

The Department of Environmental Protection  
601 57<sup>th</sup> Street  
Charleston, WV 25304

Re: West Virginia Council of Trout Unlimited comments on narrative criteria protocol

The West Virginia Council of Trout Unlimited would like to submit the following comments regarding narrative water quality criteria protocol:

1. Permittees should have certified people to identify and quantify aquatic/benthic life and be required to conduct and document benthic surveys for waters receiving permitted discharges on a routine basis.
2. West Virginia Stream Condition Index (WVSCI) should be used for impairment determinations. This index, which has been used since 2002 with EPA's approval, does not use mayflies as a stand-alone determinant of stream condition
3. The public and industry need to understand the significance and importance of aquatic life. Benthic surveys are not conducted in order to "protect the mayfly". The mayfly is food for larger species and its' presence is an indication of the water quality. The water from the headwater streams will eventually end up as drinking water for the downstream cities.
4. The theory that another food source will replace the mayfly in the trout diet is not correct and merely displays a lack of knowledge of the biological system that supports trout populations.
5. All permits should require Whole Effluent Toxicity (WET) testing.
6. Permittees should be required to have written best management practices that detail how operations will comply with water quality standards. The burden should be on the permittee to detail how they will control these issues.
7. All permittees should be required to follow the same standards for water discharges regardless of the type of industry.

Thank you for your time and consideration.

West Virginia Council of Trout Unlimited