

VIRGINIA ACTS OF ASSEMBLY -- 2004 SESSION

CHAPTER 474

An Act to amend and reenact § 10.1-104.1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 10.1-546.1, relating to soil and water conservation districts nonpoint source pollution activities.

[H 1271]

Approved April 12, 2004

Be it enacted by the General Assembly of Virginia:

1. That § 10.1-104.1 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding a section numbered 10.1-546.1 as follows:

§ 10.1-104.1. Department to be lead agency for nonpoint source pollution program.

A. The Department, with the advice of the Board of Conservation and Recreation and the Virginia Soil and Water Conservation Board and in cooperation with other agencies, organizations, and the public as appropriate, shall have the lead responsibility for the Commonwealth's nonpoint source pollution management program. This responsibility includes coordination of the nonpoint source control elements of programs developed pursuant to certain state and federal laws including § 319 of the Clean Water Act and § 6217 of the Coastal Zone Management Act. Further responsibilities include, but are not limited to, the distribution of assigned funds, the identification and establishment of priorities of nonpoint source related water quality problems, and the administration of the Statewide Nonpoint Source Advisory Committee.

B. *The Department shall be assisted in performing its nonpoint source pollution management responsibilities by Virginia's soil and water conservation districts. Assistance by the soil and water conservation districts in the delivery of local programs and services may include (i) the provision of technical assistance to advance adoption of conservation management services, (ii) delivery of educational initiatives targeted at youth and adult groups to further awareness and understanding of water quality issues and solutions, and (iii) promotion of incentives to encourage voluntary actions by landowners and land managers in order to minimize nonpoint source pollution contributions to state waters.*

The provisions of this section shall not limit the powers and duties of other state agencies.

§ 10.1-546.1. *Delivery of Agricultural Best Management Practices Cost-Share Assistance Program.*

Districts shall locally deliver the Commonwealth's Agricultural Best Management Practices Cost-Share Assistance Program, under the direction of the Department, as a means of promoting voluntary adoption of conservation management practices by farmers and land managers in support of the Department's nonpoint source pollution management program.