

Department of Planning and Budget

2002 Fiscal Impact Statement

1. **Bill Number:** SB617

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. **Patron:** Deeds

3. **Committee:** Agriculture, Conservation and Natural Resources

4. **Title:** Erosion and sediment control law; certificate of competence

5. **Summary/Purpose:** This bill would grant plan -approving authorities the option to waive the certificate of competence requirement for land -disturbing activity for agreements in lieu of a plan. Currently, all plan -approving authorities must require that the name of an individual, who holds a certificate of competence and who will be in charge of and responsible for carrying out the land -disturbing activity, be provided for both erosion and sediment control plans and agreements in lieu of a plan. An agreement in lieu of a plan is a contract between the plan -approving authority and the landowner, used for ensuring proper implementation of conservation measures during construction of a single -family residence.

6. **Fiscal Impact:** See Item 8.

7. **Budget amendment necessary:** No

8. **Fiscal implications:** Over 2,500 individuals have already paid a \$75 fee, obtained the required knowledge, and have been certified in order to operate as Responsible Land Disturbers for a three -year period throughout the entire Commonwealth of Virginia. This bill would grant plan -approving authorities the option to waive the requirement for the certificate of competence, this could reduce the value of each certificate holders' investment in time and money. As a result, current certificate holders may request reimbursement for the ir costs and this would not be possible since funds generated have been used to develop and support the program. This could also reduce the number of certificate holders and could inhibit the Department of Conservation and Recreation's (DCR) ability to maintain the current user -friendly, web -based system into the future. Currently, DCR has two positions administering the program. This bill will have an unknown fiscal impact by potentially reducing the number of regulators.

9. **Specific agency or political subdivisions affected:** Department of Conservation and Recreation

10. **Technical amendment necessary:** None

11. **Other comments:** None

Date: 2/1/02/djy

Document: G:\02-04 Budget \Legislation\2002 Session\DCR\SB617.Doc