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## SENATE BILL NO. 1129

Offered January 11, 2023

Prefiled January 10, 2023

A BILL to amend and reenact § 62.1-44.119:1 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 3.8 of Title 62.1 sections numbered 62.1-44.119:2, 62.1-44.119:3, and 62.1-44.119:4, relating to Chesapeake Bay Watershed Implementation Plan; effective date.

Patron—Hanger

Referred to Committee on Agriculture, Conservation and Natural Resources

**Be it enacted by the General Assembly of Virginia:**

1. That § 62.1-44.119:1 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Article 1 of Chapter 3.8 of Title 62.1 sections numbered 62.1-44.119:2, 62.1-44.119:3, and 62.1-44.119:4 as follows:

**§ 62.1-44.119:1. Effective date.**

The provisions of this chapter shall not become effective unless, on or after July 1, 2026, the 2030:

1. The Secretary of Agriculture and Forestry and the Secretary of Natural and Historic Resources jointly determine that the Commonwealth's commitments in the Chesapeake Bay Total Maximum Daily Load Phase III Watershed Implementation Plan have not been satisfied by a combination of (i) agricultural best management conservation practices, including the coverage of a sufficient portion of Chesapeake Bay cropland by nutrient management plans or the installation of a sufficient number of livestock stream exclusion practices or (ii) other point or nonpoint source pollution reduction efforts; and

2. The Commonwealth has fully funded the Virginia Natural Resources Commitment Fund until June 30, 2030, as calculated pursuant to subsection C of § 10.1-2128.1.

**§ 62.1-44.119:2. Annual report on Virginia Agricultural Best Management Practices Cost-Share Program.**

The Department of Conservation and Recreation shall provide an annual report by July 1 of each year to the Chairmen of the House Committee on Agriculture, Chesapeake and Natural Resources and Senate Committee on Agriculture, Conservation and Natural Resources analyzing the utilization of the funds provided in the Virginia Agricultural Best Management Practices Cost-Share Program established under § 10.1-2128.1 to demonstrate whether farmers or landowners are participating in the Program at levels to maximize nutrient load reductions.

**§ 62.1-44.119:3. Natural Resources Commitment Fund; reporting requirements.**

Each soil and water conservation district shall report to the Department of Conservation and Recreation recommendations for improving the disbursement of funding and for program efficiencies that would expedite disbursement of funds provided through the Virginia Natural Resources Commitment Fund established under § 10.1-2128.1.

**§ 62.1-44.119:4. Regulatory format on agricultural practices before effective date.**

Notwithstanding the provisions of this chapter, no regulatory action pursuant to §§ 62.1-44.121 and 62.1-44.123 shall be imposed on agricultural practices prior to July 1, 2030, provided that reasonable progress is being achieved and a detailed plan to include full funding, as provided under subsection C of § 10.1-2128.1, for reaching the needed number of voluntary incentivized practices has been developed.

INTRODUCED

SB1129