

Department of Planning and Budget 2001 Fiscal Impact Statement

1. Bill Number SB1247

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron Watkins

3. Committee Communicated to House

4. Title Regulation of land-disturbing activity

5. Summary/Purpose: This bill requires those who engage in land-disturbing activities requiring an approved erosion and sediment control plan to have an individual holding a certificate of competence issued by the Virginia Soil and Water Conservation Board be identified as in charge of and responsible for carrying out the land-disturbing activity. The engrossed bill differs from the introduced bill in that it drops the requirement to have supervision on site when land-disturbing activity occurs.

6. Fiscal Impact Estimates: See Item 8.

7. Budget amendment necessary: Yes, Item 409.

8. Fiscal implications: Section 10.1-561 F of the Code of Virginia directs the Department of Conservation and Recreation (DCR) to administer an education and training program and authorizes the agency to charge reasonable fees to cover the costs of administering the program. Currently, there are approximately 1,500 persons holding an inspector certification. For this level of effort DCR has one position fully dedicated to the training and certification program.

The Department of Professional and Occupational Regulation identifies over 47,000 Class A, B, and C contractors. DCR does not, however, know what portion of these contractors would require certification.

According to DCR, even though on site supervision will not be required, the department estimates that in order to maintain a certification/tracking/renewal program, it will require six additional positions. The cost of a three-year certification would range from \$25 to \$50 depending on the number of contractors/employees requiring certification. In FYs 2002 and 2003, DCR will require \$438,000 and \$378,000, respectively, to administer this program. This estimate does not include the cost of the training. That would be provided through private vendors at an estimated cost of between \$50 and \$65 for the one-day training session. These two costs together would put the cost of initial certification at between \$75 and \$115. Initial certification could be received without taking the training if the individual can pass the DCR prepared exam. Recertification would not require additional training or the administering of an examination.

9. Specific agency or political subdivisions affected: The Department of Conservation and Recreation, Soil and Water Conservation Districts, and all local governments operating an approved erosion and sediment control program.

10. Technical amendment necessary: No

11. Other comments: DCR estimates there are more than 25,000 land disturbance activities annually that would be affected by this proposed change to the law. Most of these activities would be currently conducted without a certified person on site and would only be routinely inspected by certified personnel.

Date: 2/2/01 / djy

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cc: Secretary of Natural Resources

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