

Department of Planning and Budget 2012 Fiscal Impact Statement

1. Bill Number: SB550

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

2. Patron: Northam

3. Committee: Agriculture, Conservation and Natural Resources

4. Title: Public oyster beds on the seaside of the Eastern Shore; adjustment of boundaries.

5. Summary: This bill instructs the Virginia Marine Resources Commission to adjust the boundaries of the public oyster beds on the seaside of the Eastern Shore using the Baylor survey as a basis. The bill requires the Commission to make its procedures public and sets out the criteria that the Commission must address as it considers any adjustment to the boundaries of the public shellfish beds encompassed within the bill. The bill also instructs the Commission to include or exclude certain bottomlands from the adjusted boundaries and provides considerations for leasing of state-owned bottomlands.

The amended bill makes technical changes to Section 28.2-553.1 A pertaining to the Commission's public boundary adjustment procedures.

6. Budget Amendment Necessary: Yes. Item 375 of HB/SB 30.

7. Fiscal Impact Estimates: Preliminary.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2012	\$0	0	General Fund
2013	\$82,311	1.00	General Fund
2014	\$65,811	1.00	General Fund
2015	\$65,811	1.00	General Fund
2016	\$65,811	1.00	General Fund
2017	\$65,811	1.00	General Fund
2018	\$65,811	1.00	General Fund

8. Fiscal Implications: According to the Marine Resources Commission, one additional full-time employee (FTE) in the Engineering and Surveying Department of the Habitat Management Division is necessary to carry out the provisions of this bill. Currently, the Habitat Management Division has only two FTE on the Eastern Shore. Duties required of the agency as a result of this legislation cannot be performed with current resources.

The associated funding for the additional position includes salary and associated fringe benefits totaling \$59,311. In addition, the FTE would require a 16 foot Carolina Skiff boating vehicle with trailer and motor costing \$15,000 the first year. A state pool vehicle, \$5,000 per fiscal year, will also be needed. Other costs including phone, computer equipment, and supplies are estimated at \$3,000 the first year and \$1,500 in the out years. The total estimated general fund cost in FY 2013 is \$82,311. In the future years, the general fund cost totals \$65,811.

Responsibilities of the FTE would include the evaluation and assessment of onsite conditions, as well as coordination of data development supporting adjustments to natural oyster bed boundaries on the seaside of the Eastern Shore. Additionally, the FTE will conduct meetings and negotiations with affected stakeholders, and prepare notices and other materials for public comment and public hearings.

9. Specific Agency or Political Subdivisions Affected: Virginia Marine Resources Commission.

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 2/7/12

Document: G:\Legislation\2012 Session\SB550E.DOC