

Chesapeake Bay Local Assistance Board's
Regulatory Committee Meeting – October 29, 2002
101 N. 14th Street, 17th Fl., Conference Rm.
Richmond, Virginia 23219

Committee Members Present

The Honorable Frank L. Benser
The Honorable Donald W. Davis

Committee Members Absent

The Honorable Stuart Mendelsohn

Also Present

The Honorable Colin D. Cowling

Staff Present

C. Scott Crafton, Acting Executive Director
Martha Little, Chief of Environmental Planning
David Kovacs, Principal Environmental Planner
Carolyn Elliott, Administrative Assistant

Mr. Benser called the meeting of the Regulatory Committee to order at 1:00 p.m. He noted that two of the three members of the Committee were present therefore there was quorum.

Mr. Benser recognized Mr. David Kovacs for staff's presentation regarding the period review of Public Participation Guidelines

Mr. Kovacs explained that the periodic review of the Public Participation Guidelines is a process that is incumbent upon the agency to go through. Mr. Kovacs went on to explain that Form TH-05 printed from the Virginia Regulatory Town Hall web site contained no substantive changes, however, it was required by law to update it periodically and submit it for publication.

Mr. Crafton stated that until recently, each agency is required to have Public Participation Guidelines as a regulation. He said that Governor Warner was reviewing this practice in an effort to have Public Participation Guidelines changed from a regulation to a guideline status and, thus, reduce administrative oversight and paperwork.

Mr. Benser called for a motion to accept the report and Form TH-05 and submit it to the Virginia Regulatory Town Hall site for publication.

Mr. Davis motioned. Mr. Benser seconded. All members voted aye.

Mr. Kovacs went on to review Form TH-09 a final action-exempt agency background report on changes to 9VAC 10-10. He specifically noted changes on Page 2 that continued to Page 3. Mr. Kovacs also noted a change on Page 6.

Mr. Crafton indicated that the agency's counsel, Roger Chaffe (present at the meeting), had indicated that CBLAD has the authority to take this action and the action is consistent with procedural requirements.

Mr. Benser called for a motion.

Mr. Davis motioned to recommend to the full Board that they amend 9VAC10-10 as an exempt action and that this action be brought before the Board at its December 9, 2002 meeting.

Mr. Benser seconded the motion.

Mr. Benser called for further discussion. There was none.

Mr. Benser called for the vote. All members voted aye.

Mr. Benser called for a motion to adjourn the meeting. Mr. Davis motioned. The meeting was adjourned at 1:20 p.m.