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**SENATE JOINT RESOLUTION NO. 53**

Senate Amendments in [ ] - February 7, 2020

*Requesting the Department of Environmental Quality to study revised priority ranking criteria for grants from the Stormwater Local Assistance Fund to include reduction of nitrogen pollution. Report.*

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Patrons Prior to Engrossment—Senator Lewis; Delegate: Kory

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Referred to Committee on Rules

WHEREAS, the Department of Environmental Quality administers the Stormwater Local Assistance Fund (the Fund), which provides matching grants to localities to invest in stormwater best management practices to reduce pollutants, specifically phosphorus, as runoff to local waterways; and

WHEREAS, the Fund is critical to meeting the goals in the Commonwealth's Phase III Watershed Implementation Plan for the Chesapeake Bay Total Maximum Daily Load (TMDL); and

WHEREAS, projects that receive grants from the Fund are primarily for stream restoration, wet ponds, bioretention, and constructed wetlands and typically cost less than \$50,000 per pound of phosphorus removed; and

WHEREAS, grants from the Fund are prioritized based on the greatest expected water quality benefit in terms of phosphorus, but not nitrogen or any other pollutant; and

WHEREAS, approximately 60 percent of awarded Fund dollars since fiscal year 2014 have gone toward stream restoration, a practice that is effective at reducing phosphorus; and

WHEREAS, for developed lands, the Commonwealth has achieved 88 percent of its required phosphorus reduction but only 40 percent of its required nitrogen reduction, according to the Commonwealth's Phase III Watershed Implementation Plan; and

WHEREAS, for the Chesapeake Bay TMDL, the Commonwealth is overachieving its phosphorus reduction goals and underachieving its nitrogen reduction goals; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Department of Environmental Quality (the Department) be requested to study revised priority ranking criteria for grants from the Stormwater Local Assistance Fund to include reduction of nitrogen pollution.

In conducting its study, the Department shall (i) analyze the benefits and costs of nitrogen pollution reduction in Virginia's waters and compare to the benefits and costs of reductions in phosphorous pollution, and (ii) determine comparable criteria to award grants from the Fund based on nitrogen reductions and revise the Fund's award criteria accordingly.

All agencies of the Commonwealth shall provide assistance to the Department for this study, upon request.

The Department shall complete its meetings by November 30, 2020, and shall submit to the Governor and the General Assembly an executive summary and a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the 2021 Regular Session of the General Assembly and shall be posted on the General Assembly's website [ ] ; and, be it

RESOLVED FURTHER, That the provisions of this joint resolution shall not become effective unless an appropriation effectuating the purposes of this joint resolution is included in a general appropriation act passed in 2020 by the General Assembly that becomes law [ ] .

ENGROSSED

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