

Department of Planning and Budget 2010 Fiscal Impact Statement

1. Bill Number: HB438

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

2. Patron: Toscano

3. Committee: Agriculture, Chesapeake and Natural Resources

4. Title: **Dam safety; Soil and Water Conservation Board to establish alternate standard spillway design.**

5. Summary: This bill requires the Soil and Water Conservation Board to establish an alternate procedure that provides for a new standard for the spillway design requirement. This new spillway standard would apply to those dams in existence prior to July 1, 1982. The bill requires the Board to adopt regulations that consider the impact of downstream limited-use or private roadways with low traffic volume and low public safety risk in the determination of the hazard potential classification of an impounding structure. The bill also allows an owner of a dam who has received a report from the Board containing recommendations for the correction of deficiencies in the dam to submit his own plan for such corrections. Finally, the bill amends the criterion such that a dam is deemed as unsafe when deficiencies on the design or construction of a dam may result in "significant" damage to downstream property.

6. Fiscal Impact Estimates: Preliminary.

7. Budget Amendment Necessary: No.

8. Fiscal Implications: This bill makes changes to the dam safety regulations adopted by the Soil and Water Conservation Board. These regulatory changes are implemented on the local level and may impact workload and costs associated for affected localities. In addition, dam owners may experience additional costs from these regulatory changes.

The Department of Conservation does not anticipate any fiscal impacts as a result of this bill.

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

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/25/2010 dpbaek

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