

Department of Planning and Budget
2021 Special Session 1 Fiscal Impact Statement

1. Bill Number: SB1311

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input checked="" type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: McClellan

3. Committee: Agriculture, Chesapeake and Natural Resources

4. Title: Water quality standards; modification of permits and certifications.

5. Summary: Requires that applicants for a federal license or permit for a natural gas transmission pipeline greater than 36 inches inside diameter submit, concurrently with the Joint Permit Application, a detailed erosion and sediment control plan and stormwater management plan subject to review and approval by the Department of Environmental Quality (DEQ). The bill requires that DEQ request information about how such plans are to address activities in or related to certain upland areas. The bill requires that applicant responses include specific strategies and best management practices that will be utilized by the applicant to address challenges associated with each area type and an explanation of how such strategies and best management practices are to ensure compliance with water quality standards. The bill provides that after review of submitted information, DEQ is required to develop a draft certification, including a condition that the applicant is not to commence land-disturbing activity prior to DEQ approval of the erosion and sediment control plan and stormwater management plan.

The bill prohibits the applicant from commencing land-disturbing activity prior to resolution of any unresolved issues identified by DEQ. The bill prohibits DEQ or the State Water Control Board from expressly waiving certification of a natural gas transmission pipeline of greater than 36 inches inside diameter under the federal Clean Water Act, and requires that DEQ or the State Water Control Board act on any certification request within a reasonable period of time pursuant to federal law.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: It is anticipated that this bill will not have a fiscal impact on DEQ.

9. Specific Agency or Political Subdivisions Affected: Department of Environmental Quality;
State Water Control Board

10. Technical Amendment Necessary: No.

11. Other Comments: None.