

Virginia's Approach to "Sector Growth"

Trading and Offsets Workgroup
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Current Events

- Regulatory Process underway to establish nutrient credit certification process:
 - Review and Approval Process
 - Baselines
 - Local water quality
 - Monitoring and Reporting
 - Financial Assurance
 - Credit retirement

Proposed regulations expected to be presented to the State Water Control Board in December 2013

Current Events

- Stormwater “Rollout” – Development and implementation of “new” stormwater regulations by localities by July 1, 2014
- MS4 “Chesapeake Bay Action Plan” guidance under development – will provide methods by which WIP MS4 requirements will be met
- Resource Management Plan program development underway
- Industrial Stormwater General Permit reissuance

2. Response to EPA: Existing or Proposed Requirements

Wastewater:

- All new or expanding WWTP over 1000 gpd must offset the entirety of their nutrient loads

Industrial Stormwater:

- General Permit reissuance underway: draft permit proposing no net increase in N, P and S

Urban Stormwater:

- New stormwater regs based on no-net increase standard
- Redevelopment: 20% reduction

Existing or Proposed Requirements

Agriculture:

- No current requirements – legislative action would be required

On site Septic:

- No current requirements – legislative action would be required

CSS:

- Operating under long term control plans: no increases expected

The Virginia Response

- We believe this effort is premature
- EPA expectations should be addressed following the 2017 reevaluation: changes in land use layers and other adjustments affecting the output of the Chesapeake Bay Program model are likely to obscure or alter results of any tracking program developed now
- Only likelihood for unregulated growth are unregulated urban and onsite/septic which may results in a small change in overall load.
- We are on track to achieve 2017 targets.

Response to EPA

“Date by which jurisdiction will have offset program that meet common elements of Appendix S”

Rulemaking underway, final results somewhat uncertain. Regulations require approval by board and next Governor.

Response to EPA

“Description of the system in place for tracking changes in loads to ensure accountability and verification”

Current requirements for reporting. Future actions will be informed by verification protocols that will be adopted by the Chesapeake Bay Program.

Response to EPA

“Description of how the jurisdiction accounts for movement among sectors”

No plans at this time. We will review the utility of this approach following the 2017 reallocations.