

1 COMMITTEE SUBSTITUTE

2 FOR

3 **Senate Bill No. 547**

4 (By Senator Hall)

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6 [Originating in the Committee on Natural Resources;  
7 reported February 23, 2011.]  
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11 A BILL to amend the Code of West Virginia, 1931, as amended, by  
12 adding thereto a new section, designated §22-11-31, relating  
13 to the West Virginia Water Research Institute's development of  
14 a method for assessing the state's narrative water quality  
15 standards; and determining whether streams meet the federal  
16 Clean Water Act's designated use requirements.

17 *Be it enacted by the Legislature of West Virginia:*

18 That the Code of West Virginia, 1931, as amended, be amended  
19 by adding thereto a new section, designated §22-11-31, to read as  
20 follows:

21 **ARTICLE 11. WATER POLLUTION CONTROL ACT.**

22 **§22-11-31. Assessment of narrative water quality standards by**  
23 **West Virginia Water Research Institute.**

24 (a) The West Virginia Water Research Institute, in conjunction  
25 with the West Virginia Department of Environmental Protection,

1 shall develop a method for assessing compliance with the state's  
2 narrative water quality standards that may be used by the West  
3 Virginia Environmental Protection Agency to determine whether a  
4 stream meets the Federal Clean Water Act's designated use  
5 requirements. The method will consider all components of the  
6 aquatic ecosystem.

7 (b) The West Virginia Water Research Institute shall report to  
8 the Legislature on the development on this aquatic ecosystem  
9 assessment and stream use attainment method within six months. A  
10 final report shall be issued by the West Virginia Water Research  
11 Institute to the Legislature within one year from the effective  
12 date.

13 (c) Based upon the report, the Legislature may pass  
14 legislation utilizing the assessment method and reevaluating  
15 previous stream impairment listings based on this new assessment  
16 tool if the Legislature finds that the assessment method is  
17 consistent with the goals and objectives of the West Virginia Water  
18 Pollution Control Act.

NOTE: The purpose of this bill is to require the West Virginia Water Research Institute to develop a method for assessing the state's narrative water quality standards and determining whether streams meet the federal Clean Water Act's designated use requirements.

§22-11-31 is new; therefore, strike-throughs and underscoring have been omitted.