

2021 Regulatory Updates Webinar

April 14, 2021, 1 - 4 p.m.

Course Summary

Nationwide Permit Updates from the National Perspective – Dave Olson

Providing an overview of the 16 2021 Nationwide Permits issued in January. Also discussing the process for issuing the nationwide permits, including the role of regional conditions in ensuring the nationwide permits comply with statutory requirements. Will talk about the other 40 NWP's planned to be reissued later this year.

Dave Olson is a Regulatory Program Manager at U.S. Army Corps of Engineers Headquarters

Norfolk District Perspective on the 2021 NWP's – Jennifer Serafin and Tom Walker

Discussing the effects of the 2021 Nationwide Permits as they relate to the Norfolk District with an overview of the associated Norfolk Regional Conditions.

*Jennifer Serafin is the Western Virginia Regulatory Section Chief, Norfolk District of the U.S. Army Corps of Engineers
Tom Walker is the Regulatory Branch Chief, Norfolk District of the U.S. Army Corps of Engineers*

EPA 401 Certification: What changed, why was it implemented, what are the results? – Justin Curtis

An overview of the Clean Water Act 401 Certification Rule finalized by EPA in June 2020, which became effective on September 11, 2020. Will discuss what prompted this rule, the associated changes, and what has resulted from the rule since it has been in effect.

Justin Curtis is the Vice President of Aqua Law

Virginia's Response to the 401 Certification Rule and Navigable Waters Rule – Trisha Beasley

An overview of how Virginia is handling the 401 Certification Rule finalized by EPA as well as how Virginia is handling the 401 certification and VWP permit requirements associated with the 2021 NWP's that went into effect on March 15th. Additionally, will highlight how DEQ has responded to the Navigable Waters Rule including the implementation of State Waters Determinations concurrent with COE Jurisdictional Determinations.

Trisha Beasley is the Virginia Water Protection Program Manager, Northern Regional Office, Virginia Department of Environmental Quality

Maryland's Response to the 401 Certification Rule, Navigable Waters, and a SPGP-6 Update – Heather Nelson

An overview of how Maryland is handling the 401 Certification Rule. Also will touch on how the Navigable Waters Rule has not changed how Maryland reviews projects. Will provide an update on the upcoming SPGP-6.

Heather Nelson is the Program Manager at Maryland Department of the Environment's Wetlands and Waterways Program

— Questions and Break —

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Course Summary, continued

Regulatory Changes on the Horizon

Introduction by Christie Blevins, PWS, CESSWI, LEED AP, WSSI's Manager - Regulatory

Wetland and Stream Mitigation Bank Service Areas: Addressing Mitigation Credit Shortages and Price Jumps – Mike Rolband

Mike Rolband, who was instrumental in the development of HB 1983, Wetland and stream mitigation banks; proximity of impacted site, will provide an overview of what this bill allows and how it can help alleviate credit shortage concerns from Public Works Departments, Economic Development Agencies, and Private Industry.

Mike Rolband, PE, PWS Emeritus, PWD is President of Resource Protection Group, Inc. and retired founder of WSSI

Nutrient Banking in Virginia: Updates and Trends – TJ Mascia

An update on recent changes to the state's nutrient banking program and the associated impact on the establishment and use of nutrient credits.

TJ Mascia is Director – Davey Mitigation for Davey Resource Group, Inc.

Chesapeake Bay Updates from Virginia, with a focus on Coastal Resiliency – Bob Kerr

An update on the latest proposed changes to Virginia's Chesapeake Bay Preservation Act regulations.

Bob Kerr, PWS, PWD is Director of WSSI's Hampton Roads Division.

Construction General Permit: Updates in Maryland – Jacob Bucher

Discussing pertinent changes to the Maryland Construction General Permit (GCP).

Jacob Bucher is Manager – Environmental Compliance for our Maryland operations.

Endangered and Threatened Species Updates with a focus on Migratory Birds – Ben Rosner

Summary of the proposed Virginia regulations regarding incidental take of migratory birds. Also addressing the latest news in endangered and threatened species regulation issues in our region, including the critical habitat for yellow lance (*Elliptio lanceolata*) and candy darter (*Etheostoma osburni*).

Ben Rosner, PWS, PWD, CE is WSSI's Manager – Environmental Science.

— Questions and Conclude —