

## Department of Planning and Budget 2010 Fiscal Impact Statement

**1. Bill Number:** SB395

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

**2. Patron:**        Wagner

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

**4. Title:**        **Stormwater management regulations; effective date.**

**5. Summary:** This bill extends the effective date of the regulation that establishes local program criteria and delegation procedures and the water quality and water quantity criteria based on the completion of the Virginia Total Maximum Daily Loads (TMDL) Implementation Plan for the Chesapeake Bay Nutrient and Sediment TMDL approved by the United States Environmental Protection Agency and the regulations thereafter adopted to implement the Plan. Currently, the effective date is July 1, 2010.

**6. Fiscal Impact Estimates:** Preliminary.

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

**8. Fiscal Implications:** This bill delays the recently-approved stormwater management regulations that were to go into effect on July 1, 2010. As the regulations currently stand, they would require that certain localities adopt programs to administer new regulations for stormwater management; other localities are given the option of adopting programs, but are not required to do so. In the case that a locality opts-out of adopting a program, the Department of Conservation and Recreation (DCR) is responsible for developing and managing a stormwater program for that locality. The Code of Virginia requires that all expenses related to the management of these programs are to be supported by nongeneral fund revenue collected from permit fees. As such, regardless of the date of effectiveness, the implementation of these new regulations is not expected to result in a general fund impact to the state.

**9. Specific Agency or Political Subdivisions Affected:** Department of Conservation and Recreation; soil and water conservation districts, localities.

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

**11. Other Comments:** HB1120 is identical to the introduced version of this bill. SB245 seeks to delay the effective date of these regulations by one year, to July 1, 2011; and HB155 seeks to delay the effective date by two years, to July 1, 2012.

**Date:** 1/21/2010   dpbaek

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