



*Commonwealth of Virginia*

*VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY*

1111 E. Main Street, Suite 1400, Richmond, Virginia 23219

P.O. Box 1105, Richmond, Virginia 23218

(800) 592-5482

[www.deq.virginia.gov](http://www.deq.virginia.gov)

Travis A. Voyles  
Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus  
Director  
(804) 698-4020

**STATE WATER CONTROL BOARD MEETING**

**GALLERY, COMMUNITY COLLEGE WORKFORCE ALLIANCE,  
1651 EAST PARHAM ROAD, RICHMOND, VA 23228**

**FRIDAY FEBRUARY 23, 2024**

**Board Members Present:**

Lou Ann Jessee-Wallace, Chair  
Scott Cameron  
Robert Dunn  
Michelle Johnson  
Reece Robertson  
Ryan Seiger

**Board Members Absent:**

Jerry Kilgore

**Department of Environmental Quality:**

Michael Rolband, Director  
Melissa Porterfield  
Rachael Harrell

**Office of the Attorney General:**

Ross Phillips

1. The attached minutes summarize activities that took place at this Board Meeting.
2. The meeting convened 10:04 a.m. and adjourned at 11:20 a.m.



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD  
AT ITS MEETING ON FEBRUARY 23, 2024**

**Minute No. 1- Minutes**

The Board approved the minutes of the meeting held November 30, 2023 by a vote of (6-0).

  
Melissa S. Porterfield



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT ITS MEETING ON FEBRUARY 23, 2024**

**MINUTE NO. 2 – General VPDES Permit for Discharges of Stormwater from Construction Activities (9VAC25-880)**

Prior to the meeting, the Board was provided materials including a briefing memo outlining the regulatory process and changes to the existing regulation, the regulation showing final amendments, the town hall agency background document, and the Office of Regulatory Management Economic Review Form.

Rebecca Rochet, Deputy Director of the Division of Water Permitting, Central Office, presented a summary of the comments received during the public comment period, DEQ responses, and the significant final changes to the regulation.

Mr. David Sligh and Mr. Partick Fanning addressed the Board to respond to the response they received from DEQ to their comments submitted on the proposed regulation.

An errata sheet for final minor amendments and corrections was provided to the Board at the meeting.

Board member Michelle Johnson submitted to DEQ staff a signed transactional disclosure statement pursuant to the Virginia State and Local Government Conflict of Interests Act before participating in/voting on this agenda item. Ms. Johnson stated she has a personal interest affected by the transaction being considered because of her employment as County Administrator of Charles City County. Charles City County, like other Virginia localities, has projects covered by the Construction General Permit and administers a Virginia Stormwater Management Program. She stated she is able to participate in the transaction fairly, objectively, and in the public interest.

**Board Decision**

Based on the staff presentation and recommendation, and an errata sheet provided to the board during the presentation, the Board voted unanimously (6-0) to adopt the General VPDES Permit for Discharges from Construction Activities (9VAC25-880) as final regulations and affirm that it

will receive, consider and respond to petitions by any person at any time with respect to reconsideration or revision of this regulation, as provided by the Administrative Process Act.

A handwritten signature in blue ink that reads "Rebecca Rochet".

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**Rebecca Rochet**  
**Deputy Director, Water Permitting Division**



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD  
AT ITS MEETING ON FEBRUARY 23, 2024**

**Minute No. 3 - Report to the Board Regarding Controversial Permits- Prince Edward  
County Virginia Water Protection (VWP) No. 21-1912, Sandy River Reservoir**

In accordance with § 10.1-1184.1.B of the Code of Virginia, Dr. Scott Morris provided the Controversial Permit Report to the Board. The report included the permit number, actions taken prior to the board meeting, location of the facility and outfall, summary of comments received, and the schedule for the final actions to be taken by the Department. The Board was provided the opportunity to respond to the Department's presentation and provide commentary regarding the permit. Mr. Cameron asked if Nottoway County's Board of Supervisors had expressed their view on the permit, and Dr. Morris responded that there was general opposition from Nottoway County concerning this permit.

A handwritten signature in blue ink, appearing to read "Scott Morris".

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**Scott Morris**  
**Director, Water Division**



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD  
AT ITS MEETING ON FEBRUARY 23, 2024**

**Minute No. 4- Future Meeting Date**

The Board confirmed their next meeting date as June 25, 2024.

  
Melissa S. Porterfield



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD  
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**Minute No. 5- Public Forum**

The following individuals expressed their concerns with the Mountain Valley Pipeline project during the public forum: David Sligh; Russell Chisholm; Amy Nelson; Crystal Mello; Joshua Vana; and Jessica Sims. Ms. Wallace requested the Department of Environmental Quality provide the Board with an update on the Mountain Valley Pipeline.

  
Melissa S. Porterfield