

---

# **—ALERT—**

## **Capitol Contact**

Wednesday, January 29, 2025

# **Capitol Contact ALERT**

## **VACo Opposes Bill that Imposes Strict Limitations on Providing Drinking Water**

**[SB 923 \(Stuart\)](#)**, as substituted and amended, would prohibit the Department of Environmental Quality (DEQ) from issuing a Virginia Water Protection Permit for a surface water withdrawal if more than 6 million gallons of water per day would be returned to a different river basin.

SB 923 imposes strict limitations on the ability of water utilities to provide drinking water to citizens now and in the future.

**ACTION REQUIRED:** Contact Members of the **[Senate Finance and Appropriations Committee](#)** to oppose SB 923.

While the substituted version of the bill changes the threshold of water needed to be returned to a different river basin, inter-basin transfers of water should be conducted on a case-by-case review. It is very difficult to ascertain the amount of water discharged to a different river basin, especially for facilities that are currently under construction or expansion, and the possibility of an outright ban is not the solution for Virginia's counties moving forward.

## **KEY POINTS**

- Inter-basin transfers of water have proven to be beneficial in using surplus water to meet drinking needs in Virginia. Efforts to supply water needs are not necessarily confined by the boundaries of river basins.
- The bill would ban all inter-basin water transfers meeting the threshold and harm counties that engage in regional water planning now and in the future and by doing so, limit the development and growth goals of counties.
- If this legislation were to pass, counties that plan to or are expanding their drinking water facilities could see their facility's construction delayed or postponed.
- Six million gallons of water is an arbitrary figure that could have wide ranging impacts, we currently do not know what planned surface water withdrawals across the Commonwealth will release this amount of water to a different river basin.
- DEQ's existing regulation (9VAC25-340 B 5) requires a case-by-case technical review that provides sufficient regulatory guardrails to protect the source water. As part of DEQ's expert review in making permitting decisions, for both the source basin and the receiving basin, the DEQ considers all the facts of how the proposed transfer will positively or negatively affect instream and offstream beneficial uses.
- As water supplies get tighter in the future, it would be wise for the Commonwealth to retain the option, rather than prohibit it.

## **KEY CONTACTS**

- [Senate Finance and Appropriations Committee](#)

VACo Contact: [James Hutzler](#)