

## Department of Planning and Budget 2009 Fiscal Impact Statement

**1. Bill Number:** HB2168

House of Origin	<u>X</u>	Introduced	___	Substitute	___	Engrossed
Second House	___	In Committee	___	Substitute	___	Enrolled

**2. Patron:** Howell, W.J.

**3. Committee:** Agriculture, Chesapeake, and Natural Resources

**4. Title:** Stormwater offsets

**5. Summary:** The bill authorizes permit-issuing authorities to allow stormwater permit holders to comply with nonpoint nutrient runoff water quality criteria by acquiring offsite nonpoint nutrient offsets that have been certified under the Chesapeake Bay Nutrient Exchange Program. The credit offsets have to be (i) in the same tributary and (ii) included in a permit-issuing authority's regional stormwater management plan. The bill also requires an offset broker to pay the permit-issuing authority a fee equal to six percent of the amount paid by the permittee for the offsets.

**6. Fiscal Impact Estimates:** Indeterminate. See item 8.

**7. Budget Amendment Necessary:** No.

**8. Fiscal Implications:** The bill requires a nonpoint source pollution offset broker to pay a water quality enhancement fee of six percent of the amount paid for the offsets to the local permitting authority. If there is no local program, then the payment is deposited to the Virginia Stormwater Management Fund. The fee revenue and cost of developing the offset program cannot be determined at this time.

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

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** None.

**Date:** 1/23/2009 dpbkbs

**Document:** G:\09 FIS\DCR\HB2168.doc

cc: Secretary of Natural Resources