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west virginia department of environmental protection

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Division of Water and Waste Management  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304  
Phone: 304-926-0495 / Fax: 304-926-0496

Harold D. Ward, Cabinet Secretary  
dep.wv.gov

March 23, 2022

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 2021 Financial Report

Chief Robinette:

Please find attached the 2021 Financial Report in accordance with the West Virginia In-Lieu Fee Stream and Wetland Mitigation Program (WV ILF) Instrument. All 2021 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 2021 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,

A handwritten signature in blue ink that reads "Scott Settle". The signature is written in a cursive, flowing style.

Scott Settle

**Department of Environmental Protection**

**In Lieu Fee Program**

**Calendar Year 2021 Financial Report**

<b>Beginning Program Balance (January 01, 2021)</b>		<b>\$33,906,332</b>
<b>Revenue</b>		
In Lieu Program Fees - Attachment A	3,490,389	
Interest	1,793,038	
<b>Total Revenue</b>		<b>5,283,427</b>
<b>Expenditures</b>		
WV DEP Administration - Attachment B	275,576	
Projects - Attachment B	4,420,763	
Mitigation Bank Credit Purchases	-	
<b>Total Expenditures</b>		<b>4,696,340</b>
<b>Ending Program Balance (December 31, 2021)</b>		<b><u><u>\$34,493,419</u></u></b>

Advanced Credits and Balances - Attachment D

**WVDEP ILF Program  
Attachment A  
Revenue  
Calendar Year 2021**

<b>SSA</b>	<b>PERMITTEE</b>	<b>SERVICE AREA</b>	<b>DATE</b>	<b>PAYMENT</b>	<b>STREAM CREDIT</b>	<b>WETLAND CREDIT</b>
2	Benedum Airport Authority Termibnal and Aerotech park Phase 1 USACOE Permit number: LRP-2018-730 HUC 8: Dunkard Corps District: Pittsburgh Harrison County, West Virginia	West Fork	7/20/2021	\$2,761,772.00	3,221.29	3.079
3	Credit Sale to 401 (Dominion)	SB Potomac	3/9/2021	\$442,159.54	552.7	0.000
3	Credit Sale to 401 (Dominion)	SB Potomac	3/9/2021	\$80,880.00	101.1	0.000
3	Columbia Gas Transmission LLC.	NB Potomac	2/4/2021	\$1,122.00	0	0.019
3	Dominion - Virginia Electric & Power Company Mt. Storm Impoundment USACOE Permit number: LRP-2010-1135 HUC 8: North Branch Potomac Corps District: Pittsburgh Grant County, West Virginia	SB Potomac	10/21/2021	\$170,974.97	209.837	0.051
5	ECEK OWV, LLC. WV-BTS-Ona Site USACE Permit number: LRH-2020-610-OHR HUC 8: Lower Guyandotte Corps District: Huntington Cabell County, West Virginia	Lower Guyandotte	2/4/2021	\$33,480.00	0.00	0.558
<b>TOTAL</b>				<b>\$3,490,388.51</b>	<b>4,084.93</b>	<b>3.707</b>

**WVDEP ILF Program  
Attachment B  
ILF Expenditures  
Calendar Year 2021**

**Conceptual Mitigation Plans funded with ILF Administrative Funds**

<b>SSA</b>	<b>Project</b>	<b>Consultant</b>	<b>Amount</b>
4	Meadow Bluff	Allstar Ecology	\$5,000.00
<b>TOTAL</b>			<b>\$5,000.00</b>

**Credit Purchases From Mitigation Banks**

<b>SSA</b>	<b>Mitigation Bank</b>	<b>Amount</b>
<b>TOTAL</b>		<b>\$0.00</b>

**Project Expenditures from ILF Program Funds**

<b>SSA</b>	<b>Project</b>	<b>Project Phase</b>	<b>Amount</b>
1	Hillcrest WMA	Monitoring	\$62,714.05
1	Lakin State Farm	Land Acquisition	\$4,148.02
1	Lakin State Farm	Design/Permitting	\$1,923.44
1	Frozen Camp	Monitoring	\$2,183.00
1	Frozen Camp	Construction	\$1,413,636.27
1	McClintic WMA	Monitoring	\$17,080.93
1	McClintic WMA	Construction	\$17,876.90
2	Gandy Creek	Monitoring	\$7,792.67
2	Teter Creek	Design/Permitting	\$520.99
2	Teter Creek	Construction	\$13,993.07
3	Whitethorn Creek	Monitoring	\$10,171.86
3	Morgan Wetland	Monitoring	\$4,738.04
3	Nathaniel Mountain	Monitoring	\$645.78
4	Kanawha State Forest	Design/Permitting	\$62,442.80
4	Kanawha State Forest	Construction	\$94,185.14
4	Old Field Fork Phase	Design/Permitting	\$10,422.68
4	Little Clear Creek	Full Delivery	\$109,141.02
5	Mill Creek	Construction	\$2,508,076.46
5	Green Bottom	Monitoring	\$15,020.63
5	Huff Creek	Construction	\$12,937.50
	WVLSC	Long Term Stewardship	\$51,112.00
<b>TOTAL</b>			<b>\$4,420,763.25</b>

**WVDEP ILF Program  
Attachment D  
Credit Balances Through Calendar Year 2021**

SSA	HUC 8	Advance Stream Credits	Stream Debits	Released Stream Credits	Balance	Advance Wetland Credits	Wetland Debits	Released Wetland Credits	Balance
1	Little Kanawha	345,660.000	4,608.190	5,440.000	346,491.810	15.600	1.971		13.629
1	Middle Ohio North	127,290.000	4,643.424		122,646.576	10.000	19.070		-9.070
1	Middle Ohio South	104,655.000	1,036.232	1,363.372	104,982.140	48.200	0.124	4.788	52.864
1	Upper Ohio North/Upper Ohio South	15,270.000	17,033.959	3,287.224	1,523.265	10.000	15.519	13.470	7.950
1	<b>TOTAL</b>	<b>592,875.000</b>	<b>27,321.805</b>		<b>575,643.791</b>	<b>83.800</b>	<b>36.684</b>		<b>47.116</b>
2	Cheat/Youghiogheny	61,095.000	510.000	6,070.751	66,655.751	56.200	0.050	5.423	61.573
2	Monongahela/Dunkard	31,110.000	6,349.950		24,760.050	11.000	13.270	14.000	11.730
2	Tygart Valley	49,215.000	787.584	0.000	48,427.416	211.400	2.880		208.520
2	West Fork	35,070.000	955.200		34,114.800	32.100	7.373		24.727
2	<b>TOTAL</b>	<b>176,490.000</b>	<b>8,602.734</b>		<b>173,958.016</b>	<b>310.700</b>	<b>23.573</b>		<b>287.127</b>
3	Cacapon/Shenandoah Hardy	36,210.000	0.000	1,470.000	37,680.000	133.800	0.000		133.800
3	North Branch Potomac	6,225.000	0.000		6,225.000	112.300	1.849		110.451
3	Potomac Direct Drains/Shenandoah Jefferson	26,025.000	681.000		25,344.000	76.200	5.350	7.158	78.008
3	South Branch Potomac	12,450.000	863.637	124.719	11,711.082	214.000	0.271		213.729
3	<b>TOTAL</b>	<b>80,910.000</b>	<b>1,544.637</b>		<b>80,960.082</b>	<b>536.300</b>	<b>7.470</b>		<b>528.830</b>
4	Coal	48,090.000	4,232.200		43,857.800	28.300	0.000		28.300
4	Elk	72,420.000	1,179.410		71,240.590	10.000	0.000		10.000
4	Gauley	42,990.000	0.000		42,990.000	64.000	1.818	9.360	71.542
4	Greenbrier	29,415.000	279.020		29,135.980	279.800	0.380		279.420
4	Lower Kanawha	96,735.000	298.790	0.000	96,436.210	149.100	0.931		148.169
4	Lower New	15,270.000	4,712.724	848.790	11,406.066	10.000	15.052		-5.052
4	Upper Kanawha	16,980.000	4,712.724		12,267.276	10.000	0.000		10.000
4	Upper New/James	33,375.000	1,446.690		31,928.310	160.700	0.773		159.927
4	<b>TOTAL</b>	<b>355,275.000</b>	<b>16,861.558</b>		<b>339,262.232</b>	<b>711.900</b>	<b>18.954</b>		<b>692.946</b>
5	Big Sandy/Lower Ohio	31,680.000	1,817.000		29,863.000	29.700	5.130	6.650	31.220
5	Lower Guyandotte	110,310.000	846.000	1,114.900	110,578.900	10.000	2.049		7.951
5	Tug Fork	19,800.000	831.000		18,969.000	10.000	0.627		9.373
5	Twelvepole	35,640.000	41.950		35,598.050	10.000	0.600		9.400
5	Upper Guyandotte	60,540.000	9,591.045	206.000	51,154.955	10.000	2.882		7.118
5	<b>TOTAL</b>	<b>257,970.000</b>	<b>13,126.995</b>		<b>246,163.905</b>	<b>69.700</b>	<b>11.288</b>		<b>58.412</b>