

Department of Planning and Budget 2020 Fiscal Impact Statement

1. **Bill Number:** SB1075

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

2. **Patron:** McClellan

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

4. **Title:** Department of Environmental Quality; public comment.

5. **Summary:** Requires the Department of Environmental Quality (DEQ) to afford interested persons, for any nonemergency, nonexempt regulatory action, an opportunity, for at least 60 days, to (i) submit data, views, and arguments, either orally or in writing, to the Department and (ii) be accompanied by and represented by counsel or other representative. Information is to be mailed to localities and any institution serving the public in the localities.

6. **Budget Amendment Necessary:** Yes. Item 377 (Department of Environmental Quality).

7. **Fiscal Impact Estimates:** Preliminary. See item 8.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2020	N/A	N/A	N/A
2021	\$1,274,300	0	General Fund
2022	\$1,274,300	0	General Fund
2023	\$1,274,300	0	General Fund
2024	\$1,274,300	0	General Fund
2025	\$1,274,300	0	General Fund
2026	\$1,274,300	0	General Fund

8. **Fiscal Implications:** The substitute version of this bill adds a requirement for DEQ to identify and notify impacted localities and any institution that serves the public in such localities, including educational, religious, cultural, and recreational institutions. DEQ estimates that resources will be needed for the agency to identify and notify institutions for each permit at the time each permit is drafted.

According to DEQ, expenditures resulting from this bill include identifying impacted public service institutions for an annual estimate of 411 annual permits (30 for water protection, 156 for pollution abatement, 160 for pollutant discharge elimination systems, 50 for ground water withdrawal, and 15 in the air permitting programs), with an average impact area of two

localities for each permit. For ground water management area permits, the impact area could include up to 40 localities per permit. With an estimate need of 8 hours per locality, DEQ anticipates an annual need of 19,000 man-hours, or 9 Environment Specialist II positions at \$115,500, to develop mailing lists for each permit, as well as \$234,800 in postage costs.

DEQ initially anticipated that the expenditures resulting from the introduced version of this bill could be absorbed within the support included in HB/SB30 as introduced, which provides \$2.7 million from the general fund to support 18 positions and contract work to support environmental justice and outreach efforts. HB/SB30, as introduced, does not provide funding for the additional tasks in the substitute version of this bill. The need estimate above is subject to change depending on the number of permit applications DEQ receives.

9. Specific Agency or Political Subdivisions Affected: Department of Environmental Quality

10. Technical Amendment Necessary: No.

11. Other Comments: None.