



Any interested person may submit written comments to **WVDEP** regarding the National Pollutant Discharge Elimination System (**NPDES**) permit application by WVDOH to construct a bypass in the Warm Spring Run watershed. If enough interest is shown through comments received by **October 9, 2020**, WVDEP will hold a public hearing in Berkeley Springs. We want a public hearing to voice concerns so requirements will be included in the permit to help protect the community from increased flooding.

Address comments to:

**Director, Division of Water and Management, DEP**

**Application No. WVR110602**

**ATTN: Sharon Mullins, Permitting Section**

**Berkeley Springs Bypass Construction**

**601 57th Street SE**

**Charleston, WV 25304-2345**

Correspondence needs to be a concise statement of the nature of the issues raised, and should include the **name, address, and telephone number** of the writer.

Here are some reasons why WSWA is requesting a public hearing:

- Construction will disturb a large amount of land and create a lot of dust and mud:
  - More than 175 acres of land will be cleared, plus additional borrow and staging areas to be determined by the contractor.
  - It impacts 14,650 feet of stream (2.8 miles) and 14.8 acres of floodplain.
  - 3,224,710 cubic yards of dirt will be excavated (or about 200,000 filled dump trucks)
  - Borrow areas for fill will disturb an additional 1,691,898 CY (about 106,000 dump trucks)

We have not been informed how and where the mandated stream and wetland impacts will be mitigated.

- The application states that the project's low bidder will decide where to install erosion control features without clearly depicting sensitive areas to avoid or other necessary restrictions.
- About 90% of the area is comprised of very shallow soils with severe limitations for construction of embankments for sediment control basins. It very difficult to establish vegetation to control erosion in these soils.
- Sediment basins controlling over 500 acres will be installed in the watershed. Long term maintenance is not explained.
- Incorrect land cover and soil characteristics are used to calculate sediment basin capacity. This means basins will receive greater amounts of storm runoff more quickly than they are designed to control.

- Warm Springs Run, a narrow watershed with a large amount of impervious area, is increasingly subject to flash flooding. The project adds 36 acres more of impervious road and hard shoulder with stormwater runoff being collected and released more quickly.
- Forested areas and urban tree canopy are important flood control methods for the community. The removal of over 100 acres of trees and conversion to impervious area will alter the stream conditions.