

MEMORANDUM

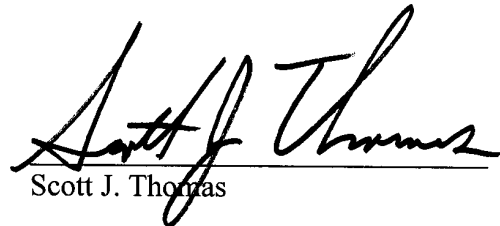
DATE: August 14, 2007
TO: The Board of Supervisors
FROM: Scott J. Thomas, Environmental Director
Leo P. Rogers, County Attorney
SUBJECT: Chesapeake Bay Preservation Ordinance Violation - Civil Charge - Robin R. Jones

Attached is a resolution for consideration involving a violation of the Chesapeake Bay Preservation Ordinance. The case involves unauthorized removal of vegetation from within the Resource Protection Area (RPA) located on the property.

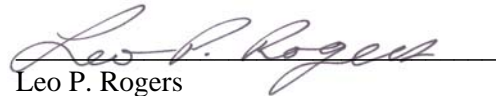
In accordance with provisions of the Ordinance, replanting of vegetation and a civil charge are proposed to remedy the RPA violation. The property owners have entered into a Chesapeake Bay Restoration Agreement with the County, submitted landscape plans, and provided surety to guarantee the implementation of the approved restoration plan to restore the impacted areas on their property.

The attached resolution presents the specific details of the violation and a recommended civil charge. Under the provisions of the Ordinance, the Board may accept a civil charge of up to \$10,000 as offered by the property owner. Staff and the property owners have agreed to the recommended civil charge of \$750 based on the Chesapeake Bay Preservation Ordinance Civil Penalty Procedures Policy adopted by the Board in August 1999. The Policy considers the water quality impact and the degree of noncompliance involved in the case. The water quality impact and the violation intent have been assessed as moderate and minor by staff.

Staff recommends adoption of the attached resolution establishing a civil charge for the RPA violation presented.



Scott J. Thomas



Leo P. Rogers

SJT/LPR/gb
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Attachments