

Department of Planning and Budget 2014 Fiscal Impact Statement

1. **Bill Number:** HB1006

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

2. **Patron:** Byron

3. **Committee:** Agriculture, Chesapeake and Natural Resources

4. **Title:** Update of the Probably Maximum Precipitation level.

5. **Summary:** Directs the Department of Conservation and Recreation to utilize a storm-based approach in order to derive the Probable Maximum Precipitation (PMP) level for locations in the Commonwealth. By updating the PMP, it is anticipated that dam owners will have significant cost savings in spillway construction and remediation efforts. The bill contains a contingency clause indicating that it will not take effect unless funding is available to carry out the purpose of this legislation. The bill also allows owners of impoundment structures regulated under Virginia's Impounding Structure Regulations (4VAC50-20) to 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 has been completed.

6. **Budget Amendment Necessary:** Yes, Item 357 (HB30/SB30)

7. **Fiscal Impact Estimates:** Preliminary, see Item 8.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2014	\$0	N/A	-
2015	\$323,333	N/A	GF
2016	\$161,667	N/A	GF
2017	\$0	N/A	-
2018	\$0	N/A	-
2019	\$0	N/A	-
2020	\$0	N/A	-

8. **Fiscal Implications:** According to the Department of Conservation and Recreation, the estimated cost of the study is about \$485,000, and is anticipated to take about eighteen months to complete. Given this, general fund support for the study is spread between FY 2015 and FY 2016.

The Department anticipates employing a contractor to analyze and update the Probable Maximum Precipitation (PMP) for locations and watersheds within or effecting the

Commonwealth in order to provide more accurate information upon which an impounding structure owner's or operator's spillway construction or remediation design is based. More recent storms can be analyzed and new analytical methods used to determine new site-specific or regionalized PMP levels across the state. The Existing National Weather Service PMP studies were completed over 30 years ago.

The bill provides that unless funding for its implementation is included in the general appropriation act passed during the 2014 Regular Session (HB30/SB30), then the bill will not become effective.

9. Specific Agency or Political Subdivisions Affected: The Department of Conservation and Recreation and dam owners.

10. Technical Amendment Necessary: No.

11. Other Comments: The bill allows owners of impoundment structures regulated under Virginia's Impounding Structure Regulations (4VAC50-20) to apply for a provisional license that will allow impoundment structures to continue to function with no upgrades until the storm-based analysis has been completed. However, the existing Impoundment Structure Regulations, 4VAC50-20-150, already allow for extensions on a case-by-case basis, without establishing a provisional license.

Date: 01/14/2014
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cc: Secretary of Natural Resources