

**RESOLUTION**

**SUPPORTING THE ADOPTION OF HOUSE BILL 438 REGARDING DAM SAFETY**

WHEREAS, there is currently pending in the General Assembly House Bill 438 which would provide new standards and an alternative procedure for the review and enforcement of upkeep and maintenance of dams in existence prior to July 1, 1982; and

WHEREAS, House Bill 438 directs the Soil and Water Conservation Board to develop new standards for dam safety and spillway repairs; and

WHEREAS, the new standards for spillways along with new standards for designating a dam unsafe would provide a more flexible approach of dealing with dams in existence before July 1, 1982, by requiring the consideration of downstream impacts, traffic volume on roadways, and determination of public-safety risks on a case-by-case basis; and

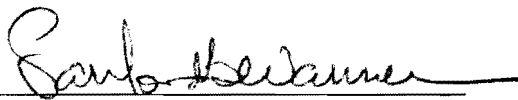
WHEREAS, House Bill 438 directs the Soil and Water Conservation Board to allow dam owners to submit alternative plans to correct deficiencies identified with dams and spillways which have been determined to be unsafe; and

WHEREAS, the citizens of James City County have experienced great difficulty and inconvenience dealing with the Department of Conservation and Recreation due to its rigid implementation of the current dam regulations without taking into account impacts on the community, the wishes of property owners, and a more realistic assessment of downstream impacts.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, expresses its support of House Bill 438 and calls upon the members of the General Assembly to approve House Bill 438 and for the Governor to sign it into law.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the James City County representatives in the General Assembly and to the Governor of the Commonwealth of Virginia.

ATTEST:

  
Sanford B. Wanner  
Clerk to the Board

James G. Kennedy	
Chairman, Board of Supervisors	
<u>SUPERVISOR</u>	<u>VOTE</u>
MCGLENNON	AYE
GOODSON	AYE
ICENHOUR	AYE
JONES	AYE
KENNEDY	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of February, 2010.