
**Non-Point Nutrient Credit Certification
Regulatory Advisory Panel (RAP) Meeting**

April 14, 2017

Meeting Minutes

Location: Virginia Department of Environmental Quality (DEQ)
Piedmont Regional Office
4040 Cox Road
Glen Allen, VA

Start: 9:33 a.m.

End: 12:35 p.m.

Meeting Attendees:

<i>RAP MEMBERS*</i>	<i>INTERESTED PARTIES</i>	<i>RAP TECHNICAL SUPPORT</i>
Johnathan Walter (alt.) - Virginia Association of Commercial Real Estate	Russ Baxter – SNR	Fred Cunningham - DEQ
Brent Fults - Chesapeake Bay Nutrient Land Trust, LLC	Jackie Morris – Riverbanks, VA	Allan Brockenbrough – DEQ
Taylor Goodman - Balzer and Associates, Inc.	Jackson Morris – Riverbanks, VA	Sarah Woodford - DEQ
Ann Jennings – Chesapeake Bay Commission	Rebecca Napier - WSSI	Derick Winn - DEQ
Whitney Katchmark - Hampton Roads Planning District Commission	Christian Tucker – UR/SELC	Debra Harris – DEQ
Joseph Maroon – VEE	Jacob Dorman – Contech ES	Josiah Bennett - DEQ
Adam Meurer - ECS Mid-Atlantic	Pat Gleason – EPA R3	Matt Richardson - DEQ
Justin Curtis (alt.) – Virginia Association of Municipal Wastewater Agencies	Annemarie Abbondanzo – Ecosystems Services	
Nikki Rovner - The Nature Conservancy	John Olevik – VDOT	
Peggy Sanner - Chesapeake Bay Foundation (CBF)		
Shannon Varner - Troutman Sanders LLP		
Brian Wagner – VA Soil and Water Conservation Districts		

*RAP Members not in attendance: Doug Beisch, Jr. – Wegnet; Joe Lerch - Virginia Municipal League; Timothy Mitchell - City of Lynchburg; Kevin Seaford - Virginia Association of Professional Soil Scientists; Jack Storton - Virginia Manufacturers Association;; Larry Land - Virginia Association of Counties; Sara Walker - World Resources Institute; Normand Goulet - Northern Virginia Regional Commission; Steven Herzog - Hanover County; Tom Simpson – Aqua Terra Science; Wilmer Stoneman - Virginia Farm Bureau Federation; Mike Toalson - Home Builders Association of Virginia

Agenda Item #1: Welcome & Introductions

Discussion Leader: Fred Cunningham, DEQ

Discussion: Fred Cunningham welcomed all of participants to the meeting. Mr. Cunningham asked each attendee to provide a short introduction. After the introductions, a brief overview of the day’s agenda was provided (Attachment A – Agenda). Everyone was reminded to sign the sign-in sheet in order to provide a record of who was in attendance.

Agenda Item #2: Current Status/Regulatory Process

Discussion Leader: Debra Harris, DEQ

Discussion: Debra Harris provided an overview of the status of the regulation and the upcoming process for a revised proposed regulation (see Attachment B-Process Presentation).

Agenda Item #3: Overview of the Revised Proposed Regulation

Discussion Leader: Allan Brockenbrough, DEQ; Sarah Woodford, DEQ

Discussion: An overview of the changes made to the regulation since the 4/18/16 RAP meeting was provided to the attendees (see Attachment B –Overview Presentation).

The RAP took a break from 10:28 a.m. until 10:42 a.m.

Agenda Item #4: Remaining Non-Consensus Issues

Discussion Leader: Debra Harris, DEQ

Discussion: Debra Harris handed out a list of issues on which the RAP has not reached consensus. Each of these issues was discussed including the topics on which there was not consensus. For each issue, Ms. Harris provided an explanation of DEQ's review and the reason for the DEQ's position on the issue. During these discussions, none of the non-consensus issues were resolved; however, the RAP members did note that progress has been made on many of the issues. Additionally, a few items were added for consideration - release of credits, local government ordinance form, and innovative projects. The DEQ will further consider the information provided by the RAP members and whether any changes can be made to revised proposed regulation to resolve the non-consensus issues.

Agenda Items #5 & #6: Public Comment & Next Steps

Discussion Leader: Debra Harris, DEQ

Discussion: Debra Harris asked if there was any additional public comment. Mr. Jackie Morris noted that he supported the use of financial assurance in order to provide for 100% release of all credits generated by land conservation projects. The RAP was informed that the next steps will be finishing the revised proposed draft of the regulation and the associated documentation. The revised proposed regulation will be taken to the Board to request approval of a public comment period.

**Certification of Non-Point Source Nutrient Credits, 9 VAC 25-900
Regulatory Advisory Panel Meeting**

DEQ Piedmont Regional Office

Training Room

4040A Cox Road

Glen Allen, VA

April 14, 2017

9:30 a.m. to 12:30 p.m.

Agenda:

1. Welcome & Introductions*
2. Current Status/Regulatory Process
3. Overview of the Revised Proposed Regulation
4. Remaining Non-Consensus Issues
5. Public Comment**
6. Next Steps

Adjournment

*Please remember to sign-in for the meeting (sign-in sheet will be out by 9:15 a.m.).

**For members of the public, if you wish to provide comment during a specific agenda topic, please sit at the public chair and wait to be recognized. Otherwise, you may provide your comments during the public comment agenda topic.

Attachment B
Handouts



Steps.pdf

Agenda Item #2 - Process Presentation



Overview of
Changes.pdf

Agenda Item #3 - Overview of Changes Presentation



RemainingNon-ConsensusItems_TOPICSON

Agenda Item #4 - Remaining Non-Consensus Items