

## **Department of Planning and Budget 2009 Fiscal Impact Statement**

**1. Bill Number:** HB1991

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

**2. Patron:** Bulova

**3. Committee:** Passed both Houses

**4. Title:** Establishment of stormwater programs by localities

**5. Summary:** The bill extends the period of time that localities have to adopt a local stormwater management program. Currently, localities are required to adopt a program no sooner than 12 months and no later than 18 months after state regulations have become effective. This bill would extend the time for adoption to no sooner than 15 months and no later than 21 months. The Virginia Soil and Water Conservation Board can grant an extension to a locality of an additional 12 months if the Department of Conservation and Recreation finds that such an extension is warranted, provided that the locality has made substantive progress. A locality may adopt a program earlier than the minimum time frame with the consent of the Board. The second enactment clause requires that the regulation that establishes local program criteria and delegation procedures not become effective until after July 1, 2010.

**6. Fiscal Impact Estimates:** The bill does not have a fiscal impact. See item 8.

**7. Budget Amendment Necessary:** No.

**8. Fiscal Implications:** The stormwater management program at the Department of Conservation and Recreation is adequately funded to provide the necessary assistance with program development to localities. The flexibility provided by extending the timeframe for implementation may make the workload more manageable.

Each locality that is required to adopt a stormwater management program, as well as the Department of Conservation and Recreation for the local programs that the department may have to administer, will need an appropriate budget to finance the administration of the program, after July 1, 2010. The increased implementation time will help ensure that a sound fiscal approach to the program (based on projected fee revenue) is in place to support the program.

**9. Specific Agency or Political Subdivisions Affected:** Department of Conservation and Recreation, Soil and Water Conservation Board, localities.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** The second enactment clause requires that the regulation that establishes local program criteria and delegation procedures not become effective until after July 1, 2010.

**Date:** 2/16/2009 dpbkbs

**Document:** G:\09 FIS\DCR\HB1991er.doc

cc: Secretary of Natural Resources