



February 3, 2010

Mr. Russ Baxter
Acting Director
Department of Conservation & Recreation
203 Governor Street, Suite 302
Richmond, Virginia 23219

Regarding: Regulatory Action to Establish Water Quality Design Criteria for New Development (4VAC50-60)

The Virginia Soil & Water Conservation Board has shown a determination to use the best available science during the recent revision to post-construction stormwater regulations. With the Board's December 2009 decision to initiate a new regulatory effort to base the water quality criteria on the latest modeling data from EPA, they continue to demonstrate a commitment to establishing rules on the strongest scientific basis.

Potomac Conservancy requests the Board and DCR initiate this regulatory action without delay, laying the groundwork now with the creation of a balanced Regulatory Advisory Panel, and designing a process for incorporating the best science into this regulation. The outcome of this rulemaking will help ensure that future economic growth within the Commonwealth does not negatively impact our waterways and water resources.

Thank you for the opportunity to comment on this regulatory action.

Sincerely,

A handwritten signature in black ink that reads "Patrick Felling".

Patrick Felling
Virginia Policy Director