

Department of Planning and Budget 2010 Fiscal Impact Statement

1. Bill Number: SB276

House of Origin ☐ Introduced ☐ Substitute ☒ Engrossed
Second House ☒ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Houck

3. Committee: Agriculture, Chesapeake and Natural Resources

4. Title: Dam safety.

5. Summary: This bill allows those dams that do not comply with dam safety regulations to continue to operate so long as the owner of the dam has adopted a dam safety emergency action plan. These dams could continue to operate without correcting any deficiencies as long as funding is not available through the Dam Safety, Flood Prevention and Protection Assistance Fund. Once such funding is available the dams will have to comply with all of the dam safety regulations.

6. Fiscal Impact Estimates: Indeterminate.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: This bill, including amendments, allows the Soil and Water Conservation Board to issue conditional operation and maintenance certificates on existing dams, so long as the owner of the dam has a dam safety emergency action plan. Although dam owners are held liable for any damage resulting from a break in their structure, inasmuch as the state is an owner of a dam, this bill may result in a cost to the state.

In addition, this bill does not define “adequate funding,” and it is uncertain what level of funding would need to be provided for to meet this standard. Currently, \$600,000 from the general fund is deposited each year to the Dam Safety, Flood Prevention and Protection Assistance Fund, which is managed by the Virginia Resources Authority, in cooperation with the Department of Conservation and Recreation. Should this bill require that additional funding be deposited to the Dam Safety, Flood Prevention and Protection Assistance Fund, this may create a general fund obligation.

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: None.

Date: 2/8/2010 dpbaek

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