

Department of Planning and Budget 2021 Fiscal Impact Statement

1. Bill Number: SB1280

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

2. Patron: Bell

3. Committee: Agriculture, Conservation and Natural Resources

4. Title: Dams; negotiated settlement agreements.

5. Summary: Authorizes the Virginia Soil and Water Conservation Board to enter into a negotiated settlement with the owners of certain impounding structures who have allegedly violated or failed, neglected, or refused to obey any permit condition, provision of the Dam Safety Act, or Board regulation or order. The settlement shall require the dam owner to correct deficiencies at the dam structure and to pay civil charges for past alleged violations instead of any appropriate civil penalty that could be imposed. Such civil charges shall be suspended upon compliance with the settlement agreement.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary.

8. Fiscal Implications: It is anticipated that this bill will not have a fiscal impact on the Department of Conservation and Recreation. The bill specifies that payment of civil charges for past alleged violations shall be instead of any appropriate civil penalty that could be imposed under § 10.1-613.2, Code of Virginia, and shall be paid into the Dam Safety, Flood Prevention and Protection Assistance Fund. The amount of such revenue collected through these civil charges is unknown.

9. Specific Agency or Political Subdivisions Affected: Department of Conservation and Recreation.

10. Technical Amendment Necessary: No.

11. Other Comments: None.