

2012 SESSION

INTRODUCED

12100478D

HOUSE BILL NO. 67

Offered January 11, 2012

Prefiled December 19, 2011

A *BILL to amend the Code of Virginia by adding a section numbered 62.1-11.1, relating to nonnavigable state waters.*

Patrons—Marshall, R.G. and Cosgrove

Referred to Committee on Agriculture, Chesapeake and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 62.1-11.1 as follows:

§ 62.1-11.1. Nonnavigable state waters subject to regulation exclusively by the Commonwealth.

The General Assembly of Virginia is vested with the authority under Article IV, Section 14 (15) of the Constitution of Virginia to declare streams navigable. Therefore, any river, creek, stream, or branch that is located wholly within the Commonwealth and is isolated from any other body of water by not being fed or replenished by any perennial stream is hereby declared a nonnavigable body of water subject to regulation exclusively by the Commonwealth and not subject to regulation under the federal Clean Water Act by the U.S. Army Corps of Engineers or the U.S. Environmental Protection Agency.

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