

VIRGINIA ACTS OF ASSEMBLY -- 2003 SESSION

CHAPTER 227

An Act to amend the Code of Virginia by adding a section numbered 62.1-44.38:1, relating to development of state, regional and local water supply plans.

[S 1221]

Approved March 16, 2003

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 62.1-44.38:1 as follows:

§ 62.1-44.38:1. Comprehensive water supply planning process; state, regional and local water supply plans.

A. The Board, with the advice and guidance from the Commissioner of Health, local governments, public service authorities, and other interested parties, shall establish a comprehensive water supply planning process for the development of local, regional and state water supply plans consistent with the provisions of this chapter. This process shall be designed to (i) ensure that adequate and safe drinking water is available to all citizens of the Commonwealth, (ii) encourage, promote, and protect all other beneficial uses of the Commonwealth's water resources, and (iii) encourage, promote, and develop incentives for alternative water sources, including but not limited to desalinization.

B. Local or regional water supply plans shall be prepared and submitted to the Department of Environmental Quality in accordance with criteria and guidelines developed by the Board. Such criteria and guidelines shall take into account existing local and regional water supply planning efforts and requirements imposed under other state or federal laws.

2. That the State Water Control Board shall promulgate regulations necessary to carry out the provisions of this act, including criteria for the development of local and regional water supply plans. Such regulations shall not become effective prior to July 1, 2004. Draft criteria for the development of local and regional water supply plans shall be prepared and submitted to the Governor, the Senate Committee on Agriculture, Conservation and Natural Resources, the House Committee on Agriculture, Chesapeake and Natural Resources, and the State Water Commission by December 1, 2003.

3. That the State Water Control Board shall prepare and submit to the Governor, the Senate Committee on Agriculture, Conservation and Natural Resources, the House Committee on Agriculture, Chesapeake and Natural Resources, and the State Water Commission, by December 1, 2003, a preliminary state water resources plan in accordance with § 62.1-44.38, which includes information from existing local and regional water supply plans. The Department of Health and all other state agencies shall assist in the preparation of the state water resources plan, and water supply systems shall provide available information, including existing water supply plans, as needed to develop the preliminary state plan.

4. That the Water Policy Technical Advisory Committee, established jointly by the State Water Commission and the Department of Environmental Quality in 2002, shall work with the Department of Environmental Quality and the Virginia Department of Health on the development of the plan, criteria, guidelines and regulations required by this act and shall advise these agencies on any further changes needed to the Commonwealth's water resources policies and programs.

5. That the provisions of this act shall have no effect, positive or negative, on any water supply project for which a permit application was submitted prior to January 1, 2003, to any state or federal agency. The provisions of this act shall have no effect, positive or negative, on any water supply project for which an application for grant, loan or other funding has been made to a state or federal agency prior to January 1, 2003. All such applications shall remain subject to existing federal and state regulatory requirements.