification for the U.S. Army Corps of Engineers (“the Corps”) Nationwide Permits noticed for comment by the West Virginia Department of Environmental Protection (“WVDEP”). Commenters object to the modifications because (1) the modifications exceed WVDEP’s statutory authority granted to it by the West Virginia Legislature; (2) the modifications exceed WVDEP’s regulatory authority; (3) Section 401 of the Clean Water Act (“CWA”) does not permit modification of a state 401 certification between the Corps’ five-year reissuances of nationwide permits except in specific instances not applicable here; and (4) even if WVDEP could modify its 401 certification of nationwide permits at this time, it can only do so with consent of the Environmental Protection Agency (“EPA”) Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project, the proposed modifications do not reasonably assure compliance with water quality standards, and WVDEP must (but cannot) furnish a detailed explanation of the rationale for

preferring the proposed modifications over the special conditions as they currently exist.

We respectfully submit these comments to raise our concerns that the proposed modifications do not comply with state or federal law and to urge WVDEP to withdraw the proposed modifications. Finalization of the proposed modifications will not survive judicial review because WVDEP lacks state and federal authority to enact the proposed modifications, the modifications fail to reasonably assure compliance with water quality standards, as required by 40 C.F.R. § 121.2(a)(2), and WVDEP cannot provide a reasoned explanation for its changes in long-standing regulatory requirements and prohibitions beyond its desire to benefit certain proposed utility line projects.

STATUTORY FRAMEWORK

CWA Section 301(a) provides that, without a permit, “the discharge of any pollutant [into waters of the United States] by any person shall be unlawful.” 33 U.S.C. § 1311(a). The CWA considers dredge and fill material to be pollutants that must be permitted to be discharged. *See* §§ 1311, 1362. CWA Section 404 authorizes the Corps to issue permits for the discharge of dredged or fill material into waters of the United States. § 1344.

The Corps permits dredge-and-fill projects under Section 404 in two ways. First, it can issue an individual permit tailored to a specific project, “after notice and opportunity for a public hearing.” § 1344(a). Alternatively, the Corps can permit dredge-and-fill projects through general, nationwide permits (“NWP”) for defined activities that are similar in nature and that together would cause only “minimal adverse environmental effects.” § 1344(e)(1).

The term of an NWP cannot exceed five years. § 1344(e)(2). In January 2017 the Corps reissued its suite of NWPs subject to a number of general conditions. *See generally* Issuance and Reissuance of Nationwide Permits, 82 Fed. Reg. 1860 (Jan. 6, 2017). The Corps’ reissuance of Nationwide Permits triggered Section 401 of the Clean Water Act. § 1341. Section 401 provides that federal authorizations resulting in discharges into protected waters cannot issue without “certification” by the affected state that the discharges will comply with state water quality standards. *Id.* States may, upon certifying a nationwide permit, include special conditions that are designed to ensure the certification will meet state water quality standards. *Id.* A state’s lawfully promulgated special conditions become conditions of the federal permit as the permit applies to that state. § 1341(d); *PUD No. 1 of Jefferson Cty. v. Wash. Dep’t of Ecology*, 511 U.S. 700, 708 (1994); 33 C.F.R. § 330.4(c)(2). But like

other actions that exceed an agency's authority, invalidly issued conditions are a mere nullity, void ab initio. *See Dixon v. United States*, 381 U.S. 68, 74 (1965).

A. WVDEP Lacks Statutory Authority To Modify Section 401 Certifications Under State Statutes.

State law does not permit WVDEP to modify West Virginia's certification of the Corps' nationwide permits between the Corps' five-year reissuances. The West Virginia Legislature may "delegate to an administrative agency the power to . . . implement the statute under which the agency functions." *Simpson v. W. Va. Office of the Ins. Comm'r*, 678 S.E.2d 1, 12 (W. Va. 2009) (quoting *Rowe v. W. Va. Dep't of Corr.*, 292 S.E.2d 650, Syl. Pt. 3 (W. Va. 1982)) Nevertheless, "an administrative body may not [act] . . . out of harmony with, . . . alter[], or limit[] the statute being administered . . ." *E. Gas & Fuel Assocs. v. Hatcher*, 107 S.E.2d 618, 623 (W. Va. 1959) (citation omitted). At their core "[a]dministrative agencies . . . are creatures of statute Their power is dependent upon statutes, so that they must find within the statute warrant for the exercise of any authority which they claim." *Reed v. Thompson*, 772 S.E.2d 617, 620 (W. Va. 2015) (quoting *Mountaineer Disposal Serv., Inc. v. Dyer*, 197 S.E.2d 111, Syl. Pt. 2 (W. Va. 1973)). Thus, whatever power the legislature deemed appropriate to delegate to the WVDEP, the WVDEP "may not [act] . . . inconsistent with . . . its statutory authority." *Simpson*, 678 S.E.2d at 12. The legislature's delegation is the desideratum of agency action. *See id.*

The West Virginia Legislature did not grant WVDEP the power to modify Section 401 certifications. WVDEP's organic act is silent as to its authority to modify a prior certification pursuant to Section 401 of the CWA. Rather, the statute only authorizes the WVDEP Secretary to "[i]ssue certifications *required* under [Section 401] of the federal Clean Water Act." W. Va. Code § 22-1-6(d)(7) (emphasis added). By incorporating federal law into the state statute the West Virginia Legislature confined WVDEP's authority to that required by Section 401. The requirements of Section 401 and EPA's implementing regulations, which will be discussed in more detail below, do not permit modification of a prior 401 certification except in specific circumstances not at issue here. *See* 33 U.S.C. § 1341(a)(1)–(3). WVDEP, as a state administrative agency, is therefore without the legislative authority to modify its prior certification of the Corps' nationwide permits.

B. WVDEP Lacks Regulatory Authority To Modify Section 401 Certifications Under West Virginia's Code of State Rules.

Likewise, WVDEP's own regulations provide no mechanism for it to modify a 401 certification of NWP. "An administrative body must abide by the remedies and procedures it properly establishes to conduct its affairs." *State ex rel. Wilson v. Truby*, 281 S.E.2d 231, 236 (W. Va. 1981) (citing *State ex rel. Hawkins v. Tyler Cty. Bd. of Educ.*, 275 S.E.2d 908, 912 (W. Va. 1980)). Further, "due process requires governmental agencies to comply with their own regulations." *Hutchinson v. City of Huntington*, 479 S.E.2d 649, 666 (W. Va. 1996) (citing *Truby*, 281 S.E.2d at 236; *Trimboli v. Bd. of Educ.*, 254 S.E.2d 561 (W. Va. 1979)).

WVDEP's regulations governing 401 certifications are codified at Sections 47-5A-1 to 47-5A-8 of the West Virginia Code of State Rules. W. Va. Code R. § 47-5A-1—47-5A-8. Section 1.1 of the regulations states that "[t]he purpose of this legislative rule is to carry out the responsibilities placed upon the State by Section 401 of the Federal Clean Water Act" W. Va. Code R. § 47-5A-1.1. The regulations, like Section 22-1-6, are silent concerning a modification of a 401 certification. *See id.* Likewise, they affirmatively incorporate the federal standards into the state certification process. *Id.*

The regulations themselves limit WVDEP's actions to: "grant, grant with conditions, deny, or waive . . ." W. Va. Code R. § 47-5A-3.1. "Modify" is not one of the actions WVDEP may take. WVDEP's "express mention of one thing implies the exclusion of another." *Stonewall Jackson Mem'l Hosp. v. Am. United Life Ins. Co.*, 525 S.E.2d 649, 655 (W. Va. 1999). Were the regulation to contemplate a modification, it would have been included in the language. WVDEP's list of various actions it may take also fall within the general rule of interpretation of *ejusdem generis*. *See State v. Morrison*, 127 S.E.2d 75, 77 (W. Va. 1925). The specifically enumerated actions (grant, grant with conditions, deny, or waive) all imply action WVDEP can exercise on a pending 401 certification. "Modification," to the contrary, necessarily requires that a certification has already been made and is to be revisited. The enumeration of actions to be made upon a pending application for certification cannot be read to also include an action that can only be taken during the operative period of a certification. *See id.* "Modification" is not of the same kind as "grant, grant with conditions, deny, or waive," and therefore its place among terms dissimilar to it should not be assumed.

Notwithstanding that federal law does not permit WVDEP to modify its 401 certification in this instance, a topic Commenters will take up in the following section, WVDEP cannot modify a 401 certification because it has no regulatory

authority to do so. *See Truby*, 281 S.E.2d at 236. Thus, WVDEP cannot comply with its regulations in service of its due process obligations because it has no regulations on the subject. *See Hutchinson*, 479 S.E.2d at 666. As a result, WVDEP lacks statutory and regulatory authority to modify the 401 certification of the Corps' NWP's outside the Corps' five-year reissuances.

C. WVDEP Lacks Authority to Modify Section 401 Certification Under the Clean Water Act.

Federal law similarly precludes WVDEP from modifying its 401 certification at this time. Once a state certifies a federal permit under Section 401, any conditions placed on that certification become conditions of the federal permit. 33 U.S.C. §1341(d). "Whatever freedom the states may have to impose their own substantive policies in reaching initial certification decisions, the picture changes dramatically once that decision has been made and a federal agency has acted upon it." *Keating v. FERC*, 927 F.2d 616, 623 (D.C. Cir. 1991). Section 401 only allows "a state to revoke a prior certification . . . pursuant to the terms of, and for the reasons indicated in, section 401(a)(3)." *Keating*, 927 F.2d at 622. Section 401(a)(3) permits revocation of a certification for a federal *construction* permit as a valid certification for a second federal permit for *operation* of the same facility within 60 days of notice of the second permit when there are "changes since the construction license or permit certification was issued in (A) the construction or operation of the facility, (B) the characteristics of the waters into which such discharge is made, (C) the water quality criteria applicable to such waters or (D) applicable effluent limitations or other requirements." 33 U.S.C. § 1341(a)(3) (emphasis added). None of the circumstances described are applicable here. Moreover, WVDEP, in its call for public comments, has not based the proposed changes on any of Section 401's permissible grounds to modify a certification. The Clean Water Act, therefore, precludes WVDEP's proposed modification of its 401 certification.¹ Indeed, in their comments on

¹ As was the case in *Keating*, the South Carolina Supreme Court, confronting whether the state could suspend and revoke a prior 401 certification, found that the state did not have federal authority to either suspend or revoke the prior certification. *Triska v. Dep't of Health and Env'tl. Control*, 355 S.E.2d 531, 533-34 (S.C. 1987). The *Triska* Court noted that Section 401(a)(3) provides the exclusive mechanism to modify a certification. *Id.* at 534. The 401(a)(3) process, the court explained, required the state to first monitor water quality and then notify the permitting agencies. *Id.* The state could not unilaterally undertake its own revocation. *Id.* While the *Triska* Court believed it was possible for South Carolina to avail itself of Section 401(a)(3) were it still concerned about enforcement of state water quality standards, this avenue is not open to WVDEP

WVDEP's August 2018 proposal to modify its 401 certification of the 2017 NWP, the West Virginia Oil and Gas Association and the Independent Oil and Gas Association of West Virginia both agreed that the Corps' "regulations governing 401 WQCs for the NWP program do not contemplate a state revising its WQCs after USACE approved them or provide a mechanism for such revisions" Independent Oil & Gas Ass'n of W. Va., Inc., Comments to Proposed "Modification of West Virginia State 401 Water Quality Certification Conditions for U.S. Army Corps of Engineers 2017 Section 404 Nationwide Permits" 6 (2018); W. Va. Oil & Natural Gas Ass'n, Comments to Proposed "Modification of West Virginia State 401 Water Quality Certification Conditions for U.S. Army Corps of Engineers 2017 Section 404 Nationwide Permits" 8 (2018).

D. WVDEP Lacks Authority To Modify Section 401 Certification Under EPA Regulations.

Furthermore, even if modification were possible, EPA regulations provide that a state's certification may only be modified "in such manner as may be agreed upon by the certifying agency, the licensing or permitting agency, *and* the [EPA] Regional Administrator." 40 C.F.R. § 121.2(b) (emphasis added). Section 121.2(b) ensures that any *post hoc* changes to a federal permit have the concurrence of the federal licensing authority *and* EPA. This regulation is also a reminder that although "[t]he certification authority . . . is one of the primary mechanisms through which [states] may exercise" their role "as the prime bulwark in the effort to abate water pollution," *Alcoa Power Generating Inc. v. FERC*, 643 F.3d 963, 971 (D.C. Cir. 2011) (quoting *Keating*, 927 F.2d at 622), a state's certification and conditions thereto become federal law "subject to the enforcement mechanisms available for enforcing the federal license . . ." W. Va. Code R. § 47-5A-8.1; *see also* § 1341(d); *PUD No. 1*, 511 U.S. at 708. Once a state certifies a permit subject to Section 401, the certification is no longer wholly a matter of state law. *Id.* The certification and its conditions assume the mantle of federal law and as a result cannot be undone without the consent of federal authorities.² Indeed, Mountain Valley Pipeline,

because Section 401(a)(3) does not apply to WVDEP's proposed modifications. *See id.*; § 1341(a)(3).

² Indeed, because the special conditions in WVDEP's prior certification of the NWP are now conditions of the NWP themselves, those conditions can be modified as the Corps' general permitting regulations allow. Those regulations are unequivocal: Once the Corps issues an NWP, its terms and conditions can be relaxed only by formal modification or wholesale reissuance by the Corps—both of which require full notice and comment. 33 C.F.R. §§ 330.1(b), 330.5(b).

LLC—one of the regulated entities on whose behalf WVDEP has proposed the modifications—has conceded that “[a]ny subsequent state action to modify . . . the underlying water quality certification has no effect on the activity authorized by the federal license or permit unless the federal agency agrees to modify its approval.” Letter from Todd L. Normane, Deputy General Counsel, Equitrans Midstream Corporation, to David K. Paylor, Executive Secretary, Virginia State Water Control Board, Re: Request to Discontinue Process for Potential Reconsideration of 401 Water Quality Certification 8 (Feb. 12, 2019) (citing 40 C.F.R. § 121.2(b)).

At this time and as far as Commenters are aware, WVDEP lacks the consent of the Corps and the EPA Regional Administrator.³ WVDEP therefore lacks the authority to modify its 401 certification, if it could ever possess such authority.

In one narrow class of certifications—those for EPA issued National Pollutant Discharge Elimination System permits—a state retains extremely limited modification authority in the event state law on which the certification is based changes or where a court, state agency, or state board “stays, vacates, or remands a certification.” 40 C.F.R. § 124.55(b). In those cases, a state “may issue a modified certification . . . and forward it to EPA.” *Id.* WVDEP’s 401 certification of the 2017 NWP is not, of course, an EPA-issued NPDES permit, so that regulation is wholly inapplicable. In all events, none of the conditions precedent set forth in the regulation have occurred here. State law has not changed and no court or state board or agency has stayed, vacated, or remanded WVDEP’s certification of the Corps’ NWP. Therefore, even if it were otherwise applicable, Section 124.55(b) has not been triggered and WVDEP could not rely on it as a basis for its proposed modifications.

In fact, the existence of Section 124.55(b) underscores WVDEP’s lack of authority to modify the 401 certification for the Corps’ 2017 NWP. That EPA saw fit to address modification of one type of 401 certification (for EPA-issued NPDES permits) means that states have no inherent authority to modify certifications.

³ Commenters further note that any attempt by the EPA Regional Administrator or the Corps to consent to any modification of West Virginia’s 401 certification of the 2017 NWP would constitute a final agency action, subject to judicial review under the Administrative Procedure Act, and would likely not withstand such judicial review. 5 U.S.C. § 706.

E. WVDEP’s Proposed “Standard Condition 22” Is Wholly Impermissible Under Fourth Circuit Precedent and the CWA.

WVDEP proposes to include a new standard condition—Standard Condition 22—which would provide:

The Secretary of the West Virginia Department of Environmental Protection reserves the right, in the Secretary’s sole discretion and as provided in Section 401(a) of the Federal Water Pollution Control Act [33 U.S.C. § 1341(a)], to waive any Standard or Special Conditions of the State 401 Water Quality Certification Application to Nationwide Permits.

Proposed Standard Condition 22. That proposed standard condition flatly contradicts CWA Section 401 and the Fourth Circuit’s recent decision in *Sierra Club v. U.S. Army Corps of Eng’rs*, 909 F.3d 635 (4th Cir. 2018).

Section 401 requires states to “establish procedures for public notice in the case of all applications for certification by it, and to the extent it deems appropriate, procedures for public hearings in connection with specific applications.” 33 U.S.C. § 1341(a)(1). In *Sierra Club*, the Fourth Circuit expressly interpreted that provision to mean that “*federal* law requires that the states establish notice-and-comment procedures for reviewing applications for certification of nationwide or individual permits.” 909 F.3d at 653 (emphasis original).

In *Sierra Club*, the Fourth Circuit addressed the lawfulness of WVDEP’s attempt to waive Special Condition A of its March 2017 401 certification of the 2017 NWP. In concluding that WVDEP’s purported waiver of Special Condition A for the Mountain Valley Pipeline project was unlawful—and therefore ineffective as a matter of law—the Court expressly held that, “even assuming West Virginia could waive Special Condition A, the waiver was invalid because it did not result from the notice-and-comment process contemplated by Section 1341(a)(1).” *Id.* The Court further explained that “[a]llowing West Virginia to revoke, on a *case-specific* basis, conditions imposed in its certification of a *nationwide* permit would impermissibly allow the state to circumvent Section 1341(a)(1)’s explicit requirement that state permit certifications satisfy notice requirements.” *Id.* (emphasis added). After explaining that that result was compelled by its decision in *United States v.*

Smithfield Foods, Inc., 191 F.3d 516 (4th Cir. 1999), the Court summarized its conclusion this way:

In sum, Section 1341(a)(1) of the Clean Water Act specifically contemplates and requires a notice-and-comment process for case-specific modifications of conditions imposed as part of a state's Section 401 certification of a nationwide permit. To hold otherwise would constitute a back-door mechanism for a state to circumvent Congress's intended notice-and-comment process: the state could issue certification conditions after engaging in the required notice-and-comment process but then refuse to apply those conditions in each case.

Sierra Club, 909 F.3d at 654.

The Fourth Circuit issued its opinion in *Sierra Club* on November 27, 2018. WVDEP was surely aware of the Court's decision when it put its proposed modifications out for comment in January 2019. Yet WVDEP astoundingly proposed Standard Condition 22 anyway, despite the fact that such a condition is plainly impermissible under the Fourth Circuit's ruling in *Sierra Club*. The Fourth Circuit could not have been clearer: "We . . . conclude that, absent completion of the notice-and-comment procedures required by the Clean Water Act, a state cannot waive a special condition previously imposed as part of its certification of a nationwide permit." *Sierra Club*, 909 F.3d at 639. Nonetheless, in Standard Condition 22 WVDEP purports to reserve to the Secretary the "sole discretion . . . to waive any Standard or Special Conditions of the State 401 Water Quality Certification Applicable to Nationwide Permits." Proposed Standard Condition 22. But, as the Fourth Circuit observed, "even assuming West Virginia could waive [a] Special Condition . . ., [such] waiver [would be] invalid [if] it did not result from the notice-and-comment process contemplated by Section 1341(a)(1)." *Sierra Club*, 909 F.3d at 653. Accordingly, Proposed Standard Condition 22's reservation to the Secretary of the discretion to waive Standard or Special Conditions is prohibited by the CWA and Fourth Circuit precedent.

Proposed Standard Condition 22 is also unlawful because it puts no bounds whatsoever on the Secretary's discretion to waive Standard or Special Conditions. Such conditions are imposed in order to ensure that "there is a reasonable assurance that the activity will be conducted in a manner which will not violate applicable water quality standards." 40 C.F.R. § 121.2(a)(3). *See* W. Va. Code. R. § 47-5A-2.6 (defining a "condition" in a 401 certification to mean "limitations and monitoring requirements that *assure* that any application for a federal license or permit will comply with all federal and State laws including *water quality standards*" (emphasis

added)). In the absence of any limit on the Secretary's discretion, the waiver of a condition under Proposed Standard Condition 22 could result in the elimination of a condition necessary to reasonably assure compliance with water quality standards, and result in an unlawful 401 certification.

F. WVDEP's Proposed Modification of Special Condition A Cannot Be Reasonably Explained And Does Not Reasonably Assure Compliance With Water Quality Standards.

Special Condition A to WVDEP's March 2017 401 certification of the 2017 iteration of NWP 12 expressly requires an individual state water quality certification for certain utility lines and impacts. That condition reflects a determination by WVDEP that the terms and conditions of the 2017 NWP 12, combined with the Special Conditions imposed in WVDEP's March 2017 401 certification of that permit, do not necessarily ensure compliance with state water quality standards and that further examination of the utility line and its impacts would be required in order to make the determination required by 40 C.F.R. § 121.2(a)(3) that "there is a reasonable assurance that the activity will be conducted in a manner which will not violate applicable water quality standards."

In its proposed modifications, WVDEP proposes to modify Special Condition A to replace the requirement of an individual certification for certain utility lines and impacts with a reservation to the Secretary to require an individual certification. The proposed modification sets no bounds on the Secretary's discretion in that regard.

WVDEP has provided no justification, rational or otherwise, for the proposed modification to Special Condition A. "[A]n agency changing its course by rescinding a rule is obligated to supply a reasoned analysis for the change . . ." *Motor Vehicle Mfrs. Ass'n of U.S., Inc. v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 42 (1983). A reasoned analysis "must explain the evidence which is available, and must offer a 'rational connection between the facts found and the choice made.'" *Id.* at 52 (quoting *Burlington Truck Lines, Inc. v. United States*, 371 U.S. 156, 168 (1962)). The agency must "display awareness that it is changing position and show that there are good reasons for the new policy." *Encino Motorcars, LLC v. Navarro*, ___ U.S. ___, 136 S.Ct. 2117, 2126 (2016) (internal citations and quotation marks omitted). Where, as here, an agency proposes a policy that contradicts a prior, long-standing policy, "a reasoned explanation is needed for disregarding facts and circumstances that underlay . . . the prior policy." *F.C.C. v. Fox Television Stations, Inc.*, 556 U.S. 502, 515-16 (2009).

West Virginia's requirement of an individual certification for pipelines 36" or greater in diameter dates back to at least 1992. Nationwide Permits for the State of West Virginia (1992). Thus, for more than 25 years, WVDEP has recognized that certain pipelines require greater scrutiny to ensure that water quality standards will be protected. With the proposed modification to Special Condition A, WVDEP proposes to abandon its long-standing and well-considered policy of requiring a case-by-case examination of certain high-impact utility lines, without so much as a single word attempting to provide a reasoned explanation of its abandonment of a long-standing policy. Accordingly, the proposed modification to Special Condition A is arbitrary and capricious and will not survive judicial review.

Indeed, WVDEP cannot offer the requisite reasoned explanation. The utility lines and impacts that trigger the requirement for an individual water quality certification under existing Special Condition A are extremely large projects that affect important and sensitive aquatic and wildlife resources. The terms and conditions of NWP 12 and West Virginia's general 401 certification are inadequate to reasonably assure that these large projects in sensitive areas will comply with water quality certifications. Accordingly, abandoning the requirement for individual water quality certification would violate 40 C.F.R. § 122.2(a)(3) and would result in an unlawful water quality certification.

G. WVDEP's Proposed Modifications To Special Condition C To NWP 12 Fail To Reasonably Assure Compliance With Water Quality Standards And Impermissibly Change Long-Standing Regulatory Requirements Without a Reasoned Justification.

WVDEP proposes to modify the 72-hour limitation on stream-crossing duration in Special Condition C to exempt "[s]tream crossings using the dry ditch method" and Section 10 rivers. Those exemptions do not reasonably assure compliance with water quality standards for at least two reasons.

First, by focusing on crossing methodology, the exemptions appear to myopically focus on sedimentation and turbidity at the expense of the aquatic life use. Although sedimentation and turbidity are important water quality considerations, they are not the only potential threats to water quality from prolonged in-stream construction. For example, Mountain Valley Pipeline, LLC, has proposed to dewater significant segments of the Greenbrier River for weeks at a time. Phase I of MVP's Greenbrier crossing would dewater 16,500 square feet of the riverbed for multiple weeks, with Phase 2 dewatering 15,000 square feet on the opposite side for a similar period of time.

Water quality standards “consist of the designated uses of the navigable waters involved and the water quality criteria for such waters based on such uses.” 33 U.S.C. § 1313(c)(2)(A). “[A] project that does not comply with a designated use of the water does not comply with the applicable water quality standards.” *PUD No. 1*, 511 U.S. at 715. All West Virginia waters “are designated for the Propagation and Maintenance of Fish and Other Aquatic Life[.]” W. Va. Code R. § 47-2-6.1. Moreover, West Virginia’s water quality standards prohibit “[a]ny . . . condition which adversely alters the integrity of the waters of the State” or results in an “adverse impact to the . . . physical . . . or biological components of aquatic ecosystems.” § 47-2-3.2.i. Subject to a few narrow and inapplicable regulatory exceptions, those standards “apply at *all times*,” § 47-2-7.2 (emphasis added), and to “the *entire* water body,” OFFICE OF WATER, EPA, 820-B-14-008, WATER QUALITY STANDARDS HANDBOOK 4-4 (2014) (emphasis added).

Dewatering large portions of streambeds for weeks at a time will eliminate their use for aquatic-life propagation and maintenance during construction. *Cf. PUD No. 1*, 511 U.S. at 719 (“[A] sufficient lowering of the water quantity in a body of water could destroy all of its designated uses.”). Fish, mussels, crayfish, and benthic macroinvertebrates will be unable to use the construction areas for foraging, breeding, or refuge. Studies conducted in Pennsylvania examining the effect of reduced flow and dewatering on streams on the Appalachian Plateau have discovered profound reductions in aquatic animal populations as a result of flow loss and dewatering. *See* PA. DEPT. OF ENVTL. PROT., THE EFFECTS OF SUBSIDENCE RESULTING FROM UNDERGROUND BITUMINOUS COAL MINING 2008-2013.⁴ Measures of biological diversity of the macroinvertebrate community declined by thirteen percent in streams with only partial flow loss. *Id.* XI-6. In streams with complete dewatering the declines in macroinvertebrate populations would be even more severe. West Virginia Department of Natural Resources biologist Janet Clayton put it more bluntly: “You can’t dewater a stream and expect aquatic life to live.” John McCoy, *Effect of Marcellus drilling on West Virginia Fisheries could be profound*, McCLATCHY—TRIBUNE BUSINESS NEWS (Feb. 20, 2011).

Notwithstanding the threat of adverse impacts on the aquatic-life use from prolonged streambed dewatering, WVDEP entirely ignores that aspect of the problem in its proposed 401 certification modifications. Special Condition C’s 72-

⁴ By statute the Pennsylvania Department of Environmental Protection is required to conduct a study of the effects of longwall coal mining every five years. The most recent report found that stream dewatering or flow loss are common effects of longwall mining under streams. The report’s findings on the effects of dewatering are therefore informative here.

hour limitation minimizes the duration of aquatic-life impacts and would, in turn, minimize modifications to the physical and biological components of the aquatic ecosystems. Special Condition C's 72-hour limitation serves as a proxy for the threshold below which no significant adverse impacts from streambed dewatering could be expected. By eliminating the time restriction, WVDEP fails to reasonably assure compliance with West Virginia's water quality standards protecting the aquatic-life use.

Second, the exemptions fail to protect a category of rivers where prolonged instream construction may be the most harmful—Section 10 rivers protected by the Rivers and Harbors Act. Those rivers are navigable-in-fact, and the longer that their flow is obstructed by instream construction, the greater the impacts on their use as navigable rivers. Moreover, because of their size, Section 10 rivers are also home to larger aquatic life species, on which reduction in foraging, sheltering, and spawning habitat can have a greater negative impact. Categorically exempting this important class of rivers from the 72-hour restriction on instream construction has the effect of allowing significant segments of those rivers to be dewatered indefinitely and, therefore, cannot reasonably assure compliance with the designated aquatic-life use of those rivers.

Moreover, as with the proposed modification to Special Condition A, the proposed modifications to Special Condition C lack the required reasoned explanation for a change in long-standing agency policy. *See Encino Motorcars*, 136 S.Ct. at 2126; *State Farm*, 463 U.S. at 42, 52; *Fox Television Stations*, 556 U.S. at 515–16. Commenters suspect that the reason WVDEP proposes this change is to remove an obstacle to the use of NWP 12 by certain proposed pipelines that cannot comply with Special Condition C as it is currently written. But changing the rules in favor of a preferred project is not the type of “reasoned explanation” sufficient to justify deviation from a long-standing and well-considered regulatory requirement designed to protect water quality.⁵ The law requires more—specifically an

⁵ In fact, Like Special Condition A, Special Condition C's 72-hour rule dates back to 1992. Nationwide Permits for the State of West Virginia (1992). Although the condition made an exception to the 72-hour rule for stream crossings constructed by blasting in the 1997, 2002, 2007, and 2012 iterations, WVDEP removed the exception to blasting in its 2017 certification, demonstrating a desire to expand the scope of the well-established rule to ensure no stream crossing exceeded 72 hours no matter the construction method. WVDEP has made no effort to justify the complete removal of the 72-hour rule in light of its abiding decades-long presence. Indeed, the existence of a prior narrow exception to the longstanding rule demonstrates that, unlike in this instance, WVDEP could have attempted to

explanation grounded in the facts, circumstances, and underlying statutory purposes, of the long-standing regulatory requirement.

Special Condition C to NWP 12 ensures that stream crossings impose the least environmental damage balanced against the burden placed on utility line developers to construct stream crossings quickly. The proposed modifications do not ensure the same protection to water quality and aquatic communities as the 72-hour rule. Permitting utility developers to create longer periods of dewatering through the use of “dry cuts” is directly contrary to the intent of the original 72-hour rule. Dry cuts remove the dewatered section from aquatic plant and animal habitat and foraging. The longer these crossings are dewatered the longer plants and animals will have to make use of other parts of the river to survive, putting greater competitive stress on the aquatic denizens of neighboring reaches. That would not make Special Condition C more protective. Instead, reducing the amount of time permitted for stream crossing construction is the most obvious—and only—path to greater protection. Consequently, Commenters do not understand how prolonging dewatering in a stream can ever be more environmentally protective.⁶ As a result, WVDEP cannot provide a sufficient reasoned explanation for the proposed modifications to Special Condition C. *See See Encino Motorcars*, 136 S.Ct. at 2126; *State Farm*, 463 U.S. at 42, 52; *Fox Television Stations*, 556 U.S. at 515–16; *see also* W. Va. Code R. §47-5A-5.1.e (requiring WVDEP to prepare a response to significant comments).

modify the condition in a way that maintains the core protections of the condition in most circumstances. That WVDEP did not do this demonstrates the unreasonable nature of its attempted modification.

⁶ Commenters understand that a “dry cut” method likely produces less sedimentation than a “wet cut” method even if the wet cut is completed within 72 hours. Nonetheless, prolonged dewatering from a “dry cut” method increases the ill effects of foraging, stress, and suffocation of aquatic organisms that require water to respire. WVDEP’s decision to impose greater harm from dewatering than from sedimentation should be explained. Further, there are obvious conditions that would both reduce sedimentation and dewatering instead of prioritizing one over the other. For example, WVDEP could require all stream crossings to be completed using the “dry cut” method and in some number of hours less than 72. It could also require conventional boring underneath streams. WVDEP should explain why none of these possible options were selected for the modification.

H. WVDEP's Proposed Modifications to Special Condition L Cannot Be Reasonably Explained and Fail to Reasonably Assure Compliance With Water Quality Standards.

Currently, West Virginia's Special Condition L to NWP 12 provides that “[n]o structures authorized by this permit shall impede or prevent fish movement upstream or downstream.” WVDEP has proposed to modify Special Condition L to limit its application to “permanent” structures, and to remove the prohibition against impediments to fish movement. WVDEP included this condition in its Special Conditions to NWP12 in 2007, 2012, and 2017.

Once again, WVDEP has failed to provide the requisite reasoned explanation for its proposed change in long-standing regulatory requirements. *See Encino Motorcars*, 136 S.Ct. at 2126; *State Farm*, 463 U.S. at 42, 52; *Fox Television Stations*, 556 U.S. at 515–16. Nor can such a reasoned explanation be made. Structures that impede or prevent fish movement, whether permanent or temporary, have the potential to adversely affect the aquatic-life use of the rivers and streams in which they are constructed. Even a *temporary* structure has the potential to restrict fish movement at crucial stages of a species' life-cycle. WVDEP's proposed modifications to Special Condition L give no consideration to the potential effects on the aquatic-life use of West Virginia's rivers. Rather, as with the proposed modifications to Special Condition C, they appear designed to change well-considered rules for the purpose of benefitting certain projects that have found WVDEP's environmental regulation inconvenient.

Moreover, WVDEP cannot contend, as it did in an October 2018 letter to the Corps, that its proposed modifications to Special Condition L are simply clarifying amendments and that it never intended Special Condition L to prohibit temporary structures. In its clarification, WVDEP maintained that (1) “structure”—as used in Special Condition L—does not apply to temporary structures and (2) the “structure authorized by [NWP 12] is the permanent pipeline, not [a] temporary [structure].” Letter from Scott Mandirola, Deputy Cabinet Secretary, to Michael Hatten, Regulatory Branch Chief, Huntington District of the U.S. Army Corps of Eng'rs (Oct. 29, 2018).

But Special Condition L is unambiguous and its plain language cannot be “clarified” in the manner WVDEP attempted in its October 29, 2018 letter. None of Special Condition L's terms limit the “structures” to which it applies to solely permanent or solely temporary structures. Rather, “structure” is modified only by the term “no” as a negative article or quantifier, indicating that “structure” applies broadly and without limitation. *See, e.g., Matamoros v. Starbucks Corp.*, 699 F.3d

129, 134 (1st Cir. 2012) (“‘[N]o’ means ‘no,’ and we interpret that easily understood word in its ordinary sense: ‘not any.’” (Citing dictionary definitions; modification in original.)).

Moreover, the Corps’ NWP’s plainly and unambiguously define “structure” to “include, without limitation . . . any . . . manmade obstacle or obstruction.” (Emphasis added.). When the Corps included the definition of “structure” in the NWP’s in 2007, it explained that it derived the definition from its River and Harbors Act regulations at 33 C.F.R. §322.2(b). *Reissuance of Nationwide Permits*, 72 Fed. Reg. 11092, 11175 (Mar. 12, 2007). When it finalized that regulatory definition of structure in 1986, the Corps explained that it intends obstacles and obstructions to be considered “structures” “whether permanent or not.” *Final Rule for Regulatory Programs of the Corps of Eng’rs*, 51 Fed. Reg. 41206, 41208 (Nov. 13, 1986). Furthermore, the text of NWP 12 itself provides that it “authorizes temporary structures . . . necessary to conduct the utility line activity.” (Emphasis added.) Thus, the term “structure” as used in NWP 12, unambiguously includes temporary manmade obstacles and obstructions, including those used during the construction of utility lines.

WVDEP cannot rely on the long-repealed regulatory definitions of the terms “permanent structure” and “temporary structure” at W. Va. Code R. §§ 47-5A-2.13 and 2.16 (2002) to insist that the proposed modifications to Special Condition L are just clarifying amendments, rather than drastic changes to existing regulatory prohibitions. Those now-repealed definitions must be treated as if they had never existed. *Jefferson Cty. Citizens for Econ. Pres. v. Cty. Comm’n of Jefferson Cty.*, 686 S.E.2d 16, 17 (W. Va. 2009). The definitions were previously part of WVDEP’s legislative rules governing certifications under Section 401. W. Va. Code R. §§ 47-5a-2.13, -2.16 (2002). But the West Virginia Legislature repealed those definitions at WVDEP’s request in 2014, indicating that neither WVDEP nor the Legislature wanted to define them in that way any longer. *Notice of Agency Approval of a Proposed Rule & Filing With the Legislative Rule-making Review Committee* (July 26, 2013), <http://apps.sos.wv.gov/adlaw/csr/readfile.aspx?DocId=25185&Format=PDF>; *Notice of Final Filing & Adoption of a Legislative Rule Authorized by the West Virginia Legislature* (Apr. 14, 2014), <http://apps.sos.wv.gov/adlaw/csr/readfile.aspx?DocId=25746&Format=PDF>.

It has long been the law in West Virginia that, “when an act of the Legislature is repealed without a saving clause, . . . it must be considered . . . as if it had never existed.” *Jefferson Cty. Citizens for Econ. Pres.*, 686 S.E. 2d at 17 (citing *Curran v. Owens*, 15 W. Va. 208 (1879)). And “legislative rules in West Virginia are authorized by acts of the Legislature and . . . [should be] treated as statutory

enactments.’ *Appalachian Power Co. v. State Tax Dep’t*, 466 S.E.2d 424, 435 (W. Va. 1995). Accordingly, the repealed regulations on which WVDEP relied must be treated as if they had never existed and cannot provide context for the meaning of the term “structure” as WVDEP used it in Special Condition L.

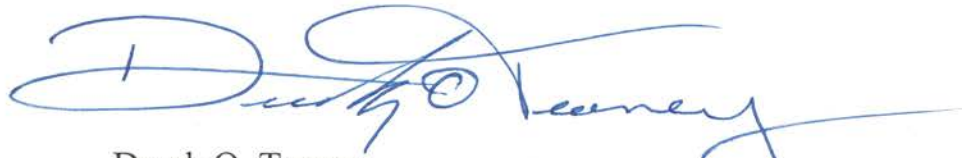
But even if the repealed regulations were to be considered, any effort by WVDEP to assert that the proposed modifications to Special Condition L are clarifying amendments, rather than abrupt policy changes, would defy logic. The repealed regulations did not define the term “structure;” rather, they differentiated “permanent” structures from “temporary” structures for purposes of calculating monetary mitigation. W. Va. C.S.R. §§ 47-5A-2.12, -2.16, -6.2.d.1 (2002). If WVDEP recognizes that structures can be either permanent or temporary, depending on how the term is modified, then it must also know that the use of the term without modification includes both types of structures. The use of the phrase “[n]o structure” in Special Condition L—unadorned by any temporal modifier—unambiguously indicates a prohibition on *all* types of structures that prevent fish movement, regardless of whether temporary or permanent. Accordingly, the proposed changes to Special Condition L are not simply clarifying amendments. Therefore, a reasoned explanation of the modifications is required. *See Encino Motorcars*, 136 S.Ct. at 2126; *State Farm*, 463 U.S. at 42, 52; *Fox Television Stations*, 556 U.S. at 515–16; *see also* W. Va. Code R. §47-5A-5.1.e (requiring WVDEP to prepare a response to significant comments). WVDEP cannot provide a sufficient reasoned explanation based on the reduction in protection of water quality standards—including the aquatic life use—that would accompany the adoption of the proposed modifications to Special Condition L.

CONCLUSION

In sum, WVDEP lacks both *state* statutory and regulatory authority and *federal* statutory and regulatory authority to proceed with its proposed modifications of its Section 401 certification of the Corps’ 2017 NWP’s at this time, and its proposed modifications are impermissible under Fourth Circuit precedent, lack the reasoned explanation required for changes in long-standing regulatory requirements (and indeed cannot be rationally explained), and fail to reasonably assure compliance

with all West Virginia water quality standards. Accordingly, Commenters respectfully urge WVDEP to abandon its unlawful proposed modifications.

Sincerely,



Derek O. Teaney
*Counsel for Sierra Club, West Virginia
Rivers Coalition, West Virginia Highlands
Conservancy, Indian Creek Watershed
Association, Appalachian Voices, and
Chesapeake Climate Action Network*

cc (via electronic mail):

Cosmo Servidio, Regional Administrator, EPA Region 3
Catherine A. Libertz, Director, Water Protection Division, EPA Region 3
Mary B. Coe, Regional Counsel, EPA Region 3
Nina Rivera, Senior Assistant Regional Counsel, EPA Region 3

DATE: March 4, 2019

TO: West Virginia Department of Environmental Protection
401 Water Quality Certification Program
ATTN: Nancy Dickson
601 57th Street South East
Charleston, WV 25304

By Electronic Mail – WQSComments@wv.gov

FROM: Nancy and Wood Bouldin
PO Box 172
Greenville, WV 24945

RE: WVDEP's proposed West Virginia 401 Water Quality Certification Modifications for the U.S. Army Corps of Engineers Nationwide Permits

Ms. Dickson:

We are writing this personal comment as residents who live close to the Mountain Valley Pipeline (MVP), one of the pipelines for which the proposed modifications have been expressly tailored. Our experience is also drawn from being members of Indian Creek Watershed Association; we have been involved both in reviewing and responding to MVP's applications for various permits as well as in observing and reporting to DEP on repeated failures of MVP's erosion and control measures during construction.

We are concerned that the proposed "Modifications" have serious legal, environmental, and economic implications that are not in the best interests of our community or of the State of West Virginia.

Legal Authority and Precedent

We understand that DEP does not have the legal authority to make changes at this time – that is, that the special conditions that DEP itself wrote and approved for the 2017 revision of the Nationwide 12 Permits cannot be "modified" until the next 5-year review/revision.

We leave the details of the legal authority issue to others, and we support comments made by Appalachian Mountain Advocates. From purely a citizen's interest perspective, though, it seems like a dangerous precedent to set. If the public – and even other businesses without the same clout as MVP and ACP – cannot count on the continuity of regulations and the established process for review and revision, it seriously degrades trust in our West Virginia institutions.

Standard Condition 22 is especially objectionable and should be struck. According to DEP's own announcement, this Condition is being added "to allow the waiver of any Standard or Special Conditions of 401 Water Quality Certifications applicable to Nationwide Permits." Funny that its number is 22, because that's just what it sounds like: Catch-22. No limit is placed on the power of the politically appointed Secretary of the DEP to change or waive anything without benefit of public review or comment.

Environmental Issues

In 2017, DEP had some real-world experience with the challenges of large interstate gas pipelines, having dealt with serious construction problems with the Rover Pipeline – a shorter, somewhat smaller (24-inch and 36-inch) set of pipelines crossing the northern panhandle. A cease-and-desist order was required in July 2017.

Therefore, we believe that each of the restrictions written into the 2017 revision were based on a realistic appraisal and for reasons that should not be overturned simply because it is now in certain pipeline owners' and investors' economic interest. We support each and all of the comments made by the West Virginia Rivers Coalition.

In particular, regarding Special Condition A, it's important that pipelines 36-inches and larger in diameter should be excluded from the Nationwide Permit 12 blanket permit. Every stream and wetland crossing is a unique situation and should receive individual 401 certification. When the construction activity is a 42-inch pipeline like the MVP – with upland corridors 125 wide over steep and irregular terrain – detailed studies and engineering plans must be required for each crossing as part of the permit application. One size does not fit all.

If MVP cannot comply with the restrictions, it should not have selected its proposed route ... and that route should never have received DEP approval.

Further, the change to Special Condition A leaves West Virginia vulnerable to seven (7) different highly problematic situations defined in the current condition, including pipelines transporting hazardous substances. Whereas these 7 conditions currently require an individual state water quality certification, the proposed change would carry that protection only at the discretion of the DEP Secretary.

West Virginia's Economic Interests

Economically, it is in West Virginia's best interest to have strong protections for its water quality and predictable regulations for its businesses. The proposed modifications undermine both.

We do not believe that the Mountain Valley Pipeline is in the best economic interests for West Virginia or West Virginians. It does not support sustainable, long-term jobs for West Virginians. The money it claims that it will pay to the counties it runs through come at a high cost of public risk, reduced property values, and reduced appeal of the county as a place to visit or live in.

At some point our state leaders – including the leadership of the Department of Environmental Protection – need to acknowledge that the growing hazard of climate change is not science fiction, it is science reality that we need to prepare for now.

We should not lock our state's future health (economic and environmental) into reliance on pipelines like that MVP that will cost West Virginia dearly in the long run.

Thank you for considering these comments. Please consider the state's future in your decision.

Nancy and Wood Bouldin
Greenville, WV

March 4, 2019

To: WV DEP
Re: Water Quality Standard Criteria
From: The Friends of The Narrows of Hans Creek

The Friends of the Narrows of Hans Creek is a group of friends and concerned citizens who love and protect this unique bio-logical along Hans Creek in Monroe County. The Narrows has been a sacred place for generations. Several of our members have attachments that go back generations and were even raised in The Narrows of Hans Creek.

Currently, "The Narrows" is under threat from a giant frack gas pipeline that threatens the numerous springs, wetland and Hans Creek itself. Several of our members are citizen who were participants to the lawsuits, first against WV DEP and then later the US Army Corps of Engineers in which the US 4th Circuit Court of Appeals vacated the Army Corps of Engineers Nationwide 12 permits for the Mountain Valley Pipeline, We are disappointed and appalled that once again WV DEP is trying to facilitate the destruction of so many of our water resources, like The Narrows of Hans Creek by weakening the water protection currently in place so that Mountain Valley Pipeline and other pipeline companies can build unnecessary pipeline that offer no long term economic value to the area or state.

The permit in question regulates pipeline construction activities in streams and wetlands. We stood united with WV Rivers, Indian Creek Watershed Association and many other organizations and hundreds of WV citizens to question the validity of these permits for the Mountain Valley and other large pipelines when we discovered that they did not meet the permit's requirements.

Several of our members are citizen monitor, affected landowner or adjacent landowners who are in the path of the Mountain Valley Pipeline. They have filed dozens of complaints about the destruction of Hans Creek and the other water sources in this area. Some of these complaints have lead to an issuance of a NOV for this project. Currently WV DEP has issued more than 20 NOV's for the Mountain Valley Pipeline. It is currently under a Federal Investigation for violations to the Clean Water Act, why would you even contemplate weakening the standards and not strengthening them is beyond imagination.

WV DEP must not allow exemptions to the 72-hour stream crossing restriction. This condition helps to minimize impacts to water quality and aquatic life, such as micro-organisms that all aquatic life depends. Numerous water monitoring trainings have been held in the Narrows of Hans Creek due to its high water quality and abundance aquatic life. Weakening these stream protections will have severe and prolonged impacts to the life in this stream. Agencies like WV Division of Natural Resources rely on this 72-hour restriction to determine if construction during fish spawning seasons will have ill-effects on fish populations.

WV DEP should not allow temporary impediments to fish passage. This condition helps to minimize impacts to fish species, such as the endangered Candy Darter which has been observed in Hans Creek and nearby Indian Creek, which Hans Creek is a major tributary. WV DEP attempt in changing this condition to allow structures to impede fish passage as long as they are not permanent is wrong headed. Another problem is that you have forgotten to define what temporary the length of time that fish passage will be prevented. I believe that even temporary impediments could be catastrophic to fragile fish and other aquatic life like the endangered Candy Darter, the endangered Hell Bender Salamander and various mussels, crayfish and other fragile aquatic life that have a historical and in some instances a present existence in the Narrows of Hans Creek.

Waiving the requirement for an individual water quality certification for large pipeline is just capitulations to these pipeline companies and will allow them to destroy our streams, springs, wetlands and underground aquifers. This condition is in place to assure that stream and wetland crossings for large-scale pipelines (over 36" in diameter) get the careful analysis and individualized plans required to better ensure protection of water quality. If you waive this requirement for these companies, what regulation will be waived in the future for another major polluting industry? This could/would set a dangerous precedent in the future.

Allowing for the removal of any permit conditions with no public scrutiny is wrong and possibly illegal. These standard and special permit conditions are in place to make sure that when a nationwide permit is used there is a baseline of protections that will be enforced. They have been developed over many years with lots of citizen and legal input. These conditions become meaningless if WV DEP is allowed to remove or waive them, especially without any requirement for public notice and comment.

WV DEP states the modifications are necessary so that companies are not prevented from using more environmentally protective methods. We believe that this simply not true. WV DEP currently has the authority to reject coverage of large-scale projects under a one-size-fits-all Nationwide Permit and can instead come up with protective methods customized to the needs of these large scale projects through an individual permit. This is just an attempt, once again, for WV DEP to shirk its responsibility to protect the environment and water quality in the state of West Virginia and it is disgusting.

Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

It is totally unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

We therefore vigorously oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

Sincerely,

Herman R. Mann

Founder Member and Spokesman for --The Friends of the Narrows of Hans Creek

Greenville, WV 24945



March 4, 2019

West Virginia Department of Environmental Protection
ATTN: Nancy Dickson
601 57th Street SE
Charleston, WV 25304-2345

Re: Comments on Revisions to Standard and Special Conditions of the West Virginia 401 Water Quality Certification Applicable to Nationwide Permits

To Whom it May Concern:

My law firm represents the Monacan Indian Nation (“Nation”). I write to assert the Nation’s interests and comments as a federally recognized tribe on the proposed changes to Special and Standard Conditions required by Section 401 of the Clean Water Act (“CWA”). The Nation is deeply concerned about the impacts that these proposed rule changes will have on the water quality and sites of cultural significance to the Nation in West Virginia. The Nation is a federally recognized tribe headquartered in Amherst County, Virginia, and is comprised of more than 2,500 tribal citizens throughout Virginia and West Virginia.

The Nation urges the West Virginia Department of Environmental Protection (“WVDEP”) to reject the proposed changes because, in violation of the CWA, they have the effect of eliminating agency accountability by undermining public participation. Specifically, they allow the Secretary of WVDEP (“Secretary”) or the permittee the sole discretion to make critical certification and construction decisions on applications without the opportunity for meaningful public comment or public hearing. These modifications also unlawfully appear to be preordained to assist the Mountain Valley Pipeline (“MVP”) project to proceed without an individual permit.

A. These modifications have the effect of eliminating agency accountability by undermining public participation.

The CWA requires that a state must “establish procedures for public notice in the case of **all applications for certification** by it and, to the extent it deems appropriate, procedures for public hearings in connection with **specific applications.**” 33 USC. § 1341(a)(1) (*emphasis added*). However, West Virginia proposes to modify Standard Condition 22 to allow the Secretary the sole discretion to waive any Standard or Special Condition of Section 401 Water Quality Certifications applicable to nationwide permits (NWP) on a cases-by-case basis without any further notice to the public or ability for comment. The same is true for the proposed modifications of Special Condition A, which would allow the Secretary to determine on a case-by-case basis whether to waive individual water quality certification altogether. Likewise, the amendment to Special Condition C allows the permittee nearly sole discretion in the method and completion time for stream crossings.

The CWA specifically contemplates and requires a notice-and-comment process for case-specific modifications of conditions imposed as part of a state's Section 401 certification of a NWP. *Id.* To allow the Secretary the sole power to make certification decisions or waive any condition on a case-by-case basis “would constitute a back-door mechanism for a state to circumvent Congress's intended notice-and-comment process....” *Sierra Club v. United States Army Corps of Eng'rs*, 909 F.3d 635, 654 (4th Cir. 2018). Accordingly, these modifications preclude meaningful public participation as contemplated by the CWA and must be rejected.

B. The modifications are unlawfully preordained to assist the MVP to proceed without an individual permit.

These modifications are so drastically skewed in favor of development that they appear designed to “reverse-engineer” and justify construction of the MVP under a NWP rather than a more environmentally protective individual permit that allows for public comment. This type of rule “gerrymandering” was specifically prohibited by the Fourth Circuit in *Cowpasture River Pres. Ass'n v. Forest Serv.*, 911 F.3d 150, 179 (4th Cir. 2018) (*finding* the Forest Service acted arbitrarily and capriciously in adopting an environmental impact statement because the decision appeared to be preordained and reverse-engineered to justify a particular outcome).

The Standard and Special Conditions in West Virginia have been in place for many years. Once the Fourth Circuit found that West Virginia was precluded under its own rules from certifying the MVP, it decided to waive its rules. When that was not enough to help the MVP proceed under a NWP, the State is now attempting to change its rules to allow for the project to proceed without further public participation. This type of maneuvering is clearly done in bad faith and degrades the entire rulemaking system.

The proposed modifications give developers and the Secretary the ability to make unfettered, politically expedient decisions that preclude stakeholders like the Nation and local communities from commenting on the damaging effects of development projects like MVP. Such unchecked power allows for the destruction or damage of the very resources the Special Conditions were designed to protect. For instance, the dry ditch stream crossing method, threatens both cultural and natural resources, and has a higher likelihood of damaging vulnerable cultural resources preserved by waterways. Yet these modifications allow the permittee solely to decide whether to use this stream crossing method.

Preventing public comments at this stage of the MVP permitting process is especially significant to the Nation because the Nation was wrongfully precluded from consulting on the MVP project pursuant to the National Environmental Policy Act and the National Historic Preservation Act at the federal level. The Nation’s concern for natural and cultural resources on their ancestral lands extends to water quality, as water is of central significance to the Nation. The Monacan people have lived in the Piedmont area of Virginia and West Virginia for thousands of years and have depended on local rivers and wetlands for survival as well as cultural sustenance. Material and human remains are frequently identified near the rivers and in the riverbeds, which have a remarkable ability to preserve archeological materials. Today, the Nation continues to consider itself a steward and protector of the water, but these rule modifications strip their rights to consultation.

C. The WVDEP must reject these proposed rule changes as contrary to law and policy.

With these proposed modifications, West Virginia would effectively eliminate the only check and balance incorporated into agency accountability during certification and degrade the integrity of the entire process. The Nation has not been afforded the opportunity for meaningful consultation on the MVP project, and by amending these Conditions, rather than requiring MVP to seek an individual permit under Section 404 of the CWA from the Corps of Engineers, the WVDEP is denying the Nation and the community a critical opportunity to have input on the project.

The Nation urges the WVDEP to reconsider and reject its proposed changes to the Standard and Special Conditions as contrary to law and policy as discussed above. Thank you in advance for your time and careful attention to the Nation's concerns. You may contact me at marion@culturalheritagepartners.com or 202.567.7594 with questions.

Sincerely,



Marion F. Werkheiser
Attorney at Law



March 4, 2019

West Virginia Department of Environmental Protection
401 Water Quality Certification Program
ATTN: Nancy Dickson
601 57th Street SE
Charleston, WV 25304-2345

Re: Comments on West Virginia Department of Environmental Protection's Proposed Modification January 2019 to Clean Water Act Section 401 Water Quality Certification for the U.S. Army Corps of Engineers 2017 Nationwide Permits

Dear Ms. Dickson:

Mountain Valley Pipeline, LLC (MVP) appreciates the opportunity to submit comments on West Virginia Department of Environmental Protection's (WVDEP) proposed revisions to its Clean Water Act (CWA) Section 401 Water Quality Certification (WQC) for the U.S. Army Corps of Engineers' (Corps) 2017 Nationwide Permits (NWP). MVP supports these revisions, which allow the State and the Corps to authorize activities that have only minimal impacts on the aquatic environment through the streamlined and efficient nationwide permitting process. The availability and usefulness of NWPs is essential to meeting the nation's energy demands in a timely and safe manner. Indeed, Congress designed the NWP program to promote administrative efficiency and provide timely and streamlined authorizations for projects that have only minimal adverse environmental effects. The proposed modifications to WVDEP's WQC further these important goals.

Standard Condition 22:

WVDEP proposes to add Standard Condition 22, reserving to itself the right to waive any of the standard or special conditions of the blanket § 401 certification at its sole discretion. This is consistent with Section 401(a) of the Clean Water Act, which recognizes States have the right to waive their authority to issue water quality certifications without any limitation. The proposed revision simply aligns WVDEP's 401 certification for NWP 12 with Section 401 of the CWA. Section 401 confirms that where a State fails to act on an application for a 401 certification within one year, the requirement for the applicant to obtain a certification is waived. 33 U.S.C. § 1341(a).

The proposed revision also addresses the ruling by the Fourth Circuit in *Sierra Club v. U.S. Army Corps of Engineers*, No. 18-1173 (4th Cir. Nov. 27, 2018) that the existing blanket certification did not allow for waiver of specific conditions. There, the Court ruled WVDEP's failure to include the right to waive § 401 in its blanket certification means that Special Condition A requires an individual certification, and not a waiver, for those pipelines meeting the criteria in Special Condition A. This proposed revision would make clear that WVDEP reserves the right to waive any condition of the blanket certification for any particular authorization. Because the new Standard Condition 22 has undergone public notice and comment, it meets any public notice criteria in § 401 or in the Corps' rules at 33 C.F.R. §330.4(c)(1).

Special Condition A:

WVDEP proposes to revise Special Condition A to NWP 12. The current certification requires an individual § 401 certification for pipelines having certain characteristics, such as specified dimensions or contents. That certification does not contain any explanation for why those listed pipelines are subject to a requirement for an individual certification or how an individual certification provides any greater environmental protection than either a waiver or the blanket certification conditions. The proposal would no longer require individual certifications for those specified pipelines, and instead reserves to WVDEP the right, in its sole discretion, to require an individual certification without reducing environmental protections.

Special Condition C:

WVDEP also proposes to revise Special Condition C to NWP 12. Currently, that condition requires individual stream crossings to be completed within 72 hours, but also exempts certain of the State's largest rivers from the condition (Ohio, Kanawha, New, Monongahela and Little Kanawha). WVDEP proposes now to revise the condition to provide that the 72-hour restriction applies only to open, wet cuts where the excavation area is not isolated from open waters, and that crossings using dry ditch methods are exempt from the 72-hour restriction. MVP supports this revision, because it allows WVDEP, the Corps, and (where appropriate) FERC to select more environmentally protective stream-crossing techniques without requiring an individual permit or individual water-quality certification.

MVP's permitting experience demonstrates why this revision is appropriate. The environmental review process for the MVP project began in October 2014. The Federal Energy Regulatory Commission (FERC) issued a comprehensive draft Environmental Impact Statement and solicited public comment on the proposed project. FERC addressed a comment regarding the "wet" open-cut crossing method MVP originally proposed. In response, MVP agreed to use more environmentally protective "dry" crossing methods, which would result in substantially lower levels of turbidity and sedimentation. The Corps and WVDEP approved this more environmentally protective method, recognizing that, for certain crossings, the 72-hour provision would be exceeded. The agencies agreed, however, that use of the "dry," open-cut technology was appropriate because it would be more protective of water quality than any technology that might meet the general time requirement in Special Condition C.¹

Although there is a limited record explaining why Special Condition C was initially adopted, it has generally been understood to act as a proxy for limiting turbidity. In practice, however, the 72-hour restriction is contrary to that goal because it fails to account for modern technologies (such as dry crossing methods) that better protect the environment and reduce turbidity and sedimentation but may take longer to complete.

As MVP explained in a letter on September 17, 2018, responding to an earlier set of proposed §401 certification revisions, this type of time restriction for crossings is unique to West Virginia. Based on our review, no other state east of the Mississippi River has adopted a similar time restriction in their WQCs for the 2017 NWP 12. Many states actually mandate dry crossings. For example:

¹ See WVDEP Letter of 5/31/18 to Corps re: NWP Verification (NWP 12)-Mountain Valley Pipeline (included as Attachment A); Corps of Engineers' Memorandum for Record re MVP 2-3 & 5-6 (July 3, 2018) (included as Attachment B).

- “Authorized dewatering is limited to immediate work areas that are within coffer dams or otherwise isolated from the larger waterbody or waters of the United States.” New York State Department of Environmental Conservation’s Section 401 Blanket WQC, General Condition 6.²
- “Utility line stream crossings shall be constructed by methods that maintain flow and allow for a dry excavation.” Commonwealth of Kentucky, General Certification — NWP 12, Condition 13.³
- “All work in or adjacent to streams shall be conducted so that the flowing stream does not come in contact with the disturbed area. Approved best management practices... such as sandbags, rock berms, cofferdams, and other diversion structures shall be used to minimize excavation in flowing water.” State of North Carolina, Department of Environmental Quality, Water Quality General Certification for NWP 12, No. 4133, General Condition 9.⁴
- “Cofferdam dewatering activities must use filter bags, upland sediment basins/traps, or a combination of other appropriate sediment control measures to minimize the discharge of sediment-laden water into waters of the U.S.” Indiana Department of Environmental Management, WQC for 2017 NWPs.⁵

Other states do not mandate dry crossings, but they also do not impose a specific time restriction. *See, e.g.*, Ohio Environmental Protection Agency, Section 401 Water Quality Certification for the 2017 NWPs;⁶ Commonwealth of Virginia, Department of Environmental Quality, Section 401 Water Quality Certification of the 2017 NWPs.⁷

The environmental benefits of dry crossing techniques that exceed 72 hours are significant.⁸ One study found that while the “dry” cut (or “isolated”) crossings took three to five times longer than the wet cut crossings, “mean [total suspended solids] concentrations during all phases of open-cut [wet] crossings were significantly higher than [isolated crossings].” Reid, et al. at 86-87 (2004). The study further concluded that “large increases to downstream [sediment] concentrations were rare ... during dam and pump [dry] crossings.” *Id.* at 87.

MVP supports WVDEP’s proposal to clarify and update Special Condition C to allow more environmentally-protective methods for stream crossings. The proposed modifications would allow the Corps to tailor future NWP authorizations to achieve greater water quality protection and ensure the availability and use of NWPs for critical and time sensitive energy projects in the State. MVP also suggests

² Available at https://www.dec.ny.gov/docs/permits_ej_operations_pdf/wqcnwp2017.pdf.

³ Available at <https://eec.ky.gov/Environmental-Protection/Water/PermitCert/WQ401Cert/Documents/General%20Certification%20Conditions%20NWP%2012.pdf>

⁴ Available at <https://edocs.deq.nc.gov/WaterResources/DocView.aspx?dbid=0&id=613091&page=1&cr=1>

⁵ Available at https://www.in.gov/idem/wetlands/files/section_401_army_corp_nationwide_permits.pdf.

⁶ Available at <https://epa.ohio.gov/Portals/35/401/2017%20Nationwide%20Permits%20for%20Ohio.pdf>

⁷ Available at

<https://www.deq.virginia.gov/Portals/0/DEQ/Water/WetlandsStreams/Final%20401%20Certification%202017%20NWP%20with%20typos%20corrected.pdf> (certification for NWP 12 expressly authorizing temporary diversions of surface water associated with “pump arounds” during construction of utility crossings).

⁸ *See, e.g.* Reid, et al., *Sediment Entrainment During Pipeline Water Crossing Construction: Predictive Models and Crossing Method Comparison*, 8 J. Env’tl. Sci. 81 (2004); Reid, et al., *Effectiveness of Isolated Pipeline Crossing Techniques to Mitigate Sediment Impacts on Brook Trout Streams*, Water Quality Resource Journal of Canada, Vol. 37, No. 2 (2002).

that WVDEP specify that the changes to Condition C are available for projects that have already been verified by the Corps to meet the terms and conditions of NWP 12, upon the Corps' agreement to accept, or approval of, WVDEP's modification of its 401 WQC.

Miscellaneous:

MVP respectfully requests that the Agency clarify that if WVDEP either requires an individual certification or waives certification for a project-specific NWP authorization, then none of the § 401 conditions imposed on NWP 12 by WVDEP's blanket certification would apply; instead, either the conditions of the individual certification would apply, or no conditions would apply based on WVDEP's waiver.

Thank you for your time and consideration.

Sincerely,



Robert Pichardo
Equitrans Midstream – Sr. Staff Attorney

March 4, 2019

To: West Virginia Department of Environmental Protection

From: Preserve Monroe PO Box 76 Union WV 24983

Preserve Monroe is a coalition of landowners, residents, businesses and organizations in Monroe County and people who have ties to Monroe County, we are terribly disturbed and concerned that the modifications that the WV Department of Environmental Protection has proposed would weaken our stream and water protections to accommodate industry who focus is not on protecting our environment or helping our economic development.

Monroe County is a rural county that depends upon its world class water to sustain its citizens needs, the needs of its agricultural base and the growing tourism industry. As noted by US Senator Joe Manchin at a town hall meeting held in Peterstown in March of 2018 to honor the late Pete Ballard, "Everyone knows that Monroe County is all about water and we have to protect it." Monroe County also has water bottling and supply businesses that produce "World Class Water". It has been known for centuries as the land of water.

The permit in question regulates pipeline construction activities in streams and wetlands. We join with WV Rivers, Indian Creek Watershed Association, the Greenbrier Watershed Association and the many other organizations and hundreds of WV citizens to question the need to change the Water Quality Standards.

Several of our members are citizen monitors with Mountain Valley Watch and are affected landowner or adjacent landowners in the path of the Mountain Valley Pipeline. Our members have filed over 100 complaints with WV DEP, documenting hundreds of violations to water quality issues, many of them are repeated violations. Currently WV DEP has issued 22 NOV's for this one project, this points to the pressing need for strengthen the WV Water Quality Standards and certainly not weakening them.

WV DEP must certainly not change the 72 hour exemption to allow stream crossing. Please do not change this restriction! This condition helps to minimize impacts to water quality and aquatic life, such as micro-organisms that all aquatic life depends. It is proven science that prolonged dewatering of streambeds will have severe impacts to the life in a stream. Agencies like WV Division of Natural Resources rely on this 72-hour restriction to determine if construction during fish spawning seasons will have ill-effects on fish populations.

WV DEP cannot reasonably allow temporary impediments to fish passage without adequately defining the duration of the impediment. *The purpose of the current condition helps to minimize impacts to fish species, such as the endangered Candy Darter found in streams in Monroe County, by preventing structures that impede fish passage. DEP is proposing to change this condition to allow structures to impede fish passage as long as they are not permanent; however the length of time that fish passage will be prevented is not defined. We believe that even temporary impediments could be catastrophic to fragile fish as well as other aquatic life like crayfish and mussels.*

Waiving the requirement for an individual water quality certification for large pipelines would allow the installers to destroy or severely impact our streams, springs, wetlands and underground aquifers. *We are very concerned about the fragile karst area found throughout Monroe County and especially Peters Mountain that provide water to all the Public Service Districts in Monroe County as well as many private wells and springs. This condition is in place to ensure that stream and wetland crossings for large-scale pipelines (over 36" in diameter) get the careful analysis and individualized plans required to better protect water quality. The proposed change would set a precedent that could backfire in the future.*

Allowing for the removal of any permit conditions with no public scrutiny would deny input from key stakeholders. *These standard and special permit conditions are in place to make sure that when a nationwide permit is used there is a baseline of protections that will be enforced. They have been developed over many years with lots of citizen and legislative input.*

WV DEP states the modifications are necessary so that companies are not prevented from using more environmentally protective methods. Our intent is not to prohibit companies from using more environmentally protective methods, but we have seen any more environmental protect methods described in the proposed changes. Can you please supply us with a list the more environmental protective changes you are referring too?

In their current state, we see no environmental or economic reason for these proposed changes. We therefore would encourage the DEP to continue with the current 401 Water Quality Standard to provide stream and wetland protections tailored to each pipeline project.

We therefore cannot support the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits in their current state.

Sincerely,

PRESERVE MONROE



March 4, 2018

WV Department of Environmental Protection
Division of Water and Waste Management
601 57th Street South East
Charleston, WV 25304

Re: 401 Water Quality Certification Program

Submitted via: WQSComments@wv.gov

Secretary Caperton:

West Virginia Rivers Coalition, on behalf of our members and the 19 organizations signed below, respectfully submit the following comments on the proposed modifications to the West Virginia 401 Water Quality Certification for U.S. Army Corps of Engineers (USACE) Nationwide Permits. We oppose the proposed changes to the standard and special conditions, which weaken protections for West Virginia's rivers and streams.

The public notice of the proposed modifications was inadequate. The public must receive adequate notice of the DEP's proposed modifications. With the September 2018 NWP 401 Certification proposed modification, the DEP posted the public comment period on the DEP Public Information Office's news webpage. The January 2019 proposal was not listed on the Public Information Office's news webpage. Furthermore, there was no record of the public notice posted to the DEP Public Notice Mailing List. The notice was placed on DEP's 401 Water Quality Certification webpage, but that does not satisfy the public notice requirements.

The modifications may weaken or eliminate protections for every Nationwide Permit as applied in West Virginia. We are adamantly opposed to the proposed revisions to Standard Condition 22, which allows DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits.

This modification is overly broad and vague. It applies to every nationwide permit. It does not provide any specifics regarding guidelines as to when waiving a condition is appropriate. And it does not specify what public process, if any, will be undertaken to ensure that waivers of standard or special conditions will undergo public notice, scrutiny, and comment.

The modification cites Section 401(a) of the Federal Water Pollution Control Act [33 U.S.C. § 1341(a)]; however, this section of the Act grants the State the authority to waive a certification if not acted on within a year. It does not give the State the authority to waive special or standard conditions within the certification.

The modifications allows for waivers of Individual 401 Certification under Nationwide Permit 12. We are adamantly opposed to the proposed changes to Nationwide Permit 12 West Virginia 401 Water Quality Certification Special Conditions, appearing under 12.A. The

relevant underlined added language reads:

“The Secretary of the West Virginia Department of Environmental Protection, in the Secretary’s sole discretion, reserves the right to require an individual water quality certification for any of the following facilities or impacts:”

This added language changed from the original language:

“Individual State Water Quality Certification is required.”

By making this change DEP opens the door to allow waivers of the Individual 401 Certification. This could be done without any public scrutiny or input, which is unacceptable. The change would cut the public out of any decision making processes.

The Individual 401 Certifications on NWP 12 were subjected to public notice and comment, and stakeholders had the opportunity to seek administrative and judicial review of them. The proposed change enables the state to unilaterally waive those requirements for an individual permit now and deprives stakeholders of the opportunity for public participation or to seek administrative or judicial review.

Moreover, because the special conditions on NWP 12 are now conditions of the nationwide permit itself, DEP does not have the authority under federal or state law to unilaterally waive those requirements for an individual 401 permit.

Exempting dry ditch crossing methods and large rivers from the 72-hour requirement does not consider impacts on aquatic life. The proposed change to the Special Condition C under Nationwide 12 allows for the exemption of the 72-hour crossing time restriction for dry crossing methods and large navigable river crossings. The longer crossing time does not consider the effects on aquatic life. The effect of dewatering the stream bed for prolonged periods on aquatic life was not taken into consideration when proposing this modification.

In its biological opinion for the Atlantic Coast Pipeline, the US Fish and Wildlife Service lists dewatering of mussel beds and increased sedimentation as two of the threats leading to the decline of Clubshell mussels. Clubshell mussels are also listed as species of concern for three water crossings on the Mountain Valley Pipeline. Candy Darters are also known to inhabit the Greenbrier and Gauley River Watersheds and were just recently listed under the Endangered Species Act with designated habitat where the Mountain Valley Pipeline proposes to cross the Gauley River and the Atlantic Coast Pipeline proposes to cross the Greenbrier River. The impacts of dewatering the streambed for prolonged periods on species of concern, such as Candy Darters and Clubshell mussels, must be taken into consideration prior to removing the 72-hour requirement.

The change to the 72-hour requirement affects other agency decisions. DEP relied on the 72-hour stream crossing condition when issuing the State General Water Pollution Control Permit for the Atlantic Coast and Mountain Valley Pipelines. On both projects in its response to comments for why an anti-degradation review is not needed, DEP states, “The Stormwater

Pollution Prevention Plan (SWPPP) for this project requires that additional protective measures will be employed at crossings of and in proximity to Tier 3 and trout streams. The additional measures include...stream crossings in these areas will be completed within 72 hours once the crossing has begun..." By exempting large rivers and dry crossing methods from the 72-hour stream crossing condition, DEP would also invalidate the protections afforded streams under the General Stormwater Construction Permit and undermine its own rationale of why an anti-degradation review is unnecessary.

Other state agencies rely on the special conditions included within the Nationwide Permits. WVDNR refers to the condition requiring crossings to be completed in 72 hours in its spawning waiver approvals, and assumes when issuing those waivers that the applicant will comply with the 72-hour restriction. Allowing an exemption to this condition would therefore undermine WVDNR's spawning waiver approvals. Changing this condition to allow longer crossing durations during which the stream bed is dewatered for prolonged periods would have detrimental effects on aquatic life, especially in areas where WVDNR relied on this rule to allow construction during the spawning season.

Modifications would allow structures that prevent fish movement between upstream and downstream for an undetermined length of time, as long as the structure is not permanent.

The proposed modification to Special Condition L under Nationwide 12 would allow temporary structures that prevent fish passage. There is no specific timeframe for how long fish movement can be prevented as long as it is eventually restored. This change could have detrimental effects on fish species, including sensitive species such as the native brook trout and the endangered candy darters.

Fish movement ranges from short daily movements to seasonal migrations. The degree of fish movement depends on water levels, river flows and temperature. Fish need unimpeded movement in a waterway to access seasonal food sources, breeding areas, various habitat types and drought refuges. Structures that prevent fish movement may impact the fish's ability to find adequate food, escape poor habitat conditions, or reach spawning grounds. Severing the connectivity of aquatic habitat for prolonged periods can prevent fish from migrating to various areas in the stream that are used during their different life stages. Migration barriers have the potential to restrict available habitats, interrupt seasonal movement patterns, and lead to individual losses due to isolation events. Structures preventing fish movement for long periods of time can alter the biology of the stream. These structures may also exacerbate flooding issues during high flow events.

Modifications undermine the Secretary's position that NWP 12 Special Conditions are needed to prevent impacts. In the Secretary's letter to staff regarding the Mountain Valley Pipeline 401 Waiver, he endorses the conditions put in place by the agency when certifying the 404 permit by stating:

"That 401 Certification had several conditions to ensure that temporary impacts to West

Virginia's waters would be minimized, and mitigation would be provided for permanent impacts. Importantly, during the same period of time that the WVDEP was working on this MVP individual certification, it was also developing special conditions for the reissuance of the USACE nationwide permit...The special conditions West Virginia included in it is certification on the newly reissued Nationwide 12 permit (in April 2017) largely mirrored the conditions that West Virginia had previously placed (in March 2017) on the MVP's 401 Individual Certification...Because the newly issued Nationwide 12 permit included updated state conditions that were similar to those contained in MVP's previous individual 401 Certification, WVDEP determined it was unnecessary to repeat them in an Individual Certification. As a result, it waived the 401 Certification...To be clear – by waiving the 401 Individual Certification, we are not abandoning our duty to protect the water quality of West Virginia. In fact, the new Nationwide 12 permit is 401 certified by West Virginia and includes state specific conditions relative to pipelines. Combined with the state Construction Stormwater Permit, we are in a stronger position to effectively regulate all pipeline construction in West Virginia."

The DEP has previously relied on and endorsed the conditions under the 401 Certification for nationwide permits. It is problematic for DEP to change its course now in what appears to be a move to accommodate non-compliant plans and permits of certain projects.

Proposed modifications does not maintain the water's designated use as required by law. State water quality standards are the basis for controlling pollutants in West Virginia's water resources. The standards consist of designated beneficial uses, water quality numeric and narrative criteria, an anti-degradation policy, and other general policies on implementation. The water quality standards and criteria ensure that the beneficial uses are maintained and protected. DEP is mandated by the *Requirements Governing Water Quality Standards Rule - Title 47CRS2* to maintain the rivers designated use; including public water supply and recreation. The proposed modifications do not ensure that the waterbodies' designated uses will be maintained.

The Mountain Valley Pipeline proposes to cross the Gauley and Greenbrier Rivers, and the Atlantic Coast Pipeline proposes to cross the Buckhannon River, rivers that also serve as the source water for public water supplies directly downstream of the crossing locations. Exempting these river crossings from the Special Condition C would put undue hardships on the water treatment facilities by requiring the facilities to filter excess sediment in the source water for a duration of approximately 4 to 6 weeks or longer. The rivers' designated use would not be maintained as a public drinking water source. Exemptions to the 72-hour condition do not ensure that the beneficial uses will be maintained and protected as required under the Clean Water Act.

The Greenbrier, Gauley, Buckhannon and Elk Rivers are popular recreational destinations for

boating, swimming and fishing. The proposed modifications to Special Conditions C and L would impact the recreational use of these rivers. Allowing pipeline construction for an unrestricted duration coupled with impoundments that impede the flow will have detrimental effects on the recreational use of the impacted sections of these rivers. No recreation can occur during construction and the construction could last the majority of the popular recreational season. DEP's proposed modifications to the special conditions do not maintain the rivers' designated use for recreation.

The proposed modifications are untimely, unlawful and unnecessary. The DEP issued its recertification of the 401 for nationwide permits in 2017. Nationwide recertification is only necessary every five years. These modifications must wait until the 2022 recertification period. Opening the recertification process prematurely sets a precedent and disrupts the regulatory framework that industry, environmental organizations, state regulatory agencies, and other stakeholders rely on for continuity, transparency and certainty.

DEP has provided no justification for the proposed modifications to ensure that projects will still be able meet the state's water quality standards. Likewise, the proposed modifications do not protect the rivers' and streams' designated uses. DEP cannot lawfully modify regulations without justification simply because the companies are not able to comply.

These modifications are not necessary for DEP to enable a company to use the most environmentally protective methods available. The agency has the authority now to deny large construction projects coverage under nationwide permits and require individual 401 Water Quality Certifications. Instead of following through with the proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each project.

Signed,

Angie Rosser
West Virginia Rivers Coalition

Lew Freeman
Allegheny Blue Ridge Alliance

Rick Webb
Highlanders for Responsible Development

Eric Engle
Mid-Ohio Valley Climate Action

William DePaulo
Keepers of the Mountains Foundation

John Walkup, III
Greenbrier River Watershed Association

Helen Kimble
Friends of Nelson County, Virginia

Bruce Baizel
Earthworks

Cindy Rank
West Virginia Highlands Conservancy

Wayne Woods
Doddridge County Watershed Association

Chris Chanlett
Friends of the Lower Greenbrier

Howdy Henritz
Indian Creek Watershed Association

Robin Broder
Waterkeepers Chesapeake

Mara Robbins
Preserve Floyd County, Virginia

Duane Nichols
Monongahela Area Watersheds Compact

Allen Johnson
Christians for the Mountains

Beth Little
Eight Rivers Council

Heidi Dhivya Berthoud
Friends of Buckingham County, Virginia

Lisa Feldt
Chesapeake Bay Foundation

Lynda Majors
Preserve Montgomery County, Virginia



Comments to Proposed "Modification of West Virginia State 401 Water Quality Certification Conditions for U.S. Army Corps of Engineers 2017 Section 404 Nationwide Permits"

To: 401 Water Quality Certification Program
Attn: Nancy Dickson
601 57th Street SE
Charleston, WV 25304-2345

Via E-mail: WQSComments@WV.gov

The West Virginia Oil & Natural Gas Association ("WVONGA") appreciates the opportunity to submit the following comments on the proposed Modification of West Virginia State 401 Water Quality Certification Conditions for U.S. Army Corps of Engineers 2017 Section 404 Nationwide Permits ("Proposed Modification"). The Proposed Modification was issued by the West Virginia Department of Environmental Protection ("WVDEP") in January 2019, including a notice that written comments must be submitted to the 401 Water Quality Certification Program by March 4, 2019.

Chartered in 1915, WVONGA is one of the oldest trade organizations in West Virginia and serves the entire oil and gas industry. The activities of WVONGA members include construction, environmental services, drilling, completion, gathering, transporting, distribution and processing of oil, natural gas and their constituents. WVONGA members operate in almost every county in West Virginia and employ thousands of people across the State, with payrolls totaling hundreds of millions of dollars annually. Members have cumulative investment of nearly ten billion dollars in West Virginia, account for most of the production and recent well work permits, operate more than 20,000 miles of pipeline across the state and provide oil and natural gas to more than 300,000 West Virginia homes and businesses. As such, WVONGA's members have a keen interest in all aspects of regulation associated with oil and gas activities, including the Proposed Modification.

1. WVONGA supports the proposed changes to Special Condition 12.A, which specifies the types of activities for which the DEP may require an individual water quality certification. We believe this is simply a reflection of existing law under Section 401 of the Clean Water Act but is an appropriate modification in light of recent arguments by anti-pipeline entities that the current 401 certification imposes an "unwaiveable" obligation to obtain an individual certification.

2. WVONGA supports the proposed changes to Special Condition 12.C: The existing 72-hour restriction has been in the certification since at least 2002, but to our knowledge has never been explained in a public notice or response to comments. There have always been exceptions in the rule for certain listed rivers (e.g., Kanawha, Ohio, etc.) but now

WVDEP proposes to exempt all rivers covered by Section 10 of the Clean Water Act and those using the "dry ditch method." We support this expansion, which recognizes that most of these waters are either simply too large to cross in 72 hours using any technique or could be adversely impacted by encouraging the use of shortcuts in controlling sediment releases by rushing to complete a crossing in under 72 hours.

WVONGA assumes that the 72-hour restriction was intended primarily as a restriction on open wet cuts of waterbodies, where extended operations without the use of cofferdams, flumes, or pump-arounds to isolate the work area from disturbance may pose a heightened risk of sediment releases. Studies over the past two decades have shown that while wet cuts can generally be done effectively, especially during dry or low flow conditions, for larger streams with greater flows, dry cuts generally provide lower risk of sediment releases to downstream waters. See, e.g., Reid, et al., *Effectiveness of Isolated Pipeline Crossing Techniques to Mitigate Sediment Impacts on Brook Trout Streams*, Water Qual. Res. J. Canada, 37:2, 473-88 (2002); Reid, et al., *Sediment Entrainment During Pipeline Water Crossing Construction: Predictive Models and Crossing Method Comparison*, J. Env'tl. Eng. Sci., Vol. 3, 81-88 (2004). However, because of the additional infrastructure needed for dry cuts, it is frequently the case that crossings cannot be done in 72 hours. As a result, removal of the 72-hour restriction where dry cut technologies are proposed encourages the use of technologies that will reduce risk of sediment releases.

While we support the language as written, we believe it is unclear what constitutes a "dry ditch method" (i.e. "dry cut"). We suggest that it be defined as "jurisdictional water where stream flow volume is partially or fully diverted around a work area, or the work area is dewatered by means of coffer dam, pump around, flume diversion or any other method acceptable to the director, in order to enable work to be conducted in a dry condition".

3. WVONGA supports the change to Special Condition 12.L, which clarifies that only permanent structures that prevent fish movement are prohibited. Short term work in a stream, as part of a dry cut or otherwise, may result in temporary impedance of fish movement, but it is only permanent obstruction that the certification should be concerned with.

4. WVONGA supports the addition of Proposed Standard Condition 22, which re-states the DEP's authority to waive the any 401 standard or special certification condition that is applicable to nationwide permits. The DEP has authority to waive 401 certification requirements entirely, and it certainly has the authority to waive individual conditions in its discretion.

Thank you for the opportunity to comment on the proposed changes to the 401 certification requirements.

Respectfully Submitted,



Anne C. Blankenship
Executive Director
West Virginia Oil and Natural Gas Association

DEP WQS Comments

From: patty olechovski <patty.olechovski.1544743@muster.com>
Sent: Monday, March 4, 2019 2:53 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

From the beginning, the legal challenges to this pipeline have been dubious, at best. The U.S. Court of Appeals for the Fourth Circuit struck it down last year only after succumbing to pressure from pipeline opponents. The U.S. Army Corps of Engineers (USACE) issued this permit last year after a thorough review of its environmental impacts and safety qualifications. Further delay at this step not only undermines the determinations of USACE, but also hinders economic growth and jobs in West Virginia. This line would also allow access to environmentally responsible, domestically produced energy and help strengthen the region's infrastructure.

For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

patty olechovski
strangford road
, PA 15717
7242482452

DEP WQS Comments

From: Ken Godfroy <Ken.Godfroy.1544688@muster.com>
Sent: Monday, March 4, 2019 12:02 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

From the beginning, the legal challenges to this pipeline have been dubious, at best. The U.S. Court of Appeals for the Fourth Circuit struck it down last year only after succumbing to pressure from pipeline opponents. The U.S. Army Corps of Engineers (USACE) issued this permit last year after a thorough review of its environmental impacts and safety qualifications. Further delay at this step not only undermines the determinations of USACE, but also hinders economic growth and jobs in West Virginia. This line would also allow access to environmentally responsible, domestically produced energy and help strengthen the region's infrastructure.

For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Ken Godfroy
336 N. Fairville Ave., Harrisburg, PA
Harrisburg, PA 17112
717-635-7268

DEP WQS Comments

From: jason reed <jason.reed.1543585@muster.com>
Sent: Monday, March 4, 2019 6:14 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

From the beginning, the legal challenges to this pipeline have been dubious, at best. The U.S. Court of Appeals for the Fourth Circuit struck it down last year only after succumbing to pressure from pipeline opponents. The U.S. Army Corps of Engineers (USACE) issued this permit last year after a thorough review of its environmental impacts and safety qualifications. Further delay at this step not only undermines the determinations of USACE, but also hinders economic growth and jobs in West Virginia. This line would also allow access to environmentally responsible, domestically produced energy and help strengthen the region's infrastructure.

For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

jason reed
8 north scenic drive
Elysburg, PA 17824
5704412956

DEP WQS Comments

From: todd perrine <todd.perrine.1543543@muster.com>
Sent: Saturday, March 2, 2019 3:33 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

From the beginning, the legal challenges to this pipeline have been dubious, at best. The U.S. Court of Appeals for the Fourth Circuit struck it down last year only after succumbing to pressure from pipeline opponents. The U.S. Army Corps of Engineers (USACE) issued this permit last year after a thorough review of its environmental impacts and safety qualifications. Further delay at this step not only undermines the determinations of USACE, but also hinders economic growth and jobs in West Virginia. This line would also allow access to environmentally responsible, domestically produced energy and help strengthen the region's infrastructure.

For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

MAKE AMERICA GREAT AGAIN

Sincerely,

todd perrine
861 Snow Shoe Mountain Road
Snow Shoe, PA 16874
8143534306

DEP WQS Comments

From: John Lucki <John.Lucki.1049255@muster.com>
Sent: Friday, March 1, 2019 10:59 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

From the beginning, the legal challenges to this pipeline have been dubious, at best. The U.S. Court of Appeals for the Fourth Circuit struck it down last year only after succumbing to pressure from pipeline opponents. The U.S. Army Corps of Engineers (USACE) issued this permit last year after a thorough review of its environmental impacts and safety qualifications. Further delay at this step not only undermines the determinations of USACE, but also hinders economic growth and jobs in West Virginia. This line would also allow access to environmentally responsible, domestically produced energy and help strengthen the region's infrastructure.

For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

We are in total support of the Mountain Valley Pipeline project and the efforts to upgrade aging infrastructure while adding jobs with high paying wages for American workers. We urge the WV EPA to allow this project to continue.

Sincerely,

John Lucki
2251 Rifle Street Aurora CO
Aurora, CO 80011
3035035728

DEP WQS Comments

From: Greg Guidry <Greg.Guidry.1543313@muster.com>
Sent: Friday, March 1, 2019 11:10 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

As an attorney who represents pipeline contractors and owners throughout the United States, and based upon my review of this matter, I heartily support issuance of the Nationwide Permit 12 for Mountain Valley Pipeline

Sincerely,

Greg Guidry
403 Whitcomb Road, Lafayette, LA
Lafayette, LA 70503
3377810651

DEP WQS Comments

From: James Schettine <James.Schettine.1129300@muster.com>
Sent: Friday, March 1, 2019 11:18 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Please support a domestic fuel source that is the cleanest form of energy that can actually meet the demands of the United States. Using natural gas as a fuel source is actually a means for bettering this world, as it helps reduce and/or eliminate the need for coal, oil and nuclear power.

Sincerely,

James Schettine
PO Box 5
Bemus Point, NY 14712
8048337712

DEP WQS Comments

From: Caitlyn Dennison <Caitlyn.Dennison.1543319@muster.com>
Sent: Friday, March 1, 2019 11:57 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Build it!

Sincerely,

Caitlyn Dennison
339 Normandy Est Bridgeport wv
Bridgeport, WV 26330
3046956544

DEP WQS Comments

From: Donna Kovalcik <Donna.Kovalcik.1543322@muster.com>
Sent: Friday, March 1, 2019 12:56 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Donna Kovalcik
63 W Glennis Dr
Greensburg, PA 15601
412-554-6176

DEP WQS Comments

From: Jerome Cegelka <Jerome.Cegelka.1542348@muster.com>
Sent: Friday, March 1, 2019 2:26 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

I support the Nationwide Permit 12 and support the job creation, heavy equipment industry and growth to economy. Thank you.

Sincerely,

Jerome Cegelka
3 Sandra Street
Wilkes Barre, PA 18705
5706508712

DEP WQS Comments

From: John Fry III <John.FryIII.1049204@muster.com>
Sent: Friday, March 1, 2019 4:24 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Please issue the Nationwide Permit 12 for the Mountain Valley Pipeline. This pipeline will provide valuable needed infrastructure for the region's energy needs. In addition to providing the needed energy, the MVP will create both long-term short-term jobs as well as an economic windfall for areas impacted by the construction of the MVP.

Sincerely,

John Fry III
500 Davenport Dr.
College Station, TX 77845
9035347153

DEP WQS Comments

From: Linda Martin <Linda.Martin.1130466@muster.com>
Sent: Wednesday, February 27, 2019 1:06 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

PEOPLE NEED JOBS

Sincerely,

Linda Martin
PO Box 450862
Houston, TX 77245
2814378214

DEP WQS Comments

From: Marcy Lovic <Marcy.Lovic.1543005@muster.com>
Sent: Wednesday, February 27, 2019 10:36 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Marcy Lovic
200 BURSCA DRIVE, SUITE 205
Bridgeville, PA 15017
4122211110

DEP WQS Comments

From: Stephanie Malik <Stephanie.Malik.1543004@muster.com>
Sent: Wednesday, February 27, 2019 10:04 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Stephanie Malik
631 Stanton Street
Greensburg, PA 15601
7243311449

DEP WQS Comments

From: Andrew Barker <Andrew.Barker.1542995@muster.com>
Sent: Wednesday, February 27, 2019 7:04 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Andrew Barker
57 evergreen lane
, 26409
3046956544

DEP WQS Comments

From: Jason Shook <Jason.Shook.1542909@muster.com>
Sent: Tuesday, February 26, 2019 10:30 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

My job and company success depends on these projects and permits - please keep this much needed work in our area for continued employment in good paying job fields.

Sincerely,

Jason Shook
1580 Dime road
Vandergrift, PA 15690
724-463-8743

DEP WQS Comments

From: Franklyn Irizarry <Franklyn.Irizarry.1542940@muster.com>
Sent: Tuesday, February 26, 2019 3:42 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

I'm in favor of this project !

Sincerely,

Franklyn Irizarry
213 shell, st
Harrisburg, PA 17109
717-368-8192

DEP WQS Comments

From: Diane Hatalla <Diane.Hatalla.1542934@muster.com>
Sent: Tuesday, February 26, 2019 2:18 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Diane Hatalla
5300 Paxton Street
Harrisburg, PA 17111
7175613346

DEP WQS Comments

From: James Gallagher <James.Gallagher.1542928@muster.com>
Sent: Tuesday, February 26, 2019 1:01 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Job Opportunity and Infrastructure Improvement.. Always a positive thing

Sincerely,

James Gallagher
441 rt 315
Pittston, PA 18643
570-891-1659

DEP WQS Comments

From: gregory aikens <gregory.aikens.1542882@muster.com>
Sent: Tuesday, February 26, 2019 5:08 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

gregory aikens
514 Cherry Street
Punxsutawney, PA 15767
8149528470

DEP WQS Comments

From: Scott Steel <Scott.Steel.1542923@muster.com>
Sent: Tuesday, February 26, 2019 12:19 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Scott Steel
6286 W Veterans Memorial Hwy
Douglasville, GA 26330
570-274-6164

DEP WQS Comments

From: Thomas Blystone III <Thomas.BlystoneIII.1542898@muster.com>
Sent: Tuesday, February 26, 2019 8:57 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Thomas Blystone III
403 W 3rd Ave
Derry, PA 15627
7248752973

DEP WQS Comments

From: Ryan Sullivan <Ryan.Sullivan.1542896@muster.com>
Sent: Tuesday, February 26, 2019 8:44 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Ryan Sullivan
11 Progress Ave
Cranberry Township, PA 16066
724-841-5630

DEP WQS Comments

From: brian miller <brian.miller.1542886@muster.com>
Sent: Tuesday, February 26, 2019 6:34 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

brian miller
2163 gum road
Elkins, WV 26241
3047047536

DEP WQS Comments

From: Sean Renfro <Sean.Renfro.1049290@muster.com>
Sent: Monday, February 25, 2019 6:21 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12 for the Mountain Valley Pipeline Project

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Sean Renfro
254 Rue Dauphine
Eunice, LA 70535
3375327309

DEP WQS Comments

From: Bradley Scott <Bradley.Scott.1542842@muster.com>
Sent: Monday, February 25, 2019 4:25 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Bradley Scott
24 South Main Street
Shavertown, PA 18708
5708228141

DEP WQS Comments

From: Merv Graybill <Merv.Graybill.1542840@muster.com>
Sent: Monday, February 25, 2019 4:22 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Merv Graybill
34 Little Evendale Rd, Cocolamus, PA
Cocolamus, PA 17014
717 554-8208

DEP WQS Comments

From: Mike McCracken <Mike.McCracken.1542839@muster.com>
Sent: Monday, February 25, 2019 4:19 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Mike McCracken
145 Rose Street
Indiana, PA 15701
724-463-8743

DEP WQS Comments

From: Christopher Leonard <Christopher.Leonard.1542835@muster.com>
Sent: Monday, February 25, 2019 3:26 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Christopher Leonard
899 decatur st
Philipsburg, PA 16866
8145925796

DEP WQS Comments

From: Robert Frazier <Robert.Frazier.1542833@muster.com>
Sent: Monday, February 25, 2019 3:12 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Robert Frazier
Keyser rd Boswell pa
, PA 15531
8145210966

DEP WQS Comments

From: William Miller <William.Miller.1542829@muster.com>
Sent: Monday, February 25, 2019 3:01 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

This permit will help our community and industry succeed

Sincerely,

William Miller
130 Ridgmont Drive Cranberry Twp, PA
Cranberry Township, PA 16066
412-498-2973

DEP WQS Comments

From: Tom Meshanko <Tom.Meshanko.1542825@muster.com>
Sent: Monday, February 25, 2019 2:41 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Tom Meshanko
136 Mayberry Drive
Monroeville, PA 15146
4124634159

DEP WQS Comments

From: Patrick Maurer <Patrick.Maurer.1542824@muster.com>
Sent: Monday, February 25, 2019 2:28 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Patrick Maurer
1525 Treasure Lake
Du Bois, PA 15801
814 577 1751

DEP WQS Comments

From: Todd Mills <Todd.Mills.1542818@muster.com>
Sent: Monday, February 25, 2019 12:58 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Todd Mills
133 Main Street
, PA 16245
814-229-5723

DEP WQS Comments

From: Ryan Kunkel <Ryan.Kunkel.1542816@muster.com>
Sent: Monday, February 25, 2019 12:36 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

As an employee of Cleveland Brothers Equipment Company, my livelihood depends on our ability to provide quality equipment to our customers. However, without viable jobsites and projects, our customers do not have a need for our equipment. By issuing this permit to allow this project to continue, it allows me to continue to provide for my family and it allows my co-workers to do the same. Thank you for your time.

Sincerely,

Ryan Kunkel
542 Princess Drive
Elizabeth, PA 15037
412-639-5136

DEP WQS Comments

From: Pete Dandrea <Pete.Dandrea.1128989@muster.com>
Sent: Friday, February 22, 2019 9:22 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Pete Dandrea
291 Homer St
Olean, NY 14760
7163733033

DEP WQS Comments

From: Katie Ritchie <Katie.Ritchie.1138784@muster.com>
Sent: Friday, February 22, 2019 10:23 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

This is good for West Virginia.

Sincerely,

Katie Ritchie
396 Nelson Hill Drive
Williamstown, WV 26187
7405098206

DEP WQS Comments

From: Mike Musslewhite <Mike.Musslewhite.1542099@muster.com>
Sent: Friday, February 22, 2019 10:31 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Please issue Nationwide Permit 12 without delay. It's important to the Nations power grid using clean gas to power our electric grid.

Sincerely,

Mike Musslewhite
22719 Moss Fern Drive
Katy, TX 77494
7135038440

DEP WQS Comments

From: Selina Moist <Selina.Moist.1542109@muster.com>
Sent: Friday, February 22, 2019 11:33 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Selina Moist
2365 S Geyers Church Rd, Apt 3
Middletown, PA 17057
7176480334

DEP WQS Comments

From: Jean Colaianni <Jean.Colaianni.1542111@muster.com>
Sent: Friday, February 22, 2019 11:33 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Jean Colaianni
4565 William Penn Highway
Murrysville, PA 15668
724-325-9209

DEP WQS Comments

From: Jacki Potter <Jacki.Potter.1542110@muster.com>
Sent: Friday, February 22, 2019 11:33 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Jacki Potter
1540 Greenvally Drive, Apt 16
Pittsburgh, PA 15220
4125845039

DEP WQS Comments

From: David Kunkelmann <David.Kunkelmann.1542114@muster.com>
Sent: Friday, February 22, 2019 11:33 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

David Kunkelmann
4565 William Penn Highway
Murrysville, PA 15668
7243256237

DEP WQS Comments

From: Neal Mattern <Neal.Mattern.1542815@muster.com>
Sent: Monday, February 25, 2019 12:16 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Neal Mattern
405 Easton Tpke
Lake Ariel, PA 18436
5702371437

DEP WQS Comments

From: Joe Goncalves <Joe.Goncalves.1542814@muster.com>
Sent: Monday, February 25, 2019 12:11 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Joe Goncalves
5300 paxton Street
Harrisburg, PA 17111
717-561-3312

DEP WQS Comments

From: Robert Buczeskie <Robert.Buczeskie.1542812@muster.com>
Sent: Monday, February 25, 2019 11:42 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Robert Buczeskie
632 Spruce Street
Kulpmont, PA 17834
570-490-4057

DEP WQS Comments

From: Dale Brosius <Dale.Brosius.1542810@muster.com>
Sent: Monday, February 25, 2019 11:15 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Dale Brosius
336 N Fairville Ave
Harrisburg, PA 17112
717-564-2121

DEP WQS Comments

From: Daniel Brownson Jr. <Daniel.BrownsonJr..1542808@muster.com>
Sent: Monday, February 25, 2019 11:05 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Daniel Brownson Jr.
755 Sand Ridge Road
Howard, PA 16841
814-389-6004

DEP WQS Comments

From: Ronald Miller <Ronald.Miller.1542807@muster.com>
Sent: Monday, February 25, 2019 11:01 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

I support this pipeline because this industry continues to help employment in this region.

Sincerely,

Ronald Miller
1209 Fieldcrest Drive
Latrobe, PA 15650
72464-6984

DEP WQS Comments

From: Roy Shaw <Roy.Shaw.1542798@muster.com>
Sent: Monday, February 25, 2019 10:32 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Economic impact will be drastic if this project does not move forward.

Sincerely,

Roy Shaw
175 Progress Drive
Bellefonte, PA 16823
814-280-1762

DEP WQS Comments

From: Kaela Edson <Kaela.Edson.1542792@muster.com>
Sent: Monday, February 25, 2019 10:05 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Kaela Edson
794 Bowmans Mill Rd
Orangeville, PA 17859
5708542850

DEP WQS Comments

From: Roy Weaver <Roy.Weaver.1049335@muster.com>
Sent: Monday, February 25, 2019 10:03 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Roy Weaver
215 Kilsby Circle
Bessemer, AL 35022
2052300080

DEP WQS Comments

From: Jesse Edson <Jesse.Edson.1542792@muster.com>
Sent: Monday, February 25, 2019 10:01 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

From the beginning, the legal challenges to this pipeline have been dubious, at best. The U.S. Court of Appeals for the Fourth Circuit struck it down last year only after succumbing to pressure from pipeline opponents. The U.S. Army Corps of Engineers (USACE) issued this permit last year after a thorough review of its environmental impacts and safety qualifications. Further delay at this step not only undermines the determinations of USACE, but also hinders economic growth and jobs in West Virginia. This line would also allow access to environmentally responsible, domestically produced energy and help strengthen the region's infrastructure.

For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Natural gas drilling and pipelines supports my family and our countries growth.

Thank you
Jesse Edson

Sincerely,

Jesse Edson
794 Bowmans Mill Road
Orangeville, PA 17859
5708542850

DEP WQS Comments

From: Evelyn McGuire <Evelyn.McGuire.1542793@muster.com>
Sent: Monday, February 25, 2019 10:00 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Evelyn McGuire
16 Swarthmore Hershey, Pa
Hershey, PA 17033
(717)564-2121

DEP WQS Comments

From: Bradley Bergamasco <Bradley.Bergamasco.1542791@muster.com>
Sent: Monday, February 25, 2019 9:57 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Bradley Bergamasco
4565 William Penn Hwy
Murrysville, PA 15668
724-327-1300

DEP WQS Comments

From: Frank Edson <Frank.Edson.1542787@muster.com>
Sent: Monday, February 25, 2019 9:42 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Frank Edson
256 Kessler Hollow Road
Benton, PA 17814
1-570-407-9572

DEP WQS Comments

From: Tom Jamieson <Tom.Jamieson.1542786@muster.com>
Sent: Monday, February 25, 2019 9:31 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Tom Jamieson
2009 State Road, Camp Hill, Pa.
Camp Hill, PA 17050
717-635-07406

DEP WQS Comments

From: Doug Coval <Doug.Coval.1542785@muster.com>
Sent: Monday, February 25, 2019 9:18 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

I think the pipe line going thru would be good for the economy as well as natural resources. It would provide jobs, and it is a good source for moving material to provide locations with fuels.

Sincerely,

Doug Coval
P.O. Box 8996
Milesburg, PA 16853
814-360-3349

DEP WQS Comments

From: Danielle Thomas <Danielle.Thomas.1542784@muster.com>
Sent: Monday, February 25, 2019 8:55 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Danielle Thomas
550 N. Locust St
Elizabethtown, PA 17022
7176357447

DEP WQS Comments

From: Rick Klavon <Rick.Klavon.1542781@muster.com>
Sent: Monday, February 25, 2019 8:30 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Rick Klavon
11 Progress Avenue
Cranberry Township, PA 16066
7247767660

DEP WQS Comments

From: Jim Joy <Jim.Joy.1542779@muster.com>
Sent: Monday, February 25, 2019 8:20 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Jim Joy
1765 North Meadow Dr
Mechanicsburg, PA 17055
7175613340

DEP WQS Comments

From: John Zelonis <John.Zelonis.1542778@muster.com>
Sent: Monday, February 25, 2019 8:14 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

John Zelonis
1500 Altamont blvd
Frackville, PA 17931
570-449-1269

DEP WQS Comments

From: Marsha Loscar <Marsha.Loscar.1542774@muster.com>
Sent: Monday, February 25, 2019 7:47 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Marsha Loscar
145 Rose Street
Indiana, PA 15701
7244638743

DEP WQS Comments

From: Mark Dorner <Mark.Dorner.1542773@muster.com>
Sent: Monday, February 25, 2019 7:37 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Mark Dorner
260 Rosemont Drive State College PA
State College, PA 16801
814-360-8698

DEP WQS Comments

From: Matthew Smith <Matthew.Smith.1542771@muster.com>
Sent: Monday, February 25, 2019 6:50 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Matthew Smith
345 Dorwart Cir
Etters, PA 17319
7175545066

DEP WQS Comments

From: Josh Wory <Josh.Wory.1542770@muster.com>
Sent: Monday, February 25, 2019 6:49 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Josh Wory
11 progress ave cranberry twp pa
Cranberry Township, PA 16066
724-776-1400

DEP WQS Comments

From: Antonio Selario <Antonio.Selario.1542757@muster.com>
Sent: Sunday, February 24, 2019 11:04 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Antonio Selario
P.O. Box 1264 Clarksburg, WV
Clarksburg, WV 26302
304-677-4388

DEP WQS Comments

From: Dennis McGinley Jr. <Dennis.McGinleyJr..1542622@muster.com>
Sent: Saturday, February 23, 2019 7:07 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Dennis McGinley Jr.
6705 upper rd
Shamokin, PA 17872
5702746162

DEP WQS Comments

From: Ronald Hess <Ronald.Hess.1542676@muster.com>
Sent: Sunday, February 24, 2019 8:01 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Ronald Hess
330 Dick Street, Armagh Pa.
Armagh, PA 15920
814-242-2398

DEP WQS Comments

From: Wes Banks <Wes.Banks.1542434@muster.com>
Sent: Friday, February 22, 2019 10:15 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Wes Banks
190 Earnhardt drive
Hunker, PA 15639
7248757053

DEP WQS Comments

From: antonio ortiz <antonio.ortiz.1542466@muster.com>
Sent: Saturday, February 23, 2019 6:53 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

I agree with produced energy and help strengthen the region's infrastructure. thanks

Sincerely,

antonio ortiz
2325 swatara st, harrisburg pa.
Harrisburg, PA 17104
717-829-6616

DEP WQS Comments

From: Mike Flanagan <Mike.Flanagan.1542407@muster.com>
Sent: Friday, February 22, 2019 7:30 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Mike Flanagan
276 Long ST
Hambleton, WV 26269
3046142701

DEP WQS Comments

From: James Brown <James.Brown.1542557@muster.com>
Sent: Saturday, February 23, 2019 12:50 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

James Brown
121clark street Clearfield pa
Clearfield, PA 16830
814 360 1535

DEP WQS Comments

From: Stephen Simko <Stephen.Simko.1542470@muster.com>
Sent: Saturday, February 23, 2019 8:22 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Nancy,

I do not live near this pipeline project but I live in an area where I have seen the benefits of the pipeline work. What it does for the local economy is tremendous. Small businesses have opportunities that they just didn't or don't normally have. I have also been able to see the before and after and what they leave after they are done. The properties look better after they are done than when they came. Thank you for your consideration and time.

Sincerely,

Stephen Simko
52 Broadway Street
Wilkes Barre, PA 18702
570-499-6065

DEP WQS Comments

From: Michael Kershner <Michael.Kershner.1542430@muster.com>
Sent: Friday, February 22, 2019 9:42 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Let's build America !

Sincerely,

Michael Kershner
98 Beuchler lane
Pine Grove, PA 17963
7175548108

DEP WQS Comments

From: Alden Gray Jr <Alden.GrayJr.1542420@muster.com>
Sent: Friday, February 22, 2019 8:44 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Alden Gray Jr
WV-76
BRUSHY FORK, WV 26330
13042039546

DEP WQS Comments

From: Jay Wagner <Jay.Wagner.1542416@muster.com>
Sent: Friday, February 22, 2019 8:22 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

From the beginning, the legal challenges to this pipeline have been dubious, at best. The U.S. Court of Appeals for the Fourth Circuit struck it down last year only after succumbing to pressure from pipeline opponents. The U.S. Army Corps of Engineers (USACE) issued this permit last year after a thorough review of its environmental impacts and safety qualifications. Further delay at this step not only undermines the determinations of USACE, but also hinders economic growth and jobs in West Virginia. This line would also allow access to environmentally responsible, domestically produced energy and help strengthen the region's infrastructure.

For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

I hope the permits work out. A lot of people's jobs and lives depend on this work. Thank You

Sincerely,

Jay Wagner
488 L. Bartlow Road Muncy PA
Muncy, PA 17756
(570)404-9416

DEP WQS Comments

From: Tim Hinson <Tim.Hinson.1542368@muster.com>
Sent: Friday, February 22, 2019 4:47 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Please support this initiative.

Sincerely,

Tim Hinson
7700 Green Hill road
Harrisburg, PA 17112
7175661810

DEP WQS Comments

From: Chad Wilcher <Chad.Wilcher.1542352@muster.com>
Sent: Friday, February 22, 2019 4:24 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Chad Wilcher
168 Lora Lane
Tennerton, WV 26201
304-203-3678

DEP WQS Comments

From: Steven Truxal <Steven.Truxal.1542389@muster.com>
Sent: Friday, February 22, 2019 6:07 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

I strongly support this initiative to stimulate growth and elevate infrastructure.

Sincerely,

Steven Truxal
616 Sewickley
Greensburg, PA 15601
412-721-6498

DEP WQS Comments

From: Christopher Rosko <Christopher.Rosko.1542385@muster.com>
Sent: Friday, February 22, 2019 5:54 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Christopher Rosko
15 Timbercrest Circle
Cecil-Bishop, PA 15322
412-477-4163

DEP WQS Comments

From: Scott Tobin <Scott.Tobin.1542252@muster.com>
Sent: Friday, February 22, 2019 2:24 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Scott Tobin
5362 Moreland Baptist rd Unityville
Unityville, PA 17774
570-2204506

DEP WQS Comments

From: Marilyn Hayes <Marilyn.Hayes.1049218@muster.com>
Sent: Friday, February 22, 2019 4:29 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Our experience in the pipeline industry is that they work very hard to protect the environment and restore pipeline right-a-ways to their natural habitat. Clean energy and jobs are wonderful outcomes!

Sincerely,

Marilyn Hayes
475 Henslee Dr
Dickson, TN 37055
6152109657

DEP WQS Comments

From: Brianna Hershey <Brianna.Hershey.1542255@muster.com>
Sent: Friday, February 22, 2019 2:24 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Brianna Hershey
2009 State Rd
Camp Hill, PA 17011
7176357611

DEP WQS Comments

From: joel wilson <joel.wilson.1542346@muster.com>
Sent: Friday, February 22, 2019 3:49 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

joel wilson
1578 listonburg road
Confluence, PA 15424
814-445-7915

DEP WQS Comments

From: brian richard <brian.richard.1542251@muster.com>
Sent: Friday, February 22, 2019 2:23 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

brian richard
230 lakeside crossing
Mount Joy, PA 17552
7173644377

DEP WQS Comments

From: John Soltis <John.Soltis.1542344@muster.com>
Sent: Friday, February 22, 2019 3:40 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

The Company I work for, Cleveland Brothers Equipment Company employs over 1400 people that rely on energy related construction projects.

Sincerely,

John Soltis
123 Harbison Road
Valencia, PA 16059
724-640-6989

DEP WQS Comments

From: Rob Gosnell <Rob.Gosnell.1542254@muster.com>
Sent: Friday, February 22, 2019 2:24 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Rob Gosnell
941 Virginia Ave, Lancaster, PA
Lancaster, PA 17603
717-943-2533

DEP WQS Comments

From: James Suschak <James.Suschak.1542341@muster.com>
Sent: Friday, February 22, 2019 3:29 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

James Suschak
1306 Downwood Manor Dr
Morgantown, WV 26508
304-641-2080

DEP WQS Comments

From: Jason Driesbach <Jason.Driesbach.1542339@muster.com>
Sent: Friday, February 22, 2019 3:27 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Jason Driesbach
5210 Paxton Street Harrisburg PA
Harrisburg, PA 17111
7175640598

DEP WQS Comments

From: Joshua Sweigart <Joshua.Sweigart.1542337@muster.com>
Sent: Friday, February 22, 2019 3:22 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Joshua Sweigart
1500 Altamont blvd Frackville pa
Frackville, PA 17931
5707280667

DEP WQS Comments

From: Robert Mcaelwain <Robert.Mcaelwain.1542330@muster.com>
Sent: Friday, February 22, 2019 3:06 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

The pipeline is the safest way to transmit, much safer than truck or rail. We need the pipeline to keep costs down and people safe.

Sincerely,

Robert Mcaelwain
424 n 5th street
Jeannette, PA 15644
724-523-6770

DEP WQS Comments

From: Mark Steeves <Mark.Steeves.1542329@muster.com>
Sent: Friday, February 22, 2019 3:04 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Mark Steeves
64 Barry ct
Greensburg, PA 15601
4122666138

DEP WQS Comments

From: SAM BELLANCA <SAM.BELLANCA.1542265@muster.com>
Sent: Friday, February 22, 2019 2:47 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

SAM BELLANCA
441 HWY 315
Pittston, PA 18640
5708911651

DEP WQS Comments

From: Robert Krouse <Robert.Krouse.1542234@muster.com>
Sent: Friday, February 22, 2019 2:41 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Robert Krouse
4491 Chambershill Road
Harrisburg, PA 17111
717-526-8936

DEP WQS Comments

From: Richard Chesky <Richard.Chesky.1542256@muster.com>
Sent: Friday, February 22, 2019 2:30 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Richard Chesky
4565 William Penn Hwy
Murrysville, PA 15668
7243259313

DEP WQS Comments

From: Dan Proud <Dan.Proud.1542248@muster.com>
Sent: Friday, February 22, 2019 2:18 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

This project is of utmost importance to the economic stability of many people. In addition to the jobs created by the initial project this pipeline will provide good clean energy to spur additional economic development on the east coast. It also positions the US as a global energy player and frees us from the dependence on imports.

Thank you in advance for your support of this project.

Dan Proud
Cell: 724-396-8806

Sincerely,

Dan Proud
235 S Church St
Mount Pleasant, PA 15666
7243968806

DEP WQS Comments

From: Jeff Andree <Jeff.Andree.1542247@muster.com>
Sent: Friday, February 22, 2019 2:12 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

I agree with the above statement.

Sincerely,

Jeff Andree
1464 state Route 356
Leechburg, PA 15656
724-845-2151

DEP WQS Comments

From: Bob Minnick <Bob.Minnick.1542246@muster.com>
Sent: Friday, February 22, 2019 2:08 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Bob Minnick
440 Route 315
Dupont, PA 18640
570 760-1756

DEP WQS Comments

From: darryl gulvas <darryl.gulvas.1542244@muster.com>
Sent: Friday, February 22, 2019 2:01 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

darryl gulvas
710 lily lake rd.
Wapwallopen, PA 18660
570-899-9784

DEP WQS Comments

From: Roxanne Smith <Roxanne.Smith.1542243@muster.com>
Sent: Friday, February 22, 2019 1:56 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Roxanne Smith
20 Claraton Drive
York Haven, PA 17370
717 561 3306

DEP WQS Comments

From: stephen zalusky <stephen.zalusky.1542236@muster.com>
Sent: Friday, February 22, 2019 1:47 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

stephen zalusky
35 brownlee rd eighty four PA
Eighty Four, PA 15330
412 812-2569

DEP WQS Comments

From: David Hough <David.Hough.1542241@muster.com>
Sent: Friday, February 22, 2019 1:46 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

David Hough
4565 William Penn Highway
Murrysville, PA 15642
724-325-9257

DEP WQS Comments

From: Shawn Menear <Shawn.Menear.1542242@muster.com>
Sent: Friday, February 22, 2019 1:46 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Shawn Menear
5300 Paxton street
Harrisburg, PA 17057
7176354561

DEP WQS Comments

From: Jody Pope <Jody.Pope.1542240@muster.com>
Sent: Friday, February 22, 2019 1:45 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Jody Pope
165 Oak Drive
Elizabethtown, PA 17022
717-635-7428

DEP WQS Comments

From: Robert Bonczewski <Robert.Bonczewski.1542237@muster.com>
Sent: Friday, February 22, 2019 1:37 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Robert Bonczewski
654 Swamp Rd
Hunlock Creek, PA 18621
5705741278

DEP WQS Comments

From: Dylan Metcalf <Dylan.Metcalf.1542235@muster.com>
Sent: Friday, February 22, 2019 1:35 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Dylan Metcalf
705 Walnut Hill Rd dilliner pa
Dilliner, PA 15327
3042038231

DEP WQS Comments

From: William Doane <William.Doane.1542231@muster.com>
Sent: Friday, February 22, 2019 1:34 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Harnessing, containing and transporting a resource which is already below our feet is necessary to deliver the cleaner, more efficient and local energy to maintain industrial and economic growth.

Please, don't delay this pipeline any more. Thank you.

Sincerely,

William Doane
4565 William Penn Hwy
Murrysville, PA 15668
724-327-1300

DEP WQS Comments

From: John Tinker <John.Tinker.1542232@muster.com>
Sent: Friday, February 22, 2019 1:19 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

John Tinker
56 Grandview Road
Hummelstown, PA 17036
7174185912

DEP WQS Comments

From: Allan Petak <Allan.Petak.1542220@muster.com>
Sent: Friday, February 22, 2019 1:01 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Allan Petak
94 branas rd
Portage, PA 15946
814-233-4603

DEP WQS Comments

From: Steven Heckman <Steven.Heckman.1542228@muster.com>
Sent: Friday, February 22, 2019 1:11 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Steven Heckman
7238 Clearfield St. Harrisburg PA
Harrisburg, PA 17111
570-656-3721

DEP WQS Comments

From: matt macdonald <matt.macdonald.1542226@muster.com>
Sent: Friday, February 22, 2019 1:10 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

I think this is great for all aspects of country and business!!!!

Sincerely,

matt macdonald
2688 orchard ct
Murrysville, PA 15668
7247872730

DEP WQS Comments

From: Melissa Button <Melissa.Button.1542223@muster.com>
Sent: Friday, February 22, 2019 1:09 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Melissa Button
116 Hillside St
Lebanon, PA 17042
6106213669

DEP WQS Comments

From: shawn cook <shawn.cook.1542224@muster.com>
Sent: Friday, February 22, 2019 1:07 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

shawn cook
3950 depot road
Erie, PA 16510
814-898-3388

DEP WQS Comments

From: Nathan Derwinski <Nathan.Derwinski.1542225@muster.com>
Sent: Friday, February 22, 2019 1:08 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Nathan Derwinski
271 Saddle Ridge Drive
Harrisburg, PA 17110
4846956206

DEP WQS Comments

From: Ian Park <Ian.Park.1542221@muster.com>
Sent: Friday, February 22, 2019 1:03 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Nancy, this personally affects me and my family. I work in the construction field service sector and with this business at my doorsteps this keeps me and my family working. Thanks for the consideration.

Sincerely,

Ian Park
107 Mohican Drive Greensburg, PA
Greensburg, PA 15601
814-404-3983

DEP WQS Comments

From: Jase Meier <Jase.Meier.1542222@muster.com>
Sent: Friday, February 22, 2019 1:02 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Thank you we really need to keep this going and keep our jobs

Sincerely,

Jase Meier
2000 tall grass
Canonsburg, PA 15317
8432632566

DEP WQS Comments

From: Kenneth Emerson <Kenneth.Emerson.1542219@muster.com>
Sent: Friday, February 22, 2019 12:58 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Kenneth Emerson
25 Helen Terrace Moscow PA
Moscow, PA 18444
570-445-0384

DEP WQS Comments

From: Richard Gillespie <Richard.Gillespie.1542211@muster.com>
Sent: Friday, February 22, 2019 12:47 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

I work for Cleveland Brothers Equipment Company. We are a CAT dealer that provides excavators and dozers to dig the pipeline. The delay of this project impacts me, my employer and my customers. We are waiting to provide equipment so our customers can start this project.

Thanks for review

Sincerely,

Richard Gillespie
11865 Iroquois Rd Apt 10
Conneaut Lake, PA 16316
7243325230

DEP WQS Comments

From: Robert Rose <Robert.Rose.1542214@muster.com>
Sent: Friday, February 22, 2019 12:42 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Robert Rose
7136 Route 819 Mount Pleasant Pa
Mount Pleasant, PA 15666
724-757-7609

DEP WQS Comments

From: Josh Hinkle <Josh.Hinkle.1542199@muster.com>
Sent: Friday, February 22, 2019 12:14 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Josh Hinkle
250 Fern Drive
Weston, WV 26452
304-641-2060

DEP WQS Comments

From: Harry Herb <Harry.Herb.1542212@muster.com>
Sent: Friday, February 22, 2019 12:41 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Harry Herb
1451 W. Walnut St.
Coal Township, PA 17866
5706483122

DEP WQS Comments

From: Tawna Sarver <Tawna.Sarver.1542213@muster.com>
Sent: Friday, February 22, 2019 12:41 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Tawna Sarver
254 American Legion Road
Latrobe, PA 15650
724-325-9393

DEP WQS Comments

From: Daren Ashurst <Daren.Ashurst.1542210@muster.com>
Sent: Friday, February 22, 2019 12:38 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

From the beginning, the legal challenges to this pipeline have been dubious, at best. The U.S. Court of Appeals for the Fourth Circuit struck it down last year only after succumbing to pressure from pipeline opponents. The U.S. Army Corps of Engineers (USACE) issued this permit last year after a thorough review of its environmental impacts and safety qualifications. Further delay at this step not only undermines the determinations of USACE, but also hinders economic growth and jobs in West Virginia. This line would also allow access to environmentally responsible, domestically produced energy and help strengthen the region's infrastructure.

For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Daren Ashurst
4565 William penn hwy
Murrysville, PA 15668
412-226-3417

DEP WQS Comments

From: Jim Schlemmer <Jim.Schlemmer.1542209@muster.com>
Sent: Friday, February 22, 2019 12:36 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Jim Schlemmer
238 Kingsbridge Dr
Lititz, PA 17543
7177254541

DEP WQS Comments

From: Stephen Schmidt <Stephen.Schmidt.1542208@muster.com>
Sent: Friday, February 22, 2019 12:32 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

I fully support the pipeline and the jobs it brings to our community

Sincerely,

Stephen Schmidt
441 Pa 315 Pittston Pa
Pittston, PA 18640
570-202-1675

DEP WQS Comments

From: Lucas Hankins <Lucas.Hankins.1542206@muster.com>
Sent: Friday, February 22, 2019 12:28 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Lucas Hankins
7732 Franklin Dr
Harrisburg, PA 17112
7176147828

DEP WQS Comments

From: Kenneth Beaston <Kenneth.Beaston.1542207@muster.com>
Sent: Friday, February 22, 2019 12:30 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Kenneth Beaston
5210 Paxton St Harrisburg PA
Harrisburg, PA 17111
717-564-2121

DEP WQS Comments

From: tim wynn <tim.wynn.1542202@muster.com>
Sent: Friday, February 22, 2019 12:24 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

thanks

Sincerely,

tim wynn
233 lenker lane dalmatia pa
Dalmatia, PA 17017
7175262121

DEP WQS Comments

From: CHRISTOPHER BREZNAY <CHRISTOPHER.BREZNAY.1542205@muster.com>
Sent: Friday, February 22, 2019 12:26 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

CHRISTOPHER BREZNAY
19Ledge Court
Pittston, PA 18640
570-760-6856

DEP WQS Comments

From: Steve Fyock <Steve.Fyock.1542203@muster.com>
Sent: Friday, February 22, 2019 12:23 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Steve Fyock
175 Progress drive
Bellefonte, PA 16823
8143532814

DEP WQS Comments

From: Jeff Lightner <Jeff.Lightner.1542204@muster.com>
Sent: Friday, February 22, 2019 12:23 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Jeff Lightner
5210 Paxton Street
Harrisburg, PA 17111
7176357427

DEP WQS Comments

From: Eric Stewart <Eric.Stewart.1542191@muster.com>
Sent: Friday, February 22, 2019 12:22 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Eric Stewart
1024 Carlisle Street
Natrona Heights, PA 15065
724-448-9678

DEP WQS Comments

From: MARK BOBAK <MARK.BOBAK.1542200@muster.com>
Sent: Friday, February 22, 2019 12:16 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

MARK BOBAK
508 Carmelott st.
Irwin, PA 15642
724-640-6967

DEP WQS Comments

From: Eric Lieberum <Eric.Lieberum.1542198@muster.com>
Sent: Friday, February 22, 2019 12:13 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Eric Lieberum
100 High St Herminie pa
Herminie, PA 15637
7248755770

DEP WQS Comments

From: Brian D Shipley <BrianD.Shipley.1542197@muster.com>
Sent: Friday, February 22, 2019 12:11 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Brian D Shipley
2089 miller rd Acme Pa
Acme, PA 15610
814 289 5868

DEP WQS Comments

From: Dan Olson <Dan.Olson.1542196@muster.com>
Sent: Friday, February 22, 2019 12:10 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Dan Olson
16242 Rt 322
Brookville, PA 15825
7246899292

DEP WQS Comments

From: Bill Yurkovic <Bill.Yurkovic.1542195@muster.com>
Sent: Friday, February 22, 2019 12:09 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Bill Yurkovic
5612 Twilight Drive
Harrisburg, PA 17111
7175147309

DEP WQS Comments

From: Creed Pletcher <Creed.Pletcher.1542192@muster.com>
Sent: Friday, February 22, 2019 12:02 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

This pipeline does wonders for our economy.

Sincerely,

Creed Pletcher
671 hazelviee dr Bruceton Mills wv
Bruceton Mills, WV 26525
304-641-0528

DEP WQS Comments

From: Randy Thomas <Randy.Thomas.1542193@muster.com>
Sent: Friday, February 22, 2019 12:02 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Randy Thomas
4565 William Penn Highway
Murrysville, PA 15668
7243259253

DEP WQS Comments

From: George Faber <George.Faber.1542189@muster.com>
Sent: Friday, February 22, 2019 12:01 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Jobs and clean energy

Sincerely,

George Faber
361 Evans City RD Butler, PA apt #1
Butler, PA 16001
724-234-5181

DEP WQS Comments

From: Danyell Forney <Danyell.Forney.1542160@muster.com>
Sent: Friday, February 22, 2019 12:00 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

I believe it to be an unpatriotic act to block any further work on the pipeline. If due diligence was taken to study the environmental impact of this or any other project that will bring work and new tax revenues to an area/region, then I don't see any reason not to let that project proceed. If there is a concern for public safety or lasting environmental impact, then those parties with concerns have every right to keep an eye on the project to make sure their concerns are alleviated. Environmental safety, job creation, tax revenue, infrastructure renewal, and national security (less dependence on hostile entities) are the reasons this project MUST move forward. An energy independent nation is a safer nation. Thank You, Dan Forney

Sincerely,

Danyell Forney
5300 Paxton Street
Harrisburg, PA 17111
717-561-3300 ex 2390

DEP WQS Comments

From: Kevin Rockey <Kevin.Rockey.1542190@muster.com>
Sent: Friday, February 22, 2019 12:00 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Kevin Rockey
1307 old town road
Clearfield, PA 16830
814-360-1533

DEP WQS Comments

From: Brad Staub <Brad.Staub.1542186@muster.com>
Sent: Friday, February 22, 2019 11:58 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Brad Staub
2341 Pennsylvania Avenue
Sayre, PA 18840
5704182531

DEP WQS Comments

From: Douglas Myers <Douglas.Myers.1542185@muster.com>
Sent: Friday, February 22, 2019 11:56 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Douglas Myers
3027 N 3rd St
Harrisburg, PA 17110
717-317-2175

DEP WQS Comments

From: Dan Meszaros <Dan.Meszaros.1542182@muster.com>
Sent: Friday, February 22, 2019 11:56 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Plain and simple...PIPELINES MEAN JOBS

We need the work, the infrastructure, the peripheral business generated

Thanks you for listening

Sincerely,

Dan Meszaros
3950 Depot Rd
Erie, PA 16510
814 898 3388

DEP WQS Comments

From: Greg Beavers <Greg.Beavers.1542184@muster.com>
Sent: Friday, February 22, 2019 11:55 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Greg Beavers
121 Needle Point Road
Evans City, PA 16033
724-814-2129

DEP WQS Comments

From: Nathan Chase <Nathan.Chase.1542183@muster.com>
Sent: Friday, February 22, 2019 11:55 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

From the beginning, the legal challenges to this pipeline have been dubious, at best. The U.S. Court of Appeals for the Fourth Circuit struck it down last year only after succumbing to pressure from pipeline opponents. The U.S. Army Corps of Engineers (USACE) issued this permit last year after a thorough review of its environmental impacts and safety qualifications. Further delay at this step not only undermines the determinations of USACE, but also hinders economic growth and jobs in West Virginia. This line would also allow access to environmentally responsible, domestically produced energy and help strengthen the region's infrastructure.

For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Nathan Chase
137 Headley Ave Dushore Pa
Dushore, PA 18614
5707601168

DEP WQS Comments

From: Barry Foltz <Barry.Foltz.1542181@muster.com>
Sent: Friday, February 22, 2019 11:53 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Barry Foltz
6434 Farmcrest Lane
Harrisburg, PA 17111
7175149071

DEP WQS Comments

From: Sean Donoghue <Sean.Donoghue.1542179@muster.com>
Sent: Friday, February 22, 2019 11:52 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Sean Donoghue
446 Longridge Drive
Pittsburgh, PA 15243
724-640-6971

DEP WQS Comments

From: Brittney Christopher <Brittney.Christopher.1542175@muster.com>
Sent: Friday, February 22, 2019 11:52 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Brittney Christopher
PO Box 193
Bovard, PA 15619
7246896608

DEP WQS Comments

From: Kim Cleveland <Kim.Cleveland.1542177@muster.com>
Sent: Friday, February 22, 2019 11:51 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Kim Cleveland
419 Old Greenwood Rd
Millville, PA 17846
570-458-0430

DEP WQS Comments

From: Colin McLane <Colin.McLane.1542174@muster.com>
Sent: Friday, February 22, 2019 11:51 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Colin McLane
134 E Grace St
Old Forge, PA 18518
5702660939

DEP WQS Comments

From: Michael Williams <Michael.Williams.1542161@muster.com>
Sent: Friday, February 22, 2019 11:51 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Since I was born and raised up in WV . I understand that We do not want to harm the environment. But it will repair itself as needed. If We do not upgrade are systems We will run out if supplies provided by gas lines as long as Our Nation continues to grow. We also need to rethink Our road systems

Sincerely,

Michael Williams
5055 Spring Road
Shermans Dale, PA 17090
717-307-7027

DEP WQS Comments

From: Joe Wright <Joe.Wright.1542176@muster.com>
Sent: Friday, February 22, 2019 11:51 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Joe Wright
351 American Legion Rd
Latrobe, PA 15650
724-861-6096

DEP WQS Comments

From: Bryan Berkebile <Bryan.Berkebile.1542172@muster.com>
Sent: Friday, February 22, 2019 11:50 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Bryan Berkebile
1350 Route 30 Ligonier, Pa
Laughlintown, PA 15655
7246407879

DEP WQS Comments

From: Boe Gabel <Boe.Gabel.1542173@muster.com>
Sent: Friday, February 22, 2019 11:49 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

This is indicative of the growth of this country and employment of many

Sincerely,

Boe Gabel
1048 windgate dr New Stanton PA
New Stanton, PA 15672
7247574685

DEP WQS Comments

From: Cory Weleski <Cory.Weleski.1542170@muster.com>
Sent: Friday, February 22, 2019 11:49 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Cory Weleski
107 Sparrow Lane
Sarver, PA 16055
412-228-8404

DEP WQS Comments

From: Gene Smith <Gene.Smith.1542171@muster.com>
Sent: Friday, February 22, 2019 11:48 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Gene Smith
441 highway 315
Pittston, PA 18640
570-891-1656

DEP WQS Comments

From: Chris Brownell <Chris.Brownell.1542169@muster.com>
Sent: Friday, February 22, 2019 11:48 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Chris Brownell
145 Willow Dr.
Bellefonte, PA 16823
785-230-7963

DEP WQS Comments

From: Matthew Marks <Matthew.Marks.1542167@muster.com>
Sent: Friday, February 22, 2019 11:48 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Matthew Marks
701 Clay Street
Fairmont, WV 26554
3042907232

DEP WQS Comments

From: Jason Brunetta <Jason.Brunetta.1542168@muster.com>
Sent: Friday, February 22, 2019 11:48 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Jason Brunetta
200 Bursca Drive, Suite 205
Bridgeville, PA 15017
855-417-0290

DEP WQS Comments

From: Jeffrey Friedrich <Jeffrey.Friedrich.1542166@muster.com>
Sent: Friday, February 22, 2019 11:47 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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Thank you for your consideration.

Sincerely,

Jeffrey Friedrich
281 Vee Lynn Dr, Pgh PA
Pittsburgh, PA 15228
4126006390

DEP WQS Comments

From: Jeffrey Conte <Jeffrey.Conte.1542158@muster.com>
Sent: Friday, February 22, 2019 11:46 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Many people depending on this project to be completed... Energy Dependent America!

Sincerely,

Jeffrey Conte
4665 WILLIAM PENN HIGHWAY Murrysville, Pa
Murrysville, PA 15668
724-640-6969

DEP WQS Comments

From: Jay Zeigler <Jay.Zeigler.1542163@muster.com>
Sent: Friday, February 22, 2019 11:45 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

I support the infrastructure of this pipeline

Sincerely,

Jay Zeigler
190 CLEVELAND BROTHERS ROAD
Watsontown, PA 17777
5705382551

DEP WQS Comments

From: Tim Elder <Tim.Elder.1542164@muster.com>
Sent: Friday, February 22, 2019 11:45 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Tim Elder
3132 West Street Apt2R
Weirton, WV 26062
7406320496

DEP WQS Comments

From: Tom Brady <Tom.Brady.1542162@muster.com>
Sent: Friday, February 22, 2019 11:44 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Tom Brady
2391 Wedgewood Way
York, PA 17408
7175147384

DEP WQS Comments

From: J. K. Ross <J.K..Ross.1542165@muster.com>
Sent: Friday, February 22, 2019 11:44 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

J. K. Ross
759 Shaw Avenue
Monroeville, PA 15146
4128292405

DEP WQS Comments

From: Devin Kessler <Devin.Kessler.1542132@muster.com>
Sent: Friday, February 22, 2019 11:36 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

We need this to help continue and boost our current economy and for long term benefits to our country.

Sincerely,

Devin Kessler
5300 paxton st harrisburg pa
Harrisburg, PA 17111
717-364-5570

DEP WQS Comments

From: Rose Watson <Rose.Watson.1542131@muster.com>
Sent: Friday, February 22, 2019 11:36 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Rose Watson
6286 W. Veterans Memorial Hwy
Douglasville, GA 26330
3048422222

DEP WQS Comments

From: Amanda Koestler <Amanda.Koestler.1542134@muster.com>
Sent: Friday, February 22, 2019 11:36 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Amanda Koestler
4565 William Penn Highway
Murrysville, PA 15668
7243271300

DEP WQS Comments

From: Lisa Pattock <Lisa.Pattock.1542139@muster.com>
Sent: Friday, February 22, 2019 11:36 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

From the beginning, the legal challenges to this pipeline have been dubious, at best. The U.S. Court of Appeals for the Fourth Circuit struck it down last year only after succumbing to pressure from pipeline opponents. The U.S. Army Corps of Engineers (USACE) issued this permit last year after a thorough review of its environmental impacts and safety qualifications. Further delay at this step not only undermines the determinations of USACE, but also hinders economic growth and jobs in West Virginia. This line would also allow access to environmentally responsible, domestically produced energy and help strengthen the region's infrastructure.

For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Lisa Pattock
4565 WILLIAM PENN HWY
Murrysville, PA 15668
7243259223

DEP WQS Comments

From: Vince Meinert <Vince.Meinert.1542138@muster.com>
Sent: Friday, February 22, 2019 11:36 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Vince Meinert
190 Earnhardt Drive
Hunker, PA 15639
412-327-1103

DEP WQS Comments

From: Charles Deeble <Charles.Deeble.1542140@muster.com>
Sent: Friday, February 22, 2019 11:37 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Charles Deeble
336 N Fairville Ave
Harrisburg, PA 17112
7176357265

DEP WQS Comments

From: Scott Graver <Scott.Graver.1542144@muster.com>
Sent: Friday, February 22, 2019 11:37 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Scott Graver
39 church st
Tremont, PA 17981
7174806933

DEP WQS Comments

From: Douglas Senft <Douglas.Senft.1542143@muster.com>
Sent: Friday, February 22, 2019 11:37 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Douglas Senft
23 Magnolia Lane3
Hanover, PA 17331
717-637-9160

DEP WQS Comments

From: Ryan Altemus <Ryan.Altemus.1542135@muster.com>
Sent: Friday, February 22, 2019 11:37 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

The American economy needs more than cashiers and pizza delivery people supporting it. We need to be as self-sufficient as possible to ensure our future. Everything comes at a cost, this is a no-brainer.

Sincerely,

Ryan Altemus
190 Earnhardt Drive
Hunker, PA 15639
8143350412

DEP WQS Comments

From: Jeff Mccartney <Jeff.Mccartney.1542141@muster.com>
Sent: Friday, February 22, 2019 11:37 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Jeff Mccartney
9521 Mahaffey Grampian Hwy
Grampian, PA 16838
8145773153

DEP WQS Comments

From: Ken Highfield <Ken.Highfield.1542145@muster.com>
Sent: Friday, February 22, 2019 11:39 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Ken Highfield
11 Progress Ave
Cranberry Township, PA 16066
724-776-7660

DEP WQS Comments

From: John Borys <John.Borys.1542146@muster.com>
Sent: Friday, February 22, 2019 11:39 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

John Borys
211 Gravity Street Olyphant PA
Olyphant, PA 18447
5707606864

DEP WQS Comments

From: Marie Smith <Marie.Smith.1542147@muster.com>
Sent: Friday, February 22, 2019 11:39 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Marie Smith
1480 Ridge Road
Apollo, PA 15613
7246818071

DEP WQS Comments

From: KAREN VALORE <KAREN.VALORE.1542148@muster.com>
Sent: Friday, February 22, 2019 11:40 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

KAREN VALORE
945 BRIDGE AVE
Greensburg, PA 15601
724-433-7540

DEP WQS Comments

From: Michael Counahan <Michael.Counahan.1542149@muster.com>
Sent: Friday, February 22, 2019 11:40 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Michael Counahan
74 Westminister place pittsburgh pa
Pittsburgh, PA 15209
412-523-9432

DEP WQS Comments

From: Justin Price <Justin.Price.1542142@muster.com>
Sent: Friday, February 22, 2019 11:37 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Justin Price
2009 State Rd
Camp Hill, PA 17011
717-635-7609

DEP WQS Comments

From: Mark Wilt <Mark.Wilt.1542150@muster.com>
Sent: Friday, February 22, 2019 11:40 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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Thank you for your consideration.

Sincerely,

Mark Wilt
819 Brandywine Road
Salem, WV 26426
304-203-5549

DEP WQS Comments

From: Richard Rupnik <Richard.Rupnik.1542151@muster.com>
Sent: Friday, February 22, 2019 11:41 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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Thank you for your consideration.

Sincerely,

Richard Rupnik
4565 William Penn Hwy
Murrysville, PA 15668
724-325-9246

DEP WQS Comments

From: Michael Duke <Michael.Duke.1542136@muster.com>
Sent: Friday, February 22, 2019 11:39 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

There is a great need in this country for our own gas and oil so we are not held hostage to other countries.

Sincerely,

Michael Duke
226 state Line Road
Binghamton, NY 13903
6072210035

DEP WQS Comments

From: James Dalessandri <James.Dalessandri.1542155@muster.com>
Sent: Friday, February 22, 2019 11:42 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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Thank you for your consideration.

Sincerely,

James Dalessandri
125 Starling Drive McKees Rocks PA
McKees Rocks, PA 15136
412-268-0583

DEP WQS Comments

From: Christopher Marteney <Christopher.Marteney.1542156@muster.com>
Sent: Friday, February 22, 2019 11:43 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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Thank you for your consideration.

Sincerely,

Christopher Marteney
128 Carmella Drive
Irwin, PA 15642
4128126553

DEP WQS Comments

From: Aaron Carricato <Aaron.Carricato.1542157@muster.com>
Sent: Friday, February 22, 2019 11:43 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Aaron Carricato
115 N 2nd Street, Apt 1
Lemoyne, PA 17043
7174978565

DEP WQS Comments

From: Jason Bloom <Jason.Bloom.1542154@muster.com>
Sent: Friday, February 22, 2019 11:43 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Jason Bloom
175 Progress Drive Bellefonte PA
Bellefonte, PA 16823
8143532800

DEP WQS Comments

From: Scott McLaughlin <Scott.McLaughlin.1542159@muster.com>
Sent: Friday, February 22, 2019 11:44 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Scott McLaughlin
PO Box 264
Mansfield, PA 16933
4123351673

DEP WQS Comments

From: Robert Gola <Robert.Gola.1542124@muster.com>
Sent: Friday, February 22, 2019 11:44 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Our county needs projects like this one by and for Americans now more than ever. American infrastructure improvements and advancements affect many American workers. From the local economy to those thousands of miles away who work in support. Projects like these are great for local revenue and tax income. We need projects like this to be completed so we can work on advancing State and National Infrastructure the sooner they are approved the sooner they started the better it is for the American Worker. Please allow this permit to be approved. Thank you.

Sincerely,

Robert Gola
441 rt 315 pittston pa
Pittston, PA 18640
570-606-6449

DEP WQS Comments

From: Kathleen Coopridier <Kathleen.Coopridier.1542133@muster.com>
Sent: Friday, February 22, 2019 11:36 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Kathleen Coopridier
190 Cleveland Brothers Road
Watsonstown, PA 17777
570-538-2551

DEP WQS Comments

From: Robert Gola <Robert.Gola.1542124@muster.com>
Sent: Friday, February 22, 2019 11:44 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Our county needs projects like this one by and for Americans now more than ever. American infrastructure improvements and advancements effect many American workers. From the local economy to those thousands of miles away who work in support. Projects like these are great for local revenue and tax income. We need projects like this to be completed so we can work on advancing State and National Infrastructure the sooner they are approved the sooner they started the better it is for the American Worker. Please allow this permit to be approved. Thank you.

Sincerely,

Robert Gola
441 rt 315 pittston pa
Pittston, PA 18640
570-606-6449

DEP WQS Comments

From: Debbie Mauller <Debbie.Mauller.1542153@muster.com>
Sent: Friday, February 22, 2019 11:42 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

From the beginning, the legal challenges to this pipeline have been dubious, at best. The U.S. Court of Appeals for the Fourth Circuit struck it down last year only after succumbing to pressure from pipeline opponents. The U.S. Army Corps of Engineers (USACE) issued this permit last year after a thorough review of its environmental impacts and safety qualifications. Further delay at this step not only undermines the determinations of USACE, but also hinders economic growth and jobs in West Virginia. This line would also allow access to environmentally responsible, domestically produced energy and help strengthen the region's infrastructure.

For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

WV needs this. Please approve promptly

Sincerely,

Debbie Mauller
68 Abraham St.
, WV 26422
304.623.2537

DEP WQS Comments

From: Shelley Coble <Shelley.Coble.1542120@muster.com>
Sent: Friday, February 22, 2019 11:34 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Shelley Coble
336 North Fairville Ave Harrisburg
Harrisburg, PA 17112
717-635-7263

DEP WQS Comments

From: Tasha Liddle <Tasha.Liddle.1542122@muster.com>
Sent: Friday, February 22, 2019 11:34 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Tasha Liddle
109 Bryant Street
Homer City, PA 15748
8149526398

DEP WQS Comments

From: Craig Shelton <Craig.Shelton.1542118@muster.com>
Sent: Friday, February 22, 2019 11:33 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Craig Shelton
16 Flag Run RD
Flemington, WV 26347
3046419773

DEP WQS Comments

From: Joe Burgess <Joe.Burgess.1542113@muster.com>
Sent: Friday, February 22, 2019 11:33 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Joe Burgess
2788 Spring View Ct
Export, PA 15632
412-606-5917

DEP WQS Comments

From: Matthew Washic <Matthew.Washic.1542117@muster.com>
Sent: Friday, February 22, 2019 11:34 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Matthew Washic
175 Progress Drive
Bellefonte, PA 16823
814-933-6854

DEP WQS Comments

From: Michael Marshall <Michael.Marshall.1542116@muster.com>
Sent: Friday, February 22, 2019 11:34 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Michael Marshall
3699 Shamokin Trail
Luthersburg, PA 15848
814-898-3378

DEP WQS Comments

From: David Belko <David.Belko.1542108@muster.com>
Sent: Friday, February 22, 2019 11:34 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

This pipeline is needed, not only for local economy but for the future of our country to be independent of foreign oil.

Sincerely,

David Belko
201 Oakwood Drive
Philipsburg, PA 16866
8143608703

DEP WQS Comments

From: Matt curry <Matt.curry.1542123@muster.com>
Sent: Friday, February 22, 2019 11:34 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Matt curry
190 Earnhardt drive
Hunker, PA 15639
4124635849

DEP WQS Comments

From: Matthew Fowler <Matthew.Fowler.1542126@muster.com>
Sent: Friday, February 22, 2019 11:34 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Matthew Fowler
9620 East Lake Road
Ripley, NY 14775
814-790-2195

DEP WQS Comments

From: Daniel Sowers <Daniel.Sowers.1542106@muster.com>
Sent: Friday, February 22, 2019 11:34 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Remove the bureaucratic red tape and get this project moving. The government needs to stop infringing on the prosperity of business and workers.

Sincerely,

Daniel Sowers
212 Midget Camp Rd
Bolivar, PA 15923
724-235-2365

DEP WQS Comments

From: Bryan Alderfer <Bryan.Alderfer.1542112@muster.com>
Sent: Friday, February 22, 2019 11:34 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Let's grow the economy and put people to work. America needs our natural resources, people need jobs, lets make America Great again!!

Sincerely,

Bryan Alderfer
336 N Fairville Ave
Harrisburg, PA 17112
717635-7276

DEP WQS Comments

From: Tomothy Banks <Tomothy.Banks.1542115@muster.com>
Sent: Friday, February 22, 2019 11:34 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Make America great! Give them the permit

Sincerely,

Tomothy Banks
40 frytown rd
Newville, PA 17241
7177763924

DEP WQS Comments

From: Christopher Weaver <Christopher.Weaver.1542121@muster.com>
Sent: Friday, February 22, 2019 11:34 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

This project personally affects me as this is my daily employment as a technician with Cleveland Brothers CAT.

Sincerely,

Christopher Weaver
117 glade fork rd
, WV 26582
3049313981

DEP WQS Comments

From: Don Kreinbrook <Don.Kreinbrook.1542119@muster.com>
Sent: Friday, February 22, 2019 11:34 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

I support clean burning gas

Sincerely,

Don Kreinbrook
Old Bethel rd
, PA 15551
814-242-3853

DEP WQS Comments

From: Steve Toth <Steve.Toth.1542127@muster.com>
Sent: Friday, February 22, 2019 11:35 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Please issue permit. It will provide many jobs for the state.

Sincerely,

Steve Toth
1264 Cambridge Ave
Morgantown, WV 26505
3042668745

DEP WQS Comments

From: Jeffrey Shiplet <Jeffrey.Shiplet.1542128@muster.com>
Sent: Friday, February 22, 2019 11:35 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Jeffrey Shiplet
698 Bridgeton Rd Fawn Grove, PA
Fawn Grove, PA 17321
717-304-0245

DEP WQS Comments

From: Dan Johnson <Dan.Johnson.1542125@muster.com>
Sent: Friday, February 22, 2019 11:35 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Thank you for your time and consideration.

Sincerely,

Dan Johnson
30 Oak Hill Drive Etters PA
Goldsboro, PA 17319
570-233-5159

DEP WQS Comments

From: Jason Harper <Jason.Harper.1542130@muster.com>
Sent: Friday, February 22, 2019 11:35 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Jason Harper
PO box 1016 Mchenry , MD
McHenry, MD 21541
301-707-1436

DEP WQS Comments

From: Kateri Johns <Kateri.Johns.1542129@muster.com>
Sent: Friday, February 22, 2019 11:36 AM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Kateri Johns
4565 William Penn Hwy
Murrysville, PA 15668
724-325-9467

DEP WQS Comments

From: William Cowden <William.Cowden.1049176@muster.com>
Sent: Wednesday, February 20, 2019 4:21 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

As a employee in the natural gas construction industry for 30 years, I am qualified to speak to the depth of processes and procedures used to construction facilities for many major gas transporters. Our industry uses the latest environmental procedures as laid out by the federal, state and local agencies as well as measures developed by our industry customers.

We all understand that the use of fossil fuels is not the answer to energy creation for the next 1,000 years and we must work toward conservation and alternative sources. Our company is experimenting with renewable solutions in many areas so that we are knowledgeable about the alternatives that make sense. But, mathematically the consumption of our country vs. the production capabilities of renewables are no where near in alignment. We must continue to develop the natural gas system to bridge the gap between near future needs and the realistic transition to renewables.

It is also important to understand that no energy solution is without disruption to the natural state of the environment, renewables included. All solutions require acreage, land disturbance and are likely to modify the state of wildlife. This has been true since the first water wheel, the first cloth windmill or the first pen for livestock.

I've added these comments in hopes that those in approval positions do not succumb to the radical voices that create opposition without alternatives that are grounded in facts. I know that the downfall of our industry is our attempt to fight with facts and figures rather than the hysteria that many thirst for, but we continue to try.

Good luck and thank you from our hundreds of families who work hard everyday to fulfill the immediate energy needs of millions and stand ready to continue that work when the solutions move on to newer technologies.
Bill

Sincerely,

William Cowden
10901 Claypike Road
Derwent, OH 43733
7406852542

DEP WQS Comments

From: Walter Ward <Walter.Ward.1138905@muster.com>
Sent: Wednesday, February 20, 2019 4:13 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear West Virginia Department of Environmental Protection,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Walter Ward
2532 Aymond St
Eunice, LA 70535
3375001213

DEP WQS Comments

From: Toni Barnette <Toni.Barnette.1138786@muster.com>
Sent: Wednesday, February 20, 2019 4:14 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear West Virginia Department of Environmental Protection,

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From the beginning, the legal challenges to this pipeline have been dubious, at best. The U.S. Court of Appeals for the Fourth Circuit struck it down last year only after succumbing to pressure from pipeline opponents. The U.S. Army Corps of Engineers (USACE) issued this permit last year after a thorough review of its environmental impacts and safety qualifications. Further delay at this step not only undermines the determinations of USACE, but also hinders economic growth and jobs in West Virginia. This line would also allow access to environmentally responsible, domestically produced energy and help strengthen the region's infrastructure.

For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Toni Barnette
132 Ash Circle
Davisville, WV 26142
7406852542

DEP WQS Comments

From: Terry Taylor <Terry.Taylor.1138935@muster.com>
Sent: Wednesday, February 20, 2019 3:57 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear West Virginia Department of Environmental Protection,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Terry Taylor
25 Gannett Dr.
Rock Springs, WY 82901
3073898677

DEP WQS Comments

From: Sonnie Raffety <Sonnie.Raffety.1049285@muster.com>
Sent: Wednesday, February 20, 2019 6:04 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Sonnie Raffety
4414 Whickham Dr.
Fulshear, TX 77441
7132522683

DEP WQS Comments

From: Ryan Starr <Ryan.Starr.1128960@muster.com>
Sent: Wednesday, February 20, 2019 4:03 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear West Virginia Department of Environmental Protection,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Ryan Starr
6460 Pond View
Fairview, PA 16415
8144604479

DEP WQS Comments

From: Mark Beard <Mark.Beard.1049146@muster.com>
Sent: Wednesday, February 20, 2019 4:01 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear West Virginia Department of Environmental Protection,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Mark Beard
616 Industrial Avenue
Mount Pleasant, MI 48858
9896210282

DEP WQS Comments

From: Luke Rawlings <Luke.Rawlings.1049287@muster.com>
Sent: Wednesday, February 20, 2019 6:13 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Luke Rawlings
P.O. Box 100
Addington, OK 73520
6207554125

DEP WQS Comments

From: joey artigue <joey.artigue.1138911@muster.com>
Sent: Wednesday, February 20, 2019 4:05 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear West Virginia Department of Environmental Protection,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

joey artigue
po box 1303
Port Barre, LA 70577
3375502159

DEP WQS Comments

From: Forrest Lister <Forrest.Lister.1541075@muster.com>
Sent: Wednesday, February 20, 2019 4:00 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear West Virginia Department of Environmental Protection,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Forrest Lister
4841 W Anise St
Riverton, UT 84096
8016731507

DEP WQS Comments

From: denny patterson <denny.patterson.1049278@muster.com>
Sent: Wednesday, February 20, 2019 4:34 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

denny patterson
65300 larrick ridge road
Cambridge, OH 43725
7406802201

DEP WQS Comments

From: David Johnson <David.Johnson.1183258@muster.com>
Sent: Wednesday, February 20, 2019 4:47 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

David Johnson
1165 CR 229
Giddings, TX 78942
9794122937

DEP WQS Comments

From: Dave Whitehill <Dave.Whitehill.1129129@muster.com>
Sent: Wednesday, February 20, 2019 3:58 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear West Virginia Department of Environmental Protection,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Dave Whitehill
2160 Lafayette St.
Falconer, NY 14733
7166653983

DEP WQS Comments

From: Charles Snyder <Charles.Snyder.1130641@muster.com>
Sent: Wednesday, February 20, 2019 6:49 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Please do the right thing. Approve

Sincerely,

Charles Snyder
443 Gold Tree
Punta Gorda, FL 33955
3305591758

DEP WQS Comments

From: Carl Raffety <Carl.Raffety.1049284@muster.com>
Sent: Wednesday, February 20, 2019 6:40 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear Nancy Dickson,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Carl Raffety
4414 Whickham Dr.
Fulshear, TX 77441
7135170430

DEP WQS Comments

From: Candace Nichols <Candace.Nichols.1130563@muster.com>
Sent: Wednesday, February 20, 2019 3:58 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear West Virginia Department of Environmental Protection,

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Candace Nichols
1301 Glenwood Drive
Austin, TX 78723
5622122820

DEP WQS Comments

From: Brian Wines <Brian.Wines.1541074@muster.com>
Sent: Wednesday, February 20, 2019 3:59 PM
To: DEP WQS Comments
Subject: Please issue the Nationwide Permit 12

Dear West Virginia Department of Environmental Protection,

The Mountain Valley Pipeline will help to add hundreds of local jobs and update much of our aging critical infrastructure. Without a Nationwide Permit 12, the Mountain Valley Pipeline will suffer even further delays. I urge the West Virginia Department of Environmental Protection to issue this permit as soon as possible so that construction can begin.

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For these reasons, I ask that you please issue the Nationwide Permit 12 for Mountain Valley Pipeline without further delay.

Thank you for your consideration.

Sincerely,

Brian Wines
2438 Hwy 98 E
Columbia, MS 39429
6016336580

DEP WQS Comments

From: 3046511074@mms.uscc.net
Sent: Tuesday, February 26, 2019 11:11 AM
To: DEP WQS Comments
Attachments: ATT00001.txt

Save our land and water.... Put a stop to the madness in the name of money. WV is losing enough trees with logging that has put our great and beautiful state in enough danger. Now, for the sake of money, we will be destroying more of what our state is all about. The beauty, animals that roam this land, and what was once known as the purest, sweetest waters known. This pipeline brings nothing but destruction and danger for our great state. STOP THE MADNESS!!!

DEP WQS Comments

From: scott womack <scott_womack@hotmail.com>
Sent: Monday, March 4, 2019 11:25 AM
To: DEP WQS Comments
Subject: 401 Water Certification Quality Certification Program

Dear Secretary Caperton:

I am writing this email to oppose the proposed changes to the 401 Water Certification Quality Certification Program. In a general sense the timing of the change appears to be the result of active lobbying by the natural gas and pipeline construction industries rather than on any new, objective scientific data that might prompt the changes. West Virginia's citizens deserve better than this from our government. My specific objections follow:

- The exemption from the "72 hour rule" allows for disruption of stream crossing for an undetermined amount of time, threatening water quality and aquatic life in the affected streams.
- The elimination of any time limit for the presence of fish impediments threatens both fish and the aquatic ecosystem that depends on them, as well as negative impacts on recreational fishing.
- The proposed waiver for pipelines over 36" in diameter is troubling, as these projects cause massive disruption compared to smaller projects and are potentially more dangerous.
- The potential for removal or modification of permit conditions with no public warning or input is at worst unconstitutional and at best not in the spirit of our republican form of government, which depends on input from citizens to function properly.

Respectfully,
Scott E. Womack, Ed. D.
Lieutenant Colonel (Retired), U.S. Army

Sent from [Outlook](#)

DEP WQS Comments

From: Roseanna Sacco <neom2864@gmail.com>
Sent: Monday, March 4, 2019 12:22 PM
To: DEP WQS Comments
Subject: Comment on modification of NWP 12

Dear DEP,

I've met many of you and respect you for the difficult job you are being asked to do. I hope you will consider working up the courage to stand for WV water quality and wildlife protections despite pressure from multi-billion dollar industries who aim to reduce cost by cutting environmental corners.

Most of the decision makers running these industries don't live here and if they did, would have highly expensive personal water treatment equipment to ensure the quality of the water they drink. In other words, they would not be drinking industrially polluted well and spring water or 'city water' treated with endocrine disrupting chemicals.

The most important thing to consider is that Order Followers do not escape being held accountable. Only 'right action' avoids the fate of being held accountable for something you knew in your heart you should not do.

When at some point you get a chance to look back on your life, it can be really saddening to come to the inexorable realization that YOU were in collusion, YOU contributed to degrading the eco-system, YOU destroyed life to manufacture knick knacks, YOU contributed to keeping mankind locked in the sin-cycle of craving and suffering, YOU had a chance to stand up for what is right, but you caved in.

Whether prompted by industry lobbyists or other interests, the recently proposed modifications to the water permit conditions established in 2017 use vague wording which would allow great leeway for wrong and harmful action; would obviously weaken environmental protections, disrupt cycles of nature and wildlife habitat; and would effectively deny key stakeholders the right to be involved by allowing for the removal of any permit condition with no public scrutiny.

If I may leave you with one question to be answered in a moment of calm reflection:

What world do you want to live in... and leave to future generations?

THANK YOU for your attention.

Sincerely,

Roseanna Sacco
1222 Cove Creek Road
Sweet Springs (Gap Mills)
WV 24941
304 536 1207

DEP WQS Comments

From: Wilbur and Irene Larew <larewfarm24945@gmail.com>
Sent: Monday, March 4, 2019 1:30 PM
To: DEP WQS Comments
Cc: acrowe@wvivers.org
Subject: Modificaton to 401 Water Quality Standards

As life long residents and farmers for over 75 and the 5th generation to farm the Larew Farm along the banks of Hans Creek and Indian Creek in Monroe County, we support the comments made by WV Rivers and the Indian Creek Watershed Association concerning the Modification of the Water Quality Standards for the NWP 12 Permits, currently under review.

We strongly oppose the proposed modifications related to the waivr of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

Sincerely,

Wilbur and Irene Larew
Hans Creek Road
Greenville, WV 24945

DEP WQS Comments

From: Thomas Bouldin <TyBouldin@outlook.com>
Sent: Monday, March 4, 2019 2:44 PM
To: DEP WQS Comments
Subject: Don't Change 401 Water Quality Certification Requirements for Nationwide Permits

We do not support the changes being proposed by the West Virginia Department of Environmental Protection to the special conditions for projects subject to a Nationwide 12 permit.

These proposed modifications raise serious concerns because such exemptions can negatively impact the health and productivity of our rivers and streams:

- **Allowing exemptions to the 72-hour stream crossing restriction.** This condition helps to minimize impacts to water quality and aquatic life. Prolonged dewatering of streambeds can have severe impacts to the life in a stream. Agencies like WV Division of Natural Resources rely on this 72-hour restriction to determine if construction during fish spawning seasons will have ill-effects on fish populations.
- **Allowing temporary impediments to fish passage.** This condition helps to minimize impacts to fish species by preventing structures that impede fish passage. DEP is changing this condition to allow structures to impede fish passage as long as they are not permanent; however the length of time that fish passage will be prevented is not defined.
- **Waiving the requirement for an individual water quality certification for large pipelines.** This condition is in place to assure that stream and wetland crossings for large-scale pipelines (over 36" in diameter) get the careful analysis and individualized plans required to better ensure protection of water quality.
- **Allowing for the removal of any permit conditions with no public scrutiny.** Standard and special permit conditions are in place to make sure that when a nationwide permit is used there is a baseline of protections that will be enforced. These conditions become meaningless if the regulatory agency is allowed to remove or waive them, especially without any requirement for public notice and comment.

DEP currently has the authority to reject coverage of large-scale projects under a one-size-fits-all Nationwide permit. As the agency entrusted with protecting water quality in West Virginia, DEP should ensure that protective methods are developed and customized in response to the needs of individual projects through the individual permitting process.

Sincerely,

Thomas Bouldin and Susan Bouldin

DEP WQS Comments

From: Duane Nichols <nichols330@gmail.com>
Sent: Monday, March 4, 2019 2:57 PM
To: DEP WQS Comments
Subject: Nationwide 12

401 Water Quality Certification Program
ATTN: Nancy Dickson, WV-DEP
601 57th Street SE
Charleston, WV 25304-2345

To: WV-DEP, RE: Proposed changes to the Nationwide 12 Permit for Pipelines

The WV regulations for environmental protection must be strict rules, independently arrived at and free of political influence. That has not been the case in the past.

The purpose is to protect the environment and human health, not at all to promote commercial or industrial development. Not all projects are feasible.

Allowing stream degradation and/or wetlands destruction, knowing that a mitigation response is available, is an inadequate justification and should not be done.

Politics is now involved, but it should not be that way and WV-DEP must correct this behavior. Gov. Justice has said publicly that these pipelines will go through! This is blatant political influence.

I have reviewed the comments and submissions of the West Virginia Rivers Coalition regarding these regulations. They are rational and appropriate. They should prevail.

Duane G. Nichols, Ph.D. Chemical Engineer
330 Dream Catcher Circle
Morgantown, WV 26508

Nichols330@gmail.com
304-216-5535

DEP WQS Comments

From: Cooper, Laura K
Sent: Monday, March 4, 2019 7:24 PM
To: DEP WQS Comments
Subject: Fwd: contact-us - Nan

Laura K. Cooper
Assistant Director - Water Quality Standards
DEP DWWM
Office: 304-926-0499 x1110
Email: Laura.K.Cooper@wv.gov
601 57th St SE; Charleston, WV

From: Bridgewater, Brian L
Sent: Monday, March 4, 2019 5:08:51 PM
To: Cooper, Laura K
Subject: FW: contact-us - Nan

FYI....

From: Patel, Yogesh P <Yogesh.P.Patel@wv.gov>
Sent: Monday, March 4, 2019 4:31 PM
To: Bridgewater, Brian L <Brian.L.Bridgewater@wv.gov>
Cc: Anderson, Connie J <Connie.J.Anderson@wv.gov>
Subject: FW: contact-us - Nan

fyi

From: Oneill, Colleen M <Colleen.M.Oneill@wv.gov>
Sent: Monday, March 4, 2019 3:48 PM
To: Patel, Yogesh P <Yogesh.P.Patel@wv.gov>
Cc: Hancock, Billie S <Billie.S.Hancock@wv.gov>
Subject: FW: contact-us - Nan

HAPPY MONDAY AFTERNOON!!! 😊 This concerns the MVP permit. THANKS!!! 😊
HAVE A SUNNY MONDAY AFTERNOON!!! 😊

From: Home <support@wvinteractive.com>
Sent: Monday, March 4, 2019 3:41 PM
To: Oneill, Colleen M <Colleen.M.Oneill@wv.gov>
Subject: contact-us - Nan

[Home](#)

Nan has been added

[Modify my alert settings](#) | [View Nan](#) | [View contact-us](#) | [Mobile View](#)

First Name: Nan

Last Name: Gray

E-mail Address: soilwork@pemtel.net

Phone Number: 5405447791

Message: Re: Revoke all Nationwide 12 permit and construction certificates of Mountain Valley Pipeline

Dear WV DEP Staff, 4 March 2019

Please revoke/rescind/cancel/halt the Mountain Valley Pipeline (MVP) certificates for construction. Recent filings by MVP to the Federal Energy Regulation Commission (FERC) finally admitted the computer routing was inadequate for the field conditions encountered, long after they were told to have site specific evaluation along the entire length of the pipeline route and staging/access areas. Mountain Valley Pipeline ignored this and somehow the project was allowed to construct without knowledge of anything they would encounter. Nature and soils and science were ignored. The water is suffering for MVP lack of adequate preplanning work. Now the MVP has changed the certificate so thoroughly that the MVP project is not the same project they filed for initially. MVP should not be allowed to continue. They should be made to refile a new application with all the information they have and get the information they need and re-evaluate what was misrepresented in the initial application.

Have MVP stop all work, stop all construction, make them clean up the mess they have made and make them go away and take their pipes, too. The existent soils the MVP project has intercepted are not suitable for trenching and pipeline construction. The soils in the route are unsuitable and always were, and are there and will move if disturbed by construction of the pipeline.

When the soils are problem prone soils (high water table, shrink-swell clay, prone to creep or move or landslide, shallow depth to bedrock, karst, sandy, clayey, on steep slopes, the Pipeline and Hazardous Materials Safety Administration dictates the soils should be avoided or the highest quality, thickest strongest pipe be used for natural gas pipelines. That highest quality pipe (eg., Class 5 for 36 inch pipe) and the highest quality construction practices are to be used. Check the Class pipe installed because the construction practices have not been the highest quality best management practices (because MVP did not consider proper preplanning to know what soils would be intercepted). Check the Class pipe installed.

And then anywhere one Class of pipe meets another Class of pipe, that becomes a potential weak point, so the whole MVP route should have the same highest Class pipe throughout the whole route. MVP can put that information/confirmation in their new application to be filed. But for now, the situation calls for a stop work order and denial/revoke/rescind/halt the Mountain Valley Pipeline project. Please stop MVP from any more construction.

MVP needs to be told "no" on the 401 Certificate, Nationwide 12 permit. Erosion and sediment are rampant along the pipeline route where the earth has been exposed or broken. Farms are being pelted with E&S Control polyacrylamide gel pellets, animals are eating those pellets, same pellets are indiscriminately spattered in waterways/ farm ponds/ creeks/ wet weather creeks/ streams/rooftops/cisterns/ water at the water source. Unacceptable.

MVP should not be allowed to cross the Greenbriar River. The Greenbriar River is a treasure. Do not allow a variance to cross the Greenbriar River. Stop MVP from damaging more water. Do not allow MVP to cross any of the water ways regardless of how long it takes. Do not bend the rules for MVP nor ACP nor any pipeline project. Do not grant any more variances to MVP. Make them file a whole new application with all the variances they already have. Stop MVP construction. Make MVP Stop Work.

Thank you for revoking the MVP construction certificate and revoking the Nationwide 12 permit,

Nan Gray
Licensed Professional Soil Scientist

County: Craig Co., VA

Last Modified 3/4/2019 3:39 PM by (unknown)

DEP WQS Comments

From: Anita Puckett <anitampuckett@gmail.com>
Sent: Monday, March 4, 2019 8:43 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Anita Puckett
306 Rucker Rd.
Blacksburg, VA 24060

DEP WQS Comments

From: Peter Heus <andreaklopp@gmail.com>
Sent: Monday, March 4, 2019 8:49 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

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Sincerely,
Peter Heus
676 Wood Thrush Way
Hinton, WV 25951

DEP WQS Comments

From: Michael S. Carter <mikeandchris.carter@gmail.com>
Sent: Monday, March 4, 2019 9:27 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

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Sincerely,
Michael S. Carter
210 Maple Ave
Rocky Mount, VA 24151

DEP WQS Comments

From: Heidi Kellner <Heidik@wolfram.com>
Sent: Monday, March 4, 2019 10:17 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
Heidi Kellner
604 e. Elm st.
Urbana, IL 61802

DEP WQS Comments

From: Nan Gray <soilwork@pemtel.net>
Sent: Monday, March 4, 2019 10:39 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

Re: Revoke all Nationwide 12 permit and construction certificates of Mountain Valley Pipeline

Dear WV DEP Staff, 4 March 2019

Please revoke/rescind/cancel/halt the Mountain Valley Pipeline (MVP) certificates for construction. Recent filings by MVP to the Federal Energy Regulation Commission (FERC) finally admitted the computer routing was inadequate for the field conditions encountered, long after they were told to have site specific evaluation along the entire length of the pipeline route and staging/access areas. Mountain Valley Pipeline ignored this and somehow the project was allowed to construct without knowledge of anything they would encounter. Nature and soils and science were ignored. The water is suffering for MVP lack of adequate preplanning work. Now the MVP has changed the certificate so thoroughly that the MVP project is not the same project they filed for initially. MVP should not be allowed to continue. They should be made to refile a new application with all the information they have and get the information they need and re-evaluate what was misrepresented in the initial application.

Have MVP stop all work, stop all construction, make them clean up the mess they have made and make them go away and take their pipes, too. The existent soils the MVP project has intercepted are not suitable for trenching and pipeline construction. The soils in the route are unsuitable and always were, and are there and will move if disturbed by construction of the pipeline.

When the soils are problem prone soils (high water table, shrink-swell clay, prone to creep or move or landslide, shallow depth to bedrock, karst, sandy, clayey, on steep slopes, the Pipeline and Hazardous Materials Safety Administration dictates the soils should be avoided or the highest quality, thickest strongest pipe be used for natural gas pipelines. That highest quality pipe (eg., Class 5 for 36 inch pipe) and the highest quality construction practices are to be used. Check the Class pipe installed because the construction practices have not been the highest quality best management practices (because MVP did not consider proper preplanning to know what soils would be intercepted). Check the Class pipe installed.

And then anywhere one Class of pipe meets another Class of pipe, that becomes a potential weak point, so the whole MVP route should have the same highest Class pipe throughout the whole route. MVP can put that information/confirmation in their new application to be filed. But for now, the situation calls for a stop work order and denial/revoke/rescind/halt the Mountain Valley Pipeline project. Please stop MVP from any more construction.

MVP needs to be told “no” on the 401 Certificate, Nationwide 12 permit. Erosion and sediment are rampant along the pipeline route where the earth has been exposed or broken. Farms are being pelted with E&S Control polyacrylamide gel pellets, animals are eating those pellets, same pellets are indiscriminately spattered

in waterways/ farm ponds/ creeks/ wet weather creeks/ streams/rooftops/cisterns/ water at the water source. Unacceptable.

MVP should not be allowed to cross the Greenbriar River. The Greenbriar River is a treasure. Do not allow a variance to cross the Greenbriar River. Stop MVP from damaging more water. Do not allow MVP to cross any of the water ways regardless of how long it takes. Do not bend the rules for MVP nor ACP nor any pipeline project. Do not grant any more variances to MVP. Make them file a whole new application with all the variances they already have. Stop MVP construction. Make MVP Stop Work.

Thank you for revoking the MVP construction certificate and revoking the Nationwide 12 permit, Nan Gray
Licensed Professional Soil Scientist

Sincerely,
Nan Gray
668 Happy Hollow rd
Newport, VA 24128

DEP WQS Comments

From: Vivian Stockman <viv@spectrumz.com>
Sent: Monday, March 4, 2019 11:07 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Vivian Stockman
249 Millstone Run
Spencer, WV 25276

DEP WQS Comments

From: Laura Bayer <laurabayerontheriver@yahoo.com>
Sent: Monday, March 4, 2019 11:53 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

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Sincerely,
Laura Bayer
2796 WINCHESTER AVE
MARTINSBURG, WV 25405

DEP WQS Comments

From: Rosealie Lynch <rosielynch11@gmail.com>
Sent: Monday, March 4, 2019 12:18 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
Rosealie Lynch
601 South High Street
Harrisonburg, VA 22801

DEP WQS Comments

From: John Terry <fourthredheadiv@gmail.com>
Sent: Monday, March 4, 2019 2:18 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

I think there should also be one more stipulation: If the contractors working along the pipeline break the rules, they should suffer hefty, personal fines, and jail time. There should be no excuse for doing a sub par job, especially considering how imperative it is this is done correctly. The risk of substantial fines and jail time would keep the workers honest and providing the best work possible. That's how the FAA keeps the pilots and mechanics working safely, so it should be easy enough to implement here too.

Sincerely,
John Terry
4111 Fern Street
Fairfax, VA 22030

DEP WQS Comments

From: Susan Bouldin <bouldinsusan@gmail.com>
Sent: Monday, March 4, 2019 2:40 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Susan Bouldin
PO Box 431
Talcott, WV 24981

DEP WQS Comments

From: Carol Sheffield <daydreambeliever@wildblue.net>
Sent: Monday, March 4, 2019 5:14 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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Sincerely,
Carol Sheffield
297 Upper Childers Run
Buckhannon, WV 26201

DEP WQS Comments

From: Carol Sheffield (daydreambeliever@wildblue.net) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 11:38 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Our waters, the very essence of life, should be as clean and healthy as humanly possible. This weakening of protections will be a threat to ALL. I urge you to reconsider!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Carol Sheffield
297 Upper Childers Run Rd
Buckhannon, WV 26201
daydreambeliever@wildblue.net
(304) 472-1463

DEP WQS Comments

From: Megan Van Pelt (grrlxxnothing@yahoo.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, March 4, 2019 6:42 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Megan Van Pelt
311 Vine St
Beckley, WV 25801
grrlxxnothing@yahoo.com
(304) 638-1838

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Lydia Garvey <wolfhowlmama@yahoo.com>
Sent: Monday, March 4, 2019 7:13 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Lydia Garvey
429 S 24th St
Clinton, OK 73601

DEP WQS Comments

From: Richard Clark <Claystreetstudio1@gmail.com>
Sent: Monday, March 4, 2019 9:34 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
Richard Clark
1911 Buttermilk Ridge Rd
Belington, WV 26250

DEP WQS Comments

From: Erin Hayde <ekh2788@gmAil.com>
Sent: Monday, March 4, 2019 10:14 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
Erin Hayde
330 E 77th St
New York, NY 10075

DEP WQS Comments

From: Will Wickham <wwickham96@gmail.com>
Sent: Monday, March 4, 2019 10:15 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

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Sincerely,
Will Wickham
1817 Monument Ave
Richmond, VA 23220

DEP WQS Comments

From: Joliene Mahan <jolienemahan@gmail.com>
Sent: Monday, March 4, 2019 8:26 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

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The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Joliene Mahan
225 Flint St
Rochester, NY 14608

DEP WQS Comments

From: Emily Givens <emilygivens@yahoo.com>
Sent: Sunday, March 3, 2019 10:23 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Emily Givens
1683 Sperry RD
Cornwall, VT 05753

DEP WQS Comments

From: Danny Marshall <dannyjoemarshall@aol.com>
Sent: Sunday, March 3, 2019 9:02 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Danny Marshall
1070 Howell Run Rd
West Union, WV 26456

DEP WQS Comments

From: Sarah Metrick <gauley.river.mermaid@hotmail.com>
Sent: Sunday, March 3, 2019 8:57 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Sarah Metrick
Allen Ave.
Beckley, WV 25801

DEP WQS Comments

From: Gladys Carter <fireweedgal1@gmail.com>
Sent: Sunday, March 3, 2019 8:54 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Gladys Carter
202 Greenville High School Rd.
GREENVILLE, WV 24945

DEP WQS Comments

From: Gladys Carter <fireweedgal1@gmail.com>
Sent: Sunday, March 3, 2019 9:19 PM
To: DEP WQS Comments
Subject: Changes to water quality certification permits

Secretary Austin Caperton
WVDEP

Dear Sir,

Please do not change the WV 401 water quality certification permits for the pipelines. Those standards should not be changed, as they protect the waterways and the inhabitants of those streams and rivers. The WVDEP is supposed to be protecting the environment of the state, working for everyone in the state.

Even without stream crossings, there has already been extensive damage done to our waterways by those building pipelines. There is at least one endangered species which is already being impacted; a change to the permit standards will be of more harm than help.

To change the standards for the permit will not serve the interests of anyone or anything other than the pipeline companies.

Sincerely,
Gladys Carter
Greenville, WV

DEP WQS Comments

From: Blaise Hollot, PE <blazer56@gmail.com>
Sent: Sunday, March 3, 2019 7:51 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

Dear Sirs:

The WVDEP is charged with balancing the needs of citizens, business, and the Mountain State's resources - mineral, air, and water. In keeping with your mission to the great people of WV, you SHOULD NOT proceed with your proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

As you deferred to the US Army Corp of Engineers Nationwide Permit, you understand that those guidelines were made with careful thought, scientific scrutiny, and general compromise. To revise, as you Department proposes, is contrary to the many hours of deliberation that went into these Guidelines.

Rather than opening a Pandora's Box of Problems, maintain the integrity of the Permit and hold the pipeline builders to the letter of the law. Encourage the companies to use engineering principles and design to proceed; NOT eliminating the laws to suit their single purpose. For example, if larger waterways need to be traversed, cross the rivers with over-head pipe bridges instead of buried pipes. Such actions would allow crossing without disturbing the stream bed or altering water flow! Pipe bridges have been a demonstrated option used to transport industrial gases (i.e., H₂, CO) up and down the Kanawha Valley from Carbide to DuPont for many years. Such design is also seen along the Monongahela River near Clariton, PA, transporting coke gases for refining purposes.

Another example of bridged/above ground pipelines can be seen in the Alaskan Oil Pipeline. Other options are available and might just be the "right fit" for WV's challenging geography while maintaining water quality and the integrity of the Corps Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Blaise Hollot, PE
223 TRINITY DRIVE
MCMURRAY, PA 15317

DEP WQS Comments

From: Blaise Hollot <blazer56@gmail.com>
Sent: Sunday, March 3, 2019 8:06 PM
To: DEP WQS Comments
Subject: DO NOT change Nationwide 12 Permit - have Pipeline Companies Design better options to comply with existing Law/Permits

Dear Secretary Caperton and WVDEP

The WVDEP is charged with balancing the needs of citizens, business, and the Mountain State's resources - mineral, air, and water. In keeping with your mission to the great people of WV, you SHOULD NOT proceed with your proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

As you deferred to the US Army Corp of Engineers Nationwide Permit, you understand that those guidelines were made with careful thought, scientific scrutiny, and general compromise. To revise, as you Department proposes, is contrary to the many hours of deliberation that went into developing these Guidelines.

Rather than opening a Pandora's Box of Problems, maintain the integrity of the Permit and hold the pipeline builders to the letter of the law. Encourage the companies to use engineering principles and design to proceed; NOT eliminating the laws to suit their single purpose. For example, if larger waterways need to be traversed, cross the rivers with overhead pipe bridges instead of buried pipes. Such actions would allow crossing without disturbing the stream bed or altering water flow! Pipe bridges have been a demonstrated option used to transport industrial gases (i.e., H₂, CO) up and down the Kanawha Valley from Carbide to DuPont for many years. Such design is also seen along the Monongahela River near Clariton, PA, transporting coke gases for refining purposes.

Oh, by the way, another example of bridged/above ground pipelines can be seen in the Alaskan Oil Pipeline. It works well & designed appropriately. Other options are available and might just be the "right fit" for WV's challenging geography while maintaining water quality and the integrity of the Corps Nationwide Permits. By changing the Permit as you propose, you do not allow for creative design which would meet the needs of the WV people and their natural resources. Rather, you give in to the mineral extraction business!

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Give pipeliner engineers a chance to do their job and keep WV streams flowing! Do not short-cut the regulations; hold pipeliners responsible to the law as the rest of the state's citizens abide.

Thank you for your consideration of my comments.

Blaise Hollot, PE
69 Stone House Rd.
Elkins, WV 26241

223 Trinity Dr.
Canonsburg, PA 15317



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DEP WQS Comments

From: Dorothy Larew <Larewcd@hotmail.com>
Sent: Sunday, March 3, 2019 7:03 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
Dorothy Larew
6232 Greenville Road
Greenville, WV 24945

DEP WQS Comments

From: Joseph Abbate <jeeva@yogaville.org>
Sent: Sunday, March 3, 2019 7:02 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
Joseph Abbate
12 Ramaa Ln
Buckingham, VA 23921

DEP WQS Comments

From: Lisa Circle <Circlell@msn.com>
Sent: Sunday, March 3, 2019 7:01 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Lisa Circle
4022 Hokes Mill Road
Ronceverte, WV 24970

DEP WQS Comments

From: Diane Wood (dianewood50@aol.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Sunday, March 3, 2019 6:51 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Diane Wood
306 Monroe Street
South Charleston, WV 25303
dianewood50@aol.com
(304) 744-9847

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Benjamin Mack <tristan24601@yahoo.com>
Sent: Sunday, March 3, 2019 3:35 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Benjamin Mack
1265 KIRSOPP AVE
Pittsburgh, PA 15220

DEP WQS Comments

From: DIANE SKELLIE <skellied@hughes.net>
Sent: Sunday, March 3, 2019 1:47 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I am joining the residents of southern WV to oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

The proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input. That is absolutely not acceptable and we vehemently oppose the proposed revisions.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. We expect protection of our State's natural resources by DEP, that is your agency name and your charge. Instead of making these proposed modifications, DEP should provide stream and wetland protections tailored to each pipeline project.

Sincerely,
DIANE SKELLIE
1436 GLENWOOD DRIVE
UNION, WV 24983

DEP WQS Comments

From: Norbert Mietus <tmietus@hughes.net>
Sent: Sunday, March 3, 2019 1:04 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I vehemently oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

Waiving or removing previous science based requirements that regulate pipeline construction activities in streams or wetlands is unethical and contradicts the DEPs purpose. The DEPs purpose is to protect and keep clean all water for the benefit of all West Virginians and the environment. Its current attempts at changing construction permit conditions to meet the demands of politicians and specials short term gain fossoil fuel industries is not meeting its obligations as intended in its creation. Improper permits for a special interest pipeline that is not needed and promotes the use of injurious fossil fuels is a waste of my state tax money and is also not in compliance with being fiscally responsible.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Norbert Mietus
1436 Glenwood Drive
Union, WV 24983

DEP WQS Comments

From: Kim Smith (cudakim@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Sunday, March 3, 2019 10:12 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Kim Smith
65 Camaro Drive
Beverly, WV 26253
cudakim@yahoo.com
(304) 704-3796

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Ann Knott <annie_sprklz@hotmail.com>
Sent: Saturday, March 2, 2019 6:58 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Ann Knott
395 Bun Hicks Rd
Forest Hill, WV 24935

DEP WQS Comments

From: Kerren Hall <kerrengh@yahoo.com>
Sent: Saturday, March 2, 2019 6:54 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
Kerren Hall
167 hess rd
Fayetteville, WV 25840

DEP WQS Comments

From: Robin Wright <robindykens@aol.com>
Sent: Saturday, March 2, 2019 6:03 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
Robin Wright
1595 Stringtown Road
Sinks Grove, WV 24976

DEP WQS Comments

From: Conni Gratop Lewis <connigl@aol.com>
Sent: Saturday, March 2, 2019 4:50 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Conni Gratop Lewis
4505 Staunton Ave SE
Charleston, WV 25304

DEP WQS Comments

From: Jim Rupert (csny60gd@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Saturday, March 2, 2019 3:00 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Jim Rupert
73 Rams Lane
Martinsburg, WV 25403
csny60gd@gmail.com
(304) 839-1247

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Denise Lytle <centauress6@live.com>
Sent: Saturday, March 2, 2019 2:57 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Denise Lytle
11 Wisteria Dr., Apt. 3F
Fords, NJ 8863

DEP WQS Comments

From: Kathleen Mundell <kamundell45@gmail.com>
Sent: Saturday, March 2, 2019 1:19 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Kathleen Mundell
165 Greenhill Road
Union, WV 24983

DEP WQS Comments

From: D Klenk (bgklenk@ma.rr.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Saturday, March 2, 2019 12:18 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

D Klenk
140 Ashmor
Bridgeport, WV 26330
bgklenk@ma.rr.com
(928) 600-9237

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Kristin Peckman <kris@peckmanjazz.com>
Sent: Friday, March 1, 2019 11:18 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input, and because of demands from a private company for a dangerous project.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters' designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Kristin Peckman
8131 Webster Dr.
Roanoke, VA 24019

DEP WQS Comments

From: HERMAN MANN <plomann54@aol.com>
Sent: Friday, March 1, 2019 8:27 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
HERMAN MANN
3413 Ellison Ridge
GREENVILLE, WV 24945

DEP WQS Comments

From: Paula Mann <plomann54@aol.com>
Sent: Friday, March 1, 2019 8:25 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Paula Mann
3413 Ellison Rdg
Greenville, WV 24945

DEP WQS Comments

From: David Hawkes <dahawk@frontier.com>
Sent: Friday, March 1, 2019 8:14 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
David Hawkes
16229 Seneca Trl S
Lindside, WV 24951

DEP WQS Comments

From: Sylvia Hawkes <hawknestsyl@frontier.com>
Sent: Friday, March 1, 2019 8:13 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Sylvia Hawkes
16229 Seneca Trl S
Lindside, WV 24951

DEP WQS Comments

From: Joseph Chasnoff <jschasnoff@gmail.com>
Sent: Friday, March 1, 2019 5:40 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Joseph Chasnoff
8236 Back Valley Rd.
Lindside, WV 24951

DEP WQS Comments

From: Susan Walburn (srmwalburn@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Friday, March 1, 2019 5:39 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Given WV's recent history of water pollution, we need to strengthen environmental protection not weaken regulations. Fossil fuels are history. WV needs to embrace non-polluting technology to restore the state's natural resources AND redirect fossil fuel workers into solar and wind jobs.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWPs).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Susan Walburn
9663 Hedgesville Rd.
Hedgesville, WV 25427
srmwalburn@gmail.com

(304) 671-5008

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Wanda Buchanan <speedbuggy11@yahoo.com>
Sent: Friday, March 1, 2019 3:34 PM
To: DEP WQS Comments
Subject: Do not change 401 Water Quality Certification conditions!!

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Do not change 401 Water Quality Certification conditions!!

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

Please protect our water and our environment from further damage from MVP and other big companies! I have witnessed failure after failure in their attempts to build the pipeline on level ground, not in wetland areas. They have had numerous failures of silt control, sending tons of mud into our local streams. I cannot imagine the horror they will create if given free rein on stream, river, and wetland crossings!!!!

When they have had a little 'oops!' they move on, but it cannot be fixed! They are destroying plants and animals, contaminating once organic farms, and generally trashing a once scenic area. Please do not give in to them and let them complete the destruction.

PROTECT our water and environment!! PLEASE!!!!

Sincerely,

Wanda Buchanan

Sincerely,
Wanda Buchanan
149 Spruce Run Road
Lindside, WV 24951

DEP WQS Comments

From: Bryan McCurdy <bryan.mccurdy@gmail.com>
Sent: Friday, March 1, 2019 3:27 PM
To: DEP WQS Comments
Subject: Opposition to modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Opposition to modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I vote and vehemently oppose any modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable for the DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Bryan McCurdy
1252 Lillydale-Back Creek Road
Greenville, WV 24945

DEP WQS Comments

From: Patricia Gundrum <gundrum2@gmail.com>
Sent: Friday, March 1, 2019 3:02 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Patricia Gundrum
252 STAUNTON AVE
SOUTH CHARLESTON, WV 25303

DEP WQS Comments

From: Burwell Ware <captioning@aol.com>
Sent: Friday, March 1, 2019 2:53 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Burwell Ware
4389 Hans Creek Rd.
Greenville, WV 24945

DEP WQS Comments

From: David Witt <cgrea850@gmail.com>
Sent: Friday, March 1, 2019 2:49 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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Sincerely,
David Witt
472 Casey Creek Lane
Greenville, WV 24945

DEP WQS Comments

From: Traci Hickson <alleghenytrace@gmail.com>
Sent: Friday, March 1, 2019 2:49 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Traci Hickson
1448 Gum Road
Cass, WV 24927

DEP WQS Comments

From: Teresa Alouf (solitas2@aol.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Sunday, March 3, 2019 10:17 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Teresa Alouf
226 Stewart Acres
Winfield, WV 25213
solitas2@aol.com
(304) 755-3969

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Orus BERKLEY <oab41@yahoo.com>
Sent: Thursday, February 28, 2019 4:10 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Orus BERKLEY
P.O. Box 366
Talcott, WV 24981

DEP WQS Comments

From: Orus Ashby Berkley <oaberkley41@gmail.com>
Sent: Sunday, March 3, 2019 8:56 PM
To: DEP WQS Comments
Cc: acrowe@wvrivers.org; susanbouldin@gmail.com; nancy bouldin; Maury Johnson; judyazulay@gmail.com; neom28641@gmail.com
Subject: Comments to the DEP WQS Permit
Attachments: Comment by Ashby Berkley to DEP WQS Permit -- 3-3-19.docx

TO WV DEP,

Please see the attachment for my comments to the Water Quality Standard Permit that WV DEP currently has out for comment.

Sincerely,
O. Ashby Berkley
Pence Springs WV

March 3, 2019

To: West Virginia Department of Environmental Protection;

As a landowner participant in the lawsuits first filed against WV DEP and then later the US Army Corps of Engineers in which the United States District Circuit Court of Appeals for the 4th Circuit vacated the Army Corps of Engineers Nationwide 12 Permit for the Mountain Valley Pipeline and as the owner of the land where MVP proposes to cross the Greenbrier River, I am terribly disturbed that once again WV DEP is trying to bend over backwards to the Mountain Valley Pipeline to weaken our stream protections.

The permit in question regulates pipeline construction activities in streams and wetlands. I joined with WV Rivers, the Greenbrier River Watershed Association as well as several other organizations and WV citizens to question the validity of these permits for the Mountain Valley Pipelines when we discovered that they did not meet the permit's requirements.

As an affected landowner in the path of the Mountain Valley Pipeline I have filed numerous documents with WV DEP, FERC and the Army Corp of Engineers to try and protect the water quality of our streams, especially the Greenbrier River. I have owned this current piece of property since 1968, taking great care to maintain the land and the river. I have spent tens of thousands of dollars over last 50 years to insure that the river is kept clean and unspoiled and to insure that local citizens have a clean, safe and abundant water source in the Greenbrier River. I was raised on the banks of the Greenbrier River and have spent the last 70 years or more caring for it. My ancestors first came to the area in 1825, partly because of the Greenbrier River and the pure clean water in the area. Currently WV DEP has issued 22 NOV's for the MVP, why would you ever consider weakening the standards and not strengthen them is beyond my realm of comprehension.

Furthermore, the Mountain Valley Pipeline is NOT in the economic interests of the state or the local area that depends upon tourism for our economic growth. Summers County is called the "Play Ground of WV" and Monroe County is call the "The Water Capital of the State" and "A Little Piece of Heaven". The Greenbrier Valley is known as the most pristine and clean part of the state and is a mecca for tourist. Therefore we shouldn't be bending the rules for these job killing industries.

WV DEP must not allowing exemptions to the 72-hour stream crossing restriction. This condition helps to minimize impacts to water quality and aquatic life, such as micro-organisms that all aquatic life depends. In addition the Greenbrier River has a diverse mussel population that will be severely impacted by allowing this exemption. Anyone who has lived around streams knows that prolonged dewatering of streambeds will have severe impacts to the life in a stream. Agencies like WV Division of Natural Resources rely on this 72-hour restriction to determine if construction during fish spawning seasons will have ill-effects on fish and mussel populations.

WV DEP should not allow temporary impediments to fish passage. This condition helps to minimize impacts to fish species, such as the endangered Candy Darter found in the Greenbrier River and its tributaries, by preventing structures that impede fish passage. DEP is changing this condition to allow structures to impede fish passage as long as they are not permanent; however the length of time that fish passage will be prevented is not defined. I believe that even temporary impediments could be catastrophic to fragile fish and other aquatic life like endangered crayfish and mussels.

Waiving the requirement for an individual water quality certification for large pipeline is just capitulations to these pipeline companies and will allow them to destroy our streams, springs, wetlands and underground aquifers. This condition is in place to assure that stream and wetland crossings for large-scale pipelines (over 36" in diameter) get the careful analysis and individualized plans required to better ensure protection of water quality. If you waive this requirement for these companies, what regulation could be waived in the future for another major polluting industry? This would set a dangerous precedent.

Allowing for the removal of any permit conditions with no public scrutiny is wrong and possibly illegal. These standard and special permit conditions are in place to make sure that when a nationwide permit is used there is a baseline of protections that will be enforced. They have been developed over many years with lots of citizen and legislative input. These conditions become meaningless if the regulatory agency is allowed to remove or waive them, especially without any requirement for public notice and comment.

WV DEP states the modifications are necessary so that companies are not prevented from using more environmentally protective methods. This simply is not true. WV DEP currently has the authority to reject coverage of large-scale projects under a one-size-fits-all Nationwide Permits and can instead come up with protective methods customized to the needs of the project through an individual permit. This is just an attempt, once again, for WV DEP to avoid its responsibility to protect the environment and water quality in the state of West Virginia and it is atrocious .

Instead of making these proposed modifications, the WV DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

It is totally unacceptable and unbelievable, that WV DEP would propose revisions which would allow the DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

I therefore vigorously oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

Sincerely,

O. Ashby Berkley

Pence Springs. WV 24981

DEP WQS Comments

From: Megan Kelley <meganhkelley@gmail.com>
Sent: Sunday, March 3, 2019 6:37 PM
To: DEP WQS Comments
Subject: Public Comment: 401 Water Quality Certification for Nationwide Permits

Dear Nancy Dickson,

I am writing to oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

The proposed modifications threaten West Virginia wildlife, water, and communities. It is abhorrent, although not surprising, that the DEP is proposing to change the law to suit the needs of extractive industry.

Do better. Be better.

Sincerely,
Megan Kelley
Resident of Boone County, WV

DEP WQS Comments

From: Chris Asmann <pointydog@hotmail.com>
Sent: Sunday, March 3, 2019 7:31 AM
To: DEP WQS Comments
Subject: waiver of permit requirements for pipeline construction

To the good folks of the DEP,

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits. It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

We, the citizens and taxpayers of West Virginia expect that the good people who work at the DEP will do the job we hired them to do. That job is to PROTECT the people of West Virginia! You are tasked with protecting the forests, streams and rivers we love. Your actions are important to safeguard safe drinking water for everyone and water clean enough to support fish, salamanders and other aquatic life.

WVDEP does not work for any pipeline company and I sincerely hope there are still ethical people running the DEP who are willing to stand up and do what's right. When a company promises to protect the environment and abide by the already lax rules we have in place - then proceeds to violate those rules at will, their permission to operate in our state at any level should be completely rescinded.

Isn't it time West Virginia stopped being #50? Stand up for what's right and leave the current, reasonable rules alone.

Sincerely,

Chris Asmann

Fort Spring

DEP WQS Comments

From: Maury Johnson <mauryjohnson@yahoo.com>
Sent: Tuesday, February 26, 2019 11:52 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Maury Johnson
3227 Ellison Rdg
Greenville, WV 24945

DEP WQS Comments

From: Maury Johnson <mauryjohnson@yahoo.com>
Sent: Sunday, March 3, 2019 7:21 AM
To: DEP WQS Comments
Cc: Angie Rosser; Stottlemyer, Dennis O; King, John M.S
Subject: Comments to WV DEP Concerning Water Quality Standards Permit
Attachments: DEP PERMIT COMMENT 3-3-19.docx

TO WV DEP,

Attached is my comments to the Water Quality Standard Permit currently up for review.
Please do not change these standards

Sincerely,

Maury Johnson
3227 Ellison Ridge
Greenville WV 24945

March 3, 2019

TO West Virginia Department of Environmental Protection,

As a standing declarant to the lawsuit first against WV DEP and then later the US Army Corps of Engineers in which the US 4th Circuit Court of Appeals vacated the Army Corps of Engineers Nationwide 12 permits for the Mountain Valley Pipeline, I am appalled that once again WV DEP is trying to capitulate to Mountain Valley Pipeline to weaken our stream protections.

The permit in question regulates pipeline construction activities in streams and wetlands. I join with WV Rivers, Indian Creek Watershed Association, the Greenbrier Watershed Association and many other organizations and hundreds of WV citizens and question the validity of these permits for the Mountain Valley and other large pipelines when we discovered that they did not meet the permit's requirements.

As a citizen monitor with Mountain Valley Watch and an affected landowner in the path of the Mountain Valley Pipeline I have filed over 90 complaints with WV DEP, documenting hundreds of violations to water quality issues, many are repeated violations. Currently WV DEP has issued 22 NOV's, why in heavens name would WV DEP want to weaken the standards and not strengthen them is beyond reason.

- ***WV DEP must not allowing exemptions to the 72-hour stream crossing restriction.*** This condition helps to minimize impacts to water quality and aquatic life, such as micro-organisms that all aquatic life depends. Anyone who has lived around streams knows that prolonged dewatering of streambeds will have severe impacts to the life in a stream. Agencies like WV Division of Natural Resources rely on this 72-hour restriction to determine if construction during fish spawning seasons will have ill-effects on fish populations.
- ***WV DEP should not allow temporary impediments to fish passage.*** This condition helps to minimize impacts to fish species, such as the endangered Candy Darter, by preventing structures that impede fish passage. DEP is changing this condition to allow structures to impede fish passage as long as they are not permanent; however the length of time that fish passage will be prevented is not defined. I believe that even temporary impediments could be catastrophic to fragile fish and other aquatic life like endangered crayfish.
- ***Waiving the requirement for an individual water quality certification for large pipeline is just capitulations to these pipeline companies and will allow them to destroy our streams, springs, wetlands and underground aquifers.*** This condition is in place to assure that stream and wetland crossings for large-scale pipelines (over 36" in diameter) get the careful analysis and individualized plans required to better ensure protection of water

quality. If you waive this requirement for these companies, what regulation will be waived in the future for another major polluting industry? Don't set a precedent.

- ***Allowing for the removal of any permit conditions with no public scrutiny is wrong and possibly illegal.*** *These standard and special permit conditions are in place to make sure that when a nationwide permit is used there is a baseline of protections that will be enforced. They have been developed over many years with lots of citizen and legislative input. These conditions become meaningless if the regulatory agency is allowed to remove or waive them, especially without any requirement for public notice and comment.*

DEP states the modifications are necessary so that companies are not prevented from using more environmentally protective methods. This simply is not true. DEP currently has the authority to reject coverage of large-scale projects under a one-size-fits-all Nationwide Permit and can instead come up with protective methods customized to the needs of the project through an individual permit. This is just an attempt, once again, for WV DEP to dodge its responsibility to protect the environment and water quality in the state of West Virginia and it is despicable.

Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

It is totally unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

I therefore vigorously oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

Sincerely,

Maury W. Johnson

3227 Ellison Ridge

Greenville, WV 24945

DEP WQS Comments

From: Patricia Jean Young (drpjhyoung@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Saturday, March 2, 2019 5:21 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Patricia Jean Young
15 Kittyoungo Ln
Valley Grove, WV 26060
drpjhyoung@gmail.com
(304) 639-8253

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Andrea Klopp (andreaklopp@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Saturday, March 2, 2019 8:39 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Please do not change the laws trying to protect our water, resources and lives in this state. It is killing us for corporate greed and is wrong. We will pay dearly for our destruction unless we put life first.

Sincerely,
Andrea Klopp

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Andrea Klopp

676 Wood Thrush Way
Hinton, WV 25951
andreaklopp@gmail.com
(304) 466-3154

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Jo Will <wjjo0425@yahoo.com>
Sent: Friday, March 1, 2019 9:01 PM
To: DEP WQS Comments
Subject: Changing laws and regulations for pipelines

DON T Do IT. This is becoming more apparent to the public that its a big land grab to destroy property rights Do not destroy the wonderful waters of West Virginia! What has been done so far in the county where I live (Monroe County) is steamroll us all, make a horrible muddy mess...and threaten our property rights, our health, and the beauty of this state and its wildlife. What For? To benefit people on the other side of the world? How about take care of your own country? America FIRST!

DEP WQS Comments

From: Susan Sailer <susansailer@gmail.com>
Sent: Friday, March 1, 2019 3:51 PM
To: DEP WQS Comments
Subject: Modifications for the Atlantic Pipeline

I am completely opposed to each of the proposed modifications for the pipelines crossing West Virginia. Our state's future depends on tourism, which depends on maintaining our streams and rivers in pristine condition, and each of the modifications endangers this condition. Please do not allow any of these modifications to pass into law, which would only benefit the pipeline companies but damage West Virginia's future viability.

Thank you,
Susan Shaw Sailer
415 Fountain View
Morgantown, WV 26505

DEP WQS Comments

From: Michael McGee <Mjmc999@gmail.com>
Sent: Sunday, March 3, 2019 10:31 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Michael McGee
238 B Sunset Ave
Charlottesville, VA 22903

DEP WQS Comments

From: Thomas Valencia (thomvalencia@hotmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Thursday, February 28, 2019 8:18 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Section 401 of the Clean Water Act is in place to protect water quality and ensure the health and safety of West Virginians.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Thomas Valencia
463 North Fork Loop
Green Bank, WV 24944
thomvalencia@hotmail.com
(304) 456-4160

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Linda Gallaher (iamstrega@aol.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 12:53 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Linda Gallaher
157 Gallaher Street
Huntington, WV 25705
iamstrega@aol.com
(304) 710-7956

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Dawn Weidner (dawnweidner@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 9:55 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

All life depends on clean water. It is not ethical for one species to prevail over all others.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Dawn Weidner
20 EDGEWOOD PARK, DAWN WEIDNER
PARKERSBURG, WV 26104
dawnweidner@gmail.com
(304) 893-1674

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Randy Thomas (randy4557@msn.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:02 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

No modifications to 401 WQC!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Randy Thomas
136 Beechview Road
Mount Hope, WV 25880
randy4557@msn.com
(304) 573-8744

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Kathy Ames (katames@frontier.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:06 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

People and our future must come before profits for a few!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Kathy Ames
1184 Tanner Hill Road
Tanner, WV 26137
katames@frontier.com
(304) 462-4393

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Sharon Gates (gates@marshall.edu) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:17 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Haven't we done enough damage to our planet? How about cutting the tops off the oldest mountain range in America? Leaving behind destroyed homes of thousands of animals, displacing streams, contaminating water. Please, reconsider this action.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWPs).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Sharon Gates
1839 Enslow Avenue
Huntington, WV 25701
gates@marshall.edu

(304) 638-4798

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Abi Taylor (taylor684@live.marshall.edu) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:09 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

This issue is very dear to me because water is a vital life force to the well being of all living creatures. When our waters are not clean then that affects the wellness of not only humans but also plants and animals. And where do the nutrients that keep us alive come from?? Those plants and animals that have been taking in contaminated water. Not only are we directly impacted by our water quality through drinking and cooking with it but we are indirectly effected by it from the foods we eat. It has been proven that these pollutants have very serious negative health consequences for people that are in contact with it. We need clean water to live a good life. Every human being deserves to have access to water they can trust. Water that isn?t going to deteriorate their health and one day kill them. Think about what is going to be left for your grandchildren if all the water is polluted and not safe to drink. How are they going to have to live in this type of crisis. It is inevitable that we are going to face this crisis very soon. Why not go ahead and get a start on making things right? Creating a better world for your grandchildren and everyone that calls this planet home. Please don?t let a price be put on our heads. Our lives. Your life. This is a matter that effects even you. No one can escape from these effects. If you take the time to read this thank you very much and I hope you consider what I have said. I am a college student at Marshall University who is striving to make a difference in this state. I want to help push this state to be all that I know it can be but how can I if you leave me with nothing? No security. No resources. Have an amazing day.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWPs).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline?s Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP?s proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit?s recent ruling.

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assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Abi Taylor
76 oney ave
Huntington, WV 25705
taylor684@live.marshall.edu
(304) 237-9120

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Jim Reid (spyro2gyro@comcast.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 3:48 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Jim Reid
405 Deer Ridge Drive
Harpers Ferry, WV 25425
spyro2gyro@comcast.net
(304) 261-0410

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Victoria Brownlee (vebree@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 5:34 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Victoria Brownlee
105 Cedarwood Way
Millwood, WV 25262
vebree@gmail.com
(304) 482-0868

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Aileen Curfman (acurfman@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 5:49 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Aileen Curfman
1067 COMSTOCK DR
SHEPHERDSTOWN, WV 25443
acurfman@gmail.com
(304) 433-5321

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Robin Asbury (rasbury1@msn.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 6:25 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Having lived in this state all my life, I have seen the waters run red with mine drainage, seen dead fish in our streams, and seen firsthand the effects of runoff and pollution in our waters. Changing these rules will only add to the destruction of our waterways.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Robin Asbury
69 Candlelight Drive
Morgantown, WV 26508
rasbury1@msn.com

(681) 209-1780

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Phil White (philwhitenow@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 7:21 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

It is an outrage to take away these protections when you have been elected to protect your constituents!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Phil White
863 Westminster
Charleston, WV 25314
philwhitenow@yahoo.com
(304) 993-9389

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Jane Morningstar (morningstarjane@yahoo.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Tuesday, February 26, 2019 7:24 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

When will you stop acting only for the fossil fuel industry. Stop destroying our state. Invest in our tourism that keeps us healthy.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Jane Morningstar
184 Wolfenbarger Road
Renick, WV 24966
morningstarjane@yahoo.com
(304) 646-1086

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Linda Vincent (jvincent107@hotmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 7:39 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Linda Vincent
549 Indian Creek Dr
Frankford, WV 24938
jvincent107@hotmail.com
(304) 647-5859

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Elizabeth Wheeler (ewheelerwv@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 7:53 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Keeping our source waters safe is of utmost importance. Please do not support short-sighted policies that endanger our health and well-being and compromise the well being of future generations.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Elizabeth Wheeler
P.O. Box 1084, 202 S. Princess St
Shepherdstown, WV 25443
ewheelerwv@yahoo.com
(304) 283-3129

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: jean vickers (rosedaledogs68@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 8:01 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

the WV rivers and streams are extremely valuable to both commerce and quality of living. They deserve to be kept clean, and beautiful.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

jean vickers
1029 ben rd
st albans, WV 25177
rosedaledogs68@yahoo.com
(304) 727-2392

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Summer Lee (smmrlee@live.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 8:46 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

We, West Virginians, have already compromised so much of our health, public lands, and safety for outside companies that only exploit our beautiful state. As a recent graduate from WVU with a Geology degree, I have stayed here to try to protect and promote better standards from West Virginia. Please do not compromise our water quality even more, which is among the worst quality in the nation. Thank you for taking the time to read this; I really hope you will consider withdrawing this modification.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Summer Lee
1418 Ravinia Road

Charleston, WV 25314
smrlee@live.com
(304) 923-2399

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Carol Workman (akmagpie96@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 9:00 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Clean water for everyone in our state is a necessity for good health. There should be no compromises on this.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Carol Workman
P.O. Box 5065
Beckley, WV 25801
akmagpie96@yahoo.com
(304) 207-8820

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Robert Clark (b.bclark@frontier.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 9:27 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

This proposed change of the rules is terribly short-sighted. The health and welfare of all our children and their children is at stake. **DO NOT ALLOW THIS CHANGE!**

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Robert Clark
310 Raven View Ln
Lewisburg, WV 24901
b.bclark@frontier.com
(681) 318-3196

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: James Culberson (jculberson@hsc.wvu.edu) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 9:35 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

James Culberson
1268 colonial dr
morgantown, WV 26505
jculberson@hsc.wvu.edu
(304) 293-0593

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Katharine Gregg (gregg@wwvc.edu) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 9:56 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

West Virginia is one of the most fortunate of our United States in that we usually have plenty of fresh, clean water. It is imperative that we keep these precious waters protected from pollution. Please DO NOT modify our current water safety standards.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWPs).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Katharine Gregg
23 Meade Street
Buckhannon, WV 26201
gregg@wwvc.edu

(304) 472-4055

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Carrie Kline (kline@folktalk.org) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 10:12 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

If we don't have ample and clean water, we'll have nothing. Clean water is #1. Clean air is #2 for reviving our economy. It all starts with our citizens' health and attracting others who care about their family's health in selecting a place to live.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWPs).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Carrie Kline
320 Center St.
Elkins, WV 26241
kline@folktalk.org

(304) 636-5444

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Jon Hunter (senhunter@frontier.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 10:13 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

As a former State Senator and a current farmer and avid fisherman I urge you to keep our precious water resources safe from the toxic pollutions caused by fracking

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Jon Hunter
1265 4H Camp Rd
Morgantown, WV 26508
senhunter@frontier.com
(304) 290-2135

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Beverly Van Metre (bfvanmetre@aol.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 2:49 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

As a lifelong West Virginian, I do not want to see the ravaging of our state continue because of greed over the money to be made allowing and promoting use of fossil fuels at any cost to our environment and residents.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Beverly Van Metre
239 S Illinois Ave
Martinsburg, WV 25401
bfvanmetre@aol.com
(304) 671-6511

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: merri <mmorgan@blazingaccess.com>
Sent: Tuesday, February 26, 2019 12:53 PM
To: DEP WQS Comments
Subject: changing requirements for stream crossing permits

Under no circumstances should you lower the bar for stream crossing permits. Even with the existing requirements, we see devastation in Monroe County where the MV pipeline is crossing streams. Pipeline companies in particular will promise the moon and comply as sketchily as possible when it comes to following regulations. You can see it in Monroe County. How about seriously tightening regulations; that's what's needed.

Merri Morgan
Greenville, WV

DEP WQS Comments

From: John Estes <oldcodger1@att.net>
Sent: Tuesday, February 26, 2019 3:17 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
John Estes
1207 Regal Avenue
Birmingham, AL 35213

DEP WQS Comments

From: Bill Regernash (billregernash@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Wednesday, February 27, 2019 7:41 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

As a public health professional i am deeply concerned about water quality in West Virginia.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Bill Regernash
304 dream catcher circle
Morgantown, WV 26508
billregernash@gmail.com
(304) 685-6740

DEP WQS Comments

From: Reger-Nash, Bill <wreger@hsc.wvu.edu>
Sent: Friday, March 1, 2019 2:04 PM
To: DEP WQS Comments
Cc: duane330@aol.com
Subject: Pipeline Damages to WV Streams & Wetlands

As a public health professional, I am concerned about the following proposed modifications raise concerns for our rivers and streams:

Allowing exemptions to the 72-hour stream crossing restriction. This condition helps to minimize impacts to water quality and aquatic life. Prolonged dewatering of streambeds can have severe impacts to the life in a stream. Agencies like WV Division of Natural Resources rely on this 72-hour restriction to determine if construction during fish spawning seasons will have ill-effects on fish populations.

Allowing temporary impediments to fish passage. This condition helps to minimize impacts to fish species by preventing structures that impede fish passage. WV-DEP is changing this condition to allow structures to impede fish passage as long as they are not permanent; however the length of time that fish passage will be prevented is not defined.

Waiving the requirement for an individual water quality certification for large pipelines. This condition is in place to assure that stream and wetland crossings for large-scale pipelines (over 36" in diameter) get the careful analysis and individualized plans required to better ensure protection of water quality.

Allowing for the removal of any permit conditions with no public scrutiny. Standard and special permit conditions are in place to make sure that when a nationwide permit is used there is a baseline of protections that will be enforced. These conditions become meaningless if the regulatory agency is allowed to remove or waive them, especially without any requirement for public notice and comment.

The WV-DEP states the modifications are necessary so that companies are not prevented from using more environmentally protective methods. **This simply is not true.** WV-DEP currently has the authority to reject coverage of large-scale projects under a one-size-fits-all Nationwide permit, and can instead come up with protective methods customized to the needs of the project through an individual permit.

Thank you for your consideration.

/ Bill Reger-Nash, EdD

Professor Emeritus
 School of Public Health
 West Virginia University
 Morgantown, WV 26506-9190
 C: 304-685-6740
 O: 304-293-0763
wreger@hsc.wvu.edu
publichealth.hsc.wvu.edu/BillRegerNash/
publichealth.hsc.wvu.edu

Associate Chair, Morgantown Pedestrian Safety Board

Walk 30 to 60 minutes daily.

Feel the Power of Half an Hour! gn

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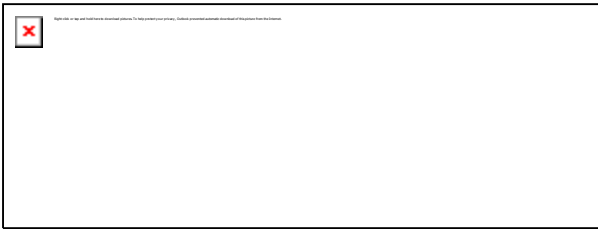
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From: noreply+feedproxy@google.com <noreply+feedproxy@google.com> on behalf of Frack Check WV <noreply+feedproxy@google.com>
Sent: Friday, March 1, 2019 3:57 AM
To: Reger-Nash, Bill
Subject: Comment Now on Pipeline Damages to WV Streams & Wetlands: Deadline is Monday

Comment Now on Pipeline Damages to WV Streams & Wetlands: Deadline is Monday

[Comment Now on Pipeline Damages to WV Streams & Wetlands: Deadline is Monday](#)

Posted: 01 Mar 2019 12:15 AM PST



Stream & wetlands disturbances are severe and long lasting

Comment on WVDEP's Proposed Change to Stream Crossing Permit

Prepared by the [West Virginia Rivers Coalition](#), Fact Sheet, 2/19

Background Information Summary

The WV Department of Environmental Protection (WV-DEP) agreed to permit the construction of the Mountain Valley Pipeline and Atlantic Coast Pipeline through streams and wetlands according to a **Nationwide 12** permit issued by the U.S. Army Corps of Engineers. In 2017, WV-DEP established certain special conditions that must be followed for projects subject to a Nationwide 12 permit to protect the environment. Now, WV-DEP is proposing to change those conditions and are accepting public comment on proposed modifications through March 4, 2019.

[Comment here.](#)

Key Revisions Proposed by the WV-DEP

The following proposed modifications raise concerns for our rivers and streams:

>>> Allowing exemptions to the 72-hour stream crossing restriction. This condition helps to minimize impacts to water quality and aquatic life. Prolonged dewatering of streambeds can have severe impacts to the life in a stream. Agencies like WV Division of Natural Resources rely on this 72-hour restriction to determine if construction during fish spawning seasons will have ill-effects on fish populations.

>>> Allowing temporary impediments to fish passage. This condition helps to minimize impacts to fish species by preventing structures that impede fish passage. WV-DEP is changing this condition to allow structures to impede

fish passage as long as they are not permanent; however the length of time that fish passage will be prevented is not defined.

>>> Waiving the requirement for an individual water quality certification for large pipelines. This condition is in place to assure that stream and wetland crossings for large-scale pipelines (over 36" in diameter) get the careful analysis and individualized plans required to better ensure protection of water quality.

>>> Allowing for the removal of any permit conditions with no public scrutiny. Standard and special permit conditions are in place to make sure that when a nationwide permit is used there is a baseline of protections that will be enforced. These conditions become meaningless if the regulatory agency is allowed to remove or waive them, especially without any requirement for public notice and comment.

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How to Comment to the WV Department of Environmental Protection

Comments can be [submitted online here](#), via email at WQSComments@wv.gov, or by mail to:

401 Water Quality Certification Program

ATTN: Nancy Dickson, WV-DEP

601 57th Street SE

Charleston, WV 25304-2345

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To stop receiving these emails, you may [unsubscribe now](#).

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DEP WQS Comments

From: Sue E. Dean <deanks@juno.com>
Sent: Tuesday, February 26, 2019 3:24 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Sue E. Dean
849 Widgeon Drive
Longmont, CO 80503

DEP WQS Comments

From: Chris Sprankle <crsprankle@yahoo.com>
Sent: Tuesday, February 26, 2019 3:26 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

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Sincerely,
Chris Sprankle
269 Givens Lane
Berkeley Springs, WV 25411

DEP WQS Comments

From: Tia Triplett <tia@anlf.com>
Sent: Tuesday, February 26, 2019 3:30 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

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Sincerely,
Tia Triplett
3959 Berryman Avenue
Los Angeles, CA 90066

DEP WQS Comments

From: Eric Engle <ericdengle85@gmail.com>
Sent: Tuesday, February 26, 2019 3:47 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

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Sincerely,
Eric Engle
3850 Central Avenue, Apt. #4
Parkersburg, WV 26104

DEP WQS Comments

From: Scott Gibson (gibby4444@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 3:58 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Please protect our water....

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Scott Gibson
120 Riverview Drive
Saint Albans, WV 25177
gibby4444@yahoo.com
(304) 206-1121

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Lorrin Pickens <cardshooter@yahoo.com>
Sent: Tuesday, February 26, 2019 4:14 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Lorrin Pickens
704 Riverview Drive
Belmont, WV 26134

DEP WQS Comments

From: Lisa Barrett <leezalu72@yahoo.com>
Sent: Tuesday, February 26, 2019 4:20 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

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Sincerely,
Lisa Barrett
923 short st
loves park, IL 61111

DEP WQS Comments

From: Doug Evans <Douglas.evans@me.com>
Sent: Tuesday, February 26, 2019 4:39 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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Sincerely,
Doug Evans
214 10th Street
Parkersburg, WV 26101

DEP WQS Comments

From: Lucy Binhack <binhack@comcast.net>
Sent: Tuesday, February 26, 2019 4:47 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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Sincerely,
Lucy Binhack
545 Faulkner Road
Elkins, WV 26241

DEP WQS Comments

From: cat Cole <crittersonthefarm@hotmail.com>
Sent: Tuesday, February 26, 2019 4:55 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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Sincerely,
cat Cole
2933 Clymers Creek Road
Hurricane, WV 25526

DEP WQS Comments

From: Bret Rosenblum <bretrosenblum@hotmail.com>
Sent: Tuesday, February 26, 2019 5:01 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
Bret Rosenblum
11303 Lower Cheat Rd
Elkns, WV 0

DEP WQS Comments

From: Janey Wilmoth <janeywilmoth@msn.com>
Sent: Tuesday, February 26, 2019 5:05 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
Janey Wilmoth
651 Faulkner
Elkins, WV 26241

DEP WQS Comments

From: Kate Leary <kate_g_leary@yahoo.com>
Sent: Tuesday, February 26, 2019 5:14 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
Kate Leary
242 East Avenue, Apt. 1
Thomas, WV 26292

DEP WQS Comments

From: Jill Stalnaker <jillrs25@hotmail.com>
Sent: Tuesday, February 26, 2019 5:29 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
Jill Stalnaker
186 Bearhunter Est
Elkins, WV 26241

DEP WQS Comments

From: Jonathan Curry <cookieboy_03@frontiernet.net>
Sent: Tuesday, February 26, 2019 5:43 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
Jonathan Curry
58 Powell's Creek Road
Birch River, WV 26610

DEP WQS Comments

From: Lleona Chew <Mamalleona@yahoo.com>
Sent: Tuesday, February 26, 2019 6:01 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
Lleona Chew
62 Garden Place
Charles Town, WV 25414

DEP WQS Comments

From: Bob Bousquet <bousquetrb@comcast.net>
Sent: Tuesday, February 26, 2019 6:34 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
Bob Bousquet
PO Box 101
Bryantville, MA 2327

DEP WQS Comments

From: Ivan Browning (ib2@sailpassport.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 6:37 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Ivan Browning
706 Snake Hill Rd
Morgantown, WV 26508
ib2@sailpassport.net
(304) 777-9381

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Linda Jones <Jerichorose3@yahoo.com>
Sent: Tuesday, February 26, 2019 6:45 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Linda Jones
1004 Tanner Hill Rd
Tanner, WV 26137

DEP WQS Comments

From: Diana Grajeda <Lilypadthai@yahoo.com>
Sent: Tuesday, February 26, 2019 7:05 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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Sincerely,
Diana Grajeda
173 Canal Way
Shepherdstown, WV 25443

DEP WQS Comments

From: Jim Litton (smknhoot@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 7:09 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Jim Litton
3249 Upper Little Birch Road
SUTTON, WV 26601
smknhoot@yahoo.com
(304) 765-3818

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: David Brisell <brisell@frontiernet.net>
Sent: Tuesday, February 26, 2019 7:18 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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Sincerely,
David Brisell
3491 Clifton Mills Rd
Bruceton Mills, WV 26525

DEP WQS Comments

From: K Scott <lil_lily@icloud.com>
Sent: Tuesday, February 26, 2019 7:35 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
K Scott
Arlington Ave.
Charleston, WV 25302

DEP WQS Comments

From: Gale Simplicio <galesviento@comcast.net>
Sent: Tuesday, February 26, 2019 8:10 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

The regulations currently in place are the ones that ensure protection of the environment. Changing them to suit the fossil fuel companies is negating your responsibility to the public.

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
Gale Simplicio
1275 Tartan Lane
Morgantown, WV 26505

DEP WQS Comments

From: David Lillard <david@lillards.com>
Sent: Tuesday, February 26, 2019 8:12 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

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Sincerely,
David Lillard
82 Sybil Ct
Shepherdstown, WV 25443

DEP WQS Comments

From: Jeffrey Collins <onewvnnnc@yahoo.com>
Sent: Tuesday, February 26, 2019 8:16 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Jeffrey Collins
112 Collins Drive
Lester, WV 25865

DEP WQS Comments

From: John Brady <jkbrady@mac.com>
Sent: Tuesday, February 26, 2019 8:16 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
John Brady
77 Singletree Dr.
Shepherdstown, WV 25443

DEP WQS Comments

From: Therese DeBing <buddhabear88@hotmail.com>
Sent: Tuesday, February 26, 2019 8:18 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Therese DeBing
935 Lighthouse Ave #14
Pacific Grove, CA 93950, CA 93950

DEP WQS Comments

From: Gary Goetz <gag888@hotmail.com>
Sent: Tuesday, February 26, 2019 8:38 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

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Sincerely,
Gary Goetz
935 Lighthouse Ave
Pacific Grove, CA 93950

DEP WQS Comments

From: joe stanley <jmustang69mach1@aol.com>
Sent: Tuesday, February 26, 2019 9:03 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
joe stanley
37 stanley dr.
PRICHARD, WV 25555

DEP WQS Comments

From: Michael Lombardi <mike.lombardi@rcn.com>
Sent: Tuesday, February 26, 2019 9:07 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Michael Lombardi
19 Morning Glory Lane
Levittown, PA 19054

DEP WQS Comments

From: Carli Mareneck <cmareneck@yahoo.com>
Sent: Tuesday, February 26, 2019 9:23 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Carli Mareneck
17177 Sweet Springs Valley Road
Gap Mills, WV 24941

DEP WQS Comments

From: Jennifer Frary (jennifer.frary@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Tuesday, February 26, 2019 10:03 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Jennifer Frary
73 Harper Dr
Parkersburg, WV 26101
jennifer.frary@gmail.com
(304) 834-1741

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: michael Whitten (3whitten.drawdy@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Tuesday, February 26, 2019 10:33 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

michael Whitten
227whitten spring rd.
Peytona, WV 25154
3whitten.drawdy@gmail.com
(304) 836-8116

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: j g (jusgoodjeff@hotmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Wednesday, February 27, 2019 6:40 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

j g
po box 294
elkins, WV 26241
jusgoodjeff@hotmail.com
(304) 642-4593

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Reni Fulton <renifulton@gmail.com>
Sent: Wednesday, February 27, 2019 6:41 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Reni Fulton
Greenville Rd.
Greenville, WV 24945

DEP WQS Comments

From: Christopher Byrd <cbyrd@ma.rr.com>
Sent: Wednesday, February 27, 2019 7:10 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Christopher Byrd
292 Magnolia Ave.
Clarksburg, WV 26301

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Pam Tilley <pamtilley22@gmail.com>
Sent: Wednesday, February 27, 2019 8:32 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Pam Tilley
468 LAKE SUZANNE DR
LAKE WALES, FL 33859

DEP WQS Comments

From: DEBRA HAMILTON <dlhwva@aol.com>
Sent: Wednesday, February 27, 2019 8:58 AM
To: DEP WQS Comments
Subject: No Relaxation of 401 Water Quality Certification in Mid-Project

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: No Relaxation of 401 Water Quality Certification in Mid-Project

Cabinet Secretary Caperton

There is an old adage - Don't change horses mid-stream. You need to stay on what you started on. Similarly, the DEP should not relax the standards in effect for existing permits. It is unacceptable, especially with regard to the exemption of the 72-hour crossing time restriction for large rivers. The longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

For instance: the allowance of temporary impediments to fish passage. How long is "temporary" since it is not defined? Fish species, including the endangered candy darter and other important game fish, are not protected from impacts of the pipeline construction.

Do not shirk your responsibility to protect the water's designated use. The agency has the authority now to require individual 401 Water Quality Certifications and should use this authority to provide stream and wetland protections tailored to each pipeline project. This modification should NOT be adopted.

Sincerely,
DEBRA HAMILTON
604 Virginia Street East
Charleston, WV 25301

DEP WQS Comments

From: Cynthia Ellis <cdellis@wildblue.net>
Sent: Wednesday, February 27, 2019 9:12 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Cynthia Ellis
3114 Steel Ridge Rd
Red House, WV 25168

DEP WQS Comments

From: Amy Scott <scott9free@yahoo.com>
Sent: Friday, March 1, 2019 12:06 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

I do not agree with creating waivers for the ACP and other pipelines that will cause pollution and place aquatic life at risk in the waters that I personally use and other West Virginians enjoy. DEP is required by law to not allow the degradation of state waters. You would be violating state law in creating such waivers.

Sincerely,
Amy Scott
16585 Frost Road
Dunmore, WV 24934

DEP WQS Comments

From: Amy Scott (scott9free@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Wednesday, February 27, 2019 11:02 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I live in Pocahontas County, the Birthplace of Rivers. Our county is the source for numerous major rivers in this state, and the karst topography, which underlies most of the county, contains numerous underground water sources which connect to surface waters. Most of the county inhabitants rely on well water. Unless you can guarantee that the purity of our drinking water will not be degraded, you cannot possibly justify modifying the 401 certification.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Amy Scott
16585 Frost Road

Dunmore, WV 24934
scott9free@yahoo.com
(304) 456-5307

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Karen Arbogast <ksarbogast@comcast.net>
Sent: Wednesday, February 27, 2019 1:08 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Karen Arbogast
214 Main Street
Cass, WV 24927

DEP WQS Comments

From: charlie conrad <charlieconrad33@gmail.com>
Sent: Wednesday, February 27, 2019 3:41 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
charlie conrad
4024 Tweedsmuir Rd
Moseley, VA 23120

DEP WQS Comments

From: Olga Gioulis <olgagioulis@yahoo.com>
Sent: Wednesday, February 27, 2019 4:01 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers.

The proposed changes allow for temporary impediments to fish passage and affects fish species, such as the endangered candy darter which needs protection from impacts of pipeline construction.

The DEP has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Olga Gioulis
268 N Hill Road
Sutton, WV 26601

DEP WQS Comments

From: Edward Savage <nedsavage@gmail.com>
Sent: Wednesday, February 27, 2019 5:17 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Edward Savage
8094 Upper Craig Creek Rd.
Catawba, VA 24070

DEP WQS Comments

From: Katherine Aaslestad (katherine.aaslestad@mail.wvu.edu) Sent You a Personal Message <automail@knowwho.com>
Sent: Wednesday, February 27, 2019 6:02 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Please help West Virginians preserve clean waters and protect our wetlands, beautiful rivers and streams and keep our environment safe and clean from big industry and toxic development. Please help protect West Virginia!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Katherine Aaslestad
310 Wilson Ave
Morgantown, WV 26501
katherine.aaslestad@mail.wvu.edu

(304) 685-5128

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Christine Stewart <atticuss@pacbell.net>
Sent: Wednesday, February 27, 2019 8:44 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Christine Stewart
307 Whippoorwill Glen
Escondido, CA 92026

DEP WQS Comments

From: Ellen Lachewitz <ellenlachewitz@gmail.com>
Sent: Thursday, February 28, 2019 7:01 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Ellen Lachewitz
381 Biser Street
Berkeley Springs, WV 25411

DEP WQS Comments

From: STEVEN RUNFOLA (stevenrunfola@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Thursday, February 28, 2019 7:45 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

My name is Steve Runfola and I am a WV resident .

Steve Runfola
45 Park Ridge Drive
Morgantown, WV. 26508-4032
M: 304-680-1340

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWPs).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

STEVEN RUNFOLA

45 Park Ridge Drive
Morgantown, WV 26508
stevenrunfola@gmail.com
(304) 680-1340

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: STEVEN RUNFOLA <stevenrunfola@gmail.com>
Sent: Thursday, February 28, 2019 7:48 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

Hello. My name is Steve Runfola and I am a WV resident.

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Steve Runfola
45 Park Ridge Drive
Morgantown, WV. 26508-4032
M: 304-680-1340

Sincerely,

STEVEN RUNFOLA
45 Park Ridge Drive
Morgantown, WV 26508

DEP WQS Comments

From: Joe Vallina <Joevallina@gmail.com>
Sent: Thursday, February 28, 2019 9:02 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Joe Vallina
1217 Westchester Dr
Oak Hill, WV 25901

DEP WQS Comments

From: donna deemer (johndonnadeemer@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Thursday, February 28, 2019 9:09 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

we need clean water and clean water must be protected. we can not allow them to destroy one drop of the precious water.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

donna deemer
672 tope road
NEW CUMBERLAND, WV 26047
johndonnadeemer@gmail.com
(304) 564-5343

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Jan Darrah <jldarrah@aol.com>
Sent: Thursday, February 28, 2019 9:40 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

Just as an old adage "You can't change horses in mid-stream," you can't change the rules in mid-game just to suit you. I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Jan Darrah
HC 77 Box 352
Hinton, WV 25951

DEP WQS Comments

From: Angela Mayle <Smara2005@aol.com>
Sent: Thursday, February 28, 2019 1:25 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Angela Mayle
477 Country Road
Fairview, WV 26570

DEP WQS Comments

From: Angela Mayle (smara2005@aol.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 1:10 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Angela Mayle
477 Country Road
Fairview, WV 26570
smara2005@aol.com
(304) 216-6659

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Louisa Gay <lgay@vt.edu>
Sent: Thursday, February 28, 2019 2:30 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Louisa Gay
3925 Horse Farm Road
Blacksburg, VA 24060

DEP WQS Comments

From: Thomas Epling <eplings@icloud.com>
Sent: Thursday, February 28, 2019 2:44 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Democracy requires that people be allowed to be heard, and that public demands be met. Fast tracking policy changes without due process is not in the best interest of a democracy. We are better than that!

Thank you.

Sincerely,
Thomas Epling
298 Shay Lane
Cass, WV 24927

DEP WQS Comments

From: Thomas Epling (eplings@icloud.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:52 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I trust that you will provide West Virginians with the environmental protections they deserve. Thank you!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Thomas Epling
298 Shay Lane
Cass, WV 24927
eplings@icloud.com
(304) 456-4387

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Anne Brown <Dogwoodhillgardens@gmail.com>
Sent: Thursday, February 28, 2019 2:56 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Anne Brown
2624 E. Clayton Rd.
Alderson, WV 24910

DEP WQS Comments

From: Anne Bernard <awb@maplehurst.com>
Sent: Monday, March 4, 2019 11:46 AM
To: DEP WQS Comments
Subject: Changes to Water Crossing Permits

March 4th, 2019

As affected landowners in the path of the Mountain Valley Pipeline, we have witnessed first hand the destruction this construction has already caused in our county. For 4 years we have attended meetings that have informed us of the dangers of fracking and pipeline construction to our environment and our water supply. Having owned our home for 38 years, we have enjoyed the clear waters of our creek and it's adjoining Teel creek first hand. Since construction began this past year, we have seen incredible disruption of those creeks, and major runoff of silt laden water into Teel Creek from the field this pipe is delving through. Construction practices are shoddy, and have left the pipe, which is 160 feet from our home, art studio, and well, floating up from it's trench in the floodplain here since August 1st. We have documented every stage of this desecration in photos and videos, as we live and work here full time. Of course we are concerned about living here if this project is finished, but as it stands, various difficulties which have been warned of and have arisen, have given us even deeper cause for alarm. Pipeline accidents in the last year have reinforced our fear of explosions, and leakage. Bottom line we are worried that we won't be able to live here when the water is sullied, which will be a given at some point. This is an environmental disaster in the making and must be stopped before irreversible damage is done.

Therefore please do not waive or allow any modification of the existing 401 Water Quality Certifications, which were created to protect our citizens, wildlife, way of life, and environment.

Most Sincerely,

Anne and Steve Bernard

Boones Mill, VA. 24065

DEP WQS Comments

From: Anne Bernard <anneway50@gmail.com>
Sent: Thursday, February 28, 2019 3:03 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

MVP has been working less than 200 feet from our home and business since this spring, and we have documented their destruction the entire time. Damage to our creek beds is evident where they have plowed through a known floodplain. They have also lied to us blatantly over and over. This pipeline is an environmental disaster in the making and MUST be stopped before irreparable harm is compounded. This gas is slated to go overseas, eminent domain is patently illegal in this case as well.

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Anne Bernard
7879 Grassy Hill Rd
Boones Mill, VA 24065

DEP WQS Comments

From: Darlene Fife <darlenefife@gmail.com>
Sent: Thursday, February 28, 2019 3:18 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Darlene Fife
846 Jefferson Street, South
Lewisburg, WV 24901

DEP WQS Comments

From: Debbie Naeter (debbienaeter50@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 5:51 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Debbie Naeter
375 Hillside Pass
Frankford, WV 24938
debbienaeter50@gmail.com
(573) 450-1401

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Debbie Naeter <debbienaeter50@gmail.com>
Sent: Thursday, February 28, 2019 3:28 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Debbie Naeter
375 Hillside Pass
Frankford, WV 24938

DEP WQS Comments

From: Sarah Phillips (dualistic83@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Thursday, February 28, 2019 3:32 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Our state's natural beauty and the health of our growing number of residents is extremely important!!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Sarah Phillips
p.o. box 38
inwood, WV 25428
dualistic83@gmail.com
(304) 886-7637

DEP WQS Comments

From: Sarah Phillips <dualistic83@gmail.com>
Sent: Friday, March 1, 2019 10:05 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Sarah Phillips
p.o. box 37
Inwood, WV 0

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: William Turner <ichthyocentric@hotmail.com>
Sent: Thursday, February 28, 2019 3:42 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
William Turner
531 Church St
Lewisburg, WV 24901

DEP WQS Comments

From: Megan Raddant <megusja@yahoo.com>
Sent: Thursday, February 28, 2019 3:56 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits. There is no possible way you can cross either the Meadow River or the Greenbrier River, without changing the course of the rivers, possibly with great damage to the local ecosystems, tourism, and the drinking water of thousands of people.

I work and live in the areas effected. I have not yet seen a feasible plan for the crossing of the Greenbrier. Further, I am opposed due to the very real possibility of future contamination. The gas comes from a radioactive shale layer and there are no plans to filter it prior to mixing it with toxic chemicals to enable it to flow through the pipeline. When it is removed when the "gas boom" is over, it will contaminate the river. I am in the process of moving to Talcott, just below the proposed crossing. Our water comes from the river! Our water would be contaminated!

I am appalled to realize the WVDEP is CORRUPT!

It must be or you would be opposed to radioactive waste contaminating our entire water system. I hold you all responsible for poisoning the local populations, which is what will inevitably happen.

Please reconsider your position, the lives of many will be, in the long term, ruined and lost! Our property will be worthless. Don't our lives matter? Why do you NEVER mention the radioactivity? Aren't you ashamed to participate in this total fiasco? Stop supporting big business over human health.

We all know that with global warming the entire project could contribute to the demise of the human race. The gas is not needed. Stand up to Halliburton, Cheney, Trump and Justice. They are criminals.

Sincerely,
Megan Raddant
319 Judyville Road
Lewisburg, WV 24901

DEP WQS Comments

From: Philann White <philannanddavidwhite@gmail.com>
Sent: Thursday, February 28, 2019 4:07 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Philann White
1515 Ravinia Road
Charleston, WV 25314

DEP WQS Comments

From: Zane Lawhorn <zanel2020@hotmail.com>
Sent: Thursday, February 28, 2019 4:33 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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Sincerely,
Zane Lawhorn
310 Locust St Ste 6
Princeton, WV 24740

DEP WQS Comments

From: Jeanne Odom <skymist@frontier.com>
Sent: Thursday, February 28, 2019 5:19 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Jeanne Odom
PO box 206
Davis, WV 26260

DEP WQS Comments

From: Mark Blumen stein (markb@mountain.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Thursday, February 28, 2019 5:32 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

No the DEP cannot change the laws in the middle of construction ! No Judge would allow such foolishness . When you write the laws it's for a good reason ... the 401 law will hold up in court and if you want you should have tried to before construction began. What are hearing and public comment for .?

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Mark Blumen stein
365 SkyView Farm Lane
Alderson, WV 24910
markb@mountain.net

(304) 445-7822

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Helen Clare Grizzle (wvpanhandleindivisible@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Thursday, February 28, 2019 5:37 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I have to buy bottled water because the tap water here is so awful. To do anything that would further the deteriorate the quality of water within this great state would be sinful. Certainly not Almost Heaven!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Helen Clare Grizzle
274, Hogan Dr.
Martinsburg, WV 25405
wvpanhandleindivisible@gmail.com
(304) 582-4273

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Robert Jarrell (robertjarrell5002@comcast.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Thursday, February 28, 2019 6:11 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Robert Jarrell
482 West Clayton Road
Alderson, WV 24910
robertjarrell5002@comcast.net
(304) 445-3002

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: John Rossbach <john@johnrossbach.com>
Sent: Thursday, February 28, 2019 6:53 PM
To: DEP WQS Comments
Subject: Don't Relax our Clean Water Protections

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Don't Relax our Clean Water Protections

Cabinet Secretary Caperton

There are several proposals in the legislature afloat meant to relax water purity standards. Don't do it. West Virginian citizens deserve clean drinking water. So do our fish!

Sincerely,
John Rossbach
205 Davis and Elkins St.
Elkins, WV 26241

DEP WQS Comments

From: Margie Teaney (margieteaney@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Thursday, February 28, 2019 6:59 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Please protect the quality of our water. Do not make these changes without an explanation as to how this will comply with federal standards. Thank you for not making these changes.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Margie Teaney
484 Ledgeview Drive
Fayetteville, WV 25840
margieteaney@yahoo.com
(304) 574-3375

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Stephanie Somers (jhs_thespian@yahoo.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Friday, March 1, 2019 12:38 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Stephanie Somers
54 Lindsey Dr
Charles Town, WV 25414
jhs_thespian@yahoo.com
(304) 555-5555

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Leigh Keener <lakeener@frontier.com>
Sent: Thursday, February 28, 2019 8:38 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Leigh Keener
76 McCartney Ave
Morgantown, WV 26505

DEP WQS Comments

From: Donna Perez <dmp326@cs.com>
Sent: Thursday, February 28, 2019 10:27 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
Donna Perez
1886 Windy Hill Roaf
Wellsburg, WV 26070

DEP WQS Comments

From: Michael Lynn <Mikelynn201@yahoo.com>
Sent: Friday, March 1, 2019 7:09 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Michael Lynn
83 Wilson In
Berkeley springs, WV 25411

DEP WQS Comments

From: Howdy Henritz <howdywv@hughes.net>
Sent: Friday, March 1, 2019 9:29 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Howdy Henritz
916 Case Creek Lane
Greenville, WV 24945

DEP WQS Comments

From: Robin Blakeman <Rbrobinjh@gmail.com>
Sent: Friday, March 1, 2019 10:19 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Robin Blakeman
123 Jackson St.
Huntington, WV 25705

DEP WQS Comments

From: Larry Thomas <larryvthomas@aol.com>
Sent: Friday, March 1, 2019 10:21 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Larry Thomas
P.O. Box 194
Circleville, WV 26804

DEP WQS Comments

From: Shane Slover <Sloverwelder@gmail.com>
Sent: Friday, March 1, 2019 10:41 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Shane Slover
28411 n short road
Deer park, WA 99006

DEP WQS Comments

From: Donovan Farrish <Donovanfarrish@yahoo.com>
Sent: Friday, March 1, 2019 10:52 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Donovan Farrish
Velvet ridge road
Bradford, AR 72020

DEP WQS Comments

From: Susan Herold <seherold@gmail.com>
Sent: Thursday, February 28, 2019 5:42 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Water is life! If you side with corporations that will foul our water over the citizens who live here you are derelict in your duties.

Sincerely,
Susan Herold
Frost Rd
Marlinton, WV 24954

DEP WQS Comments

From: John Mueller <Yankee304@gmail.com>
Sent: Friday, March 1, 2019 10:58 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
John Mueller
135 edgington Ln
Wheeling, WV 26003

DEP WQS Comments

From: Darrian Kammeraad <Kammeraad71@gmail.com>
Sent: Friday, March 1, 2019 11:15 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Darrian Kammeraad
44 Cox Ln
Great Cacapon, WV 25422

DEP WQS Comments

From: Irene Leech <ileech@vt.edu>
Sent: Friday, March 1, 2019 12:24 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

The proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits are not appropriate and must be denied.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Irene Leech
4220 Northfork Rd
Elliston, VA 24087

DEP WQS Comments

From: andrew clovis <wardwellsmercy@gmail.com>
Sent: Friday, March 1, 2019 1:15 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I firmly oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
andrew clovis
368 Jewell Hill Road
St. Marys, WV 26170

DEP WQS Comments

From: Joseph Cronin (jcronin45387@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 9:28 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Joseph Cronin
3 MANOR PL
CHARLESTON, WV 25311
jcronin45387@gmail.com
(937) 344-4349

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Anthony Flores (tonflo1@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 9:26 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Anthony Flores
41 Cobra Court
Martinsburg, WV 25403
tonflo1@gmail.com
(336) 501-8195

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Daniel Renfrew (danielrenfrew@yahoo.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 9:04 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Daniel Renfrew
776 S HILLS DR
MORGANTOWN, WV 26501
danielrenfrew@yahoo.com
(304) 293-8788

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Danny Franke (frankedl@ab.edu) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 8:49 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Danny Franke
161 Hilltop Drive
Philippi, WV 26416
frankedl@ab.edu
(304) 841-2023

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Heather Ruckman (heatherruckman@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 8:13 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Heather Ruckman
35 Mckenzie Ave.
Wellsburg, WV 26070
heatherruckman@gmail.com
(304) 670-6666

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Whitney Metz (whitneyveganmetz@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 8:08 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Whitney Metz
110 Dudley Fork Rd
Mannington, WV 26582
whitneyveganmetz@gmail.com
(304) 694-0975

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Megan Bays (meganbays@rocketmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 8:02 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Megan Bays
43 Bays Lane
Megan, WV 25003
meganbays@rocketmail.com
(304) 767-8311

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: DAVID DEMARY (demaryscontract@aol.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 7:53 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

West Virginia waters must be kept clean!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

DAVID DEMARY
353 Brock Hollow Rd.
Rivesville, WV 26588
demaryscontract@aol.com
(304) 278-7991

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Catherine Lambeau (cat_lambeau@yahoo.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 7:44 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Clean water is much more important than fracked gas !!!!!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Catherine Lambeau
203 1st street
Huntington, WV 25705
cat_lambeau@yahoo.com
(630) 559-7385

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Chris Craig (ccraig@laurellodge.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:15 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

We have recently seen the results of modern horizontal, shallow drilling for pipelines in the Eastern Panhandle: severe erosion, devastation of century-old farms, and degraded streams. Now is not the time to streamline regulations.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWPs).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Chris Craig
PO Box 1011
Harpers Ferry, WV 25425
ccraig@laurellodge.com

(304) 433-1260

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Betsy Rhodes (betsykr58@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:12 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Have we learned nothing from allowing the coal companies to destroy our ecosystems and peoples' health? Now we want to allow the gas corporations to do the same thing? Shame, shame, shame.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Betsy Rhodes
11 Richland Dr
25526, WV 25526
betsykr58@gmail.com
(304) 999-9999

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Edward Brenwalt (bahamut193@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 12:07 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Edward Brenwalt
1219 Triplett Run RD
Kerens, WV 26276
bahamut193@yahoo.com
(304) 614-3875

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Harlan Smith (smithh@marshall.edu) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 7:10 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Harlan Smith
60 Camelot Dr
Huntington, WV 25701
smithh@marshall.edu
(304) 697-0689

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Joseph Tomsey (tomseyjoe46@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 7:03 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Don't make any changes to the Water Quality Certification, just because the companies can't want to keep up with the maintenance, and repair of the pipes. And the additional pipes that is needed

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Joseph Tomsey
946 14th Street
Huntington, WV 25701
tomseyjoe46@gmail.com
(304) 710-2382

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: William O'Brien (williamo56@comcast.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 6:39 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Regardless of what's legal or illegal, public officials with an ounce of integrity are moving to protect our water and not welcome polluting frackers. THE EARTH matters. In a case like this, corporate profits do not matter and neither do their contributions to elected officials coffers. This is what is ruining our democracy and the natural world around us. DO THE RIGHT THING!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

William O'Brien
318 Shepherd Ln
Shepherdstown, WV 25443
williamo56@comcast.net
(304) 876-6071

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Jo Liggett (jliggett@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 6:33 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Jo Liggett
1442 Elizabeth Pike
Mineral Wells, WV 26150
jliggett@yahoo.com
(304) 615-9108

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Roe Jewell (lenni2tuscanycan@hotmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 6:30 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Roe Jewell
PO Box 6112
Wheeling, WV 26003
lenni2tuscanycan@hotmail.com
(304) 312-8722

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Karen Suit (klsuit@frontier.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 6:30 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Karen Suit
184 Narrow Lane
Karen, WV 25419
klsuit@frontier.com
(410) 294-0913

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Donna Marks (dmarks119@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 6:17 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Donna Marks
250 Jenny Lind Dr
Harpers Ferry, WV 25425
dmarks119@yahoo.com
(304) 555-5555

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Clara Halfin (logcabinh@frontiernet.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 6:16 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

YOU CAN'T DRINK MONEY...

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Clara Halfin
483 Location Rd.
Parsons, WV 26287
logcabinh@frontiernet.net
(304) 478-2388

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Julie Tucker (julieb621@msn.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 6:15 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Citizens should have clean water for drinking, fishing and recreational sports. Currently have water restrictions, don't make it worse.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Julie Tucker
67 thicket lane
Bunker hill, WV 25413
julieb621@msn.com
(304) 264-2851

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Teresa Sopher (fruitpancakes@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 6:09 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I feel that lessening restrictions would seriously compromise the water quality of our state. Fracking and pipe lines will be the death of us all.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Teresa Sopher
1104 Maxwell Hill Road
Beckley, WV 25801
fruitpancakes@gmail.com
(304) 252-0824

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Amelia Mouser (mmmouser@aol.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 5:48 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Amelia Mouser
65 S. Walnut St.
Philippi, WV 26416
mmmouser@aol.com
(304) 457-3754

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Elizabeth Kump (ekump@netscape.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 5:30 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I recently moved from NJ to Morgan County WV, and a major factor in my choice to relocate here is the pristine water that feeds Berkeley Springs and the historic town of Bath. Clean water is a primary draw for the tourism that adds jobs, revenue and growth to this beautiful area. The resources of WV have been plundered in the past, with little regard to the environmental and human impact. Mining left scars on the once beautiful mountainsides, waterways were polluted by coal ash and black lung disease has killed so many miners. The medical and human cost are a shameful legacy of companies that only looked at profits and ignored long term catastrophic results of their operations. Fracking is now repeating that dreadful past. Please do the moral thing and withdraw the proposed modifications.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Elizabeth Kump
760 Fairbee Rd

Berkeley Springs, WV 25411
ekump@netscape.com
(908) 419-0348

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Michael Donahue (shenandoah327@comcast.net) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 5:28 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Michael Donahue
327 Blue Bird Ln
Harpers Ferry, WV 25425
shenandoah327@comcast.net
(304) 728-7575

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Janis-Rozena Peri (jperi2@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 5:13 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Throughout this country, there are legislative efforts being made to WEAKEN the purity of our drinking water and to do what is surely permanent damage to our environment for the sake of PROFITS for business interests. This is immoral, not to mention short-sighted because we ALL have to live in the polluted environment created by these changes. If you don't care about the present generation, give some thoughts to the future. What kind of world are we creating for our [your] grandchildren?

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Janis-Rozena Peri
364 Patteson Drive, #144
Morgantown, WV 26505
jperi2@yahoo.com

(304) 322-2887

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Michael Higham (mwhigha@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 4:58 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Impact on water quality aside, our rivers, lakes and streams are vital to our tourism and the general public. West Virginian's DNR/Department of Fisheries has done so much to clean up our waters, it would be a travesty to our citizens to willfully forego such progress for the bottom line of some large corporations NOT invested in the continued future of our great State but solely in their profit margins.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Michael Higham
303 Marjorie Ann Dr
Buckhannon, WV 26201
mwhigha@gmail.com
(304) 470-4322

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Montie VanNostrand (montie@mountain.net) Sent You a Personal Message <automail@knowwho.com>
Sent: Tuesday, February 26, 2019 2:46 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Montie VanNostrand
PO Box 111
Hacker Valley, WV 26222
montie@mountain.net
(304) 847-2773

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Terry Tucker (terrytuckersunforest@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 4:52 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

West Virginia water must not be compromised any more than it already has been. Enough is enough! Our people have suffered enough; we are sick enough; we are poor enough and unable to pay for the healthcare we need and the last thing we need is compromised standards for what goes into, around, under or over our water! We must not allow pipelines to go anywhere near our water! Please wake up, stand up and be counted for the people of West Virginia who need strong laws with no loopholes to protect our precious resources. You can do it! You have the strength and the courage! Just use it and scrap any modifications to 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP). Thank you, Best Wishes,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Terry Tucker
PO Box 1410

Shepherdstown, WV 25443
terrytuckersunforest@gmail.com
(304) 876-3552

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Timothy Simmons <etim@mail.com>
Sent: Tuesday, February 26, 2019 2:37 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Timothy Simmons
quarrier st
charleston, WV 25301

DEP WQS Comments

From: Imogene Sevin <irodg49751@aol.com>
Sent: Tuesday, February 26, 2019 2:14 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
Imogene Sevin
19585 Brassie Place
Montgomery Village, MD 20886

DEP WQS Comments

From: Martha Glock <martha.glock@gmail.com>
Sent: Tuesday, February 26, 2019 2:11 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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Sincerely,
Martha Glock
8360 Greensboro Rd. #909
McLean,, VA 22102

DEP WQS Comments

From: doug krause <dougkrause@mts.net>
Sent: Tuesday, February 26, 2019 2:01 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
doug krause
3501 maccorkle
charleston, WV 25304

DEP WQS Comments

From: Dee White (dawrph74@hotmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 1:50 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Dee White
19 Bradford st
Charleston, WV 25301
dawrph74@hotmail.com
(304) 993-4824

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Jonathan Pilkington <ibcarefree78@yahoo.com>
Sent: Tuesday, February 26, 2019 1:42 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Jonathan Pilkington
5259 Greenbrier Drive
Hinton, WV 25951

DEP WQS Comments

From: Elaine Eudy <alpha_b@bellsouth.net>
Sent: Tuesday, February 26, 2019 1:42 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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Sincerely,
Elaine Eudy
2501 romain way
Atlanta, GA 30344

DEP WQS Comments

From: Karen Yarnell (karen.yarnell@fairmontstate.edu) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 1:53 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Karen Yarnell
21 Beverly Circle
Fairmont, WV 26554
karen.yarnell@fairmontstate.edu
(304) 657-0812

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Karen Yarnell <Karen.Yarnell@fairmontstate.edu>
Sent: Tuesday, February 26, 2019 1:33 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Karen Yarnell
21 Beverly Cir
Fairmont, WV 26554

DEP WQS Comments

From: Shannon Holliday <hollidayzd@yahoo.com>
Sent: Tuesday, February 26, 2019 1:28 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Shannon Holliday
PO Box 1775
Shepherdstown, WV 25443

DEP WQS Comments

From: Ben Badger <badger_benjamin@yahoo.com>
Sent: Tuesday, February 26, 2019 1:23 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
Ben Badger
216 Eastland Ave
Morgantown, WV 26505

DEP WQS Comments

From: Arthur Stone (jesse45@comcast.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 1:18 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Arthur Stone
204 Fishhook Lane
Hedgesville, WV 25427
jesse45@comcast.net
(304) 277-7809

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: AnnaMary Walsh (gawalsh@frontiernet.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 3:48 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I join thousands of fellow West Virginians who have a concern about how our waterways and rivers are not being dealt with in a safe and healthy way by our Department of Environmental Protection. The citizens of West Virginia deserve to be protected from ANY deviancy from compliance dealing with water quality certification.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

AnnaMary Walsh
254 Chandler Drive
Shepherdstown, WV 25443
gawalsh@frontiernet.net
(304) 876-6828

DEP WQS Comments

From: AnnaMary Walsh <gawalsh@frontiernet.net>
Sent: Tuesday, February 26, 2019 1:15 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I join thousands of West Virginians in opposing the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

DEP needs to do its duty for the health of not only West Virginians but all life that depends upon our waterways and not revise any of the conditions of the State 401 Water Quality Certification applicable to Nationwide Permits. In any democracy, public comment is part of the process.
Listen up!

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage. Without defining temporary, fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk. DEP's responsibility is to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

The eyes of West Virginians are upon you! You have the capability to do the right thing for the residents of West Virginia. Our lives depend on it.

Sincerely,
AnnaMary Walsh
254 Chandler Dr
Shepherdstown, WV 25443

DEP WQS Comments

From: Tom Hoffman <gopullman@aol.com>
Sent: Tuesday, February 26, 2019 1:13 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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Sincerely,
Tom Hoffman
135 Davis Lane
Pearisburg, VA 24134

DEP WQS Comments

From: M Green (m7level@earthlink.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 12:56 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Justice is not doing justice for this state at all. WV should be a recreation state with no raping of public or private lands, so we can promote more tourism.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

M Green
RR 2
Ronceverte, WV 24970
m7level@earthlink.net
(304) 647-5637

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Harry Peterson (carolinajarhead@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Tuesday, February 26, 2019 12:49 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Harry Peterson
1409 Mayapple Heights
Barboursville, WV 25504
carolinajarhead@gmail.com
(304) 634-7754

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Andrew Wadsworth <andywadsworth23@hotmail.com>
Sent: Tuesday, February 26, 2019 11:19 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Andrew Wadsworth
125 W 33rd Street
Reading, PA 19606

DEP WQS Comments

From: Jeanne Rushin <jmrushin@att.net>
Sent: Tuesday, February 26, 2019 12:48 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
Jeanne Rushin
PO Box 547
Fayetteville, WV 25840

DEP WQS Comments

From: jerry carson <jcarson1@suddenlink.net>
Sent: Tuesday, February 26, 2019 12:36 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

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Sincerely,
jerry carson
5215 beechcrest dr
cross lanes, WV 25313

DEP WQS Comments

From: Paula Napier (pastorpaulanapier@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Tuesday, February 26, 2019 12:32 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

As a former science teacher, I am concerned about the 600 harmful chemicals which are used or result from the process of fracking. This is just another example of raping the land and waters that West Virginians love for the benefit of out of state profiteers! Please do not relax the current standards!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Paula Napier
823 Springdale Drive
Charleston, WV 25302
pastorpaulanapier@gmail.com
(304) 553-5697

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Thomas Johnson <tjohnson24962@yahoo.com>
Sent: Tuesday, February 26, 2019 12:21 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

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Sincerely,
Thomas Johnson
191 Valley View Farm Road
Pence Speings, WV 24962

DEP WQS Comments

From: Steve Curry <currysteve@msn.com>
Sent: Tuesday, February 26, 2019 12:21 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

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Sincerely,
Steve Curry
1105 Lynn oak dr
Charleston, WV 25313

DEP WQS Comments

From: Mark Leonard <mleonard8181@gmail.com>
Sent: Tuesday, February 26, 2019 12:08 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

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Sincerely,
Mark Leonard
19499 Coshocton Rd.
Mount Vernon, OH 43050

DEP WQS Comments

From: Sharon Pettit (muiso47@frontier.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 12:03 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

WV has a history of under valuing our natural resources. We sell off our resources at the expense of the people of WV. I believe that we MUST stop making deals with big corporations that impoverish or endanger the quality of health and life of the citizens of the state! Allowing these changes in favor of the Gas and oil companies for fracking will cause addition opportunities for impact on our safe drinking water and other environmental and infrastructure impacts. I am NOT in support of this bill!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Sharon Pettit
1338 Harvey Rd
Wheeling, WV 26003
muiso47@frontier.com

(304) 336-7812

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: jutta neverly (kolibri46@comcast.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 11:58 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

jutta neverly
29 fernwood dr
Weirton, WV 26062
kolibri46@comcast.net
(304) 670-1320

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Norma Dean (poppyd366@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Tuesday, February 26, 2019 11:34 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I also worry about pollution of my well water, which would make it difficult if not impossible to remain in my home.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Norma Dean
1219 Lick Run Road
New Milton, WV 26411
poppyd366@gmail.com
(304) 873-2065

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Penny Manion <pennyrmanion@yahoo.com>
Sent: Tuesday, February 26, 2019 11:32 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Penny Manion
PO Box 1307
Shepherdstown, WV 25443

DEP WQS Comments

From: Nanvy Ward <Naward57@gmail.com>
Sent: Tuesday, February 26, 2019 11:29 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Nanvy Ward
703 Laurel road
Charleston, WV 25314

DEP WQS Comments

From: Lorenz Steininger <schreibdemstein@posteo.de>
Sent: Tuesday, February 26, 2019 11:22 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Lorenz Steininger
13 main st
stafford, VA 22554

DEP WQS Comments

From: Susan Marone <smarone@aol.com>
Sent: Tuesday, February 26, 2019 11:18 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Susan Marone
7 Halford
Heath, TX 75032

DEP WQS Comments

From: Suzanne Bompensa <suzbomp@aol.com>
Sent: Tuesday, February 26, 2019 11:17 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Suzanne Bompensa
2730 SE Eagle Drive
Port Saint Lucie, FL 34984

DEP WQS Comments

From: Wiley McIntyre <macmpsvc@gmail.com>
Sent: Tuesday, February 26, 2019 11:13 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Wiley McIntyre
197 Spur Road
Martinsburg, WV 25404

DEP WQS Comments

From: Barbara Brown <bjbrnvw@gmail.com>
Sent: Tuesday, February 26, 2019 11:06 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Barbara Brown
95 Hartford St
WESTOVER, WV 26501

DEP WQS Comments

From: Stephen Bodnar <sbodnar@suddenlink.net>
Sent: Tuesday, February 26, 2019 11:05 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Stephen Bodnar
414 Columbia Ave
Williamstown, WV 26187

DEP WQS Comments

From: Giulia Mannarino Teska <manna397@yahoo.com>
Sent: Tuesday, February 26, 2019 11:03 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Giulia Mannarino Teska
2292 Middle Fork Lee Creek Road
Belleville, WV 26133

DEP WQS Comments

From: Amy Margolies <margolies.amy@gmail.com>
Sent: Tuesday, February 26, 2019 11:01 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I am writing to oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

The proposed revisions allows a waiver by DEP of any of the standard/special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The changes that were proposed allow for temporary impediments to fish passing through. However, it is not clear the period of time being referred to as "temporary", as it is not clearly defined. Therefore, fish, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

The changes also allow for the exemption of the 72-hour crossing time restriction for large rivers. This increased crossing time fails to account for negative impacts on aquatic life when dewatering the stream for long periods.

These changes unnecessarily put aquatic life at risk. It is DEP's responsibility to protect the designated use of these waters! The agency has the authority to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making the changes they suggest, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored uniquely to each pipeline project.

Sincerely,
Amy Margolies
1716 Cortland Rd.
Baltimore, WV 26260

DEP WQS Comments

From: Rita Lewis <hlbilly@frontiernet.net>
Sent: Tuesday, February 26, 2019 10:47 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Rita Lewis
65 Grannies Creek
Newton, WV 25266

DEP WQS Comments

From: Rita Lewis (hblly@frontiernet.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:23 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I grew up in West Virginia at a time when most of our streams were so contaminated that you could not eat the fish or swim in the water. Over the years the water quality has thankfully changed and due to the Clean Water Act we are now free to enjoy the state's waters. Please do not take us back to those dark times.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Rita Lewis
65 Grannies Creek
Newton, WV 25266
hblly@frontiernet.net
(304) 565-3306

DEP WQS Comments

From: Jon DeBoer <natdebo53@gmail.com>
Sent: Tuesday, February 26, 2019 10:41 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Jon DeBoer
8823 Michaux Ln
Henrico, VA 23229

DEP WQS Comments

From: Lynda Majors <ljmajors@usa.net>
Sent: Tuesday, February 26, 2019 10:35 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Lynda Majors
2620 Mt Tabor Road
Blacksburg, VA 24060

DEP WQS Comments

From: Judy E. Hamilton <annasmomjudy@yahoo.com>
Sent: Tuesday, February 26, 2019 10:33 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Judy E. Hamilton
907 Mathews Ave
Charleston, WV 25302

DEP WQS Comments

From: James and Terri Walker <chefjethrobert@frontier.com>
Sent: Tuesday, February 26, 2019 10:33 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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Sincerely,
James and Terri Walker
6602 Back Valley RD
Lindsay, WV 24951

DEP WQS Comments

From: Tim Duda <timduda@aol.com>
Sent: Tuesday, February 26, 2019 10:29 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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Sincerely,
Tim Duda
340 Queen Anne Court
San Antonio, TX 78209

DEP WQS Comments

From: Jody Ross <jody0660@gmail.com>
Sent: Tuesday, February 26, 2019 10:26 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Jody Ross
2208 Donald Ave
Huntington, WV 25701

DEP WQS Comments

From: Jody Ross (jody0660@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 1:27 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Jody Ross
2208 Donald Ave
Huntington, WV 25701
jody0660@gmail.com
(304) 638-5439

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Tracy Leinbaugh <leinbaug@ohio.edu>
Sent: Tuesday, February 26, 2019 10:25 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Tracy Leinbaugh
10855 Peach Ridge Road
Athens, OH 45701

DEP WQS Comments

From: dk anestos <mdi1755@yahoo.com>
Sent: Tuesday, February 26, 2019 10:21 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of resource protection , or including public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
dk anestos
nitro
nitro, WV 25143

DEP WQS Comments

From: Elaine Komarow <elaine@siriusacupuncture.com>
Sent: Tuesday, February 26, 2019 10:21 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Elaine Komarow
201 Warden Lake Hollow
Wardensville, WV 26851

DEP WQS Comments

From: Lou chand <Louisewc@yahoo.com>
Sent: Tuesday, February 26, 2019 10:20 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Lou chand
89 back rd
Sweet spring, WV 24941

DEP WQS Comments

From: tom harris <mchazy77@hotmail.com>
Sent: Tuesday, February 26, 2019 10:19 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
tom harris
17 gate ct
burlington, WV 26505

DEP WQS Comments

From: JB Witten <motrout@aol.com>
Sent: Tuesday, February 26, 2019 10:19 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

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Sincerely,
JB Witten
578 Faulkner Rd.
Elkins, WV 26241

DEP WQS Comments

From: PETER SCHUMACHER <pschu9@gmail.com>
Sent: Tuesday, February 26, 2019 10:17 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

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These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
PETER SCHUMACHER
2335 Burton Run Rd
Pennsboro, WV 26415

DEP WQS Comments

From: Donna Brenwalt (turt288@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 4:34 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Donna Brenwalt
1219 Triplett Run Rd
Kerens, WV 26276
turt288@yahoo.com
(304) 614-3925

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Christina Melocik (chris.tiny@comcast.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 4:24 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

We are fighting Rockwool in Jefferson County and will do everything we can to protect our clean air and water.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Christina Melocik
435 Craighill Dr.
Charles Town, WV 25414
chris.tiny@comcast.net
(240) 446-3080

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Hedda Haning (hedda.l.haning@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 4:13 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Hedda Haning
268 Baker Lane
Charleston, WV 25302
hedda.l.haning@gmail.com
(304) 344-0469

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Sue Thompson (sathonpdon@me.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 4:06 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Sue Thompson
3737 Tug Fork Rd
Sue, WV 25271
sathonpdon@me.com
(304) 372-8183

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Kara Smith (kara.smith2017@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 3:35 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Kara Smith
83 Robin Drive
Middlebourne, WV 26149
kara.smith2017@gmail.com
(304) 312-4109

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: David Billups (davidtbillups@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 3:35 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

David Billups
1050 Valley View Ave. TRLR 14
Morgantown, WV 26505
davidtbillups@gmail.com
(804) 767-0690

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Lewis Romesburg (romesburgl@aol.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 3:29 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I am a fisherman and know what it's like to see our water polluted. We need tougher laws to stop this being done.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Lewis Romesburg
1133 Bell Run Road
Fairmont, WV 26554
romesburgl@aol.com
(304) 363-1283

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: David Ruediger (druedig@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 3:06 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Please remain loyal to the people of WV, not big money from out of state.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

David Ruediger
64 Weeping Willow Run
Parsons, WV 26287
druedig@yahoo.com
(304) 747-8412

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: David Ruediger <druedig@yahoo.com>
Sent: Tuesday, February 26, 2019 11:09 AM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
David Ruediger
64 Weeping Willow Run
Parsons, WV 26287

DEP WQS Comments

From: Jennafer Hill (lizajena@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 2:42 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Jennafer Hill
59A terrace Ave
Salem, WV 26426
lizajena@yahoo.com
(304) 782-2109

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Patricia Dudley (athenapurple@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 2:39 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

We already have expensive water loss issues. Is there no end to Gov. Justice's foolishness? We have the gas. They want it. WV need not lose in this bargain with an extractive industry!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Patricia Dudley
243 Wagner Rd.
Morgantown, WV 26501
athenapurple@yahoo.com
(304) 777-0000

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: linda yoak (lyoak@aol.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 2:37 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Water. Keep it clean, so we don't have to clean it up!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

linda yoak
po box 128
maxwelton, WV 24957
lyoak@aol.com
(304) 645-4355

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Bridget White (momoftwogirls86@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 2:35 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Bridget White
316 Capehart Place
Bridget, WV 25265
momoftwogirls86@gmail.com
(304) 674-6024

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Valerie Reeves (valerieleigh1588@yahoo.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 2:32 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Many citizens are upset about the recent administrations' ignorance of environmental issues in our beautiful state in favor of supporting the wealthy energy industry giants that are ruining our lands. Jobs and money in your pockets at the expense of our state is not beneficial in the long run to the citizens of West Virginia. Please stop trying to turn our fair state into another Oklahoma!!!! There are MANY other industries that your administration could be courting besides dirty energy!! How about clean energy solutions? How about solar and wind? Instead of attempting to mollify disgruntled coal miners by clinging to an industry on the decline, explore the options of transitioning miners into clean energy jobs??

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Valerie Reeves

1530 Fetty Ave
Fairmont, WV 26554
valerieleigh1588@yahoo.com
(304) 777-8510

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Karen Koprince (kkoprince@aol.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 2:19 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Please note: Should these changes go through I will be selling both of my WV homes and move out of the state.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Karen Koprince
118 Pear Tree Rd
Harpers Ferry, WV 25425
kkoprince@aol.com
(703) 436-2072

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Louise Amrine (lamrine@comcast.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 2:16 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Louise Amrine
24 Pinnacle Lane, 27
Morgantown, WV 26508
lamrine@comcast.net
(304) 319-1323

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Martha Wise (wisemarai@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 2:15 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Do your job and protect Our state's lands and water. Do not bow to pressure!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Martha Wise
2155 Leonard Long Rf
Renick, WV 24966
wisemarai@yahoo.com
(304) 647-0531

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Peter McCumber (peter.mccumber@mail.wvu.edu) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 2:07 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Peter McCumber
3 Millan St
Morgantown, WV 26501
peter.mccumber@mail.wvu.edu
(304) 555-5555

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Ashley Richards (ashleyrenae12@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 1:58 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Climate Change is a very real and serious consequence for human actions. We are destroying the environment and life as we know it every day we don't stand up to oil, gas, and other big corporations. Strict rules and regulations are the very least we can do to prevent companies from exploiting consumers as well as our planet. Clean water is precious and necessary for every living thing to survive! West Virginians in particular have been taken advantage of time and time again. We don't deserve polluted water too. Please do not loosen regulations for these corporations. Thank you for your time.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Ashley Richards
440 Dunkard Ave
Morgantown, WV 26501

ashleyrenae12@yahoo.com
(681) 200-5880

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: John Cole (frcids@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 1:58 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

John Cole
158 Fletcher St.
Beckley, WV 25801
frcids@gmail.com
(304) 255-0296

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Robert Moran (bugsymoran135@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 1:47 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Robert Moran
193 Waterside St.
Ridgeley, WV 26753
bugsymoran135@gmail.com
(304) 738-2162

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: roger Walker (moonman1@frontiernet.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 1:33 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

roger Walker
30 Evergreen Farms
Wardensville, WV 26851
moonman1@frontiernet.net
(304) 874-3622

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: William Stewart (w2bsa@arrrl.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 1:33 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

William Stewart
817 White Ave
Morgantown, WV 26501
w2bsa@arrrl.net
(304) 241-5390

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Chuck Wyrstok (wyro@appalight.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 1:23 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Those proposed changes are an unlawful attempt by the Justice Administration to overturn court victories we won in challenges to the Mountain Valley Pipeline and Atlantic Coast Pipeline. Don't let Governor Justice change rules only because a polluter cannot comply with them!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Chuck Wyrstok
230 Griffith Run
Spencer, WV 25276
wyro@appalight.com
(304) 927-2978

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Larry Harris (troutguy13@comcast.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 1:17 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I am a member of the Governor's DEP Public Advisory Council and fully agree with the above request. I have seen the route proposed for the ACP from the air where it is easily seen how difficult it will be to avoid harm to streams. Regulations should protect our waterways and withdrawing these water quality protections will have negative impacts.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Larry Harris
637 Grand Street
Morgantown, WV 26501
troutguy13@comcast.net
(304) 296-4954

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Jeffrey Wilson (jeffwilson@hotmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 1:15 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Jeffrey Wilson
325 High Street
Morgantown, WV 26505
jeffwilson@hotmail.com
(304) 296-1212

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: India Carvell (xxxsonotbobbyxxx@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 1:11 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

India Carvell
238 Forest Drive
Bridgeport, WV 26330
xxxsonotbobbyxxx@gmail.com
(304) 629-7429

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Misty Davis (mistydavis061@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 1:07 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Misty Davis
66 Dorsey Street
Moundsville, WV 26041
mistydavis061@gmail.com
(304) 559-2920

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Francis Slider (fslider@frontier.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 12:59 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I have lived in an area of the state (the Mid-Ohio Valley) that is being highly impacted by rampant pipeline construction. Our once pristine stream run murky and muddy. Populations of aquatic organisms are plummeting.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Francis Slider
10658 Appalachian Highway, PO Box 131
Francis, WV 26260
fslider@frontier.com
(304) 771-2150

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: sam chapman (samchapman108@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 12:53 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

sam chapman
1000 Purusha Pl Ste 122
Romney, WV 26757
samchapman108@yahoo.com
(304) 358-0677

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: David Raese (dgallstardave@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 12:15 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Don?t make the state a Flint, Michigan.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline?s Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP?s proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit?s recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

David Raese
200 Prairie Ave
Morgantown, WV 26505
dgallstardave@gmail.com
(304) 376-2250

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Brenda King (oleindiangal@icloud.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 12:14 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Sincerely, Brenda King

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Brenda King
71 Shelly Lane
Winfield, WV 25213
oleindiangal@icloud.com
(304) 400-9774

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Ray Casto (raydcasto@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 12:09 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I am for responsible resource management, but it's critical not to risk the environment and especially our water supply. As a member of Trout Unlimited and the Audubon Society this issue has special importance to me. Please do not loosen our rules regarding our water resources.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Ray Casto
725 30th Street
Parkersburg, WV 26101
raydcasto@gmail.com
(304) 424-6252

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Rhonda Marrone (rmm164@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 12:07 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Rhonda Marrone
939 Somerset dr
Charleston, WV 25302
rmm164@yahoo.com
(304) 415-2775

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Takayla Kaplan (takaplan06@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 12:07 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

We are experiencing climate change now. Right now. Continuing to rely on fossil fuels is not leading human beings in the right direction. We should all be focusing our efforts on protecting what we have yet to pollute, rather than polluting the planet further.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Takayla Kaplan
160 Branch Rd
BECKLEY, WV 25801
takaplan06@gmail.com
(304) 228-6873

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Naomi Cohen (nwcohen@hotmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 12:05 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I am writing as a citizen of Monroe County, WV who is directly impacted by the MVP and the hazard its construction will cause for our state's waters.

I am also a shareholder and officer of Sweet Springs Valley Water Co., a 30 year old business bottling and selling spring water from Monroe County which does over a \$ million in sales per year and employs over a dozen people. Our business depends on clean, unpolluted water. The MVP and its construction threaten our water sources and our business.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Naomi Cohen
POB 39
Gap Mills, WV 24941

nwcohen@hotmail.com
(304) 772-3335

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Michelle Coffman-Phillips (sweatpea72@hotmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 12:03 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Water is life. It is the very essence of everything. To weaken these laws now would just poison the water for our future generations. Please leave these laws in place and do not weaken them. We are still cleaning up strip mining from our streams.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Michelle Coffman-Phillips
126 Newts Way
Rupert, WV 25984
sweatpea72@hotmail.com
(304) 667-7444

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Carolyn Rodis (cjrodis@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 12:02 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Carolyn Rodis
4878 Kearneysville Pike
Shepherdstown, WV 25443
cjrodis@yahoo.com
(304) 876-8401

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Darrell Dean (darrellIndean@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 12:01 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Darrell Dean
3800 Stanley Rd
Huntington, WV 25702
darrellIndean@yahoo.com
(304) 962-8359

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Ronald Picker (dharma@frontier.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 12:01 PM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Fracking has become a "plague" in my neck of the woods: Inhibiting traffic, destroying road surfaces, creating congested temporary camp sites for imported workers, and creating unsightly scenery. "Almost heaven" we are no longer.

Therefore, I am in accord with this Sierra Club appeal.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Ronald Picker
945 Bethlehem Road
French Creek, WV 26218
dharma@frontier.com
(304) 924-5152

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Jenni Kovich (jjkov1ch-charity@live.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:57 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Jenni Kovich
50 Dud Bennett Rd
Jenni, WV 25123
jjkov1ch-charity@live.com
(304) 543-2801

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Robert Ruggiero (rruggiero8@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:51 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Robert Ruggiero
117 Oakmont Drive
Charles Town, WV 25414
rruggiero8@gmail.com
(304) 728-0535

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Crystal Hoffmaster (choffmaster64@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 11:50 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Crystal Hoffmaster
67 Comfort Lane
INWOOD, WV 25428
choffmaster64@gmail.com
(540) 327-3007

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Herb Myers (hesemyers@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:50 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Herb Myers
Blizzards Gate Road, P.O. Box 171
Harman, WV 26270
hesemyers@gmail.com
(304) 227-4661

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Kathy Lloyd (sweens1205@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:47 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Please don't change the rules! We need clean safe water!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Kathy Lloyd
650 main drag way
Harpers Ferry, WV 25425
sweens1205@gmail.com
(304) 279-0748

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Donna Connell (underwoodd417@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:44 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Our waters are very important for many reasons.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Donna Connell
711 A.Riverview Dr.
Belmont, WV 26134
underwoodd417@gmail.com
(304) 350-2060

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Stephanie Petruso (stephaniepetruso@yahoo.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 11:44 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Stephanie Petruso
66 Enclave Drive
Cross Lanes, WV 25313
stephaniepetruso@yahoo.com
(206) 940-8382

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Marlene Cross (marlenecross3@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:43 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Marlene Cross
PO Box 349, 274 U Rd
Arthurdale, WV 26520
marlenecross3@gmail.com
(814) 923-1118

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Michael Klausing (mike_klausing@hotmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 11:41 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Michael Klausing
624 Cross Lanes Dr Apt 11
Nitro, WV 25143
mike_klausing@hotmail.com
(304) 776-6876

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Sheryl Grier (lynnegrier@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:41 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

The natural beauty of our state, our rivers and streams are one of the things that make me most proud of being a West Virginian. It is critical that we protect and preserve this gift for our children and grandchildren.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Sheryl Grier
1356 Johnnycake Lane
Harpers Ferry, WV 25425
lynnegrier@yahoo.com
(304) 268-9283

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Andrew Ferguson (macferguson38@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 11:38 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Andrew Ferguson
549 Oxford Way
Martinsburg, WV 25405
macferguson38@gmail.com
(304) 707-4638

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Anna Smucker (wvsmucker@aol.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:36 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Clean water is our most precious resource.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Anna Smucker
1002 Rainbow Rd.
BRIDGEPORT, WV 26330
wvsmucker@aol.com
(304) 842-6250

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Leo Boissy (boissy1947@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:31 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I am especially concerned about our water quality. I've seen good improvements in the Ohio River these last few years and I would like to see the improvements continue. We cannot let the lure of immediate dollars overrule long term well being.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Leo Boissy
37 Oakland Ave
Wheeling, WV 26003
boissy1947@gmail.com
(304) 243-1536

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Martha Walker (marthalee3@hotmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:29 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Please consider the environmental impacts of each law.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Martha Walker
202 Joseph Street
South Charleston, WV 25303
marthalee3@hotmail.com
(304) 744-6398

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Hilry Gordon (fbalroom@aol.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:28 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

My farm lies in the path of the MVP. As a result I have observed the careless manner with which the integrity of streams, stream crossings, and run off from bare slopes have been handled. If anything, protections need to be strengthened, not relaxed.

When I talk with my neighbors, all have stories of liberties taken on their property...and all have regrets and resentments about the invasion of these companies. Not all the pipeline workers disrespect and disregard the landowners, but enough do to make this entire enterprise feel like yet another failure on the part of the government's promise to maintain environmental and personal property rights. Once again the people and environment of WV are being harmfully, shamefully exploited by an extraction industry with our government's complicity. Shame on FERC, the WVDEP, and the U.S. Army Corps of Engineers for their wanton disregard for the people in the service of profit for big business in contemplating these modifications.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Hilry Gordon
299 Llama Fork Rd.
Wallace, WV 26448
fballroom@aol.com
(304) 796-4758

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Robert Gall (rgall17@comcast.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:27 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Water quality is more important than pipelines.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Robert Gall
17 Damian Rd
Wheeling, WV 26003
rgall17@comcast.net
(304) 242-1873

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Rita Lewis (hblly@frontiernet.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:23 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I grew up in West Virginia at a time when most of our streams were so contaminated that you could not eat the fish or swim in the water. Over the years the water quality has thankfully changed and due to the Clean Water Act we are now free to enjoy the state's waters. Please do not take us back to those dark times.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Rita Lewis
65 Grannies Creek
Newton, WV 25266
hblly@frontiernet.net
(304) 565-3306

DEP WQS Comments

From: Sharon Hurley (wvhurley@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:21 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Everyone deserves clean water, even the people in West Virginia. DO Not make it easier to pollute our water by turning this beautiful state into a septic tank!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Sharon Hurley
393 Palser Run Rd
Normantown, WV 25267
wvhurley@gmail.com
(304) 462-5527

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Ruth Braithwaite (mommaru2853@hotmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 11:21 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Ruth Braithwaite
3018 Greene Gables Ct
Ridgeley, WV 26753
mommaru2853@hotmail.com
(304) 726-7240

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Ardyth Gilbertson (ardythg@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 11:20 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

As a concerned citizen, mother, grandmother, nurse and lover of clean air and water for ourselves and future generations I am vehemently opposed to Gov. Justice to put our waters and lands in jeopardy! This must not happen!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Ardyth Gilbertson
22 Spring Warbler Way, Shepherdstown West Virginia 25443 Shepherdstown, WV 25443 ardythg@gmail.com
(304) 268-7435

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Franklin and Becky Young (fyoung@mountain.net) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 11:19 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

This state spends millions of dollars trying to attract young people and stanch the flow of outmigration of our own children. Yet we consistently show a disregard for their insistence upon a sustainable future. It is time to demand that legislators recognize that environmentalists are not a small band of "rogues"; instead we are people from all walks of life who demand clean air, safe water, and a sustainable environment for our children, for ourselves, and for all people.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Franklin and Becky Young
33 Carnian Ford Road
Ripley, WV 25271
fyoung@mountain.net

(304) 372-3945

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: John Sizemore (sizemore6970@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:17 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

John Sizemore
8063 Elmwood Ave
Stonewood, WV 26301
sizemore6970@gmail.com
(304) 838-4506

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: David Yelton (dbyelton45@comcast.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:17 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Clean water attracts tourists to West Virginia for fishing and rafting. d hurt our tourism economy by enacting these proposed modifications to our clean water quality standards.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

David Yelton
35 Bates Rd
Morgantown, WV 26505
dbyelton45@comcast.net
(304) 598-1025

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Carrie Wright (carrieleawright@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 11:16 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Because I am what people in wv ,known as a river rat, the water is a way of life as in fishing ,swimming and just relaxing on it, taking boats out on it and fishing that way too.thank you for having a heart...about our way of life..

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Carrie Wright
PO BOX 195
AUGUSTA, WV 26704
carrieleawright@gmail.com
(301) 707-4244

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Jennifer Elmore (jennifer_denise@ymail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:14 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Jennifer Elmore
4043 clay rd
Spencer, WV 25276
jennifer_denise@ymail.com
(304) 389-9332

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Nancy Greathouse (wvapplepie@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 10:04 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I matters to have clean water

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Nancy Greathouse
602 Jameson street
Parkersburg, WV 26101
wvapplepie@gmail.com
(304) 991-9191

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Steve Malafy (smalafy@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:05 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Steve Malafy
280 Centerville Harp Rd
French Creek, WV 26218
smalafy@gmail.com
(304) 460-1511

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Dixie Mullineaux (acubird2@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:05 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Dixie Mullineaux
568 Preston Unger Ct
Berkeley Springs, WV 25411
acubird2@gmail.com
(304) 258-7200

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Dixie Mullineaux <acubird2@gmail.com>
Sent: Tuesday, February 26, 2019 12:52 PM
To: DEP WQS Comments
Subject: Modifications to 401 Water Quality Certification for Nationwide Permits

Secretary Austin Caperton
West Virginia Department of Environmental Protection

RE: Modifications to 401 Water Quality Certification for Nationwide Permits

Cabinet Secretary Caperton

I oppose the proposed modifications related to the waiver of permit conditions under the WV State 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits.

It is unacceptable that the proposed revisions would allow DEP to waive any of the standard or special conditions of the State 401 Water Quality Certification applicable to Nationwide Permits without any consideration of public input.

The proposed changes allow for the exemption of the 72-hour crossing time restriction for large rivers, but the longer crossing time does not consider the negative impacts on aquatic life when dewatering the streambed for prolonged periods.

The proposed changes allow for temporary impediments to fish passage; however temporary is not defined and thus fish species, such as the endangered candy darter and other important game fish, are not protected from impacts of pipeline construction.

These modifications unnecessarily put aquatic life at risk and shirk DEP's responsibility to protect the waters designated use. The agency has the authority now to require individual 401 Water Quality Certifications for large pipeline construction projects that would protect aquatic life. Instead of making these proposed modifications, DEP should use individual 401 Water Quality Certifications to provide stream and wetland protections tailored to each pipeline project.

Sincerely,
Dixie Mullineaux
568 Preston Unger Ct
BERKELEY SPRINGS, WV 25411

DEP WQS Comments

From: Thomas Root (star1.tca@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:05 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Thomas Root
4425 Big Tyler rd
Cross Lanes, WV 25313
star1.tca@gmail.com
(304) 410-6413

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Sara Wilts (sallywilts@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:05 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

We already have way too much degradation of our waterways and need further protections, not less.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Sara Wilts
72 Mount Grove Rd
Bruceeton Mills, WV 26525
sallywilts@yahoo.com
(304) 379-7567

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Carole Williams (cwilli22@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:06 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Carole Williams
2223 Heritage Point
Morgantown, WV 26505
cwilli22@gmail.com
(304) 554-0199

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: John Pullen (jmpullen8@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:08 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I'm a West Virginia native who lives on the Potomac and has enjoyed the streams of WV my whole life (even traveling home for fishing when living elsewhere while on military active duty). West Virginia is blessed with wonderful mountain streams that can sustain productive life and enjoyable sports. Our legacy must be clean water for living and recreation, not rampant pollution in service of corporate profits!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

John Pullen
202 Bones Wright St
Shepherdstown, WV 25443
jmpullen8@gmail.com
(304) 876-8142

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Barbara Lewis (barbaraelewis@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:10 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

My husband and I own 250 acres in Roane County. In 2007 we were drilled on. It created a huge wasteland on our farm. There is polluted, smelly water all around the well to this day. We are fortunate it is not close to our water well. The current water protections are NOT strong enough! Please do not compromise the health of our state and its people by further reducing protection. Thank you for considering my plea, Barb Lewis

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Barbara Lewis
1825 Stover Fork
Harmony, WV 25243
barbaraelewis@gmail.com
(304) 927-1505

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Jennifer Meadows (j.nicolemeadows@yahoo.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 10:10 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I live here. Please. We all need clean water

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Jennifer Meadows
5438 Wintz Rd
Jennifer, WV 25313
j.nicolemeadows@yahoo.com
(304) 444-8948

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Waneta McKinney (waneta.mckinney@yahoo.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 10:11 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I am a resident of WV and have a vested interest in this. Please do the right thing for the beautiful state that we call home.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Waneta McKinney
2002 Cove Creek Rd
24941, WV 24941
waneta.mckinney@yahoo.com
(540) 691-5328

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Patti Miller (panoramaatp@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:12 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

This is the story of you and me and us.
We are stewards of this land for the people of WV and future generations.
The proposed modifications are not good for any of us.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Patti Miller
P.O. Box 98
Berkeley Springs, WV 25411
panoramaatp@gmail.com
(304) 702-1223

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Lisa Blakley (lblakley21@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:13 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Clean water is critical. WV water is scary as it is with chemical spills, etc. High technology and other businesses will not come to a state with poisoned water and land.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Lisa Blakley
3 Fairway Dr
South Charleston, WV 25309
lblakley21@gmail.com
(336) 210-5615

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Susan Rayburn (susan.rayburn@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:13 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

West Virginia has a long history of environmental degradation in the name of profit-taking by industry that did not make any attempt to preserve the quality of our land, water, and air. Now that the state has made strides to recover clean water and clean air over the last few decades, we can't afford to push aside the environmental regulations that have made these quality improvements possible. Please do not support weakening of those regulations that protect our environment and, in so doing, our very selves, our health, and our future as individuals and as a state.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Susan Rayburn
871 Cale Rd.
Bruceton Mills, WV 26525
susan.rayburn@gmail.com

(304) 692-9661

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Shayna Carney (shaynacarney@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:13 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Shayna Carney
336 Steamboat Run Road
Shepherdstown, WV 25443
shaynacarney@yahoo.com
(304) 820-6574

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Judy Deutsch (ljdeutsch1@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:16 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Judy Deutsch
1538 Upland Road
Judy, WV 25701
ljdeutsch1@gmail.com
(304) 522-2217

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Virginia Winston (virginia@winstongardens.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 10:19 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

We must protect our waters, for our health and the environment. But also what tourist wants to come to 'wonderful West Virginia' if they can't swim, boat or fish in our beautiful lakes and streams.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Virginia Winston
1121 Hollida Lane
Martinsburg, WV 25404
virginia@winstongardens.com
(304) 267-6924

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Regina Hendrix (regina.hendrix@comcast.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:24 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

In addition to the legal constraints listed above, all West Virginians should stand against any further pollution of our waters. The disgraceful contamination of the wells throughout So. WV and the taxpayer funded replacement water supplies for the coalfields, only to have city water poisoned by Freedom Industries, should be a wake up call. We don't need to wonder why WV is losing population. These water catastrophes we've brought on ourselves do become known nationwide and do cause population loss. Why make our situation worse???

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Regina Hendrix
65 BRADFORD CT
CHARLES TOWN, WV 25414
regina.hendrix@comcast.net

(304) 725-0223

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Laura Yokochi (lyokochi26426@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:24 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Laura Yokochi
142 Liberty ST
Salem, WV 26426
lyokochi26426@gmail.com
(304) 695-1523

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Richard Jacob (rjacob596441@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:25 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

There is no future without clean water.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Richard Jacob
2169 Maryland Line Road
Bruceeton Mills, WV 26525
rjacob596441@gmail.com
(304) 435-2155

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Gabriel Smith (aaronsmith_95@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:26 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Gabriel Smith
1705 College Avenue
Gabriel, WV 24701
aaronsmith_95@yahoo.com
(304) 960-1855

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Francesca Wigle (fwigle@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:27 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

We are counting on you to preserve quality water for the people of your state!!!!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Francesca Wigle
5041 Alabama St.
El Paso, TX 79930
fwigle@gmail.com
(512) 497-5026

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Jeffrey Hartley (n8ii@aol.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:28 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Jeffrey Hartley
198 Windgale Dr
Shepherdstown, WV 25443
n8ii@aol.com
(304) 876-3620

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Robert Henry (ranhenry@aol.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:29 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Robert Henry
930 HEATHERWOOD RD
BLUEFIELD, WV 24701
ranhenry@aol.com
(954) 937-8893

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Marjorie Lewellen (mandslewellen@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 10:30 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Keeping West Virginia's water clean is too important for everyone in this state for any modification changes to be made for the benefit of polluters.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Marjorie Lewellen
628 Joes Run Rd.
Morgantown, WV 26508
mandslewellen@gmail.com
(304) 292-9747

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Larry Jones (ljjones68@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:30 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

We must keep our water ways clean no matter what and big oil could care less about our water so please help protect our water

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Larry Jones
123 sun valley estates
Scott Depot, WV 25560
ljjones68@gmail.com
(304) 382-6013

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Tod Lewark (mrgoodbeer@juno.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:31 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Fossil fuels are not the future. Renewable energy is.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Tod Lewark
575 Smith Rd.
Flemington, WV 26347
mrgoodbeer@juno.com
(304) 625-1623

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Boyd Purcell (dr.boydpurcell@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:32 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

There is nothing more important than protecting what is essential to human existence--WATER! Fracking should be very carefully controlled and monitored. And each drilling company should be required, by law, to put in a nontoxic tracing element in the chemicals they put into the ground in the fracking process, that would make it clear to law enforcement which company did the pollution if toxicans are found in drinking water or water catches on fire, as it has done in Pennsylvania and other states, due to the presence of toxic chemicals!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Boyd Purcell
842 Valley Dr.
Dunbar, WV 25064
dr.boydpurcell@gmail.com

(304) 766-9899

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Jamie Shultz (hadleys1@hotmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:34 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Jamie Shultz
26 Paul Wilson Lane
Morgantown, WV 26508
hadleys1@hotmail.com
(304) 276-3658

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: David Tennant (dtennwu@aol.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:34 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

It's just not worth it. You cannot put a price tag on the pristine natural surroundings that WV offers.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

David Tennant
26 Rosemary Dr
Fairview, WV 26570
dtennwu@aol.com
(304) 449-1160

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Jeremiah Ege (jeremiahege@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:35 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Our family is still buying bottled water due to the last time our water supply was poisoned, in 2014. We must learn to protect our water as the essential life sustaining resource it is. A few more dollars in the pockets of the already wealthy is not worth destroying our future.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Jeremiah Ege
5207 Bethany Dr
Charleston, WV 25313
jeremiahege@yahoo.com
(304) 541-2212

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Edward Lynch (edlynchwv@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:36 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Keep our waters safe for all to use.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Edward Lynch
128 Willow Spring Drive
Edward, WV 26070
edlynchwv@gmail.com
(304) 737-9840

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Ned Marshall (nmarzk@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:36 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Thousands of West Virginians are already without safe water. Loosening the rules will poison even more. DEP is supposed to protect the environment not facilitate more pollution.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Ned Marshall
589 Edgewood Sch. Rd.
Shen. Jct., WV 25442
nmarzk@gmail.com
(304) 876-6716

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Evie Lotze (roxleyfarms@citlink.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:39 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

We voted for Governor Justice in the last election--and hope to be able to do so again, your vote on this issue is germane to that decision.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Evie Lotze
2231 Old Leetown Pike
Kearneysville, WV 25430
roxleyfarms@citlink.net
(304) 728-7928

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: jean czernek (finickyshop@aol.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:40 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

jean czernek
114 greenlawn blvd
Weirton, WV 26062
finickyshop@aol.com
(304) 914-4340

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Francis Sullivan (sullythelegend@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:40 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Water is life. Without it we will all die!!
KEEP IT CLEAN PLEASE!!!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Francis Sullivan
5506 Shawnee Dr.
Huntington, WV 25705
sullythelegend@gmail.com
(304) 634-1916

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Belinda Berkemeijer (queenmusiclvr@aol.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 10:42 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Belinda Berkemeijer
47 Rumsey Ter
Martinsburg, WV 25403
queenmusiclvr@aol.com
(304) 279-1873

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Gina Busch (ginarbusch@aol.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:44 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

We have a well and use ground water.
This will personally cause harm to our lives.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Gina Busch
1744 Mount Alpha Road
Charleston, WV 25304
ginarbusch@aol.com
(304) 925-6763

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: David Bott (dwbott@comcast.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:45 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Water is the foundation of life and West Virginia has seen the impacts of the coal industry creating unpotable water for ever county south of Charleston. This reality was given a stark reminder in January 2014, the impacts of which are not fully understood. Protect the waters of West Virginia before we reach the tripping point of no return!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

David Bott
124 Ohio Avenue
Westover, WV 26501
dwbott@comcast.net
(304) 288-0560

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: elaine picklesimer (cpicklesimer@comcast.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:45 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

elaine picklesimer
815 glendale road
new cumberland, WV 26047
cpicklesimer@comcast.net
(304) 459-3325

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Elizabeth Dingess (eflindsay@netzero.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:48 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Our mountains and rivers are worth more than the proverbial 30 pieces of silver. Do the right thing!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Elizabeth Dingess
3079 Smokehouse Fork Road
Chapmanville, WV 25508
eflindsay@netzero.net
(304) 855-8542

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Mary Gartland (mpetruso@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:49 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Having lived through the Water Crisis in Charleston, WV; my family and I implore you not to allow these changes. We know how fragile our water systems are and to add to the already pollution of MY drinking water is unconscionable. Please do not give into Big Business to the detriment of the people of West Virginia.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Mary Gartland
51 Enclave Drive
Charleston, WV 25313
mpetruso@gmail.com
(703) 999-8752

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Debbie Royalty (dar.royalty@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:49 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Please protect our children from poisons from pipelines!!!!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Debbie Royalty
199 Brannon Ln
Charles Town, WV 25414
dar.royalty@gmail.com
(304) 728-0000

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Helen Foster (hfoster3@frontier.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:51 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Our West Virginia has a hundred-year sad history of water damage due to coal pollution as well as the gas industry. People are having a hard time living under such conditions. Please reconsider allowing more modifications.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Helen Foster
33 Setzer Drive
Barboursville, WV 25504
hfoster3@frontier.com
(304) 733-2148

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Dale Leatherman (dale.leatherman@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 10:51 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I'm very concerned about the impact fracked gas and pipelines in WV. Mountaintop removal has done enough damage to our clean water. Let's protect this precious resource.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Dale Leatherman
265 Meadowland Way
Kearneysville, WV 25430
dale.leatherman@gmail.com
(304) 621-0870

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Miste Barile (gypsymountainbazaar@live.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 10:53 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

i was born and raised in wv. id lived there for 45 years happily until wv became open for business and welcomed the gas and oil industry to come in and destroy the land and water. for my daughters safety we moved to maryland where they unanimously denied fracking for the second time. i read that officials went to the epicenter of fracking in doddridge county and came back unanimously NOT in favor of destroying their states precious resources. maryland survives on tourism and wind energy. no one in this country wants to come to wv anymore. gas and oil workers have brought crime and drugs to the area and have hiked up our rental rates. my mother will now have to move here with me because she cant afford rent on her pension. i was very sad to say goodbye to my home that i loved so much. one day the land will recover, long after greedy humans are gone. :(

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Miste Barile

132 n 8th st
oakland, MD 21550
gypsymountainbazaar@live.com
(301) 616-8286

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: John Leyzorek (leyzorek@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:55 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Do not be a co-conspirator in Dominion's fraudulent ACP boondoggle. Every fundamental claim underlying their project is not mere greedy error but deliberate criminal fraud. And no protection of West Virginia is too much to preserve her land and water for future generations to use and enjoy in sustainable ways.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

John Leyzorek
2133 Edray Rd
Marlinton, WV 24954
leyzorek@yahoo.com
(304) 799-7191

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Melanie Waggett (mgwaggett@frontier.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 10:56 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Melanie Waggett
364 Patteson Drive, #116
Morgantown, WV 26505
mgwaggett@frontier.com
(304) 276-4459

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Reynolds Parziale (pamo.ren2@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 10:57 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Clean water for our children, for our grandchildren!

Reynolds Parziale

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Reynolds Parziale
5210 Paynes Ford Road
Kearneysville, WV 25430
pamo.ren2@gmail.com
(304) 725-4251

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Donna Miller (donnamiller190@gmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:03 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Fracking is dangerous enough to West Virginians and our climate. Don't change the already lax rules protecting us. These protections are established to keep West Virginia water safer. Are you beholden to corporate money over people?

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Donna Miller
1735 Stephens Fork Road
Mineral Wells, WV 26150
donnamiller190@gmail.com
(304) 679-7032

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Brian Sturgis (briansturgis@rocketmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:03 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Brian Sturgis
827 First Street
Huntington, WV 25701
briansturgis@rocketmail.com
(304) 840-0607

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Donna Steele (ladywolf5@frontier.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 11:04 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Another thing need's to happen everywhere , if you run on a ticket as Democrat, then you need to stay Democrat until your term is finished.He only ran on that party because he knew he couldn't win on a Republican ticket. That is dirty Politics. Plain and simple.And he should be called out on it.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Donna Steele
1919 Whites Creek Rd,
PRICHARD, WV 25555
ladywolf5@frontier.com
(304) 486-5351

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Laurel Klein (llkbike@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:06 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

I live less than a mile from the pipeline construction. The devastation of our neighborhood is bad enough already. There is no excuse for making it worse. Many of our neighbors depend on wells for their drinking water.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Laurel Klein
778 Lake Floyd Circle
BRISTOL, WV 26426
llkbike@yahoo.com
(304) 782-4117

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Tina Del Prete (tna4mail@yahoo.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:07 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

We need, especially now, our waters to be as clean as possible. You cannot advertise gas as a clean fuel if you are going to let them further pollute our waters.
Do your job and be a protector not a destroyer.
WATER IS LIFE. Enough said.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Tina Del Prete
4805 Riggins Run Road
West Union, WV 26456
tna4mail@yahoo.com
(304) 782-2096

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Summer Hart (gr8rswiss@hotmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:07 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

YOU are killing this state! Let this madness stop NOW!

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Summer Hart
223 Packett Drive
CHARLES TOWN, WV 25414
gr8rswiss@hotmail.com
(304) 725-0740

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Jane Butler (butlertwins97@aol.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:09 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Jane Butler
314 wildrose dr
Hedgesville, WV 25427
butlertwins97@aol.com
(304) 258-5594

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Ron Murrin (barkridge135@netzero.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:10 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Ron Murrin
10171 Middle Grave Creek
Glen Easton, WV 26039
barkridge135@netzero.net
(304) 845-8591

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Winnie Murrin (barkridge135@netzero.net) Sent You a Personal Message
<automail@knowwho.com>
Sent: Monday, February 25, 2019 11:11 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Winnie Murrin
10171 Middle Grave Creek
Glen Easton, WV 26039
barkridge135@netzero.net
(304) 845-8591

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Enedina Vargas (asusu1@hotmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 11:13 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Enedina Vargas
5041 Alabama St
El Paso, TX 79930
asusu1@hotmail.com
(915) 248-7282

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Ezekiel Smith (zekesmithpga@gmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Monday, February 25, 2019 10:03 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP).

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Ezekiel Smith
2042 Enslow, Blvd, Huntington WV 25701
Ezekiel, WV 25701
zekesmithpga@gmail.com
(304) 634-7105

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Betty Wiley <betty.w304@gmail.com>
Sent: Friday, March 1, 2019 10:50 AM
To: DEP WQS Comments
Subject: Pipeline stream crossings

Regulations and requirements for stream crossings by pipeline construction need to be ultra-protective of the environment and it is irresponsible to change them to a less-stringent practice. It is all very well to promote jobs in these temporary construction projects, but the damage that can occur is NOT temporary; it degrades West Virginia's assets, and our most important asset is beauty... whether you like it or not, and think "beauty" is without value, that is a naive idea. In future, West Virginia's economy will depend increasingly on tourism. There will be a day when those stewards who protect our resources will be appreciated.

Betty L. Wiley
373 Dunkard Avenue
Morgantown WV 26501

DEP WQS Comments

From: Betsy Reeder <ereeder44@msn.com>
Sent: Friday, March 1, 2019 8:58 AM
To: DEP WQS Comments
Subject: WQS Comment

In 2017, WV-DEP established certain special conditions that must be followed for projects subject to a Nationwide 12 permit to protect the environment. Now, WV-DEP is proposing to change those conditions for 36" gas pipelines.

These changes do NOT protect the environment, in particular, water quality and aquatic life. I am strongly opposed to these changes and urge DEP not to make them.

Betsy Reeder
Summers Co.

Sent from [Mail](#) for Windows 10

DEP WQS Comments

From: Thomas Valencia (thomvalencia@hotmail.com) Sent You a Personal Message <automail@knowwho.com>
Sent: Thursday, February 28, 2019 8:18 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Section 401 of the Clean Water Act is in place to protect water quality and ensure the health and safety of West Virginians.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

Section 401 of the Clean Water Act does not permit modification of a state 401 certification between the Corps' five-year reissuances of nationwide permits except in specific instances not applicable here.

Moreover, as the Fourth Circuit made clear in its decision regarding the Mountain Valley Pipeline's Section 404 permit, West Virginia cannot unilaterally waive permit conditions without going through notice and comment. WVDEP's proposed modification that claims to allow the WVDEP Secretary to waive conditions in his sole discretion is prohibited by the Fourth Circuit's recent ruling.

Even if WVDEP could modify its 401 certification of nationwide permits at this time, it could only do so with consent of the Environmental Protection Agency Regional Administrator and the Corps. Moreover, WVDEP cannot waive special conditions of its certification of Nationwide Permits by waiving 401 certification of a particular project; the proposed modifications to Special Conditions C and L to NWP 12 do not reasonably assure compliance with water quality standards; and WVDEP must furnish a detailed explanation of the rationale for preferring the proposed modifications over the special conditions as they currently exist.

Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Thomas Valencia
463 North Fork Loop
Green Bank, WV 24944
thomvalencia@hotmail.com
(304) 456-4160

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Mary Feury (mfeury_58@hotmail.com) Sent You a Personal Message
<automail@knowwho.com>
Sent: Wednesday, February 27, 2019 8:00 AM
To: DEP WQS Comments
Subject: West Virginia 401 Water Quality Certification Modification for the U.S. Army Corps of Engineers Nationwide Permits

Dear Nancy Dickson,

Our clean water is vital to life and health, not a commodity or a "nice" benefit to living in Monroe County WV. The job for your agency is public protection and support- not bowing to corporate pressure or accepting their tainted gold in exchange for lowering our standards for regulation of our natural resources.

Dear Ms. Dickson,

I am writing to request that the West Virginia Department of Environmental Protection withdraw its proposed modifications to the 401 Water Quality Certification for the U.S. Army Corps of Engineers Nationwide Permits (NWP's).

The proposed modifications are far outside of the WVDEP's authority. They do not comply with state or federal law, and they will weaken protections of West Virginia's water.

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Please do not make these changes.

Thank you for your time and consideration.

Sincerely,

Mary Feury
3680 Hollywood-Glace Road
Union, WV 24983
mfeury_58@hotmail.com
(304) 667-8653

This message was sent by KnowWho, as a service provider, on behalf of an individual associated with Sierra Club. Please contact Lillian Miller at core.help@sierraclub.org or (415) 977-5500 for more information.

DEP WQS Comments

From: Bill Fox <mandbfox@gmail.com>
Sent: Tuesday, February 26, 2019 2:30 PM
To: DEP WQS Comments
Subject: Change to stream crossing permit

401 Water Quality Certification Program
Attn: Nancy Dickson

Myrna Fox
588 Breakiron Hill Road
Morgantown, WV 26508
(304) 296 1208

I object to changes to special conditions that are to be followed for a Nationwide 12 permit to protect the environment. My objections are as follows:

- 1.The 72 hour stream crossing restriction should not be changed to allow exemptions. It simply is reasonable that this restriction protects water quality and aquatic life. Seventy two hours is long enough to impact both, and should never be allowed an exemption for a longer period of interruption.
- 2.Allowing temporary impediments to fish passage, with no length of time defined in the exemption, is simply bad for the fish, that must move in streams to find food.
- 3.Waiving wholesale the requirement for an individual water quality certification for large pipelines would seem to just be pandering to the large scale operations. All pipeline sizes need individual plans, for each individual size and for each water body and wetland they may cross. From what I have observed, all pipelines make a mess of the environment, but large pipelines make a larger mess.
- 4.DEP's possible allowing for the removal of any permit condition, without public scrutiny, would be a disaster in the making. Regulations have their place, and have been put in place to protect the environment and the public, for now and for the future.

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In summary, I believe that a **change** in special conditions that have been established by DEP for projects subject to a Nationwide 12 permit to protect the environment **should not be allowed**. Our state has much to offer residents and visitors, as a place where we can see trees, streams, rivers, and wildlife, and where those can all thrive. These are all our heritage, and in the time of climate change, they should be protected more strictly, not the opposite. Our environment is changing, there is no doubt of that, and living things need our care and protection.