

CHESAPEAKE BAY LOCAL ASSISTANCE BOARD
April 12, 1999

RESOLUTION

LOCAL PROGRAM, PHASE I
TOWN OF CAPE CHARLES - #14

Determination of Consistency - Final

WHEREAS § 10.1-2109 of the Chesapeake Bay Preservation Act states that counties, cities, and towns in Tidewater Virginia shall designate Chesapeake Bay Preservation Areas and incorporate protection of the quality of state waters in Chesapeake Bay Preservation Areas into local plans and ordinances; and,

WHEREAS § 9VAC10-20-60 of the *Chesapeake Bay Preservation Area Designation and Management Regulations* states that the elements in subsections A (a map delineating Chesapeake Bay Preservation Areas) and B (performance criteria applying in Chesapeake Bay Preservation Areas) shall be adopted by local governments no later than November 15, 1991; and,

WHEREAS the Town of Cape Charles adopted a local program to comply with § 9VAC10-20-60 A and B on September 11, 1990; and,

WHEREAS the Town of Cape Charles' adopted program was reviewed by the Board on February 5, 1991, and on September 21, 1995 at which time it was found to be consistent with § 10.1-2109 of the Act and §9VAC10-20-60 A and B of the Regulations subject to one condition; and,

WHEREAS the Town Cape Charles' adopted program, as amended, has been reviewed by the Department, which recommended a finding by the Local Program Review Committee for the Southern Area that the Town's Phase I Program should be deemed consistent with § 10.1-2109 of the Act and 9VAC10-20-69 A and B of the Regulations; and,

WHEREAS the Local Program Review Committee for the Southern Area considered and evaluated the information contained in the staff report for its meeting of March 3, 1999, along with testimony by CBLAD staff and the Town, and made its recommendation to the Board; and,

WHEREAS after considering and evaluating the information presented on this date, the Board agrees with the recommendation made by the Local Program Review Committee for the Southern Area; now,

THEREFORE BE IT RESOLVED that the Chesapeake Bay Local Assistance Board finds that the Town of Cape Charles' Phase I Program, as amended on February 26, 1999, is determined to be Consistent with §10.1-2109 of the Act and §9VAC10-20-60 A and B of the Regulations.