

RESOLUTION

**LOCAL PROGRAM COMPLIANCE EVALUATION
CHESTERFIELD COUNTY**

Local Compliance Evaluation - Noncompliant

WHEREAS § 10.1-2103 of the Chesapeake Bay Preservation Act states that the Chesapeake Bay Local Assistance Board shall take administrative and legal steps to ensure compliance by counties, cities and towns with the provisions of the Chesapeake Bay Preservation Act, including the proper enforcement and implementation of, and continual compliance with the Act; and

WHEREAS § 9 VAC 10-20-250 1 b of the Regulations required the Board to develop a compliance evaluation process for evaluating local Bay Act compliance; and

WHEREAS the Chesapeake Bay Local Assistance Board adopted a compliance evaluation process on September 16, 2002 for the purposes of reviewing local Bay Act compliance; and

WHEREAS on September 17, 2007, the Chesapeake Bay Local Assistance Board found that implementation of certain aspects of Chesterfield County's Phase I program did not fully comply with the Act and Regulations and further that the County address the Condition #4 immediately and complete the remaining seven conditions contained in the staff report no later than June 30, 2008; and

WHEREAS in Summer, 2008, County provided staff with information relating to the County's actions to address seven of the eight recommended conditions which were evaluated in a staff report; and

WHEREAS the County has not yet taken appropriate action to address one condition from the September 17, 2007 compliance evaluation; and

WHEREAS on October 28, 2008 the Local Program Review Committee for the Southern Area considered and evaluated the information contained in the compliance evaluation staff report and concurred with the staff recommendation as outlined in the staff report; and,

WHEREAS after considering and evaluating the information presented on this date, the Board agrees with the recommendation in the staff report and of the Review Committee; now,

THEREFORE BE IT RESOLVED that the Chesapeake Bay Local Assistance Board finds that implementation of Chesterfield County's Phase I program is noncompliant with §§ 10.1-2109 and 2111 of the Act and §§ 9 VAC 10-20-231 and 250 of the Regulations

REVISED: 2/20/2009 10:33:47 AM