
From: Rolband, Michael (DEQ) <Michael.Rolband@deq.virginia.gov>
Sent: Tuesday, July 22, 2025 9:13 AM
To: John Napolitano; Andrew Clark; Rak, Jonathan (DEQ)
Subject: Re: Catching up

Thank you!

Mike Rolband
Director, DEQ

From: John Napolitano <jnapolitano@NAPOLITANOHOMES.COM>
Sent: Tuesday, July 22, 2025 9:29 AM
To: Andrew Clark <AClark@hbav.com>; Rolband, Michael (DEQ) <Michael.Rolband@deq.virginia.gov>; Rak, Jonathan (DEQ) <Jonathan.Rak@deq.virginia.gov>
Subject: RE: Catching up

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Thanks for the update, Mike. Andrew and I spoke yesterday and I am sending him a list of people to make comments.

From: Andrew Clark <AClark@hbav.com>
Sent: Monday, July 21, 2025 4:57 PM
To: Rolband, Michael (DEQ) <Michael.Rolband@deq.virginia.gov>; John Napolitano <jnapolitano@NAPOLITANOHOMES.COM>; Rak, Jonathan (DEQ) <Jonathan.Rak@deq.virginia.gov>
Cc: Andrew Clark <AClark@hbav.com>
Subject: RE: Catching up

Thanks for the quick reply, Mike!

Jonathan – Let me know if you have a moment to discuss the data center, VDOT, Dominion issue. (Mike – You’re welcome to join the call as well (of course), but know your schedule is packed)

John – I’ll give you a call shortly.

Andrew

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Andrew Clark Vice President of Government Affairs
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From: Rolband, Michael (DEQ) <Michael.Rolband@deq.virginia.gov>
Sent: Monday, July 21, 2025 4:16 PM
To: John Napolitano <jnapolitano@NAPOLITANOHOMES.COM>
Cc: Andrew Clark <AClark@hbav.com>; Rak, Jonathan (DEQ) <Jonathan.Rak@deq.virginia.gov>; Rolband, Michael (DEQ) <Michael.Rolband@deq.virginia.gov>
Subject: Re: Catching up

John:

The way our current thinking is - we will not have any limits on the number of credits we accept in-lieu-fees for, simply that within two years of accepting funds - we will sign a contract to obligate DEQ to purchase credits or sign a contract to start a turnkey contract (basically a permittee responsible mitigation project undertaken by DEQ). I copied Jonathan Rak, our Chief Policy Advisor to make sure we have your needs satisfied which is a common issue as we keep hearing that Dominion and VDOT are sucking up all the credits as they get released.

Our Prospectus is still under review, then if approved we go to Instrument - this is the schedule:

Prospectus Review Dates

- IRT Meeting occurred on July 10
- IRT Comments to USACE on/or before **July 28**
- Public Comment Period Ends **July 28**
- Public Comments forwarded to IRT on/or before **August 15**
- USACE - Initial Evaluation Letter to Sponsor on/or before **August 29**

[Here](#) is a timeline for the Instrument Review. Aqualaw (our legal contractor) is tasked by DEQ with completing the Instrument and making all our changes so it's ready to submit on August 29, assuming they approve our Prospectus without any "zingers". We do not know where the Corps stands now - as the person who was in charge and supportive - took the buyout on May 30 - it was reassigned to a person in New England.

The biggest help we need at the moment is to get HBAV, VACRE, etc. **to submit positive comments by July 28** - as we have heard rumors that there will be

opposition. I have asked both groups to do so. Del Coyner was the patron in 2023, so I have also asked her.

Comments on this Project must be in writing and can be sent by email to CENAO_REG_MitigationTeam@usace.army.mil, or to the following link <https://rrs.usace.army.mil/rrs/public-notices> or by regular mail, addressed to the Norfolk District, Corps of Engineers (ATTN: CENAO-WRR), 803 Front Street, Norfolk, VA 23510-1011, and must be **received by the close of business on July 28, 2025.**

Once we get over the prospectus hump and our Instrument submitted - we will then want to mobilize all Federal level support we can.

Mike



Michael S. Rolband, PE, PWD, PWS Emeritus
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From: John Napolitano <jnapolitano@NAPOLITANOHOMES.COM>
Sent: Monday, July 21, 2025 3:31 PM
To: Rolband, Michael (DEQ) <michael.rolband@deq.virginia.gov>
Cc: Andrew Clark <AClark@hbav.com>
Subject: Catching up

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Mike,

Hope this email finds you well. Last we communicated on the in lei of program it was in the Army Cops hands. Has there been any progress on bringing this online. I would like to know if we can get our name on a list, so we have an opportunity to get the 3.7 credits that we need for our community. Is there any way of putting in a provision that will protect the small guy to have a chance of getting these credits when they become available. My fear is that the Dominion Energy's of the world will buy them up as fast as they can and the rest of us are out in the cold. I was speaking with Andrew on this, and he had a suggestion of wording that could be puy in there to protect us. Please let me know what the updates are so I can do my part to secure credits when they come online.

Warm regards,
John Napolitano