

Department of Planning and Budget 2017 Fiscal Impact Statement

1. Bill Number: SB1355

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

2. Patron: DeSteph

3. Committee: Agriculture, Conservation and Natural Resources

4. Title: Riparian owner; dredging; oyster or clam grounds.

5. Summary: Provides that the existing ability of a landowner to open a channel, although he is not a lessee or riparian holder of suitable bottoms, includes the actions of marking a channel, dredging a navigable channel for access to his property, and participating with a locality to dredge a channel outside his riparian area. The bill requires the Marine Resources Commission to consider a variety of factors when determining whether to grant or deny a lease for the use of state-owned bottomlands. Current law requires such consideration only for the granting or denial of a permit for such use. The bill also includes the use of state waters for navigation among the factors to be considered. Finally, the bill expands the area of state-owned submerged beds that are potentially off limits for oyster planting by including navigation projects that are authorized by the Commonwealth or by a locality among the areas where no lease shall be granted. Current law exempts navigation projects from leasing only when they are authorized by Congress. The bill contains technical amendments.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See Item 8 below.

8. Fiscal Implications: The Marine Resources Commission (MRC) anticipates this bill will increase the work load in MRC's Engineering and Surveying Department. MRC's Engineering and Surveying Department is responsible for surveying and mapping subaqueous ground for public and private shellfish cultivation, leasing private shellfish grounds, and maintaining oyster ground lease records. This bill may affect the processing of riparian and oyster ground leases and the time needed to review applications, but the total impact is not known or quantifiable at this time. Thus, the fiscal impact is indeterminate.

Any impact to the court system as a result of the provisions of this bill can be absorbed within the normal course of operations.

9. Specific Agency or Political Subdivisions Affected: Marine Resources Commission; court system.

10. Technical Amendment Necessary: No.

11. Other Comments: None.