

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding in Article 1 of Chapter 1 of Title 10.1 a section*  
3 *numbered 10.1-104.4, relating to nutrient management plans for state-owned lands.*

4 [H 1790]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding in Article 1 of Chapter 1 of Title 10.1 a**  
8 **section numbered 10.1-104.4 as follows:**

9 *§ 10.1-104.4. Nutrient management plans required for state lands; review of plans.*

10 *A. On or before July 1, 2006, all state agencies, state colleges and universities, and other state*  
11 *governmental entities that own land upon which fertilizer, manure, sewage sludge or other compounds*  
12 *containing nitrogen or phosphorous are applied to support agricultural, turf, plant growth, or other uses*  
13 *shall develop and implement a nutrient management plan for such land. The plan shall be in*  
14 *conformance with the following nutrient management requirements:*

15 *1. For all state-owned agricultural and forestal lands where nutrient applications occur, state*  
16 *agencies, state colleges and universities, and other state governmental entities shall submit site-specific*  
17 *individual nutrient management plans prepared by a certified nutrient management planner pursuant to*  
18 *§ 10.1-104.2 and regulations promulgated thereunder. However, where state agencies are conducting*  
19 *research involving nutrient application rate and timing on state-owned agricultural and forestal lands,*  
20 *such lands shall be exempt from the application rate and timing provisions contained in the regulations*  
21 *developed pursuant to § 10.1-104.2.*

22 *2. For all state-owned lands other than agricultural and forestal lands where nutrient applications*  
23 *occur, state agencies, state colleges and universities, and other state governmental entities shall submit*  
24 *nutrient management plans prepared by a certified nutrient management planner pursuant to*  
25 *§ 10.1-104.2 and regulations promulgated thereunder or planning standards and specifications*  
26 *acceptable to the Department.*

27 *B. Plans or planning standards and specifications submitted under subdivisions A 1 and A 2 shall be*  
28 *reviewed and approved by the Department. Such approved plans and planning standards and*  
29 *specifications shall be in effect for a maximum of three years, and shall be revised and submitted for*  
30 *approval to the Department at least once every three years thereafter.*

31 *C. State agencies, state colleges and universities, and other state governmental entities shall maintain*  
32 *and properly implement any such nutrient management plan or planning standards or specifications on*  
33 *all areas where nutrients are applied.*

34 *D. The Department may (i) provide technical assistance and training on the development and*  
35 *implementation of a nutrient management plan, (ii) conduct periodic reviews as part of its*  
36 *responsibilities authorized under this section, and (iii) assess an administrative charge to cover a*  
37 *portion of the costs for services associated with its responsibilities authorized under this section.*

38 *E. The Department shall develop written procedures for the development, submission, and the*  
39 *implementation of a nutrient management plan or planning standards and specifications that shall be*  
40 *provided to all state agencies, state colleges and universities, and other state governmental entities that*  
41 *own land upon which nutrients are applied.*  
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