

VIRGINIA ACTS OF ASSEMBLY -- 2001 SESSION

CHAPTER 314

An Act to amend the Code of Virginia by adding a section numbered 36-139.8, relating to grants to localities for alternative water supply assistance.

[S 1416]

Approved March 19, 2001

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 36-139.8 as follows:

§ 36-139.8. Grants for alternative water supply assistance; Alternative Water Supply Assistance Fund.

A. There is hereby established the Alternative Water Supply Assistance Fund to be administered by the Department to provide grants to localities to be used for entering into agreements with businesses and individuals to harvest and collect rainwater for such uses as determined necessary by the locality, including, but not limited to, irrigation and conservation. The Fund shall consist of such funds as may be appropriated by the General Assembly from time to time. The Fund shall be established on the books of the comptroller, and any funds, including interest, remaining in the Fund at the end of a fiscal year or a biennium shall not revert to the general fund but shall remain in the Fund. Interest earned on the Fund shall be credited to the Fund.

B. In administering the Fund, the Department shall have the power and duty to:

1. Establish a process for determining what areas and localities shall qualify for grants. Such process shall include the minimum criteria for the awarding of a grant and shall take into account, but not be limited to, the purposes for which the locality deems it necessary to harvest and collect rainwater, an area's or locality's hydrology and geologic conditions, population density, average annual rainfall, average water consumption rates, current and projected water needs for residential and commercial use, and capacity of local public and private sector entities to provide and maintain affordable and dependable sources of water;

2. Monitor the operation of the Fund;

3. Review the use of grant moneys to ensure that such moneys are being used consistent with the provisions of this section and the purposes for which the locality deems necessary to harvest and collect rainwater;

4. Assist planning district commissions, water and public service authorities, counties, cities and towns in making application for grants from the Fund;

5. Develop policies and provisions for the repayment of any grants made under this section, including the immediate repayment of a grant when the proceeds of such grant are not being used for the purposes described in this section. Such policies and procedures shall be approved by the Comptroller; and

6. Administer and enforce the program guidelines adopted by the Board in accordance with subsection D.

C. Moneys from the Fund disbursed to a locality shall not be used for agreements with businesses or individuals to construct or maintain gutters, downspouts, and other rainwater systems that are primarily designed for directing or diverting rainwater run-off and not for harvesting and collecting rainwater for reuse.

D. The Board shall adopt program guidelines for the operation of the Fund consistent with the provisions of this section.