

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: Agriculture, Conservation and Natural Resources

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 make information contained in received applications available to the public. In certain cases, the bill requires DEQ to recommend that the State Water Control 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 greater than 36 inches inside diameter and, for such pipelines, to review water body crossings; plans for erosion and sediment control; and plans for stormwater management.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: The expenditure and revenue impacts of this bill are indeterminate. This measure requires DEQ, in consultation with the Department of Game and Inland Fisheries (DGIF), the Department of Conservation and Recreation (DCR), the Department of Health (VDH), and the Virginia Department of Agriculture and Consumer Services (VDACS), to review information submitted by an applicant for a federal license or permit for a natural gas transmission pipeline greater than 36 inches inside diameter. DEQ and VDH cannot estimate the scope of this measure, as the scope of any potentially affected projects that may occur in the future is unknown. However, based on the ongoing staff time associated with existing projects, it is anticipated that any impact could be significant to DEQ and, to a lesser degree, to VDH. DCR, VDACS and DGIF estimate that any impact resulting from this bill can be absorbed within existing resources.

Additionally, DEQ is to assess an administrative charge to the applicant for the VWP and the certification to cover the direct costs of the additional reviews and public hearings provided for under the provisions of the bill. Any revenue that may be collected is indeterminate.

9. Specific Agency or Political Subdivisions Affected: Department of Environmental Quality, Department of Game and Inland Fisheries, Department of Conservation and Recreation, Department of Health, and Virginia Department of Agriculture and Consumer Services.

10. Technical Amendment Necessary: None.

11. Other Comments: None.