

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 62.1-229.3 of the Code of Virginia and to amend the Code of Virginia*
3 *by adding a section numbered 62.1-229.4, relating to the Virginia Water Facilities Revolving Fund.*

4 [H 1221]

5 Approved

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

7 **1. That § 62.1-229.3 of the Code of Virginia is amended and reenacted and that the Code of**
8 **Virginia is amended by adding a section numbered 62.1-229.4 as follows:**

9 § 62.1-229.3. Loans for land conservation.

10 Loans may be made from the Fund, in the Board's discretion, to a local government or a holder as
11 defined in § 10.1-1009 for acquiring fee simple title to or a permanent conservation or open-space
12 easement in real property upon the local government or holder establishing to the satisfaction of the
13 Board that the acquisition will (i) protect or improve water quality and prevent the pollution of state
14 waters, and (ii) protect the natural or open-space values of the property or assure its availability for
15 agricultural, forestal, recreational, or open-space use. The Board shall consult with the Department of
16 Conservation and Recreation in making a determination on whether the acquisition will meet the above
17 requirements. ~~Loans~~ Unless otherwise required by law, loans for land acquisition may be made only in
18 fiscal years in which all loan requests from local governments for eligible projects as defined in
19 § 62.1-224 have first been satisfied. The Board shall develop guidelines for the administration of such
20 loans.

21 § 62.1-229.4. Loans for stormwater runoff control best management practices.

22 Loans may be made from the Fund, in the Board's discretion, to a local government for the purpose
23 of constructing facilities or structures or implementing other best management practices that reduce or
24 prevent pollution of state waters caused by stormwater runoff from impervious surfaces. The Board, in
25 consultation with the Department of Conservation and Recreation, shall develop guidelines for the
26 administration of such loans and shall determine the terms and conditions of any loan from the Fund.
27 Unless otherwise required by law, loans for such facilities, structures, and other best management
28 practices may be made only when loan requests for eligible wastewater treatment facilities designed to
29 meet the water quality standards established pursuant to § 62.1-44.15 have first been satisfied. The
30 Board shall give priority (i) first to local governments that have adopted a stormwater control program
31 in accordance with § 15.2-2114, (ii) second to projects designed to reduce or prevent a pollutant in a
32 water body where the water body is in violation of water quality standards established pursuant to
33 § 62.1-44.15, (iii) third to local governments subject to an MS4 discharge permit in accordance with
34 § 10.1-603.2:2, (iv) fourth to local governments that have adopted a stormwater management program
35 in accordance with Article 1.1 (§ 10.1-603.1 et seq.) of Chapter 6 of Title 10.1, and (v) fifth to all
36 others.

ENROLLED

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