

DAAAlert...to Local and State Governments



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Virginia Legislation Looks at Water Issues

Several pieces of legislation dealing with utilities concerns are presently being considered in the Virginia General Assembly. The following is a brief summary of the major issues of interest to water and sewer providers. This alert reflects the status of these bills as of January 17, 2003.

HB 2055 Suspension of water and sewer connections. Provides that a locality or a water and waste authority may suspend connections to its water and sewer systems during periods when mandatory water conservation measures have been imposed by the locality or by the Commonwealth in the area of the proposed connection.

HB 2401 Comprehensive water supply plan. Requires the State Water Control Board to develop a comprehensive state water supply plan that includes a plan for each of Virginia's major river basins, such information as the projected water need for a 25-year period, demand management and supply alternatives, conservation measures during drought and nondrought periods, and provisions for the protection of ground water, headwaters and estuaries. Local governments are to work together to develop regional watershed plans that will be part of the state plan.

SB 968 Adequate public facilities related to water supply. Provides that a subdivision ordinance may include reasonable provisions allowing the locality to determine whether public facilities related to water supply are adequate to support the services that will be required by a proposed subdivision. Prior to adopting such provisions, a locality shall clearly identify in its comprehensive plan the (i) public facilities related to water supply whose adequacy will be used in making such determination; (ii) areas of potential growth where such provisions are applicable; and (iii) existing public facilities related to water supply and public facility needs in those potential growth areas.

SB 1094 Small Water or Sewer Public Utility Act rate increases. Requires the State Corporation Commission, either upon complaint or on its own motion, to suspend a proposed change to the rates, charges, or fees charged by a small water or sewer public utility for a period not exceeding 150 days. If the rate review proceeding has not been concluded at the expiration of the suspension period, the proposed rates, tolls, charges, rules or regulations shall go into effect unless the Commission determines that it is appropriate to extend the suspension period until the proceeding has been concluded. Currently, the Commission is authorized to suspend proposed rate changes for no more than 60 days, after which they will go into effect, subject to excess funds being refunded if the rates requested are not approved.

For more information concerning these and other utilities questions please call Bill Aden (baden@daa.com) or Larado Robinson (lrobinson@daa.com) at (540) 552-0444 or Fred Pribble (fpribble@daa.com) at (804) 262-2228.

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Draper Aden Associates

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Corporate Offices: 2206 South Main Street Blacksburg, VA (540) 552-0444
Blacksburg, VA 24060 Richmond, VA (804) 264-2228
(540) 552-0444 Charlottesville, VA (434) 295-0700
Fax: (540) 552-0291 Raleigh/Durham, NC (919) 367-9997
www.daa.com daa@daa.com