

## EPA EVALUATION OF VIRGINIA'S 2026-2027 MILESTONE COMMITMENTS

### Executive Summary

The Chesapeake Bay Program (CBP) partnership established the goal to implement and maintain practices and controls to reduce nitrogen, phosphorus and sediment in order to achieve the applicable water quality standards, as described in the [Chesapeake Bay Total Maximum Daily Load](#) (Bay TMDL). The CBP partnership, including the seven jurisdictions (Delaware, the District of Columbia, Maryland, New York, Pennsylvania, Virginia, and West Virginia) and the U.S. Environmental Protection Agency (EPA), agreed to develop and implement a framework for holding each partner accountable for reducing nitrogen, phosphorus, and sediment loads to meet the [CBP partnership water quality targets](#). EPA has evaluated Virginia's draft 2026-2027 milestone commitments for the CBP partnership and the public in accordance with its oversight role and responsibility under the CBP partnership's accountability framework. The next evaluation will assess Virginia's 2024-2025 milestone progress, final 2026-2027 milestone commitments, and numeric progress toward meeting its water quality targets through implementing the Phase III Watershed Implementation Plan (WIP) and two-year milestones.

### Background

The CBP partnership has been using two-year milestones since 2009 to help identify shorter term actions to implement the WIPs and document progress toward the partnership's water quality targets. In January 2025 the Principals' Staff Committee (PSC) approved [an updated approach to the two-year milestones](#) to streamline the milestone commitments and milestone progress reporting, starting with the 2026-2027 milestones. Jurisdictions, the Conowingo WIP Steering Committee, and Federal Agencies (collectively referred to as Milestone Partners) are expected to identify high-level programmatic actions they plan to implement during the 2026-2027 milestone period to maintain or accelerate implementation toward meeting the water quality targets through 2030. By December 31, 2030, the CBP partnership will update its modeling tools, approve updated planning targets, and develop or amend WIPs designed to meet these updated targets by 2040.

### Progress and Monitoring

In addition to updating tools, targets, and WIPs, the CBP partnership is also exploring ways to better explain progress, using a combination of modeling results and monitoring data. Although this evaluation of the *draft* 2026–2027 milestones will not review modeled or

monitoring information, the final evaluation will include a detailed review of load reductions and further descriptions of monitoring data.

EPA encourages each of the Milestone Partners to review and assess both the available real-world monitoring data and the most recent modeling results (Progress Year 2024) to inform the priority strategies and actions identified in the final 2026-2027 milestones. Milestone Partners can use the [Chesapeake Assessment Scenario Tool \(CAST\)](#) to access the latest modeled progress results and build scenarios estimating future nitrogen, phosphorus, and sediment loads. The CBP partnership's Chesapeake Bay Nontidal Water Quality Monitoring Network, [supported by twenty-five groups](#) representing local, State, and Federal agencies, including the EPA, the U.S. Geological Survey (USGS), the Susquehanna River Basin Commission (SRBC), and the Bay jurisdictions, generates water quality monitoring data in freshwater rivers and streams throughout the watershed that is analyzed by USGS to provide monitoring-based information about the amount of nitrogen, phosphorus, and sediment entering the Chesapeake Bay through its nontidal rivers. These data inform watershed management by providing information on which to base restoration and conservation actions. The most recent results ([www.usgs.gov/CB-wq-loads-trends](http://www.usgs.gov/CB-wq-loads-trends)) for the full 123-station network over the long-term 1985-2023 and short term 2014-2023 were published in March 2025.

Additionally, the [Monitored and Expected Total Reduction Indicator for the Chesapeake \(METRIC\) tool](#) can be used to compare observed water-quality trends with expected outcomes based on management actions, helping to clarify progress and guide priorities.

Future EPA evaluations will continue to stress the importance of using both modeling and monitoring information to target water quality actions such as milestone commitments to maintain and accelerate meeting the partnership's water quality targets. This integrated approach supports more accurate assessments and reduces misinterpretation, ultimately aiding partnership efforts to maintain and accelerate restoration and conservation efforts to achieve the water quality targets.

## Feedback on 2026-2027 Milestone Commitments

Under the updated milestones framework, there are two categories of milestone commitments: core commitments and sector initiatives. Core commitments are the activities or actions of Milestone Partners that sustain or accelerate implementation priorities identified in the milestone narratives of the optional [milestone commitments template](#), while sector initiatives are the *innovative* actions introducing new approaches that sustain or advance implementation priorities that do the same.

This evaluation reviews how milestone commitments support the identified priorities and acceleration of implementation. When EPA evaluates milestone [progress in 2028](#), EPA will only evaluate progress in meeting the core commitments. EPA will recognize the innovative actions but will not evaluate their outcomes, to encourage innovation and creativity in achieving nutrient and sediment reductions.

EPA reviewed Virginia's draft 2026-2027 milestone commitments, assessing the core commitments and sector initiatives in context of how well they align with the priorities described in Virginia's narrative summary and Phase III WIP, and offers the following feedback.

## General Comments on Milestones

- EPA commends Virginia for delivering a comprehensive, well-structured milestone document, which provides succinct overall and sector-specific narrative summaries, specific target dates and funding sources, and anticipated measurable implementation outcomes.
- Consider which milestones can be cut or consolidated to align with the PSC's January 2025 expectations for partners to develop streamlined milestone documents outlining high-level programmatic actions to address water quality. Consider removing, revising, or consolidating milestones—R1, R3, T1, T2, M4, M7, M9, D2, D3, D4, D24, W11, W14, A4, A5, A18, A46—which address reporting, administrative, or ongoing programmatic activities that do not directly impact water quality. While these milestones may represent important programmatic activities or functions, the milestone commitments should specify priority short-term actions a jurisdiction will take to advance progress towards its nitrogen, phosphorus, and sediment reduction targets.
- EPA recommends Virginia revise its narrative summary to clearly identify priorities for the two-year milestone period and describe how those priorities will achieve implementation and water quality targets.
- EPA recommends Virginia clarify the baselines it will use for milestone outcomes that include “increases” – i.e., how an increase is being measured or determined and by what starting point.

## Core Commitments

### Agriculture Sector

- EPA commends Virginia for its continued focus on increasing adoption of nutrient management plans, resource management plans, and other conservation plans, as well as promotion of the Whole Farm Approach (milestones A29, A37, A47, A48).
- EPA commends Virginia for its sustained emphasis on expanding tree canopy and on conserving and establishing riparian tree buffers across both urban and rural settings.
- Please provide a rationale for ending milestones A19, A20, A21, A29, and A31—each describing ongoing activities—in 2026 rather than extending them through 2027.
- Milestones A29 and A31: Please indicate the conditional effective date for these regulations. If feasible, indicate numeric targets for both milestones (i.e., nutrient management plan (NMP) acreage, stream exclusion feet). For Milestone 31, clearly articulate the implementation objective for this activity (increase livestock stream exclusion?).
- Milestone A37: This milestone describes the ongoing Virginia Department of Agriculture and Consumer Services Dairy Producers Margin Coverage Premium Assistance Program. Please clarify the action or deliverable that will occur to increase enrollment in this program during the milestone period. If feasible, indicate the baseline and numeric goal for increasing the number of dairy farmers with nutrient management plans.
- EPA recommends Virginia continue to seek opportunities to accelerate implementation of priority agriculture BMPs to target nonpoint sources of nitrogen, phosphorus, and sediment.

### Developed Lands (Regulated and Unregulated) Sector

- Milestone D7: EPA commends Virginia's commitment to increase support for voluntary stormwater BMP retrofits. If feasible, specify the expected quantitative implementation results from this milestone.
- Milestone D21: EPA commends Virginia's commitment to evaluate nutrient management planning as a BMP under the Erosion and Sediment Control Regulations.
- Milestone D3: Describe the action(s) Virginia is planning to take to meet the annual target of 120,000 acres under management by Certified Fertilizer Applicators. The current milestone describes a reporting activity.

- Milestone D22: EPA recommends Virginia clarify whether this milestone activity is limited to 2026 and, if so, recommends extending it through 2027.
- EPA recommends Virginia continue to seek opportunities to reduce nutrient and sediment loads from the developed sector.

## Wastewater and Septic Sector

- Milestone W1: EPA commends Virginia for setting a numeric septic BMP target for the milestone period.
- Milestone W18: Consider rephrasing this milestone to focus on the implementation action (i.e., septic tank pump outs) rather than the reporting action.

## Forestry Sector

- EPA commends Virginia for providing numeric implementation results for a range of Forestry Milestones--F1, F2, F3, F6-7, F2, F10. These milestones provide a clear indication of the on-the-ground benefits of these programmatic activities.
- Milestones F12, F13: Consider combining these related milestones. Provide additional information on the specific program or initiative under which these actions will be implemented. If feasible, specify the expected quantitative implementation results (e.g., number of landowners engaged) from these milestones.

## Multiple Sectors

- EPA commends Virginia for identifying measurable implementation targets for many of the milestones in this section.

## Offsets and Trading

- Milestones T1, T2: The milestones state that annual reports will be published on the agency website, but annual reports cannot be located via the link provided. Please ensure that these annual reports will be available to the public.

## Sector Initiatives (i.e., Innovative Actions)

### General Comments

- Under the updated milestones framework, sector initiatives are innovative actions introducing new approaches that sustain or advance implementation priorities. EPA recommends that Virginia review its sector initiatives to determine whether any should be reclassified under the core commitments section.

## Agriculture Sector

- Milestone A26: Provide additional information on the activities under the agricultural BMP pilot projects indicated. Which additional geographic areas has Virginia identified for accelerated implementation?
- Milestone A47: This milestone seems to include two separate activities (review of resource management plan (RMP) regulations and leveraging agricultural certification programs). Please elaborate on how these activities relate to one another.

## Forestry Sector

- Milestone F6-7: This milestone lists several ongoing activities. Please elaborate on how these activities are innovative or forward-looking in nature.

## Multiple Sectors

- Milestone M24: EPA commends Virginia for initiating a pay-for-outcomes pilot program to fund nonpoint source reduction projects and for tying this program to specific nitrogen reduction goals.