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HOUSE BILL NO. 318

Offered January 13, 2016

Prefiled January 5, 2016

A BILL to amend and reenact § 10.1-505 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 10.1-104.2:2, relating to allowable phosphorous levels in nutrient management plans.

Patron—Lingamfelter

Referred to Committee on Agriculture, Chesapeake and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That § 10.1-505 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 10.1-104.2:2 as follows:

§ 10.1-104.2:2. Phosphorous application rates; regulations.

The Virginia Soil and Water Conservation Board shall adopt regulations establishing a standard for the acceptable rate of phosphorus application to lands from the use of fertilizer, animal manure, poultry waste, sewage sludge, and industrial sludge to protect water quality. Such a standard shall be incorporated into nutrient management plans. In developing such a standard, the Department, in consultation with the Department of Environmental Quality and Virginia Polytechnic Institute and State University, shall (i) review phosphorus application rates, the land application of animal manure and poultry waste, soil nutrient retention capacity, and water quality degradation and (ii) evaluate the movement of phosphorus to ground and surface waters, soil phosphorus saturation, subsurface drainage, and other phosphorus management considerations, as appropriate.

§ 10.1-505. Duties of Board.

In addition to other duties and powers conferred upon the Board, it shall have the following duties and powers:

1. To give or loan appropriate financial and other assistance to district directors in carrying out any of their powers and programs.

2. To keep district directors informed of the activities and experience of all other districts, and to facilitate an interchange of advice and experience between the districts.

3. To oversee the programs of the districts.

4. To secure the cooperation and assistance of the United States and any of its agencies, and of agencies of the Commonwealth, in the work of the districts.

5. To disseminate information throughout the Commonwealth concerning the activities and programs of the districts, and to encourage the formation of such districts in areas where their organization is desirable.

6. To assist persons, associations, and corporations engaged in furthering the programs of the districts; to encourage and assist in the establishment and operation of such associations and corporations, and to authorize financial assistance to the officers and members of such associations and corporations in the discharge of their duties.

7. To receive, review, approve or disapprove applications for assistance in planning and carrying out works of improvement under the Watershed Protection and Flood Prevention Act (Public Law 566 — 83rd Congress, as amended), and to receive, review and approve or disapprove applications for any other similar soil and water conservation programs provided in federal laws which by their terms or by related executive orders require such action by a state agency.

8. To advise and recommend to the Governor approval or disapproval of all work plans developed under Public Law 83-566 and Public Law 78-535 and to advise and recommend to the Governor approval or disapproval of other similar soil and water conservation programs provided in federal laws which by their terms or by related executive orders require approval or comment by the Governor.

9. To provide for the conservation of soil and water resources, control and prevention of soil erosion, flood water and sediment damages thereby preserving the natural resources of the Commonwealth.

10. To adopt regulations (i) for the operation of the voluntary nutrient management training and certification program as required by § 10.1-104.1 and (ii) that amend the application rates in the Virginia Nutrient Management Standards and Criteria as required by §§ 10.1-104.2:1 and 10.1-104.2:2.

11. To provide, from such funds appropriated for districts, financial assistance for the administrative, operational and technical support of districts.

INTRODUCED

HB318