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HOUSE JOINT RESOLUTION NO. 125

Offered January 8, 2020

Requesting the Department of Environmental Quality to study the effectiveness of the Commonwealth's stormwater management laws. Report.

Patron—Kory

Referred to Committee on Rules

WHEREAS, the Constitution of Virginia provides that "it shall be the Commonwealth's policy to protect its atmosphere, lands, and waters from pollution, impairment, or destruction"; and

WHEREAS, protecting the waters of the Commonwealth, particularly the waters of the Chesapeake Bay, depends upon the reduction of sediment and nutrients in stormwater runoff, as well as control of stormwater volumes; and

WHEREAS, the Stormwater Management Act (§ 62.1-44.15:24 et seq.) has for decades governed the adoption of stormwater regulations; and

WHEREAS, the Stormwater Management Act continues to establish the obligations of localities, developers, and others throughout the Commonwealth regarding stormwater runoff; and

WHEREAS, the Stormwater Management Act has become increasingly complex, and over time it has come to impose increasingly complicated and costly obligations, although the effectiveness of the law is not well understood; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Department of Environmental Quality be requested to study the effectiveness of the Commonwealth's stormwater management laws. Such study shall investigate how well the Stormwater Management Act and the regulations adopted thereunder lead to improvements in water quality and quantity.

In conducting its study, the Department of Environmental Quality (DEQ) shall investigate changes in the quality and quantity of stormwater runoff over time, examine the degree to which improvements in stormwater management over time can be attributed to changes in the law, determine the overall effectiveness of Virginia's stormwater laws, examine compliance rates and public perceptions of the stormwater laws, and survey nearby states for examples of particularly effective regulatory systems.

All agencies of the Commonwealth shall provide assistance to the DEQ for this study, upon request.

The Department of Environmental Quality shall complete its meetings by November 30, 2020, and shall submit to the Governor and the General Assembly an executive summary and a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the 2021 Regular Session of the General Assembly and shall be posted on the General Assembly's website.

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