

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 An Act directing the Department of Conservation and Recreation to utilize a storm-based approach in  
3 updating the Probable Maximum Precipitation (PMP) for locations within or affecting the  
4 Commonwealth.

5 [H 1006]

6 Approved

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

8 1. § 1. That the Department of Conservation and Recreation, on behalf of the Virginia Soil and Water  
9 Conservation Board, shall utilize a storm-based approach in order to derive the Probable Maximum  
10 Precipitation (PMP) for locations within or affecting the Commonwealth. The PMP revisions shall be  
11 based on accepted storm evaluation techniques and take into account such factors as basin  
12 characteristics that affect the occurrence and location of storms and precipitation, regional and basin  
13 terrain influences, available atmospheric moisture, and seasonality of storm types. The results shall be  
14 considered by the Virginia Soil and Water Conservation Board in its decision to authorize the use of the  
15 updated PMP values in Probable Maximum Flood calculations, thus replacing the current PMP values.  
16 Such PMP revisions shall be adopted by the Board if it finds that the analysis is valid and reliable and  
17 will result in cost savings to owners for impounding structure spillway construction or rehabilitation  
18 efforts.

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

20 § 3. Owners of impounding structures with spillway design inadequacies who maintain coverage  
21 under a Conditional Operation and Maintenance Certificate in accordance with the Board's Impounding  
22 Structure Regulations (4VAC50-20) shall not be required to rehabilitate the spillway of their impounding  
23 structure until the analysis required under § 1 has been completed and reviewed by the Virginia Soil  
24 and Water Conservation Board. Such owners shall remain subject to all other requirements of the Dam  
25 Safety Act (§ 10.1-604 et seq.) and regulations.

26 2. That in addition to other sums made available, the Department of Conservation and Recreation  
27 is authorized to utilize up to \$500,000 in unobligated balances in the Dam Safety, Flood Prevention  
28 and Protection Assistance Fund established pursuant to § 10.1-603.17 of the Code of Virginia or  
29 the Dam Safety Administrative Fund established pursuant to § 10.1-613.5 of the Code of Virginia  
30 to contract out for the analysis required under § 1.

31 3. That an emergency exists and this act is in force from its passage.

ENROLLED

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