

Administrative Code Section	Intent	Status	Comp. Plan Reference	Consultant Comments/Recommendations
9VAC25-830-170 (1)	Local governments shall establish and maintain, as appropriate, an information base from which policy choices are made about future land use and development that will protect the quality of state waters. This element of the plan should be based upon the following, as applicable to the locality:	Mandatory		
a.	The location and extent of Chesapeake Bay Preservation Areas (CBPA)	Mandatory	Included Chapter 3	Page 39 of the Plan states that the entirety of the Town is contained within the Chesapeake Bay watershed and Map 2 shows the Town's Resource Management Areas (RMA) and the Resource Protection Areas (RPA), as well as Intensely Developed Areas (IDA).

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b.	Physical constraints to development, including soil limitations	Mandatory	Included Chapter 3, Pages 28-38;	The Plan includes narrative descriptions of various features that act as development constraints, such as tidal marshlands, floodplains, and areas of highly erodible and permeable soils. The Plan also references authoritative data sources such as the FEMA Flood Insurance Rate Maps and the USDA Soil Survey, demonstrating that relevant information exists. However, the Plan does not include maps or other detailed descriptions of the specific constraints within the Town. While the Plan meets the intent of this Administrative Code requirement, recommend using illustrative graphics and maps where possible to benefit understanding. Ensure development constraint data maps include most recent data. Consider development constraints map showing constraints to development, including but not limited to floodplains, steep slopes, sensitive wildlife habitats, and RPAs/RMAs. Human-caused constraints such as conservation easements, parks, and cemeteries may also be included if desired, but are not required by this Section of the State Code.
c.	The character and location of commercial and recreational fisheries and other aquatic resources	Mandatory	Not included;	The Plan describes generally the Town's aquatic areas but does not address fish habitat, area rivers. It discusses protecting rivers and aquatic resources. Update where necessary policies and goals for protecting aquatic resources. Maps should identify the location or extent of these areas or aquatic habitats. While the Plan needs to identify and show any recreational areas, and other aquatic resources, wetlands, and waterways.

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d.	Shoreline and streambank erosion problems	Mandatory	Included Pages 41;	The Plan describes shoreline and streambank erosion problems generally, identifies three affected areas (particularly the receiving channel behind the sewage treatment plant, an area on both sides of Lakewood Road extending to Route 301 which is associated with the Maracossic Creek System, and an area near the southeast corner of the Town on Bowling Green Farm property. However, the Plan does not contain maps or site-specific delineations. While the Plan meets the intent of this Administrative Code requirement, recommend including a map to identify and clarify the extent of existing shoreline and streambank erosion problems, if recent data is available.
e.	Existing and proposed land uses	Mandatory	Included <i>Throughout</i>	The Plan describes functional components of the Town's current land use patterns. Chapter 6 indicates two prominent industrial uses that are reliant on the surrounding rivers for barge access. The Plan includes figures detailing the amount of water service connections, which provide insight into land use. The Plan mentions the Chesapeake Bay Preservation Area Overlay District, showing how local zoning integrates land use regulation with water quality protection. It further describes distinct management areas that shape future land use: RPAs, RMAs, and Intensely Developed Areas (IDAs). However, the Plan does not include a map showing current land use, nor does it include a detailed or descriptive Future Land Use Map (FLUM). Check any specific recommendation by DEQ

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f.	Catalog of existing and potential water pollution sources	Mandatory	Partial Pages 43-45	The Plan contains narrative discussion of both point and non-point pollution sources and demonstrates how the Town manages them through wastewater treatment, stormwater regulation, septic pump-outs, and the CBPA overlay. The Plan provides a general understanding of the types and mechanisms of pollution within the Town. However, the Plan does not include a table or map identifying the location and extent of specific pollution sources. Recommend including a list of any impaired waters and the causes of impairment. Recommend a map showing pollution sources including underground storage tanks and Virginia Pollutant Discharge Elimination System (VPDES) outfalls and other sources for which data is available.
g.	Public and private waterfront access areas, including the general locations of or information about docks, piers, marinas, boat ramps, and similar water access facilities	Mandatory	Not Included	The Plan needs to be updated to discuss existing private and public facilities within the Town, as well as any future plans.. Recommend including clear identification of public and private waterfront access areas in the Plan. This can be done through a table and map identifying the locations, ownership, and general descriptions of access points. Recommend verifying information and including up-to-date data.
h.	A map or map series accurately representing the above information	Mandatory	Not Included	While the Plan includes a map showing the general RPAs, no other items from this section of Administrative Code are mapped, as noted above. See lines b. through g., above, for mapping recommendations and information regarding the whole town being an RMA

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9VAC25-830-170 (2)"	Local governments shall clearly indicate local policy on land use issues relative to water quality protection based on an analysis of the data referred to in subdivision 1 of this section. Local governments shall ensure consistency among the policies developed.	Mandatory		
a.	Local governments shall discuss each component of Chesapeake Bay Preservation Areas in relation to the types of land uses considered appropriate and consistent with the goals and objectives of the Act, this chapter, and their local programs	Mandatory	Included Chapter 3; Chapter 10	The Plan includes goals and objectives for the establishment and protection of the Chesapeake Bay Preservation Areas in conjunction with the other Plan elements of land use, recreation, etc. Objectives are related to shoreline protection, protection of water quality, public education, and ensuring that land use and development consider sensitive areas. Recommend updating the Plan's goals and objectives based on updated data and public information. Further recommend strengthening the Plan's policy by bolstering implementation with additional details as part of the additional recommendations specific to the Plan's approach to implementation.
b.	As a minimum, local governments shall prepare policy statements for inclusion in the plan on the following issues, as applicable to the locality:	Mandatory		

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b(1)	Physical constraints to development, including a discussion of the relationship between soil limitations and existing and proposed land use, with an explicit discussion of soil suitability for septic tank use	Mandatory	Included Chapter 3 Chapter 9 Chapter 10	Chapters 3, 9 and 10 include goals and objectives to consider future development carefully, in relationship to the Town's soils and septic appropriateness. Recommend including all policy (objectives/strategies) in an Implementation Matrix with more details, including responsible parties, potential funding sources and partnerships, timelines or priorities, and indicators of success. New Chapter 10 as discussed.
b(2)	Protection of potable water supply, including groundwater resources and threats to the water supply or groundwater resources from existing and potential pollution sources	Mandatory	Included Chapter 3	Chapter 3 and 10 list objectives and provides discussion to protect the potable water supply. Chapter 2 also includes more general objectives to protect the Town's water supply. Recommend including all policy (objectives/strategies) in an Implementation Matrix with more details, including responsible parties, potential funding sources and partnerships, timelines or priorities, and indicators of success. New Chapter 10 as discussed

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b(3)	Relationship of land use to commercial and recreational fisheries and other aquatic resources	Mandatory	Included Chapter 3 Chapter 9 Chapter 10	The Plan includes various goals and objectives to ensure future land use and development considers aquatic resources and habitats.. Goals include reserving drain fields, implementing public education, and using RPA buffers to protect wetlands and shallow-water habitats. The Plan policy also directs the Town to promote waterfront development only where consistent with natural-resource protection, reinforcing that future land uses on the shore must not degrade aquatic resources. The 100-foot RPA buffer along streams (and associated BMPs and reforestation) is a land use requirement that preserves riparian habitat and water quality to support aquatic resources. Recommend including all policy (objectives/strategies) in an Implementation Matrix with more details, including responsible parties, potential funding sources and partnerships, timelines or priorities, and indicators of success. New Chapter 10 as discussed
b(4)	Siting of docks and piers	Mandatory	Not Included	The Plan should include details on requiring agency coordination for docks/piers, and including clear, protective siting criteria that minimize dredging, avoid shellfish areas, ensure flushing and sanitary adequacy, and protect habitats.
b(5)	Public and private access to waterfront areas and effect on water quality	Mandatory	Not Included	Chapter 3 should include policies for siting waterfront access and boating facilities as related to water quality; the Plan's policy should also include review by various appropriate entities. Chapter 2 includes additional goals and objectives for both additional water access and water quality protection.

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b(6)	Mitigation of the impacts of land use and its associated pollution upon water quality	Mandatory	Partial	Chapter 3 includes policies and goals to mitigate the impacts of pollution, including partnerships with external agencies for additional monitoring and mitigation. Ensure goals clear Suggest adding to Chapter 10 Implementation Strategies
b(7)	Shoreline and streambank erosion problems	Mandatory	Included Chapter 3	The Plan includes various policy statements and accompanying goals related to streambank and shoreline protection, including requirements for BMPs, vegetation and buffers, as well as stabilization. Suggest adding to Chapter 10 Implementation Strategies
b(8)	Potential water quality improvement through reduction of existing pollution sources and the redevelopment of Intensely Developed Areas (IDAs) and other areas targeted for redevelopment	Mandatory	Included Chapter 2 Chapter 5	Chapter 3 includes general discussion without identifying IDAs. Specific discussion and policy related to IDAs and how concentrating development in designated areas protects water quality. Includes general Plan policy to direct development to appropriate areas, away from environmental sensitivities. Suggest communicate in Chapter 10 Implementation

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c.	For each of the policy issues listed above, the plan shall contain a discussion of the scope and importance of the issue, the policy adopted by the local government for that issue, and a description of how the local policy will be implemented	Mandatory	Partial	The Plan does not provide clear discussion of the scope, importance, and policy basis for each CBPA issue included in this section of Administrative Code. The Plan needs to emphasize that the entire Town lies within the Chesapeake Bay watershed, framing water quality as a community-wide concern and linking all land use activity to Chesapeake Bay protection. The Plan identifies sensitive areas (i.e., streams, wetlands, floodplains, and erodible soils) as critical to protect, and needs more specific policies such as: maintaining 100-foot vegetated RPA buffers, discouraging development on fragile soils, expanding public sewer service to reduce septic pollution, and safeguarding shellfish waters and aquatic resources, in addition to those items discussed in Lines b(1) through b(8), above. While the Plan does include policy statements and objectives that are to be implemented, those objectives do not include additional details. Recommend including all policy (objectives/strategies) in the Implementation Matrix, Chapter 10 with more details, including responsible parties, potential funding sources and partnerships, timelines or priorities, and indicators of success.
d.	Within the policy discussion, local governments shall address the relationship between the plan, existing and proposed land use, public services, and capital improvement plans and budgets to ensure a consistent local policy	Mandatory	Partial	The Plan links for land use, public services, and capital spending needs to be clearer to its Chesapeake Bay water quality goals. Clearer integration of planning, services and infrastructure investment will demonstrate consistency across local policy instruments.

Additional Comments	Comments/Recommendations
General	All environmental data should be reviewed for necessary updates, cited, and explained clearly. Tables, charts, maps, and graphics may be used to aid in explaining and interpreting complex data.
Graphics and Maps	CBPA planning is included in Chapter 3 of the Plan. The chapter provides information to partially satisfy Administrative Code requirements, partially describes conditions and issues, and includes policy and objectives. However, to effectively inform and educate the public, the chapter would benefit from clear and attractive graphics, maps, and data charts to illustrate content and explanations written in language understandable to the average reader.
Implementation	The Plan provides various goals and objectives for implementation. However, to provide a clear path forward for implementation and strategic investment, the Plan should include in its proposed Implementation Matrix with additional information for each objective/strategy, including the responsible party, approximate cost and potential funding sources, partners, and timelines/priorities. (Proposed as Chapter 10 of Revised Plan)

Source: <https://law.lis.virginia.gov/admincode/title9/agency25/chapter830/>