



Board of Supervisors

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2015 Legislative Agenda





Draft Legislative Agenda 2015

New Kent County Board of Supervisors

Part I. 2015 Legislative Agenda Action Items

1.1 Funding for Alternatives to Groundwater

The Department of Environmental Quality (DEQ) recently began using an updated groundwater model to determine the effects of withdrawal of groundwater within the state's Groundwater Management Area (GMA) which includes New Kent County. The new model has shown what many within DEQ had long suspected; the water is being withdrawn at a rate faster than it can recharge. Because of this, beginning in 2015, DEQ is proposing to reduce withdrawals of the 14 highest users who represent 87% of the permitted withdrawal within the GMA. The other users of groundwater are also feeling the effects of the new model; permits up for renewal are not given additional water supplies for future growth and current permits which are not using their allotted amounts could be reduced to current usage rates. According to DEQ, these actions are necessary to preserve groundwater supplies for the future by stopping declining groundwater levels and ground subsidence which is a byproduct of overuse of groundwater.

Another regulation which DEQ is proposing, for the Governor's review and consideration, has to do with new subdivisions on private wells. They are recommending to the General Assembly that DEQ be given the authority to regulate new subdivisions which propose to use private wells as their water source by requiring the developer to obtain a groundwater withdrawal permit in accordance with the regulations for the GMA. This would affect any subdivision having approximately 50 or more residential dwelling units and is being considered as necessary to stop developers from circumnavigating the GMA by the use of private wells.

These actions by DEQ, while necessary, can only have a negative impact on businesses and communities that depend on groundwater. For that reason, we are proposing the General Assembly consider creating a funding mechanism to assist those who will be affected by these new regulations to develop alternative water sources. The precedent has already been set with the cleanup of the Chesapeake

Bay and the new nutrient requirements for those businesses and communities who discharge wastewater. The General Assembly created the Water Quality Improvement Fund (WQIF) to help offset the costs to businesses and localities that were required to upgrade their wastewater treatment facilities to meet the new, more stringent, nutrient limits set by DEQ.

The creation of an Alternative Water Supply Fund would help businesses and communities meet the new groundwater withdrawal requirements, while reducing the depletion of groundwater supplies. Whether new water supplies come from existing surface water withdrawals, reclaimed water usage, or communities banding together to obtain new surface water withdrawals, the costs will be extremely expensive causing businesses and communities to suffer economically, not only in those regions effected , but to the Commonwealth as a whole.

1.2 Industrial Residual

Request that the Department of Environmental Quality conduct or commission a comprehensive study to determine the potential environmental and health risks of the land application of industrial residuals and to establish regulations specifically designed for industrial residuals based on the characteristics of residuals from different sources, including testing parameters, application methods, setbacks, record keeping, inspection protocols and enforcement authority.

1.3 Interstate 64 Widening

New Kent urges that the General Assembly make the widening of I-64 (from I-295 to Newport News) a priority; and that the widening occur with aesthetic sensitivity. I-64 is the primary gateway to many commercial and tourist destinations, military installations, and all of eastern Virginia. New Kent asks both the Richmond and Peninsula based legislative delegations to develop and pursue a long term, unified strategy to accomplish the widening of I-64.

1.4 Broadband

New Kent urges the General Assembly to assist private providers in their efforts to deploy affordable access to high speed internet services (“Broadband”) to residents and businesses in underserved and rural areas. State assistance should include economic incentives as well as statewide budgetary and statutory policies that facilitate broadband-deployment.

1.5 Interoperability

New Kent supports the state’s goal that by 2015 public safety agencies and their representatives at the local, regional, state and federal levels will be able to communicate using compatible systems to respond more effectively during day to

day operations and major emergencies. New Kent requests the dedication of federal and state funding sources to achieve this goal.

Part II. Position/Legislation Supported By the County

- 2-1. The County supports full funding for all legislation mandated for localities by the General Assembly that has a cost associated with it. Also, in the event that funding is no longer provided by the Commonwealth at a future time the mandate would sunset and no longer be binding on the localities.
- 2-2. The County supports legislation that incentivizes regional cooperation and service delivery to promote efficiency, mitigate inequities, and overcome barriers that result from Virginia's unique local government structure.
- 2-3. New Kent opposes any legislative or regulatory moratorium on the transfer of newly constructed secondary road to VDOT for the purposes of ongoing maintenance, and opposes any legislation that would require the transfer of secondary road construction and maintenance responsibilities to counties.
- 2-4. New Kent supports any legislation which will allow Colonial Downs to maximize its potential to benefit the Commonwealth and New Kent County.
- 2-5. New Kent County supports the Virginia Association of Counties 2015 Legislative program.