

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 10.1-1188 of the Code of Virginia, relating to environmental impact*
3 *reports for major state projects.*

4 [S 43]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 10.1-1188 of the Code of Virginia is amended and reenacted as follows:**

8 § 10.1-1188. State agencies to submit environmental impact reports on major projects.

9 A. All state agencies, boards, authorities and commissions or any branch of the state government
10 shall prepare and submit an environmental impact report to the Department on each major state project.11 "Major state project" means the acquisition of an interest in land for any state facility construction,
12 or the construction of any facility or expansion of an existing facility which is hereafter undertaken by
13 any state agency, board, commission, authority or any branch of state government, including
14 state-supported institutions of higher learning, which costs \$100,000 or more. For the purposes of this
15 chapter, authority shall not include any industrial development authority created pursuant to the
16 provisions of Chapter 49 (§ 15.2-4900 et seq.) of Title 15.2 or Chapter 643, as amended, of the 1964
17 Acts of Assembly. Nor shall authority include any housing development or redevelopment authority
18 established pursuant to state law. For the purposes of this chapter, branch of state government shall
19 apply to any county, city or town of the Commonwealth only in connection with highway construction,
20 reconstruction, or improvement projects affecting highways or roads undertaken by the county, city, or
21 town *on projects estimated to cost more than \$1 million.*

22 Such environmental impact report shall include, but not be limited to, the following:

23 1. The environmental impact of the major state project, including the impact on wildlife habitat;

24 2. Any adverse environmental effects which cannot be avoided if the major state project is
25 undertaken;

26 3. Measures proposed to minimize the impact of the major state project;

27 4. Any alternatives to the proposed construction; and

28 5. Any irreversible environmental changes which would be involved in the major state project.

29 For the purposes of subdivision 4 of this subsection, the report shall contain all alternatives
30 considered and the reasons why the alternatives were rejected. If a report does not set forth alternatives,
31 it shall state why alternatives were not considered.32 B. For purposes of this chapter, this subsection shall only apply to the review of highway and road
33 construction projects or any part thereof. The Secretaries of Transportation and Natural Resources shall
34 jointly establish procedures for review and comment by state natural and historic resource agencies of
35 highway and road construction projects. Such procedures shall provide for review and comment on
36 appropriate projects and categories of projects to address the environmental impact of the project, any
37 adverse environmental effects which cannot be avoided if the project is undertaken, the measures
38 proposed to minimize the impact of the project, any alternatives to the proposed construction, and any
39 irreversible environmental changes which would be involved in the project.

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