



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 1111 East Main Street, Suite 1400, Richmond, VA 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

www.deq.virginia.gov

Matthew J. Strickler
Secretary of Natural Resources

David K. Paylor
Director
(804) 698-4000
1-800-592-5482

STATE WATER CONTROL BOARD MEETING

WEDNESDAY, DECEMBER 9, 2020

ELECTRONIC COMMUNICATION MEETING

Board Members Present:

Heather L. Wood, Chair (joined at 10:44 a.m.)
Lou Ann Jessee-Wallace, Vice-Chair (left at 4:20 p.m.)
Timothy G. Hayes
James A. Lofton
Paula H. Jasinski (recused and left meeting during VPA Regulation and General Permit for Poultry Waste Management item)
Jillian Cohen
Ryan Seiger

Board Members Absent: None

Department of Environmental Quality:

David K. Paylor, Director	Cindy M. Berndt
Debra A. Harris	Melanie D. Davenport
Jutta Schneider	Kristen Sadtler
Karen Doran	John McCutcheon

Attorney General's Office:

David C. Grandis, Assistant Attorney General

- 1) The attached minutes summarize activities that took place at this Board Meeting.
- 2) The meeting was convened at 10:16 a.m., recessed at 11:54 a.m., reconvened at 12:35 p.m., recessed at 3:06 p.m., reconvened at 3:20 p.m., and adjourned at 6:47 p.m.
- 3) The Board convened the meeting electronically, consistent with Governor Ralph Northam's Executive Order No. 51 (2020), Item 4-0.01 g of Chapter 1289 of the 2020 Acts of Assembly and the applicable provisions of § 2.2-3708.2 of the Freedom of Information Act. The meeting was necessary for the Board to discharge its lawful purposes, duties, and responsibility; but it is impracticable or unsafe for the Board to assemble in a single location due to the declaration of a state of emergency for COVID-19. A roll call vote was performed for all votes taken during the meeting.



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EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON DECEMBER 9, 2020

MINUTE NO. 1 - Minutes

The Board, by unanimous roll call vote, approved the minutes of the meeting on September 24, 2020. (6 to 0 - Ms. Wood was not in attendance at the time of the vote).


Cindy M. Berndt
Cindy M. Berndt



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT
ITS MEETING OF DECEMBER 9, 2020**

**MINUTE NO. 2 – Policy for the Potomac River Embayments (9VAC25-415) Amendments -
Adoption**

Melissa Porterfield presented the State Water Control Board (Board) with a final exempt amendment to the Policy for the Potomac River Embayments (9VAC25-415) regulation. This regulation is being modified to correct the names of the Virginia Pollutant Discharge Elimination System Permit Regulation and the Virginia Pollutant Discharge Elimination System General Permit for Domestic Sewage Discharges of Less than or Equal to 1,000 Gallons Per Day regulation referenced in § 30.

Board Decision

Based on the briefing materials and the staff presentation, the Board voted by a roll call vote of 6 (Lofton, Hayes, Jasinski, Cohen, Wallace, Seiger) to 0 (Ms. Wood did not vote) to approve the staff recommendation to:

- Adopt the amendment to the Policy for the Potomac River Embayments (9VAC25-415) regulation as presented and directed the agency to make the regulation effective as soon as possible; and
- Affirm that the Board will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

A handwritten signature in cursive script, reading 'Melissa Porterfield', written over a horizontal line.

Melissa Porterfield
Office of Regulatory Affairs



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EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON DECEMBER 9, 2020

MINUTE NO. 3 – Virginia Pollutant Discharge Elimination System General Permit for Seafood Processing Facilities (9VAC25-115)

Prior to the meeting the Board was provided briefing materials which included a revised draft of the subject general permit regulation, the fact sheet for the general permit, the Agency Background Document (TH-09) which included the Technical Advisory Committee membership. There were no public comments received during the Notice of Public Comment and Hearing. Elleanore Daub from the Office of VPDES Permits presented a summary of changes to the proposed regulation.

Board Decision

Based on the briefing material and the staff presentation, a vote was taken by roll call to adopt the amendments to the Virginia Pollutant Discharge Elimination System General Permit for Seafood Processing Facilities (9VAC25-115). The Board also affirmed that they will receive, consider and respond to petitions by any person at any time with respect to reconsideration or revision of the regulations, as provided by the Administrative Process Act. The vote was six (6) to zero (0), with Ms. Wood not voting.

A handwritten signature in blue ink that reads "Melanie D. Davenport".

Melanie D. Davenport
Director, Water Permitting Division



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EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON DECEMBER 9, 2020

MINUTE NO. 4 - Virginia Pollutant Discharge Elimination System General Permit Regulation for Discharges of Domestic Sewage of Less Than or Equal to 1,000 Gallons Per Day (9VAC25-110)

Prior to the meeting the Board was provided materials including a briefing memo to the Board, which included a list of the technical advisory committee membership, the regulation showing final amendments, and the town hall agency background document. Peter Sherman, from the Office of VPDES Permits, presented a summary of the significant changes to the regulation.

Board Decision

Based on the briefing material and the staff presentation, a vote was taken by roll call and the Board approved the staff recommendations to authorize the amendments and reissue the VPDES Domestic Sewage General Permit (9VAC25-110). The Board also affirmed that they will receive, consider and respond to petitions by any person at any time with respect to reconsideration or revision of the regulations, as provided by the Administrative Process Act. The Board's vote was six to zero, with Ms. Wood not voting.

A handwritten signature in blue ink that reads "Melanie D. Davenport".

Melanie D. Davenport
Director, Water Permitting Division



Commonwealth of Virginia

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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD
AT ITS MEETING ON December 9, 2020**

MINUTE NO. 5 – Actions on the final amendments to the Virginia Pollution Abatement Regulation and General Permit for Poultry Waste Management

Betsy Bowles, the State Animal Feeding Operations Program Coordinator with the Office of Land Application Programs presented the final amendments to the Virginia Pollution Abatement (VPA) Regulation and General Permit for Poultry Waste Management, 9VAC25-630 et seq. Ms. Bowles explained that this amendment would allow the existing Regulation and General Permit for Poultry Waste Management to be reissued for another 10 year term. The VPA Regulation and General Permit governs the management of poultry feeding operations which confine 200 or more animal units (20,000 chickens or 11,000 turkeys), and establishes utilization, storage, tracking and accounting requirements related to poultry waste, including that transferred from poultry feeding operations.

Ms. Jillian Cohen asked if staff would have included the litter amendment reporting in the regulation in light of the research project. Staff responded that the project was created to gain knowledge of actual animal numbers confined on the farms rather than the current model which uses the agriculture census data that is not accurate and five years old as well as data related to litter amendments, among other farm information. Staff stated that they believed that this information would be better sought through this research project, since the project was created to inform the Chesapeake Bay Model. Staff reiterated if there is a future need to report or verify the information that the agency could explore a method to assist with that task.

Mr. James Lofton made a statement that the proposal was complex and an important update to the regulation. He further stated that staff had spent hundreds of hours on this proposal and that he thought the changes made to Section 70 was a good alternative.

Mr. Timothy Hayes asked how would the reporting occur, would the farmer just need to send the agency a copy of the records. Staff responded that he was correct and that the agency had a computer database project underway that is scheduled to be completed in the summer of 2021 and the agency project included an external portal that would allow users to submit the records. Mr. Hayes stated that he wanted to make sure that before the reporting requirements were adopted that staff were make the reporting as simple as possible to avoid adding more burdens to the farmers.

Board Decision

The subsequent vote was taken by a roll call of the members of the Board. Ms. Jasinski recused herself from the discussion and vote.

Based upon the Board book briefing material and information provided by staff, the Board, on the motion by Mr. James Lofton and seconded by Mr. Timothy Hayes, voted 6-0, with Ms. Paula Hill Jasinski recusing herself, to accept the staff recommendation to:

Approve the final amendments to the Virginia Pollution Abatement Regulation and General Permit for Poultry Waste Management as presented.



Melanie D. Davenport _____
Director, Water Permitting Division



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EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON DECEMBER 9, 2020

MINUTE NO. 6 - Regulations - Water Quality Standards- Fast-Track Amendments to Designate Four Public Water Supplies (9VAC25-260)

David Whitehurst, a staff member of the Water Quality Standards program, summarized proposed amendments to the Water Quality Standards regulation to designate four waterbody segments as Public Water Supplies (PWS).

Mr. Whitehurst informed the Board that three of the four subject drinking water supply intakes are either currently under construction or planned to be in the immediate future and one is currently active with all withdrawal structures in use. None of the intakes are in waters designated as PWS. A PWS designation provides protection for the public water supply use through application of human health criteria which may require more stringent effluent limits for discharges from permitted facilities within a five-mile protection distance beyond the intake.

Mr. Whitehurst told the Board that it has been determined that none of the four proposed public water supply locations currently have any permitted facilities within that five-mile protection distance and, as a result, the amendments are assumed to be non-controversial and suitable for fast track rule-making.

Board Decision:

Based on the briefing material and the staff presentation, the Board unanimously approved the following actions:

1. That the Board authorize the Department to promulgate the proposed amendments to **9 VAC 25-260-400, 420, 440, and 510** for public comment using the fast-track process established in § 2.2-4012.1 of the Administrative Process Act for regulations expected to be non-controversial.
2. That the Board's authorization should also be understood to constitute its adoption of the regulation at the end of the public comment period provided that (i) no objection to use of the fast-track process is received from 10 or more persons, or any member of the applicable standing committee of either house of the General Assembly or of the Joint Commission on Administrative Rules, and (ii) the Department does not find it necessary, based on public comments or for any other reason, to make any changes to the proposal.

3. That the Board authorize the Department to set an effective date 15 days after close of the 30-day public comment period provided (i) the proposal completes the fast-track rulemaking process as provided in § 2.2-4012.1 of the Administrative Process Act and (ii) the Department does not find it necessary to make any changes to the proposal.



Jutta Schneider
Director, Water Planning Division



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EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON DECEMBER 9, 2020

MINUTE 7 – Chesapeake Bay Preservation Area Designation and Management Regulation - 9VAC25-830 - Proposed Amendment - Coastal Resilience and Adaptation to Sea-level Rise and Climate Change Criteria

Justin Williams, Office of Watershed and Local Government Assistance Programs, presented information to the Board regarding a proposed regulatory action related to amendments to the Chesapeake Bay Preservation Area (CBPA) Designation and Management Regulation. The proposed regulatory change was required by Chapter 1207 of the 2020 Acts of Assembly (Act). The Act, which added “coastal resilience and adaptation to sea-level rise and climate change” to the criteria to be used by local governments and required that the Board adopt regulations to implement the provision. Mr. Williams presented a summary of the proposed changes to the regulation, including the addition of climate adaptation to measures allowed in CBPA Areas, the requirement that localities to consider climate change impacts in proposed land development, and the conditions for climate adaptation measures in Resource Protection Areas. directed the State Water Control Board to adopt regulations to . Mr. Williams presented a summary of the proposed changes to the regulation, including _____.

Board Decision:

Based on the Board Book materials and the staff presentation, the Board voted unanimously (7-0 by roll call; Hayes, Jasinski, Cohen, Lofton, Seiger, Wallace, and Wood in favor, none opposed) to:

1. Authorize staff to present the proposed regulation for public comment;
2. Direct staff to hold a 90-day public comment period;
3. Direct staff to hold at least one meeting with a stakeholder group after the end of the 2021 general assembly session; and
4. Direct staff to present the amendments for final consideration by the Board at the June 2021 meeting.

Jutta Schneider
Director, Water Planning Division



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MINUTE 8 – Chesapeake Bay Preservation Area Designation and Management Regulation - 9VAC25-830 - Proposed Amendment - Preservation of Mature Trees and Replanting of Trees

Justin Williams, Office of Watershed and Local Government Assistance Programs, presented information to the Board regarding a proposed regulatory action related to amendments to the Chesapeake Bay Preservation Area (CBPA) Designation and Management Regulation (Regulation). The proposed regulatory change was required by Chapter 1207 of the 2020 Acts of Assembly (Act). The Act added “preservation of mature trees or planting of trees as a water quality protection tool and as a means of providing other natural resource benefits” to the criteria to be used by local governments and required that the Board adopt regulations to implement the provision. Mr. Williams presented a summary of the proposed changes to the regulation, including the addition of preserving mature trees in existing vegetation preservation requirements and the planting of trees in existing vegetation establishment requirements in the Regulation.

Board Decision:

Based on the Board Book materials and the staff presentation, the Board voted unanimously (7-0 by roll call; Hayes, Jasinski, Cohen, Lofton, Seiger, Wallace, and Wood in favor, none opposed) to:

1. Authorize staff to present the proposed regulation for public comment;
2. Direct staff to hold a 90-day public comment period;
3. Direct staff to hold at least one meeting with a stakeholder group after the end of the 2021 general assembly session; and
4. Direct staff to present the amendments for final consideration by the Board at the June 2021 meeting.

A handwritten signature in cursive script that reads "Jutta Schneider".

Jutta Schneider
Director, Water Planning Division



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EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON DECEMBER 9, 2021

MINUTE NO. 9 General VPDES Watershed Permit for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia (9VAC25-820)

Allan Brockenbrough of the Office of VPDES Permits presented to the Board proposed amendments to the General VPDES Watershed Permit for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia (9VAC25-820) and recommended that the Board authorize a notice of public comment period and public hearing on the proposed regulation. The most significant proposed amendments to the regulation included (1) eliminating outdated provisions on compliance plan submittals, (2) amending the provision addressing facility consolidations to clarify that resulting effluent limitations are applied as "end-of-pipe" limits rather than "delivered" limits, (3) eliminating previously completed schedule of compliance provisions, (4) updating prices for purchase of credits from the Nutrient Offset Fund and (5) adding an e-reporting requirement for filing Notices of Intent. The staff also recommended that the Board authorize the staff to serve as hearing officer at the public hearings.

Board Decision

Based on the briefing material and the staff presentation, the Board voted unanimously to authorize a notice of public comment period and to hold a public hearing for the General VPDES Watershed Permit for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia (9VAC25-820). The Board also voted unanimously to authorize the staff to serve as hearing officer at the public hearing.

A handwritten signature in blue ink that reads "Melanie D. Davenport".

Melanie D. Davenport
Director, Water Permitting Division



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EXCERPT FROM THE PROCEEDINGS OF THE STATE WATERCONTROL BOARD AT ITS MEETING ON DECEMBER 9, 2021 2020

MINUTE NO. 10 Proposed Amendments to the Water Quality Management Planning Regulation (9VAC25-720) and the General VPDES Watershed Permit for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia (9VAC25-820)

ABE
10/1/21

Allan Brockenbrough of the Office of VPDES Permits and John Kennedy of the Office of Ecology presented to the Board proposed amendments to the Water Quality Management Planning Regulation (9VAC25-720) and the General VPDES Watershed Permit for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia (9VAC25-820) and recommended that the Board authorize a notice of public comment period and public hearing on the proposed regulation. The most significant proposed amendments to the regulations included (1) establishing of Total Phosphorus wasteload allocations (WLAs) necessary to meet chlorophyll-a water quality criteria in the tidal James River; (2) reassigning unneeded Total Nitrogen and Total Phosphorus WLAs from industries that have either closed, or otherwise eliminated their need for a WLA, to the Nutrient Offset Fund for future use; (3) implementing Initiative No. 52 from Virginia's Chesapeake Bay TMDL Phase III Watershed Implementation Plan by establishing "floating" WLAs for 36 significant municipal dischargers; and (4) revising the General VPDES Watershed Permit for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia (9VAC25-820) as necessary to implement the above amendments.

Board Decision

Based on the briefing material and the staff presentation, the Board voted unanimously to (1) authorize staff to proceed to public comment with proposed amendments to the Water Quality Management Planning Regulation (9VAC25-720) and the General VPDES Watershed Permit for Total Nitrogen and Total Phosphorus Discharges and Nutrient Trading in the Chesapeake Bay Watershed in Virginia (9VAC25-820), and (2) convene a public hearing on the proposed amendments with a Board member serving as hearing officer.

Melanie D. Davenport
Director, Water Permitting Division



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**EXCERPT FROM THE PROCEEDINGS OF THE
STATE WATER CONTROL BOARD AT ITS MEETING ON
DECEMBER 9, 2020**

**MINUTE NO. 11: GENERAL PERMIT FOR USE OF SURFICIAL AQUIFER ON THE
EASTERN SHORE - 9VAC25-910 AND GROUNDWATER WITHDRAWAL
REGULATIONS - 9VAC25-610 - PROPOSED**

Scott Kudlas, Office of Water Supply, presented information to the Board regarding two proposed regulatory actions related to implementation of legislation passed by the General Assembly in 2019. The General Assembly directed the State Water Control Board to adopt regulations to provide incentives for use of the surficial or water table aquifer rather than the deep confined aquifer. The two actions are required to establish a general permit on the Eastern Shore. Mr. Kudlas indicated that the first action was to amend the existing Groundwater Withdrawal Permit Regulation to authorize development of general permits. This was necessary because the program had never had a general permit. The second action is creating a new general permit in regulation. He noted that general permits were the primary way that DEQ provides an accelerated and less costly permit process to incentivize applicant behavior.

Mr. Kudlas stated that the Notice of Intended Regulatory Action was published on November 11, 2019 and that a Regulatory Advisory Panel was formed with broad representation. The panel met four times and completed their work on October 9, 2020. Mr. Kudlas then provided details on the changes to the existing regulation 9VAC25-610. These included adding three new definitions and a new section, 9VAC25-610-95, authorizing the creation of general permits for groundwater withdrawals under certain conditions. He then reviewed the new 9VAC25-910 general permit and its specific requirements. Mr. Kudlas noted that changes in numbering of the text and to the regulatory language had been made that were not included in the Board Book. He noted the places where the numbering changed and provided the new referenced numbers. He also noted some regulatory language changes made to address comments provided by the Office of the Attorney General. These language changes were made to sections 60, 70, and 90 of 9VAC25-910. Mr. Kudlas reviewed each change and provided final language for each revised section. Mr. Kudlas reviewed the regulatory streamlining provided under the proposed general permit including reduced reporting frequency, simplified water conservation and management monitoring, highly discounted permit fees, elimination of public notice fees and accelerated

processing and automation of modeling. He concluded by stating that the Attorney General's certification was provided on December 7, 2020 based on the changes presented by staff.

BOARD DECISION

Based on the Board Book materials and additional information provided in the staff presentation, the Board authorized the Director to initiate a public comment period and schedule a public hearing for proposed amendments to the Groundwater Withdrawal Permitting Regulation (9VAC25-610) and the proposed General Permit for Use of Surficial Aquifer on the Eastern Shore (9VAC25-910), including the changes presented during the staff presentation. The Board further authorized staff to serve as the hearing officer at the public hearing. The Board voted 7-0 by roll call vote.



Jutta Schneider, Director
Water Planning Division



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EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON DECEMBER 9, 2020

MINUTE NO. 12 – Significant Noncompliance Report and Chesapeake Bay Preservation Act Program Notices of Violation

Kristen Sadtler, Water Enforcement Program Manager, informed the Board that there were two new facilities reported to EPA on the Quarterly Noncompliance Report as being in significant noncompliance for the quarter ending June 30, 2020. The permittees reported were:

1. Western Virginia Water Authority for the WVWA Water Pollution Control Plant
2. Henrico County for the Henrico County Water Reclamation Facility

Additionally, Kristen informed the Board that DEQ issued a Notice of Violation to Lancaster County on October 15, 2020 for its Chesapeake Bay Preservation Act Program (Program). DEQ anticipates entering into a Corrective Action Agreement with the County describing the Program's deficiency, corrective action, and a timeframe for completing corrective action.

The Board accepted the reports.

A handwritten signature in cursive script that reads "Kristen Sadtler".

Kristen Sadtler

Water Enforcement Program Manager
Division of Enforcement



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MINUTE NO. 13 – VPDES Program Consent Special Order

Kristen Sadtler, Water Enforcement Program Manager, presented to the Board the Consent Order for the City of Winchester. The Board took a vote by roll call and unanimously approved the Order by a vote of 7-0 and further authorized the Department's Director to execute the Order on the Board's behalf and refer violations of the Order to the Office of the Attorney General for appropriate legal action.

A handwritten signature in cursive script that reads "Kristen Sadtler".

Kristen Sadtler

Water Enforcement Program Manager
Division of Enforcement



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MINUTE NO. 14 – VWPP Program Consent Special Order

Kristen Sadtler, Water Enforcement Program Manager, presented to the Board the Consent Order for the United States General Services Administration, M.A. Mortenson Co., and Hensel Phelps Construction Co. The Board took a vote by roll call and unanimously approved the Order by a vote of 7-0 and further authorized the Department's Director to execute the Order on the Board's behalf and refer violations of the Order to the Office of the Attorney General for appropriate legal action.

A handwritten signature in cursive script that reads "Kristen Sadtler".

Kristen Sadtler
Water Enforcement Program Manager
Division of Enforcement



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EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON DECEMBER 9, 2020

MINUTE 15 – FY 2021 VCWRLF Loan Authorizations

Ms. Karen Doran, Program Manager of the Department's Clean Water Financing and Assistance Program (the Program), made a presentation to the Board based on a memorandum dated November 6, 2020. The memorandum identified the loan amounts, terms, and interest rates for 14 projects being recommended by staff for FY 2021 Virginia Clean Water Revolving Loan Fund (the Fund) assistance.

Ms. Doran began her presentation by summarizing the FY 2021 application process for 14 projects targeted for a total of \$205,314,095 in assistance from the Fund. She explained that she had met with all of the potential FY 2021 loan recipients to verify the schedules and financial data used to evaluate the local impact and that staff had completed its user charge impact analyses for the targeted recipients in order to establish the interest rates in accordance with Board guidelines. She stated that a public meeting on the proposed funding list was held on October 30, 2020 and no comments were received.

Ms. Doran explained that all the interest rate analyses have been finalized in accordance with the Board approved guidelines and the resulting recommendations were included in the memorandum to the Board. In order to attract and accommodate a larger number of localities and projects to the Program, and, as approved by the Board in previous years, staff recommended revisions to the ceiling rates and term options offered to borrowers whose project type and impact to user rates resulted in a ceiling rate based on the Board's Guidelines. Based on consultation with the Virginia Resources Authority (VRA), she stated that the staff was recommending that the ceiling rate calculation vary depending on the term of the loan.

Board Decision: Authorize the execution of loan agreements for the projects, loan amounts, interest rates and terms listed above, and that 20-year ceiling loan rates are set at 1.5% (150 basis points) below market, 25-year ceiling loan rates are 1.25% (125 basis points) below market, and 30-year ceiling loan rates are 1% (100 basis points) below market, based on VRA's evaluation of the market conditions that exist about a month prior to each loan closing or the actual leveraged bond issue to fund ceiling rate loans. The minimum interest rate will be 1% for all loans that do not qualify for the hardship interest rate of 0.5%. Loan closings will be subject to receipt of a favorable financial capability analysis report and supporting recommendation from VRA for each loan recipient.

FY 2021 Proposed Interest Rates and Loan Authorizations

<i>Locality</i>	<i>Loan Amount</i>	<i>Rates and Loan Terms</i>
1 Town of Coeburn	\$ 2,070,845	0.5%, up to 30 years
2 City of Norfolk	\$ 6,000,000	0.5%, up to 30 years
3 Town of Exmore	\$ 17,255,000	0.5%, up to 30 years
4 Town of Front Royal	\$ 8,000,000	CR*, up to 25 years
5 Bedford Regional Water Authority	\$ 12,520,000	0.5%, up to 25 years
6 Nelson County Service Authority	\$ 14,328,000	0.5%, up to 25 years
7 City of Richmond	\$ 24,871,250	0.5%, up to 20 years
8 Town of Marion	\$ 428,300	0.5%, up to 25 years
9 Town of Bridgewater	\$ 230,000	CR*, up to 30 years
10 Prince William County	\$ 85,443,000	CR*, up to 25 years
11 Middlesex County	\$ 1,550,000	CR*, up to 30 years
12 City of Norfolk	\$ 1,567,700	0.5%, up to 20 years
13 Fairfax County	\$ 30,500,000	CR-1%*, up to 20 years
14 Westmoreland County	\$ 550,000	0.5%, up to 20 years
TOTAL	\$ 205,314,095	
CR = Ceiling Rate *minimum 1%		

Valerie Thomson
Director of Administration



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EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON DECEMBER 9, 2020

MINUTE 16 – Agricultural Best Management Practice Loan Program Guidelines Revisions

Ms. Karen Doran, Program Manager of the Department's Clean Water Financing and Assistance Program, made a presentation to the Board based on a memorandum dated November 6, 2020. The memorandum discussed the staff determination of the need to revise the Agricultural Best Management Practice (BMP) Loan Program Guidelines.

Ms. Doran explained that during the drafting of the revisions to the guidelines, DEQ provided a draft version of the Guidelines to the agricultural conservation stakeholder group which included Virginia Farm Bureau, Natural Resources Conservation Service, Virginia Dairyman's Association, Virginia Cattleman's Association, Virginia Association of Soil and Water Conservation Districts, Agribusiness Council, Grain Producers Association, Poultry Federation, Farm Service Agency, and the Virginia Cooperative Extension. Stakeholder comments were discussed and resolved during a stakeholder meeting held on September 16, 2020. DEQ incorporated stakeholder input and made final revisions to the guidelines.

Ms. Doran explained to the Board that the revised guidelines were presented to the public for a 30-day public comment period from September 30 to October 30, 2020 and no comments were received. Ms. Doran provided a summary of guidelines revisions to the Board and recommended the Board approve the revised guidelines.

Board Decision: The Board voted unanimously to approve the revised Agricultural BMP Loan Program Guidelines.

A handwritten signature in blue ink, appearing to read "Valerie Thomson".

Valerie Thomson
Director of Administration



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MINUTE NO. 17 - Future Meetings

The Board confirmed April 14, June 29, September 28 and December 14, 2021, as the dates of their regular meetings for 2021 and set a tentative date of January 22, 2021 for a special Board meeting.


Cindy M. Berndt

Cindy M. Berndt



Commonwealth of Virginia

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MINUTE NO. 18 Water Planning Division Director's Report

Ms. Jutta Schneider provided an update on the status of numeric turbidity criteria in Virginia. She stated that the Notice of Intended Regulatory Action for numeric turbidity criteria had been drafted, and she provided an overview of the standard regulatory process. Ms. Schneider also presented information about Virginia's efforts in nutrient control and management, including a number of numeric criteria and thresholds.

A handwritten signature in black ink that reads "Jutta Schneider".

Jutta Schneider
Director, Water Planning Division



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CONTROL BOARD AT ITS MEETING ON DECEMBER 9, 2020**

MINUTE NO. 18~~8~~ Water Permitting Division Director's Report

Ms. Melanie D. Davenport provided an update on the Mountain Valley Pipeline project. She provided updates on (i) the construction status of the project and (ii) litigation related to the project. She also reviewed the results three inspections conducted at Yellow Finch Lane and three inspection at Green Hollow Road. She provided compliance monitoring statistics, reported common areas of concern observed by the inspectors, and provided complaint statistics. She showed photographs of current conditions along the right of way and provided a summary of engineering staff's analysis of the hydrologic conditions used for erosion and sediment control analysis and post construction stormwater analysis.

Ms. Davenport also provided background, history and information regarding how DEQ ensures that water permits and certifications enforce water quality criteria and how DEQ enforces Virginia's narrative water quality criteria.

A handwritten signature in blue ink that reads "Melanie D. Davenport".

Melanie D. Davenport
Director, Water Permitting Division



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MINUTE NO. 19 - Public Forum

The following persons appeared during the public forum to present concerns, complaints, and requests regarding certification of U.S. Army Corps of Engineers nationwide permits, requests to change public comment policies and continued concerns and complaints regarding the Mountain Valley Pipeline project: Kirk Bowers, Nan Gray, Freeda Cathcart, Ann Rogers, Whitney Katchmark, Gregory Buppert, Christine Camper, Jessica Sims, Desiree Shelley, Reb Denham, Joshua Vana, Mara Robbins and Kay Ferguson..

A handwritten signature in blue ink that reads "Cindy M. Berndt".

Cindy M. Berndt