

## Department of Planning and Budget 2017 Fiscal Impact Statement

**1. Bill Number:** SB1145

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

**2. Patron:** DeSteph

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

**4. Title:** Riparian planting grounds lease; eligibility.

**5. Summary:** Reduces from 205 feet to 105 feet the minimum low-water shore front that makes the land owner eligible to apply for riparian planting grounds assignment by the Commissioner of the Marine Resources Commission. The provisions of the bill will not become effective unless an appropriation effectuating the purposes of the bill is included in a general appropriation act passed in 2017 by the General Assembly that becomes law.

**6. Budget Amendment Necessary:** Yes, Item 379 (HB1500/SB900). See Item 8 below.

**7. Fiscal Impact Estimates:** Preliminary. See Item 8 below.

**7a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2017	\$0	0	N/A
2018	\$138,000	1	GF
2019	\$98,000	1	GF
2020	\$98,000	1	GF
2021	\$98,000	1	GF
2022	\$98,000	1	GF
2023	\$98,000	1	GF

**8. Fiscal Implications:** The Marine Resources Commission (MRC) anticipates at least a 50 percent increase in riparian applications and associated work load from this bill. The increase is based on individual waterfront property owners who own less than the 205 feet of frontage now necessary to make them eligible for a riparian oyster ground lease. MRC's Engineering and Surveying Department is responsible for surveying and mapping subaqueous ground for public and private shellfish cultivation, leasing private shellfish grounds, and maintaining oyster ground lease records. The Engineering and Surveying Department does not have the resources to absorb the additional workload resulting from this bill with existing staff levels and will need an additional full-time surveyor. Without another agency surveyor, the processing of all riparian and oyster ground leases would be delayed by many months.

MRC considered the use of private surveyors for this bill. Surveying on the water and near the water is quite different from land surveying. There is a steep learning curve for private

surveyors which would require time and instruction from MRC surveying staff. There are only two or three private survey firms in the Commonwealth that are comfortable doing surveys of riparian leases, oyster ground leases, etc. Even if private surveyors take on some of the work resulting from this bill, MRC surveying staff must review the private survey work before leases can be assigned.

Annual costs for the surveyor position are estimated at \$98,000 including \$60,000 in annual salary, \$25,000 in fringe benefits, \$8,000 for a vehicle from the State's Fleet Management, and \$5,000 a year for phone, rent, supplies, etc. There is a one-time cost of \$40,000 in the first year for GPS surveying equipment (\$15,000); boat, motor and trailer (\$20,000); and, computer, desk, chair, etc. (\$5,000).

This bill also provides that its provisions shall not become effective unless an appropriation effectuating its purposes is included in a general appropriation act passed by the 2017 General Assembly.

**9. Specific Agency or Political Subdivisions Affected:** Marine Resources Commission.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** HB2298 also reduces from 205 feet to 105 feet the minimum low-water shore front that makes the land owner eligible to apply for riparian planting grounds assignment by the Commissioner of the Marine Resources Commission.