

Final West Virginia Restore Clean Water Action Items

West Virginia January 1, 2022 – December 31, 2023 Milestones (1 YR Update) - Programmatic Commitments and BMP Implementation Targets

Agriculture					
1.	12/31/2022 12/31/2023	Maintain cover crop implementation of a minimum of 6,000 acres annually within the Potomac Valley and Eastern Panhandle Conservation Districts by providing incentives to plant additional acreage and boost early cover crop adoption. Due to changing cropland possession and weather patterns, acreage has been reduced to better reflect cooperators capabilities in EPCD and PVCD. (pg. 39, 42, 45, 46, 79)	6000 acres cover crop	WVCA –Shreve	<p>Total acres planted in the fall of 2022 that were part of the WVCA offered cost share program were 4,993.24. (PVCD – 1,855.66; EPCD – 3,137.58) 4,244.1 additional acres (EPCD) were also reported for match. Additional acres were planted beyond the last acceptable planting date due to wetter than normal weather that made harvesting corn for grain difficult.</p> <p><i>Please note that these acres do not include NRCS programs.</i></p>
2.	12/31/2022 12/31/2023	Implement a formal riparian buffer outreach strategy to increase the adoption of effective CREP buffers to 200 new acres annually. This will be in conjunction with federal, state and local partners and may include mass mailings, public meetings, news articles, videos, field days, etc. that promote 35-foot riparian buffers required by CREP. (pg. 50-54)	200 new acres forested buffers	WVCA/WVDA/ NRCS/FSA/ WVDOF/TU – Shreve	<p>During the summer of 2022, WV stakeholders met to develop a formal Riparian Forest Buffer Plan following several informative sessions. For the first half of 2022, only 27.06 acres can be reported as a 35-foot riparian buffer. However, WV FSA has finally filled the Agriculture Program Specialist position that works directly with the CREP program and initial conversations about a robust outreach campaign seem promising and will be reported in 2023.</p>

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					WVDA has nothing to report at this time. There may be activities related to this goal occurring over the remainder of 2023 calendar year.
3.	12/31/2022 12/31/2023	Transfer a minimum of 4,000 tons of wet litter from Potomac Valley Conservation District annually. This will be accomplished by offering 2 separate incentive programs: one to incentivize the transport of litter to areas outside of the Chesapeake Bay watershed, the second will provide an incentive to Eastern Panhandle Conservation District and Tygarts Valley Conservation District cooperators for the purchase of poultry litter from the Potomac Valley Conservation District area. Due to changes in poultry house management resulting in less available litter, the original 7000 wet tons is reduced to 4000. (pg. 39, 40, 79, 80)	4000 wet tons poultry litter reported	WVCA - Shreve	4,311.97 tons of wet poultry litter were transferred out of the Chesapeake Bay watershed from Potomac Valley Conservation District during the 2022 calendar year. During the same timeframe, 113.51 tons were transported to Eastern Panhandle Conservation District per Nutrient Management Plan recommendations.
4.	12/31/2022 12/31/2023	Maintain 90,000 acres under nutrient management plan annually through a combination of new and existing plans.	90,000 acres of NMP	WVDA - Monroe	WVDA Nutrient Management Planners are off to a good start this year and are working intently to accomplish this goal.
5.	12/31/2022 12/31/2023	Commit \$54,681 annually (CBIG MEB award) for the implementation of exclusion fencing, alternative watering facilities, pasture division fencing and forested buffers within the Most Effective Basins that EPA has identified. Voluntary BMP implementation will be	\$54,681 annually	WVCA –Shreve	During 2022, \$21,061 was paid to producers as cost share for completing fencing projects. Currently, there is an additional \$17,000 that is under contract. Outreach is continuing for this specific funding. Although slow moving,

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		reported through CBIG annual and semi-annual reporting and NEIEN.			there has been interest from new producers which is promising.
6.	12/31/2022 12/31/2023	Commit \$100,000 annually (awarded via CBIG) for the implementation of exclusion fencing, alternative watering facilities and pasture division fencing within EPCD and PVCD. Voluntary BMP implementation will be reported through CBIG annual and semi-annual reporting.	\$100,000 annually	WVCA –Shreve	During 2022, \$84,490 was paid to producers as cost share for completing fencing projects. Currently, there is an additional \$15,000 under contract.

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7.	12/31/2023	WV CREP Partner Agencies, led by WVCA, will train staff and implement a verification program for previously expired CP22 contracts. A combined effort between state and federal partners will result in inspection of 100% of expired contracts to determine if areas are still functioning as a forested buffer or grass buffer, or not functioning as a buffer at all. (pg. 50)	2 year milestone annual report	WVCA/ FSA – Shreve	Due to a lack of staff, this milestone was not accomplished in 2022. However, FSA has worked diligently to become fully staffed in 2022 and WVCA has added a Conservation Specialist position in the Potomac Valley Conservation District. The increased capacity will be very helpful to obtain this milestone in 2023.
8.	12/31/2022 12/31/2023	Meet with 12 agriculture producers annually to verify BMPs on their operations.	2 year milestone annual report	WVDA - Monroe	Nothing to report at this time. WVDA expects to accomplish this goal during the 2023 calendar year.
9.	12/31/2022 12/31/2023	Continue outreach with Berkeley County Farmland Protection easement holders on the various benefits of eligible Conservation Programs, such as CREP, EQIP, and WV CBay Program WV Agricultural Enhancement. (WIP-3, pg. 8)	2 year milestone annual report	Region 9 Planning and Development Council –Diehl	Mailed out packets of information to easement holders in Berkeley, Morgan, and Jefferson Counties in December 2021. The initial outreach project was changed due to the COVID pandemic. Instead of the planned dinner, packets of information were mailed out instead. Region 9 WIP Coordinator continues to collect interest based on the "contact me" forms sent out with the packets. Eastern Panhandle Agriculture Conservation outreach (Part 2): Started discussions on the "Food for thoughts" project expansion.

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10.	12/31/2022 12/31/2023	Update WV based outreach materials that can be utilized to showcase resource concerns and how BMP implementation has advanced water quality. (pg.50-58)	2 year milestone annual report	WVCA –Shreve	Outreach materials are updated regularly to showcase resource concerns, priority BMPs and the progress that has been made. These materials include displays as well as printed materials that are distributed at events and a quarterly newsletter that is distributed electronically.
11.	12/31/2022 12/31/2023	Continue to develop a series of WV Chesapeake Bay videos promoting BMP adoption (i.e. Cover Crop, CREP, Prescribed Grazing, Nutrient Management, Soil Health, Composting). (pg. 50-58)	2 year milestone annual report	WVCA –Shreve WVDA - Monroe	WVCA produced and distributed a CREP video in January 2022. The video can be found here Benefits of CREP in West Virginia (Conservation Reserve Enhancement Program) Video - YouTube . Footage for additional videos has been obtained to produce additional videos in 2023. TU produced a short film “Little Stream, Big Magic” that promotes CREP. It can be found here Little Stream, Big Magic - YouTube . WVDA has nothing to report at this time. WVDA expects to accomplish this goal during the 2023 calendar year.
12.	12/31/2022 12/31/2023	Develop outreach materials for WV’s Agriculture Verification Program (i.e. newspaper articles, webpage, videos)	2 year milestone annual report	WVDA - Monroe	Nothing to report at this time. WVDA expects to accomplish this goal during the 2023 calendar year.
13.	12/31/2022 12/31/2023	Host several field days at different locations within PVCD and EPCD to showcase current conservation practices. Staff will be available	2 year milestone annual report	WVDA/WVCA/ NRCS/FSA/	PVCD and EPCD hosted field days in mid-September 2022. WVCA, WVDA, NRCS and WVU Extension Service staff joined

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		to advise attendees of current incentive programs. (pg. 46)		WVDOF/TU - Shreve	together to provide education primarily focused on grazing techniques. PVCD had approximately 65 in attendance while EPCD had approximately 25 attendees.
14.	12/31/2022 12/31/2023	Host an agriculture composting workshop	2 year milestone annual report	WVDA - Monroe	Nothing to report at this time. WVDA staff is expected to accomplish this goal during the 2023 calendar year.
15.	12/31/2022 12/31/2023	Construct animal waste storage facilities for a minimum of 1,250 animal units.	2 year milestone annual report and NEIEN	NRCS - Shreve	Two Animal Waste Storage Facilities (313) were constructed during 2022. The total animal units served is 287. There have been several other structures planned. However, due to the consistent inflation, landowners have not been able to move forward with construction.
16.	12/31/2022 12/31/2023	In consultation with NRCS, assess operational status of all expiring animal waste storage structures built in 2007 and 2008. Existing and functioning BMPs will be reported through NEIEN.	Retain 65% of credited AU's.	WVCA - Shreve	COMPLETE 48.76% of credited AU's retained. 22.14% of credited AU's cannot be found. 29.1% of credited AU's are no longer functioning.

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Wastewater					
17.	12/31/2022 12/31/2023	Input compliance schedules and orders into EPA's Integrated Compliance Information System. (pg. 12-17)	Data in system	WV DEP – Wright / Patel	As of 1/5/2023 all data is up to date in ICIS
18.	12/31/2022 12/31/2023	Update inventory of WWTPs with upgrades and schedules as needed. (pg. 12-17)	Spreadsheet	WV DEP - Wandling	See spreadsheet attached.
19.	12/31/2022 12/31/2023	Review compliance of newly upgraded systems with NPDES permit limits. (pg. 12-17)	2 year milestone annual report	WV DEP – Wandling	Significant facilities were reviewed quarterly by WVDEP Program Support staff. In 2022, the City of Petersburg (WV0021792) exceeded their annual TN and TP limits. Leetown Science Center (WV0005649) exceeded their annual TN and TP limits for Outlet 003 but is well under their combined limits. Frankfort PSD's reissued permit (WV0105988) became effective 7/1/2022, which changed their annual monitoring period. However, if they were to report under their previous permit on their Aug. 2022 eDMR, they would have exceeded their annual TP limits. With the reissued permit, their annual TN and TP results will be reported in the June 2023 eDMR.
20.	12/31/2022 12/31/2023	Report new septic installations and connections to Publicly Owned Treatment	Annual progress (connections	WVDEP - Hartman	Complete for 2022; emailed counts of new septics to Peter Claggett 12/19/22.

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		Works (POTWs) in annual progress submissions.	to POTWs) & spreadsheet (new septics)		Connections were part of BMP progress submission 12/1/22.
Offsets and Trading					
21.	12/31/2022 12/31/2023	Update and maintain offsets tracking and accountability system in accordance with EPA requirements. (pg. 12-17)	spreadsheet	WV DEP - Sweeney	See attached spreadsheet
22.	12/31/2022 12/31/2023	Consider and, if appropriate, approve, offset requests on a case by case basis. (pg. 12-17)	2 year milestone annual report	WV DEP - Sweeney	Offset requests are handled on a case by case basis

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Urban Stormwater					
23.	12/31/2023	Work to reissue WV's MS4 permit	2 year milestone annual report	WV DEP – Patel	Still working on MS4 reissuance
24.	12/31/2022 12/31/2023	At least one community voluntarily, yet formally, adopts an ordinance that includes a 1" capture requirement. (p. 50-52)	2 year milestone annual report	Region 9 Planning and Development Council - Diehl	Bolivar is currently discussing an ordinance adoption. DEP staff has offered to assist in an additional meeting with them to go over any remaining concerns.
25.	12/31/2022	Coordinate a workshop on stormwater management topics, involving some new communities or partners. (pg. 26, 33)	2 year milestone annual report	WV DEP - Hartman	Complete: presented WV Stormwater Management Webinar - Partnership with Chesapeake Bay Trust on 12/14/22; 47 people attended. 4 people presented. [Canfield & Hartman]
26.	12/31/2022 12/31/2023	Assist at least one community in pursuing conceptual designs of green infrastructure retrofitting (p. 74)	2 year milestone annual report	Region 9 Planning and Development Council - Diehl	<ul style="list-style-type: none"> - Berkeley County 604B Funding: Region 9 partnered with the Berkeley County Public Service Storm Water District (BCPSSWD) to design retrofit enhancements to the existing stormwater system network within the Williamsport Pike (US Route 11) area. These retrofits will reduce flooding and improve water quality within the affected catchment basin. The County is currently working on designs with the engineer, Thrasher. Design will be submitted to DEP July 15th - Berkeley County FY 2023 604.B Funding: Region 9, in partnership with BCPSSWD, applied for an additional

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					<p>\$70,000 for two design retrofit enhancements within the Williamsport Pike (US Route 11) area. This project focuses on the retrofit of a grass swale into a water quality swale at Heritage Roofing and the retrofit of a dry extended detention basin at Maax Aker into a large-scale bioretention basin.</p> <ul style="list-style-type: none"> - Bolivar- Harpers Ferry Green Infrastructure Concept Design Plan – Funding was secured via the WV Tributary Team to create a GI concept plan for the Towns of Harpers Ferry and Bolivar. The plan will be completed January 2023 with public outreach in February 2023. - Currently assisting Shepherdstown with a grant application to create a Green Infrastructure Concept Design Plan.
27.	12/31/2022 12/31/2023	Develop a series of WV Chesapeake Bay videos promoting stormwater BMP adoption (i.e. rain barrel, rain garden, porous pavers, etc.) (pg. 35)	2 year milestone annual report	WVCA - Shreve	Footage has been obtained to begin the series. It is anticipated that these videos will be able to be released during 2023.
28.	12/31/2022 12/31/2023	Update QAPP to reflect any changes to urban stormwater BMP reporting or verification processes. (pg. 30)	QAPP	WV DEP - Hartman	Complete for 2022; submitted the updated QAPP to CBPO on 8/29/22 & 12/1/22. [Hartman & Canfield]

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29.	12/31/2023	Using EPA/Tetra Tech contract, develop conceptual GI plans for 1 – 2 communities. (pg. 28, 34, 36)	2 year annual milestone report.	WV DEP – Settle/Hartman via Tetra Tech	Partly complete: Wardensville public meeting & workshop (Mar. 8-9-2022), report and concept designs completed by 9/30/22 [Koon, Montali, Hartman]. Also began meeting with Potomac State University staff; planning early 2023 charette [Canfield].
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OTHER					
30.	12/31/2022 12/31/2023	Investigate and manage at least one DEIJ focused project annually.	2 year annual milestone report	WVCA - Shreve	During 2022, a project at Elk Garden Town Park was began. Trees and the pollinator plot have been planted. Educational signage will be added to the project in 2023.
31.	12/31/2022 12/31/2023	Identify two new nutrient-reducing projects for which DEIJ/MEB funding is appropriate	2 year annual milestone report	WV DEP - Hartman	<p>Complete for 2022: WIB partners & DEIJ committee developed & tracked a list of potential projects & partners, noting their DEIJ/MEB impacts. This list was shared with the CB partnership as requested. We submitted Martinsburg’s Frog Hollow Stormwater Park and City of Ranson Mildred Beltline GI projects to CBPO for approval in 2022. [Canfield & Hartman]</p> <p>DEP’s WIB team also developed an MOU with Ches. Bay Trust to enlist their grant management services for spending Chesapeake Bay project funds, including potential DEIJ/MEB-related projects. The G3 Grant application period began Dec. 1, 2022 and we attempted to interest new partners in our webinar on the subject on Dec. 14 (see milestone 25).</p>
32.	12/31/2022 12/31/2023	Provide Chesapeake Bay focused outreach to children within PVCD and EPCD utilizing printed materials and lessons that may be provided alongside the WV Soil Tunnel Trailer visits.	2,000 children annually	WVCA - Shreve	Due schools still limiting visitors due to Covid, educational opportunities were limited. However, it is estimated that approximately 1,000 children were

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					<p>educated during 2022. This was accomplished through Soil Tunnel Trailers visits to the WV School for the Deaf and Blind and Mineral County STEM Festival. In addition, outreach was provided at Pendleton and Hampshire County 4-H Camps. The quarterly newsletter has also been a valuable resource as it includes an activity section and is sent to approximately 250 recipients. The newsletter archives can be found here Newsletters (wvchesapeakebay.us).</p>
WEST VIRGINIA NOTES AND GENERAL COMMENTS					
	<p>Climate Change – West Virginia accounted for 2025 climate change conditions by numerically achieving the target load for climate change in our final Phase III WIP. West Virginia recognizes that preliminary estimates for the climate impact through 2035 indicate a doubling of the 2025 load effect. The effect of climate change on our ability to meet the Bay’s water quality standards is a significant and increasing concern.</p>				

Significant Facilities Upgrade Status 1/1/2022-12/31/2022

WV/NPDES	Permittee	Upgrade "Substantially Complete" Status/Schedule Date	Comment
WV0106038	MOOREFIELD-HARDY COUNTY WASTEWATER AUTHORITY	complete	consolidates and treats previous Town of Moorefield WV0020150 and two significant industrial facilities
WV0020699	ROMNEY	complete	
WV0021792	PETERSBURG	complete	
WV0022349	CHARLES TOWN	complete	Charles Town Willow Springs wastewater treatment plant (WV0086452) tied into Charles Town (WV0022349) Outlet 001 6/14/2017.
WV0023167	MARTINSBURG	complete	
WV0024392	KEYSER	complete	
WV0024775	SHEPHERDSTOWN	complete	
WV0027707	WARM SPRINGS PSD - BS	compliant at 2022 progress	no near term upgrade planned
WV0105988	FRANKFORT PSD	complete	previously Fort Ashby WV0041521
WV0082759	BCPSSD - O/H	complete	
WV0082759	BCPSSD - Inwood	complete	
WV0082759	BCPSSD - Baker Heights	complete	
WV0082759	BCPSSD - North End	complete	
WV0005495	PILGRIM'S PRIDE CORPORATION	complete	Included in Moorefield-Hardy County Wastewater Authority
WV0047236	PILGRIM'S PRIDE CORPORATION	complete	Included in Moorefield-Hardy County Wastewater Authority
WV0005649	USDOI - Leetown	noncompliant at 2022 progress	no near term upgrade planned
WV0111821	WVDNR - Reeds Creek	compliant at 2022 progress	no near term upgrade planned
WV0112500	WVDNR- Spring Run	compliant at 2022 progress	no near term upgrade planned
WV0116149	CONSERVATION FUND	compliant at 2022 progress	no near term upgrade planned

WV Trading/Offset Tracking List

Trade / Offset	Trade/Offset Destination						Trade/Offset Source						Comments	
	Permit ID	Facility Name	Outlet ID	EOS TN Loading Acquired (lbs/yr)	EOS TP Loading Acquired (lbs/yr)	Date Acquired	Permit ID	Facility Name	Outlet ID	EOS TN Loading (lbs/yr)	EOS TP Loading (lbs/yr)	EOS %TN Load Remaining		EOS %TP Load Remaining
1-2	WV0084361- WV0105988	Jefferson County PSD Frankfort PSD	001- 001	5000 19706	500 2723	03/17/11 01/01/11	NA WV0041521 WVG550200 WVG550507 WV0088897 WVG550775 WVG551363 WVG550273 WVG551018 WVG551060	Red Barn, in PA Forth Ashby PSD Graceland Homeowners Association Hunt Club Subdivision Knobley Estates Sanitary Corporation Lakewood Enterprises Inc. Moreland's Mobile Home Park Sherwood Acres Subdivision Mineral County BOE Mineral County BOE	NA 001 001 001 001 001 001 001 001 001	5000 7610 1140 658 3288 2712 1151 1178 548 1096	500 761 190 110 548 452 192 196 91 183	0.0% 0.0% 0.0% 0.0% 0.0% 0.0% 0.0% 0.0% 0.0% 0.0%	0.0% 0.0% 0.0% 0.0% 0.0% 0.0% 0.0% 0.0% 0.0% 0.0%	Facility not constructed, remaining a collection system. Lakewood/Frankfort different delivery factors for nitrogen (not a lb = lb offset)
3	WV0106038	Moorefield-Hardy County WW Authority	001	51410	5219	10/07/11	WV0005495 WV0047236 WV0020150 WVG550723	Pilgrim's Pride (Kill Plant) Pilgrim's Pride Pilgrim's Pride (Cook Plant) Town of Moorefield Caledonia Heights	001 105 001 001	33490 7610 9132 1178	3350 760 913 196	0.0% 0.0% 0.0% 0.0%	0.0% 0.0% 0.0% 0.0%	
4	WV0103161	Berkeley County PSSD (Woods II)	001	470	132	04/30/13	WVG550581	Berkeley County PSSD (Woods Resort)	001	789	132	0.0%	0.0%	Different delivery factors for each facility for nitrogen (not a lb = lb offset)
5	WV0105988	Frankfort PSD	001	4950	870	08/19/14	WVG550462 WVG550915 WVG551148 WVG550817	Mountaineire Village Utilities Pownall's Addition Comm. Association Green Gables Limited Partnership Short Gap Volunteer Fire Dept.	001 001 001 001	1644 2356 687 66	274 393 192 11	0.0% 0.0% 0.0% 0.0%	0.0% 0.0% 0.0% 0.0%	Mountaineire/Frankfort different delivery factors for nitrogen (not a lb = lb offset)
6	WV0082759	Berkeley County PSSD	004/008	4566	456	09/16/14	WV0082759	Berkeley County PSSD	001/005	4566	456	0.0%	0.0%	0.3 MGD being transferred from 001/005 to 004/008.
7	WV0105953	Berkeley Springs Development, LLC	001	3044	304.4	02/11/10	WV0081337	Coolfont	001	3069	511	0.0%	0.0%	Full load aquired from Coolfont. Remaining load of 25 TN and 207 TP with BCDev.
8	WV1018027	Mettiki Coal	402	17.3 Delivered	NA	06/01/15	WVG550793	Grant County Development Authority	001	820	137	33.0%	33.0%	Different delivery factors for each facility for TN and TP (not a lb = lb offset). Grant Cnty permit transferred 0.01 MGD of flow to the Mettiki facility which reduced the design flow of the Grant Cnty permit from 0.015 MGD to 0.005 MGD. The Mettiki permit has limits imposed in terms of TN Delivered (TP converted to TN).
9	WV0022349	City of Charles Town	003	5479	913	06/01/17	WV0086452	Willow Springs PSC	001	5479	913	0.0%	0.0%	Willow Springs PSC's permit/discharge terminated, tied into Charles Town.
10	WV0116980	WVDNR - Petersburg Hatchery	001	7456	913.2	07/05/18	WV0105821	Huntfield LLC	001	5479.4	913.2	67.0%	0.0%	Different delivery factors for nitrogen (not a lb = lb offset)
11	WV0105856	PNGI Charles Town Gaming, LLC	001/002	1492	149	05/07/18	NA	PNGI Charles Town Gaming, LLC	NA	1102	345	0.0%	0.0%	Modeling effort between WVDEP and EPA which modeled the effect of the removal of a minimum of 3,400 tons/yr of horse manure from PNGI by being transported out of the Chesapeake Bay watershed. 3,400 tons of manure was equated to being the EOS TN/TP values entered for the Trade/Offset Source. Different delivery factors were used in the full assessment which is not reflected here.
12	WV0005649	US Dept. of Interior - Leetown Science Cent.	002/003	420	70	08/14/18	WV0005649	US Dept. of Interior - Leetown Science Cent.	001	18273	1827	97.7%	96.2%	Two other small discharges at site being added to permit. Pulling from existing load.
13	WV0117293	WVDNR - Ridge Hatchery	001-007	4067	470.1	08/20/18	WV0105708 WV0105791 WVG550778	Alex Rahmi - Uniwest BCPSSD - Pandhandle Homes BCPSSD - Riverside BCPSSD - Broad Lane	001 001 001 001	4109.5 2740 2740 1479	684.9 457 457 247	48.1% 0.0% 0.0% 0.0%	31.4% 0.0% 0.0% 0.0%	Different delivery factors for nitrogen (not a lb = lb offset)
14	WV0082759	Berkeley County PSSD	004	6883	1122	04/08/20	WVG551350 WVG551283	Town of Capon Bridge Hampshire Cnty Dev. Authority-Tech Park	001 001	2734 1367	456 228	0.0% 0.0%	0.0% 0.0%	Different delivery factors for nitrogen (not a lb = lb offset). The existing WVG551350 discharge is being upgraded from 0.05MGD to 0.075MGD. Flow is being limited to 0.0734MGD to hold the TN load equal.
15	WV0106259	Town of Capon Bridge	001	4012	684	10/23/20	WV0105830	Berkeley County PSSD-Forest Heights	001 002	1371 2851	228 475	0.0% 0.0%	0.0% 0.0%	
16	WV0082759	Berkeley County PSSD	003	4222	703	09/01/22	WV0105830	Berkeley County PSSD-Forest Heights	001 002	1371 2851	228 475	0.0% 0.0%	0.0% 0.0%	