

Department of Planning and Budget

2020 Fiscal Impact Statement

1. Bill Number: HB1609

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

2. Patron: Mugler

3. Committee: Agriculture, Conservation and Natural Resources

4. Title: Nutrient credit use; land-disturbing activity by wastewater utility.

5. Summary: Point source nitrogen credits, point source phosphorus credits, and sediment credits that are generated by a public body through a publicly owned treatment works that is permitted under the Watershed General Virginia Pollutant Discharge Elimination System (VPDES) Permit may be used by such public body for the purpose of compliance with water quality requirements. The public body may only use such point source credits if notifies the Department of Environmental Quality (DEQ), adopts a ratio of 10 point source nitrogen credits for each point source phosphorus credit used is also transferred and applied toward the land-disturbing project, and if the credits are classified as permanent by means of a wasteload allocation reduction or another means, acceptable to the DEQ, that ensures an equivalent benefit. The bill also provides that, except for a water reclamation and reuse project at a treatment works, no more than 10 pounds per year of point source phosphorus credit may be applied toward a single project's postconstruction phosphorous control requirement.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: The potential expenditure impact on the Department of Environmental Quality (DEQ) as a result of this bill is indeterminate. DEQ has approximately 100 publicly-owned treatment works registered under its watershed general permit, and expects more as additional smaller facilities expand. It is not possible to predict how many will acquire construction general permits for future expansions and use the trading alternative proposed in this bill. According to DEQ, the potential impact of this bill is likely absorbable by the agency within existing resources.

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

10. Technical Amendment Necessary: No.

11. Other Comments: None.