

**Minutes
Environmental Protection Committee
Via Teleconference**

**Tuesday, March 23, 2021
9:00 a.m.**

Attendees:

Committee Members

Ray Lambert, Chair
Nick Ayers
William Bagwell
Dwight Davis
Randy Dellinger
Patrick Denney
Duncan Johnson
Rob Leebern
Bodine Sinyard
Dee Yancey, Board Chair, Ex-officio

Board Members

Nancy Addison
Joe Hatfield
Tim Lowe
Billy New
Paul Shailendra
Miki Thomaston
Gary Vowell

Staff Members

Mark Williams, Commissioner
Walter Rabon
Kyle Pearson
Kate Iannuzzi
Josh Hildebrandt
Cathy Barnette
Amber Carter
Artica Gaston
Courtney Hall
Thomas Barnard
Jeff Cown
Miguel de Alba
Rusty Garrison
Doug Haymans
John Bowers
Tina Johannsen

Richard Dunn, Director
John Eunice
Jac Capp
Karen Hays
Chuck Mueller
Laura Williams

The March 23, 2021 meeting of the Environmental Protection Committee was called to order by Chairman Dee Yancey.

Chairman Yancey called on Ray Lambert, Chairman of the Environmental Protection Committee. Mr. Lambert called on Jac Capp, Chief of the Watershed Protection Branch, to present the Proposed Amendments to the Rules Erosion and Sedimentation, Chapter 391-3-7.

Mr. Capp stated the purpose of the proposed amendments is to implement SB 445, which was passed during the 2020 legislative session to allow water authorities to be designated as local issuing authorities for land disturbing permits, and clarify procedures for when a buffer variance project changes after public comment period has closed. He further stated the amendments update definitions pertaining to water authority or water and sewer authority and include a process for EPD to certify a water authority or water and sewer authority as a local issuing authority. He added the proposed changes will require EPD to send a new public notice if there is a change in the location of the buffer impacts, increase in buffer impact, or change in project concept or design after the original comment period.

Mr. Capp stated a notice of stakeholder draft was sent on January 25th and a public meeting was held on February 17th with positive feedback received. He further stated after briefing the Environmental Committee today, a 30-day comment period and public hearing will be scheduled for April and May. He added he will request Board adoption of the proposed amendments at the June 2021 meeting.

There being no further business, the meeting was adjourned.