

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: HB1340

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

2. Patron: Hodges

3. Committee: Agriculture, Chesapeake, and Natural Resources

4. Title: Administration of stormwater management programs.

5. Summary: Requires the Department of Environmental Quality to operate stormwater management programs that regulate land-disturbing activities that disturb from 2,500 square feet to up to one acre in localities east of Interstate 95 that fall under the provisions of the Chesapeake Bay Preservation Act and that elect not to operate such a program.

6. Budget Amendment Necessary: Yes, Item 368 (HB30/SB30).

7. Fiscal Impact Estimates: Preliminary, see Item 8.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2016	\$0	N/A	N/A
2017	\$380,000	4	GF
2018	\$380,000	4	GF
2019	\$380,000	4	GF
2020	\$380,000	4	GF
2021	\$380,000	4	GF
2022	\$380,000	4	GF

7b. Expenditure Impact: (Virginia Stormwater Management Fund)

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2016	\$0	N/A	N/A
2017	\$95,000	1	NGF
2018	\$95,000	1	NGF
2019	\$95,000	1	NGF
2020	\$95,000	1	NGF
2021	\$95,000	1	NGF
2022	\$95,000	1	NGF

7c. Revenue Impact: (Virginia Stormwater Management Fund)

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Fund</i>
2016	\$0	N/A
2017	\$97,440	NGF
2018	\$97,440	NGF
2019	\$97,440	NGF
2020	\$97,440	NGF
2021	\$97,440	NGF
2022	\$97,440	NGF

- 8. Fiscal Implications:** Under the existing Stormwater Management Act, all localities within Tidewater Virginia, as defined in § 62.1-44.15:68, Code of Virginia, adopt requirements to regulate private and/or public Chesapeake Bay Preservation Act (CBPA) land-disturbing activities, regardless of whether or not they elected to adopt a local Virginia Stormwater Management Program (VSMP). These requirements include, but are not limited to: stormwater management plan review, inspections, enforcement, construction record drawing review, ensuring long-term maintenance of permanent stormwater management facilities, and recordkeeping.

The provisions of this bill provide that the Department of Environmental Quality (DEQ) will be responsible for performing these functions. This would result in a fiscal impact to DEQ and create the need to hire five additional positions.

According to DEQ, there are 14 jurisdictions within the “Tidewater Virginia” area that do not have an existing Virginia Stormwater Management Plan (VSMP). DEQ anticipates a workload of two CBPA land-disturbing activity projects per month, per locality, which are 336 projects per year. Each project is estimated to average 12 hours for plan review/approval, and 16 hours for inspections. This equates to 9,408 additional estimated hours needed to handle this function, which equates to five positions (\$95,000 x 4 = \$380,000). DEQ is expected to collect a fee of \$290.00 per project (\$97,440), which could be applied to the cost of one position (\$95,000). The remaining positions would require general fund support.

- 9. Specific Agency or Political Subdivisions Affected:** The Department of Environmental Quality and localities.

- 10. Technical Amendment Necessary:** No.

- 11. Other Comments:** The jurisdictions within the “Tidewater Virginia” area that are not an existing VSMP are the following: Caroline County, Charles City County, Essex County, King and Queen County, King William County, Lancaster County, Mathews County, Middlesex County, Northampton County, Northumberland County, Prince George County, Richmond County, Surry County, and Westmoreland County.

Date: 02/04/2016 /jlm

C: Secretary of Natural Resources