



---

west virginia department of environmental protection

---

Division of Water and Waste Management  
601 57<sup>th</sup> Street SE  
Charleston, WV 25304  
Phone: 304-926-0195  
Fax: 304-926-0496

Joe Manchin III, Governor  
Randy C. Huffman, Cabinet Secretary  
[www.wvdep.org](http://www.wvdep.org)

October 26, 2009

Martin Saffer, President  
Pocahontas County Commission  
900 Tenth Avenue  
Marlinton, WV 24954

Dear Mr. Saffer:

Thank you for your letter concerning the Highland New Wind Development. I have spoken with both my inspection and permitting staffs in regards to your concern. My staffs have advised me that they have spoken with the developer of the Highland New Wind Development about the proposed section of access road and the three windmill pads that appeared to be located in West Virginia. The developer has advised the agency that the proposed section of access road and the three proposed windmill pads have been moved and are clearly in Virginia. The developer also advised the agency that a modification of the Virginia National Pollutant Discharge Elimination System Water Pollution Control Permit will be submitted to the Virginia Department of Conservation and Recreation in the near future documenting the changes.

In regards to the discharge of stormwater from Virginia into West Virginia waters, the project is covered under a Virginia National Pollutant Discharge Elimination System Water Pollution Control Permit. Virginia's permitting program contains equivalent stormwater controls to those of West Virginia's permitting program. If any impact to West Virginia waters is observed during construction it will be dealt with appropriately.

I hope this letter fully answers the concerns raised in your letter. Please feel free to contact me at (304) 926-0499, Ext. 1058 should you have further questions or need further information.

Sincerely,

Scott G. Mandirola  
Acting Director  
Division of Water and Waste Management