EPA EVALUATION OF WEST 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 West 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 West 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) 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 West 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 West Virginia's narrative summary and Phase III WIP, and offers the following feedback.

General Comments

- EPA commends West Virginia for revising its milestone commitments to align with the PSC directive to streamline the 2026-2027 milestone commitments.
- EPA recommends West 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.
- EPA recommends West Virginia provide a narrative summary to clearly identify priorities for the two-year milestone period and how those priorities will achieve implementation and water quality targets.

Core Commitments

Agriculture Sector

- EPA commends West Virginia for continuing its effort to maintain more than 90,000 acres of nutrient management plan implementation.
- EPA commends West Virginia for focusing on new cooperator participation for the implementation of high priority best management practices (BMPs) in the established Most Effective Basin watershed.
- EPA commends West Virginia for its continued focus on establishing a riparian buffer outreach campaign to cooperators.
- EPA recommends West Virginia include a milestone on producing a verification program to sustain practice records for crediting.
- Several outreach milestones from 2024-2025 that were not fully achieved were carried over into the 2026-2027 period. EPA recommends that West Virginia adapt these outreach milestones to reflect current progress and specify the additional steps West Virginia will take to meet these commitments.
- EPA recommends West 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

- EPA commends West Virginia for continuing to work with communities on conceptual designs for green infrastructure retrofits.
- EPA recommends West Virginia continue to seek opportunities to reduce nutrient and sediment loads from the developed sector.

Sector Initiatives (i.e., innovative actions)

General Comments

- EPA commends West Virginia for including a milestone related to environmental education, focusing on stocking mobile libraries alongside outreach to children in the Potomac Valley Conservation District and Eastern Panhandle Conservation District.