

## Department of Planning and Budget 2018 Fiscal Impact Statement

**1. Bill Number:** SB950

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

**2. Patron:**    Hanger

**3. Committee:** Finance

**4. Title:**    Pipeline construction; upland impacts; supplemental review.

**5. Summary:** This measure requires the Department of Environmental Quality (DEQ) to determine whether any activity associated with a federally regulated natural gas pipeline project will occur in an upland area or other sensitive area; will be likely to result in a discharge to state waters; and will not be covered by a federal Clean Water Act certification. The bill requires that DEQ conduct a separate supplemental review for each such activity. In certain cases, the bill requires DEQ to recommend that the State Water Control Board (the Board) impose additional conditions on the project. The bill also directs the Board to require both a Virginia Water Protection (VWP) Permit and an Individual Water Quality Certification under the federal Clean Water Act for any interstate natural gas pipeline and, for such pipelines, to review water body crossings; plans for erosion and sediment control; and plans for stormwater management. Finally, the bill directs the Board to adopt emergency regulations to implement the provisions of the act.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Indeterminate. See Item 8.

**8. Fiscal Implications:** DEQ does not know the length or the specifics of any potential pipeline that may occur in the future. The State Water Control Board recently issued two § 401 Certifications for activities related to natural gas pipeline construction activities in upland areas. Based on the ongoing staff time associated with those projects, it is anticipated that any impact could be significant.

**9. Specific Agency or Political Subdivisions Affected:** Department of Environmental Quality.

**10. Technical Amendment Necessary:** None.

**11. Other Comments:** None.