

14102322D

HOUSE BILL NO. 1006

Offered January 8, 2014

Prefiled January 8, 2014

A *BILL directing the Department of Conservation and Recreation to utilize a storm-based approach in updating the Probable Maximum Precipitation (PMP) for locations within or affecting the Commonwealth.*

Patrons—Byron, Austin and Garrett; Senator: Stuart

Referred to Committee on Agriculture, Chesapeake and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Department of Conservation and Recreation, on behalf of the Virginia Soil and Water Conservation Board, shall utilize a storm-based approach in order to derive the Probable Maximum Precipitation (PMP) for locations within or affecting the Commonwealth. The PMP revisions shall be based on accepted storm evaluation techniques and take into account such factors as basin characteristics that affect the occurrence and location of storms and precipitation, regional and basin terrain influences, available atmospheric moisture, and seasonality of storm types. The results shall be considered by the Virginia Soil and Water Conservation Board in its decision to authorize the use of the updated PMP values in Probable Maximum Flood calculations, thus replacing the current PMP values. Such PMP revisions shall be adopted by the Board if it finds that the analysis is valid and reliable and will result in significant cost savings to owners for impoundment structure spillway construction or remediation efforts.*

§ 2. The development of the methodology shall be completed by January 1, 2015.

§ 3. Owners of impoundment structures regulated under Virginia's Impounding Structure Regulations (4VAC50-20) may apply for a provisional license from the Department of Conservation and Recreation that shall allow impoundment structures to continue to function with no upgrades until the storm-based analysis required under § 1 has been completed. After the new PMP values are adopted, the impoundment structures shall be reevaluated to determine if remediation efforts are required.

2. That the provisions of this act shall not become effective unless an appropriation effectuating the purposes of this act is included in a general appropriation act passed during the 2014 Regular Session of the General Assembly that becomes law.

INTRODUCED

HB1006