



MEMBER
JURISDICTIONS

November 9, 2020

CHESAPEAKE

Ms. Heather Wood, Chair
State Water Control Board
c/o Office of Regulatory Affairs
Department of Environmental Quality
P.O. Box 1105
Richmond, VA 23218

FRANKLIN

GLOUCESTER

HAMPTON

RE: Amendments to the Chesapeake Bay Preservation Act and Regulations

ISLE OF WIGHT

Dear Ms. Wood:

JAMES CITY

NEWPORT NEWS

NORFOLK

POQUOSON

PORTSMOUTH

SMITHFIELD

SOUTHAMPTON

SUFFOLK

SURRY

VIRGINIA BEACH

WILLIAMSBURG

YORK

On behalf of the Chief Administrative Officer (CAO) Committee of the Hampton Roads Planning District Commission, I write to ask that the State Water Control Board consider postponing action on the forthcoming amendments from the Department of Environmental Quality (DEQ) to the regulations implementing the Chesapeake Bay Preservation Act. Although HB504 exempts the adoption of these regulations from the requirements of the Administrative Process Act, our local governments believe that a more inclusive process would result in the development of new regulations that will better address the challenges of water quality protection and resiliency than the process currently underway.

The Chesapeake Bay Preservation Act is intended to protect water quality by balancing environmental protection and economic development. This program is designed to be a cooperative state-local partnership. Therefore, it is vital that local governments be integrally involved in the development of new regulations. To date, there have been limited opportunities for local government staff to participate in discussions about the new regulations and review proposed language. As a result, there is no indication of what the proposed new regulations will contain or how they will mitigate potential conflicts between resiliency, water quality protection, private property rights, and community development goals.

Utilizing a regulatory advisory panel or similar structure to provide input and help develop the regulations would allow for these interests to be heard and considered. Although this would be a longer process, we believe that it would result in better and more feasible regulations that would serve both community and Commonwealth interests in the long run. We respectfully request that the State Water Control Board direct the Department of

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Environmental Quality to establish and implement such a process before submitting draft regulations for approval.

Sincerely,

A handwritten signature in cursive script that reads "Mary Bunting". The signature is written in black ink and is positioned above the printed name.

Mary Bunting
City Manager, Hampton
Chair, Hampton Roads Chief Administrative Officers Committee

cc: Chief Administrative Officers Committee