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west virginia department of environmental protection

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Austin Caperton, Cabinet Secretary  
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March 20, 2019

Ms. Lee Robinette  
U.S. Army Corps of Engineers  
Huntington District  
Energy Resource Branch  
502 Eighth Street  
Huntington, WV 25701-2070

Re: West Virginia In-Lieu Fee (ILF) Program's 2018 Financial Report

Chief Robinette:

Please find attached the 2018 Financial Report in accordance with the West Virginia In-Lieu Fee Stream and Wetland Mitigation Program (WV ILF) Instrument. All 2018 credit purchases from the WV ILF can be found in Attachment A. Detailed program and project expenditures can be found in Attachment B. Attachment C has been held for contingencies, but since contingency funds were not utilized in 2018 Attachment C has been left blank. Information regarding advanced credits, released credits, credit transfers, and credit balances can be found in Attachment D.

If you have any questions or require any additional information, please contact me at (304) 926-0499 ext. 1848 or [Dallas.S.Settle@wv.gov](mailto:Dallas.S.Settle@wv.gov).

Sincerely,

Scott Settle

**Department of Environmental Protection**

**In Lieu Fee Program  
Calendar Year 2018 Financial Report**

<b>Beginning Cash and Investment Balance (January 01, 2018)</b>		<b>\$36,660,130</b>
<b>Revenue</b>		
In Lieu Program Fees - Attachment A	4,117,031.36	
Interest	-185,462.57	
<b>Total Revenue</b>		<b>3,931,568.79</b>
<b>Expenditures</b>		
WV DEP Administration - Attachment B	187,126.16	
Projects - Attachment B	701,339.88	
<b>Total Expenditures</b>		<b>888,466.04</b>
<b>Ending Cash and Investment Balance</b>		<b><u><u>\$39,703,233</u></u></b>

Advanced Credits and Balances - Attachment D

**WV DEP ILF PROGRAM**  
**Attachment A**  
**Revenue**  
**Calendar Year 2017**

**Attachment A, Exhibit 1 - Permit Fees and Refunds**

SSA	PERMITTEE	Service Area	Date Received	Payment Received	Stream Debit	Wetland Debit	Payment Refund	Stream Credit	Wetland Credit
1	Columbia Gas Transmission, LLC Mountaineer Xpress Project USACE Permit number: LRH-2015-736-OHR HUC 8: Little Kanawha Corps District: Huntington Calhoun County, West Virginia	Little Kanawha	3/14/2018	\$140,096.00	163.72	0.152			
1	Dominion Energy Transmission, Inc. Supply Header Project USACE Permit number: LRH-2014-01110-OHR HUC 8: Middle Ohio North Corps District: Huntington Doddridge, Tyler, and Wetzel Counties, West Virginia	Mid Ohio North	3/9/2018	\$653,784.00	817.23	0.000			
1	Columbia Gas Transmission, LLC Mountaineer Xpress Project USACE Permit number: LRH-2015-736-OHR HUC 8: Middle Ohio South Corps District: Huntington Jackson County, West Virginia	Mid Ohio South	3/14/2018	\$558,944.00	689.38	0.124			
1	Consol Pennsylvania Coal Company, LLC 9J Bleeder Shaft Site for Bailey Mine USACE Permit number: LRP-2017-980 HUC 8: Upper Ohio South Corps District: Pittsburgh Marshall County, West Virginia	Upper Ohio South	2/5/2018	\$25,020.00	0.00	0.417			
1	Angelina Gathering Company, LLC Panhandle Central Waterline Project USACE Permit number: LRP-2017-1548 HUC 8: Upper Ohio South Corps District: Pittsburgh Brooke and Ohio County, West Virginia	Upper Ohio South	4/25/2018	\$38,304.00	0.00	0.638			
2	Greer Industries, Inc. Pikewood National Golf Club EPA Action Number: CWA-03-2010-0229DW HUC 8: Monongahela Corps District: Pittsburgh Monongalia and Preston, West Virginia	Monongahela	1/29/2018	\$21,312.00	0.00	0.355			
2	Atlantic Coast Pipeline, LLC Atlantic Coast Pipeline USACE Permit number: LRP-2014-731 HUC 8: Tygart Valley Corps District: Pittsburgh Upshur and Randolph County, West Virginia	Tygart	2/16/2018	\$271,568.00	339.46	0.000			
2	Atlantic Coast Pipeline, LLC Atlantic Coast Pipeline USACOE Permit number: LRP-2014-731 HUC 8: West Fork Corps District: Pittsburgh Harrison and Lewis County, West Virginia	West Fork	2/16/2018	\$76,048.00	95.06	0.000			
2	XTO Energy, Inc. EPA Consent Decree EPA Civil Action Number: CWA-1-14-CV-218 HUC 8: West Fork Corps District: Pittsburgh Harrison, Marion and Upshur County, West Virginia	West Fork	3/12/2018	\$209,040.00	0.00	3.484			
2	Dominion Energy Transmission, Inc. Atlantic Coast Pipeline USACE Permit Number: LRP-2014-731 HUC 8: West Fork Corps District: Pittsburgh Lewis County, West Virginia	West Fork	5/21/2018	\$156,264.00	195.33	0.000			
2	North Central Resources, LLC. Kittanning Seam Deep Mine USACE Permit Number: LRP-2012-255 HUC 8: West Fork Corps District: Pittsburgh Barbour County, West Virginia	West Fork	12/17/2018	\$191,708.00	196.81	0.571			
4	Atlantic Coast Pipeline, LLC Atlantic Coast Pipeline USACE Permit number: LRH-2014-00484-GBR HUC 8: Elk Corps District: Huntington Pocahontas and Randolph County, West Virginia	Elk	2/16/2018	\$236,728.00	295.91	0.000			
4	American Electric Power Quinwood Substation USACOE Permit number: LRH-2018-00047-GAU HUC 8: Gauley Corps District: Huntington Greenbrier County, West Virginia	Gauley	1/29/2018	\$59,160.00	0.00	0.986			

**WV DEP ILF PROGRAM  
Attachment A  
Revenue  
Calendar Year 2017**

4	Atlantic Coast Pipeline, LLC Atlantic Coast Pipeline USACE Permit number: LRH-2014-00484-GBR HUC 8: Greenbrier Corps District: Huntington Pocahontas County, West Virginia	Greenbrier	2/16/2018	\$246,016.00	279.02	0.380			
4	Columbia Gas Transmission, LLC Mountaineer Xpress Project USACE Permit number: LRH-2015-736-OHR HUC 8: Lower Kanawha Corps District: Huntington Jackson and Putnam County, West Virginia	Lower Kanawha	3/14/2018	\$10,680.00	0.00	0.178			
4	Columbia Gas Transmission, LLC AM-130 Pipeline Replacement and Slip Repair USACE Permit number: LRH-2018-00216-OHR HUC 8: Lower Kanawha Corps District: Huntington Kanawha County, West Virginia	Lower Kanawha	4/17/2018	\$45,180.00	0.00	0.753			
4	Fayette County BOE Collins Middle School USACE Permit number: LRH-2017-352-NEW HUC 8: Lower New Corps District: Huntington Fayette County, West Virginia	Lower New	10/30/2018	\$73,411.36	61.76	0.400			
4	Panther Creek Mining, LLC Wet Branch Coal Refuse Disposal Facility USACE Permit number: LRH-2009-154-KAN HUC 8: Upper Kanawha Corps District: Huntington Kanawha County, West Virginia	Upper Kanawha	4/16/2018	\$983,776.00	1,229.72	0.000			
4	Mercer County Board of Education Mountain Valley Elementary School USACOE Permit number: LRH-2018-00108-NEW HUC 8: Upper New Corps District: Huntington Mercer County, West Virginia	Upper New	7/9/2018	\$88,132.00	89.69	0.273			
5	Columbia Gas Transmission, LLC Mountaineer Xpress Project USACE Permit number: LRH-2015-736-OHR HUC 8: Lower Guyandotte Corps District: Huntington Cabell County, West Virginia	Lower Guyandotte	3/14/2018	\$31,860.00	0.00	0.531			
<b>Totals</b>				<b>\$4,117,031.36</b>	<b>4,453.0942</b>	<b>9.243</b>	<b>\$0.00</b>	<b>0.00</b>	<b>0.000</b>
<b>Revenue Balance</b>				<b>\$4,117,031.36</b>					

**WV DEP ILF PROGRAM**

**Attachment B**

**ILF Expenditures**

**Calendar Year 2017**

**Exhibit 1 - Conceptual Mitigation Plans funded with ILF Administrative Funds**

<b>SSA</b>	<b>Project</b>	<b>Consultant</b>	<b>Amount</b>
3	Evitts Run	Downstream Strategies	\$ 5,000
<b>TOTAL</b>			<b>\$ 5,000</b>

**Exhibit 3 - Project Expenditures from ILF Program Funds**

<b>SSA</b>	<b>Project</b>	<b>Project Phase</b>	<b>Amount</b>
1	Frozen Camp WMA	Site Acquisition	\$ 17,736.31
1	Frozen Camp WMA	Planning	\$ 26,507.74
1	Hillcrest WMA	Monitoring	\$ 16,455.88
1	Hillcrest WMA	Maintenance	\$ 5,620.17
1	Lakin State Farm	Planning	\$ 89,352.98
1	McClintic WMA	Planning	\$ 4,473.68
1	McClintic WMA	Construction	\$ 5,951.88
2	Gandy Creek	Monitoring	\$ 2,678.19
2	Gandy Creek	Construction	\$ 71,116.10
2	Lamothe	Monitoring	\$ 5,710.93
2	Lamothe	Maintenance	\$ 11,687.66
2	UNT Teters Creek	Site Acquisition	\$ 144,931.42
2	UNT Teters Creek	Planning	\$ 7,410.60
3	Morgan Wetland	Monitoring	\$ 702.32
3	Morgan Wetland	Maintenance	\$ 50.23
3	Nathaniel Mountain	Monitoring	\$ 604.10
3	UT of Whitethorn Creek	Construction	\$ 4,192.55
4	Old Field Fork	Planning	\$ 62,863.65
4	Kanawha State Forest	Planning	\$ 17,820.88
5	Greenbottom WMA	Planning	\$ 13,486.14
5	Greenbottom WMA	Construction	\$ 2,388.79
5	Huff Creek	Site Acquisition	\$ 39,481.17
5	Huff Creek	Planning	\$ 61,141.61
5	Mill Creek WMA	Site Acquisition	\$ 6,124.55
5	Mill Creek WMA	Planning	\$ 82,275.31
5	Mill Creek WMA	Construction	\$ 575.04
<b>TOTAL</b>			<b>\$ 701,339.88</b>

SSA	HUC 8	Advance Stream Credits	Stream Debits	Released Stream Credits	Balance	Advance Wetland Credits	Wetland Debits	Released Wetland Credits	Balance	Notes
1	Little Kanawha	345,660.00	4,608.190		341,051.81	10,600	1,9709		8,6291	
1	Middle Ohio North	127,290.00	4,643.424		122,646.58	15,000	18,5096		-3,5096	**
1	Middle Ohio South	101,925.00	1,036.232	256.880	101,145.65	43,200	0,1240	1,140	44,2160	
1	Upper Ohio North/Upper Ohio South	18,000.00	17,033.959	2,091.870	3,057.91	15,000	12,9754	8,572	10,5966	****
1	TOTAL	592,875.00	27,321.805	2,348.750	567,901.94	83,800	33,5798	9,712	59,9322	
2	Cheat/Youghiogheny	61,095.00	510.000	5,304.390	65,889.39	56,200	0,0500	0,203	56,3530	
2	Monongahela/Dunkard	31,110.00	6,349.950		24,760.05	16,500	13,2702	14,000	17,2298	***
2	Tygart Valley	49,215.00	339.460		48,875.54	205,900	2,3690		203,5310	
2	West Fork	35,070.00	468.000		34,602.00	32,100	7,3730		24,2270	
2	TOTAL	176,490.00	7,667.410	5,304.390	174,126.98	310,700	23,0622	14,203	301,8408	
3	Cacapon/Shenandoah Hardy	36,210.00	0.000	1,247.520	37,457.52	133,800			133,8000	
3	North Branch Potomac	6,225.00	0.000		6,225.00	112,300			112,3000	
3	Potomac Direct Drains/Shenandoah Jefferson	26,025.00	681.000		25,344.00	76,200	6,8900	0,613	69,9230	
3	South Branch Potomac	12,450.00	0.000		12,450.00	214,000			214,0000	
3	TOTAL	80,910.00	681.000	1,247.520	81,476.52	536,300	6,8900	0,613	530,0230	
4	Coal	48,090.00	4,232.200		43,857.80	28,300	0,0000		28,3000	
4	Elk	72,420.00	1,179.410		71,240.59	10,000	0,0000		10,0000	
4	Gauley	42,990.00	0.000		42,990.00	64,000	1,8179		62,1821	
4	Greenbrier	29,415.00	279.020		29,135.98	274,800	0,3800		274,4200	
4	Lower Kanawha	96,735.00	298.790	298.790	96,735.00	149,100	0,9310		148,1690	*
4	Lower New	15,270.00	4,712.724		10,557.28	15,000	14,1440		0,8560	
4	Upper Kanawha	16,980.00	2,587.220		14,392.78	10,000	0,0000		10,0000	
4	Upper New/James	33,375.00	1,446.690		31,928.31	160,700	0,7730		159,9270	
4	TOTAL	355,275.00	14,736.054	298.790	340,837.74	711,900	18,0459	0,000	693,8541	
5	Big Sandy/Lower Ohio	31,680.00	1,817.000		29,863.00	29,700	5,1300		24,5700	
5	Lower Guyandotte	110,310.00	846.000		109,464.00	10,000	0,5310		9,4690	
5	Tug Fork	19,800.00	831.000		18,969.00	10,000	0,6270		9,3730	
5	Twelvepole	35,640.00	41.950		35,598.05	10,000	0,6000		9,4000	
5	Upper Guyandotte	60,540.00	9,591.045	206.000	51,154.95	10,000	1,4590		8,5410	
5	TOTAL	257,970.00	13,126.995	206.000	245,049.00	69,700	8,3470	0,000	61,3530	

\*Borrowed 5 Wetland Credits from Greenbrier (IRT Approved 3/25/2015)

\*\*Borrowed 5 Wetland Credits from Little Kanawha (IRT Approved 03/13/2014)

\*\*\*Borrowed 5.5 Wetland Credits from Tygart Valley (IRT Approved 3/25/2015)

\*\*\*\*Borrowed 5 Wetland Credits and 2,730 Stream Credits from Middle Ohio South (IRT Approved 3/25/2015)