



*Commonwealth of Virginia*

*VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY*

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David L. Bulova  
Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus  
Director

**STATE WATER CONTROL BOARD MEETING**

General Assembly Building, Senate Room C, 3rd Floor  
201 North 9th Street, Richmond, VA 23219

**TUESDAY NOVEMBER 18, 2025**

**Board Members Present:**

Lou Ann Jessee-Wallace, Chair  
Scott Cameron, Vice-chair  
Tommy Branin  
Michelle Johnson  
Jerry Kilgore  
Steve Yob

**Board Members Absent:**

Marc Aveni

**Department of Environmental Quality:**

Michael Rolband, Director  
Melissa Porterfield  
Jill Hrynciw

**Office of the Attorney General:**

Emily Little, Assistant Attorney General

1. The attached minutes summarize activities that took place at this Board Meeting.
2. The meeting convened at 10:03 a.m. and adjourned at 11:47 a.m.



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD  
AT ITS MEETING ON NOVEMBER 18, 2025**

**Minute No. 1- Approval of meeting minutes**

The Board unanimously approved the minutes of the meeting held August 20, 2025.

  
Melissa S. Porterfield



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EXCERPT FROM THE PROCEEDINGS OF THE STATE  
WATER CONTROL BOARD AT ITS MEETING ON NOVEMBER 18, 2025

**Minute No. 2** – Virginia Erosion and Stormwater Management Regulation (9VAC-25-875) - change the statewide permit fee schedule in accordance with Chapter 2 of the 2024 Special Session I Acts of Assembly

Prior to the meeting, the Board was provided with materials including a briefing memo which included a list of the regulatory advisory panel membership, the regulations showing the amendments, and the town hall agency background documents. Jaime Robb, Water Operations Director, presented a summary of the changes to the regulation based on comments the Department received regarding the fee adjustment schedule and to make the Consumer Price Index usage consistent with other Department regulations. No other substantial changes were made to the regulations since the proposed stage in March 2025.

Board member Steven Yob 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. He indicated he has a personal interest affected by the transaction being considered because of his employment as Deputy County Manager for Community Operations by Henrico County. Henrico County, like other Virginia localities, is subject to the Virginia Erosion and Stormwater Management Regulation. He indicated he was able to participate in this agenda item fairly, objectively, and in the public interest.

**Board Decision**

Based on the briefing material and the staff presentation, the Board voted unanimously (6-0, Branin, Cameron, Johnson, Kilgore, Wallace, and Yob) to approve the staff recommendations to approve the final amendments to the Virginia Erosion and Stormwater Management Regulation.

*Jaime B. Robb*

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**Jaime B. Robb,**  
**Water Operations Director**



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER  
CONTROL BOARD AT ITS MEETING ON NOVEMBER 18, 2025**

**MINUTE NO. 3 – Water Quality Management Planning Regulation (9VAC25-720)  
Amendments – Adoption of twenty-four new waste load allocations**

Justin Williams, Manager, Office of Watershed and Local Government Assistance Programs, presented an amendment to the Water Quality Management Planning Regulation to adopt twenty-four new waste load allocations for Board approval.

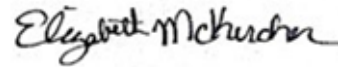
Board member Steven Yob submitted to DEQ staff a signed transactional disclosure statement pursuant to the Virginia State and Local Government Conflict of Interests Act before participating in/voting on this agenda item. He indicated he has a personal interest affected by the transaction being considered because of his employment as Deputy County Manager for Community Operations by Henrico County. Henrico County, like other Virginia localities, is subject to the Water Quality Management Planning Regulation. He indicated he was able to participate in this agenda item fairly, objectively, and in the public interest.

The proposed actions pertain to water bodies in the James River, Potomac-Shenandoah River Basin, and Tennessee-Big Sandy Basins:

1. Three new waste load allocations for sediment in Crooked Run, Stony Creek, and Pugh Runs located in Shenandoah County.
2. Nine new waste load allocations for sediment in Black Creek, Deep Run, Dover Creek, Hat Creek, Jordans Branch, North Run, Stony Run, Stony Run unnamed tributary, and Upham Brook and four new waste load allocations for phosphorus for Black Creek, Dover Creek, Stony Run, and Upham Brook located in Goochland County, Henrico County, Nelson County, and Richmond City.
3. Eight new waste load allocation for sediment in Bryers Creek, Cedar Creek, Greenway Creek, Hall Creek, Lower Middle Fork Holston (upstream of Route 91), Lower Middle Fork Holston (Route 91 to Edmondson Dam), Tattle Branch, and Upper Middle Fork Holston River located in Smyth, Washington, and Wythe Counties.

**Board Decision:**

Based on the Board Book briefing material and the staff presentation, the Board voted unanimously (6-0, Branin, Cameron, Johnson, Kilgore, Wallace and Yob) to adopt the Water Quality Management Planning Regulation amendments 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.



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Elizabeth McKercher, Director  
Water Planning Division



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EXCERPT FROM THE PROCEEDINGS OF THE STATE  
WATER CONTROL BOARD AT ITS MEETING ON NOVEMBER 18, 2025

**Minute No. 4** – Reissuance of Virginia Water Protection General Permit Regulations - Virginia Water Protection General Permit for Impacts Less Than One-Half Acre (9VAC25-660); Virginia Water Protection General Permit for Facilities and Activities of Utility and Public Service Companies Regulated by the Federal Energy Regulatory Commission or the State Corporation Commission and Other Utility Line Activities (9VAC25-670); Virginia Water Protection General Permit for Linear Transportation Projects (9VAC25-680); and Virginia Water Protection General Permit for Impacts from Development and Certain Mining Activities (9VAC25-690)

Prior to the meeting, the Board was provided with materials including a briefing memo which included a list of the technical advisory committee membership, the regulations showing the amendments, and the town hall agency background documents. Brenda Winn from the Office of Wetlands and Stream Protection presented a summary of the significant changes to the regulations. No changes were made to the regulations since the proposed stage in June 2025.

Board member Steven Yob 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. He indicated he has a personal interest affected by the transactions being considered because of his employment as Deputy County Manager for Community Operations by Henrico County. Henrico County, like other Virginia localities, is subject to the Virginia Water Protection (VWP) General Permit Regulations. He indicated he was able to participate in this agenda item fairly, objectively, and in the public interest.

**Board Decision**

Based on the briefing material and the staff presentation, the Board voted unanimously (6-0, Branin, Cameron, Johnson, Kilgore, Wallace, and Yob) to approve the staff recommendations to approve these general permit regulations as final regulations: Virginia Water Protection General Permit for Impacts Less Than One-Half Acre (9VAC25-660); Virginia Water Protection General Permit for Facilities and Activities of Utility and Public Service Companies Regulated by the Federal Energy Regulatory Commission or the State Corporation Commission and Other Utility Line Activities (9VAC25-670); Virginia Water Protection General Permit for Linear Transportation Projects (9VAC25-680); and Virginia Water Protection General Permit for Impacts

from Development and Certain Mining Activities (9VAC25-690). The Board also affirmed that it would receive, consider and respond to petitions by any person at any time with respect to reconsideration of these regulations, as provided by the Administrative Process Act.



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**Jaime B. Robb,  
Water Operations Director**



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT  
ITS MEETING ON NOVEMBER 18, 2025**

**MINUTE NO. 5- Proposed Regulation - Water Quality Standards – (9VAC25-260)- 2024  
Triennial Review Rulemaking to adopt new, update, or cancel existing water quality  
standards as required by § 62.1-44.15 of the Code of Virginia and the Federal Clean Water  
Act, 33 U.S.C. §§ 1251**

Dr. Tish Robertson, Water Quality Standards scientist, made a presentation pertaining to the mandatory Triennial Review (TR), with a recommendation to proceed to public comment and hearing on proposed amendments.

Dr. Robertson gave a background on actions to-date under the TR process, including:

- Notice of Intended Regulatory Action (NOIA) publication on April 21, 2025 and close of public comment on May 21, 2025.
- Formation of a 15-member Regulatory Advisory Panel (RAP), which met three times during the summer of 2025.

Dr. Robertson presented the following substantive proposed amendments:

- Expansion of the Deep Water designated use in Virginia's portion of the Chesapeake Bay mainstem.
- Adoption of nationally-recommended freshwater aquatic life criteria for PFOA and PFOS.
- Modification of language pertaining to the copper biotic ligand to enable the implementation of BLM-based criteria for the purposes of permitting evaluations.
- Addition of a significant digit to five Chesapeake Bay dissolved oxygen criteria.
- Modification of implementation language pertaining to Chesapeake Bay dissolved oxygen criteria to allow for DEQ-approved methods in addition to the cumulative frequency distribution method.
- Adoption of a special dissolved oxygen criterion for the tidal Chickahominy River and the tidal Pocomoke River (oligohaline portion only).

Dr. Robertson presented a list of items that were suggested for inclusion during the public comment period and discussed with the RAP. DEQ's responses to these comments were provided in the Board memo and Townhall Background Document.

### **Board Decision**

Based on the briefing material and staff presentation, a vote was taken, and the Board unanimously (6-0, Kilgore, Cameron, Branin, Johnson, Yob, Wallace) approved staff recommendation to proceed to public comment on proposed amendments to 9VAC25-260 and for staff to serve as the hearing officer at public hearings.



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Bryant Thomas, Director  
Water Resources Division



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD  
AT ITS MEETING ON November 18, 2025**

**MINUTE 6 - FY 2026 Virginia Clean Water Revolving Loan Fund Final Authorizations**

Mrs. Meghan Mayfield, Director of the Department's Clean Water Financing and Assistance Program (the Program), gave a presentation to the Board based on a memorandum dated November 11, 2025. The memorandum identified the loan amounts, terms, and interest rates for 22 projects being recommended by staff for FY 2026 Virginia Clean Water Revolving Loan Fund (the Fund) assistance.

Ms. Mayfield began her presentation by summarizing the FY 2026 application process for 22 projects for a total funding amount of \$255,742,977 in assistance from the Fund. She explained 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 not held but the proposed funding list, Intended Use Plan, and proposed Project Priority List were all posted to Town Hall and public comment was accepted September 30, 2025 through October 31, 2025. No public comments were received.

Ms. Mayfield 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. As approved by the Board in previous years, staff recommended revisions to the program rates and term options offered to borrowers whose project type and impact on user rates resulted in a program 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 program rate calculation vary depending on the term of the loan for wastewater projects.

Staff recommendation: Authorize the execution of loan agreements for the projects, loan amounts, interest rates and terms listed in the below table, and that 20-year term program rates are set at 1.5% (150 basis points) below market, 25-year term program rates are 1.25% (125 basis points) below market, and 30-year term program rates are 1.00% (100 basis points) below market, based on VRA's evaluation of the market conditions that exist about a month prior to each loan closing. The hardship interest rate will be 0.5%, and the minimum interest rate will be 1% for all other loans. Loan closings would be subject to receipt of a favorable financial capability analysis report and supporting recommendation from VRA for each loan recipient.

## FY 2026 Proposed Interest Rates and Loan Term Authorizations

Applicant	Loan Amount	Interest Rates	Max Term
Hampton Roads Sanitation District	\$60,000,000	PR	up to 25 years
City of Norfolk Department of Public Utilities	\$30,000,000	0.5%	up to 25 years
Bristol Virginia Utilities Authority	\$5,554,253	0.5%	up to 30 years
City of Lynchburg	\$18,215,000	PR	up to 30 years
Town of Christiansburg	\$3,786,340	PR	up to 25 years
City of Martinsville	\$16,672,000	0.5%	up to 25 years
Town of Wytheville	\$24,469,000	PR	up to 25 years
Wythe County Board of Supervisors	\$975,000	PR	up to 25 years
City of Richmond	\$51,414,869	0.5%	up to 25 years
Charles City County	\$1,403,125	0.5%	up to 25 years
Town of Front Royal	\$1,800,000	PR	up to 25 years
Town of Bowling Green	\$2,783,800	0.5%	up to 25 years
Town of Pulaski	\$6,600,000	0.5%	up to 30 years
Charles City County	\$1,826,000	0.5%	up to 25 years
Prince William County Service Authority	\$10,000,000	PR	up to 25 years
Town of Pamplin City	\$2,129,300	0.5%	up to 30 years
Town of Blackstone	\$611,632	PR	up to 30 years
Town of Blackstone	\$4,168,446	PR	up to 30 years
City of Hopewell	\$1,029,022	PR	up to 25 years
Town of Front Royal	\$7,960,000	PR	up to 25 years
Upper Occoquan Service Authority	\$1,300,000	0%	up to 25 years
Washington County Service Authority	\$3,045,190	0.5%	up to 30 years
<b>TOTAL</b>	<b>\$255,742,977</b>		
PR = Program Rate *minimum 1%			

**Board Decision: The Board voted unanimously (6-0) to adopt the staff's recommendation.**



Meghan M. Mayfield,  
**Director Clean Water Finance & Training  
 Services**



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**EXCERPT FROM THE PROCEEDINGS OF THE STATE WATER CONTROL BOARD AT  
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**Minute No. 7 - Report to the Board Regarding Controversial Permits:**

- Synagro Central LLC – Essex County - VPA00831
- Synagro Central LLC – Orange County VPA00075
- Surface Water Withdrawal Permit issuance, Caroline County VWP No. 20-0514
- Waterford Sewage Treatment Plant, Loudoun County Sanitation Authority – VPDES permit VA0060500
- Arlington County Water Pollution Control Facility - VPDES permit VA0025143
- Transcontinental Gas Pipe Line Company (Transco) Southeast Supply Enhancement Project (SSEP) -Upland 401 Water Quality Certification
- Transcontinental Gas Pipe Line Company (Transco) Southeast Supply Enhancement Project (SSEP) - Individual Virginia Water Protection Permit - Number 25-1277
- Mountain Valley Pipeline, LLC Southgate Amendment Project - Individual Virginia Water Protection Permit - Number 25-0752

In accordance with § 10.1-1184.1 B of the Code of Virginia, Bryant Thomas and Melanie Davenport provided the Controversial Permit Report to the Board. The report included each permit number, location of the activities, a summary of events prior to the Board meeting and the schedule for the remaining 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 permits.

A handwritten signature in blue ink, appearing to read "Bryant Thomas", written over a horizontal line.

**Bryant Thomas**  
**Water Resources Division Director**



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**Minute No. 8:** Mountain Valley Pipeline – Update

Ms. Davenport presented an update on the status of the project. She reported that the project continues in the post-restoration phase and the ongoing activity for this quarter involves achieving permanent vegetation and maintaining erosion and sediment controls until ground cover is uniform and mature enough to survive. Controls are also being removed where they are no longer needed. She provided an overview of compliance activities from June 11, 2025, to September 10, 2025 and noted that for the period June 11, 2025 to September 10, 2025 DEQ assessed \$11,500 in stipulated penalties.

  
Melanie D. Davenport



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**MINUTE 9 – Report on Groundwater supply in the Commonwealth east of Interstate 95**

Mr. Brian Campbell, Groundwater Characterization and Monitoring Manager, provided the Board with an informational report on DEQ's study of groundwater supply in the Commonwealth east of I-95, as requested by Senate Joint Resolution No. 25 (2024 Session). Mr. Campbell noted that a full report was under review and that the final report would be submitted to the General Assembly for publication in the 2026 Regular Session. The informational report to the Board included a brief overview of groundwater supply in the Virginia Coastal Plain aquifer system, including the source aquifers and major uses of groundwater in the Eastern Virginia Groundwater Management Area and the Eastern Shore Groundwater Management Area. Mr. Campbell reviewed historical data and trends in groundwater levels and groundwater quality. The presentation included DEQ's analysis of the aquifer system's capacity for new withdrawals, as well as the study's implications for aquifer replenishment. Finally, Mr. Campbell summarized DEQ's assessment of the Groundwater Management Act of 1992 and noted that DEQ's report would offer recommendations on how to make the Act more effective.

A handwritten signature in blue ink, appearing to read "Bryant Thomas", written over a horizontal line.

Bryant Thomas, Water Resources Division Director



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**Minute No. 10- Future Meeting Date**

No future meeting dates for the Board were confirmed at this meeting.

  
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Melissa S. Porterfield



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**Minute No. 11- Public Forum**

No members of the public addressed the Board during the public forum.

  
Melissa S. Porterfield