

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

4 [S 1221]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 62.1-44.38:1 as follows:**8 **§ 62.1-44.38:1. Comprehensive water supply planning process; state, regional and local water**
9 **supply plans.**

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

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

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

28 **3. That the State Water Control Board shall prepare and submit to the Governor, the Senate**
29 **Committee on Agriculture, Conservation and Natural Resources, the House Committee on**
30 **Agriculture, Chesapeake and Natural Resources, and the State Water Commission, by December**
31 **1, 2003, a preliminary state water resources plan in accordance with § 62.1-44.38, which includes**
32 **information from existing local and regional water supply plans. The Department of Health and**
33 **all other state agencies shall assist in the preparation of the state water resources plan, and water**
34 **supply systems shall provide available information, including existing water supply plans, as**
35 **needed to develop the preliminary state plan.**

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

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

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