



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

March 13, 2015

### NONPOINT NUTRIENT CREDIT GENERATION CERTIFICATION

Certificate No. Bay-001

- 1. Project Name: Oyster Company of Virginia, LLC (OCVA)  
In Situ Nutrient Remediation Program (ISNRP)
- 2. Sponsor: Oyster Company of Virginia, LLC
- 3. Authorized Nutrient Offset Broker: Oyster Company of Virginia, LLC  
PO Box 401  
North, VA 23128
- 3. Location of Project Sites: Various leased oyster grounds in the Chesapeake Bay watershed
- 4. Project Description:

The Sponsor (OCVA) has developed a Term Nutrient Credit Prospectus dated March 6, 2015 that provides for the generation of term nutrient credits from caged oyster aquaculture operations in the Chesapeake Bay watershed. Nutrient reductions will be generated through the harvest of oysters grown in OCVA cages. Nutrient reductions will be quantified in accordance with the following table:

Oyster Size Class (mm or inches)	Total Nitrogen (TN Retained) (grams or pounds per oyster)	Total Phosphorous (TP) Retained (grams or pounds per oyster)
Cocktail >51-75 or >2-3	0.112 g or 0.0002 lbs.	0.016 g or 0.00004 lbs.
Regular >76-102 or >3-4	0.176 g or 0.0004 lbs.	0.026 g or 0.00006 lbs.
Jumbo > 102 or >4	0.394 g or 0.0009 lbs.	0.050g or 0.0001 lbs.

The nutrient reductions resulting from this activity will generate term nonpoint source nutrient credits to be certified in accordance with §62.1-44.19:20.C. of the Code of Virginia. Nonpoint source nutrient credits can only be used in the same calendar year and tributary basin in which they are generated. These term credits may be used to (1) offset new or expanding point sources in accordance with

NONPOINT NUTRIENT CREDIT GENERATION CERTIFICATION  
Oyster Company of Virginia - In Situ Nutrient Remediation Program  
March 13, 2015  
Page 2 of 2

§62.1-44.19:15.B.1.b of the Code of Virginia, or (2) comply with any wasteload allocations established as effluent limitations in MS4 or confined animal feeding operation VPDES permits or industrial stormwater general permits in accordance with §62.1-44.21.A, C and D of the Code of Virginia.

5. Approval

Accordingly, the OCVA is granted operational status and is authorized to transfer any nitrogen and phosphorus term credits subsequently released by DEQ and placed on the Virginia Nutrient Credit Registry with the following conditions:

- a. Quarterly reports of oyster harvests shall be provided for each river basin by January 20<sup>th</sup>, April 20<sup>th</sup>, July 20<sup>th</sup>, and October 20<sup>th</sup> of each year. The reports shall include the number of oysters harvested by size class and river basin along with a calculation of the nitrogen and phosphorus term credits generated.
- b. Affidavits of credit sales for all credits certified and listed on the Virginia Nutrient Credit Registry shall be provided to DEQ within 30 days of credit transfer and current transfer ledgers shall be provide to DEQ by January 10<sup>th</sup>, April 10<sup>th</sup>, July 10<sup>th</sup> and October 10<sup>th</sup> of each year.

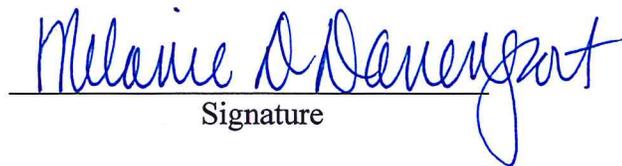
6. Additional Reporting Requirement:

An annual report of the number of Reeftek modules deployed in each river basin in the previous calendar year shall be provided to DEQ by January 20<sup>th</sup> of each year.

7. Agency Contact: DEQ: Derick Winn (804) 698-4114

8. Approval by:

Melanie D. Davenport  
Department of Environmental Quality  
Water Division Director

  
Signature

  
Date

cc: Mr. Henry R. Pollard, Williams Mullen