

Thursday, March 4, 2010

Natural resources budget actions: FY 2011 to FY 2012 biennium

House Budget

Purchase of Development Rights programs (PDR)

- The House reduces funding for the PDR matching grants program by \$400,000 for each year of the biennium. Since FY 2008, \$5.15 million in matching grants have been awarded to 16 local government programs.

Virginia Land Conservation Foundation (VLCF)

- The House reduces by \$1 million from VLCF for each year of the biennium. (The Senate maintains the \$1 million allocation and increases it by \$2 million each year from non-general fund revenue.)

Friend of the Chesapeake License Plates

- For FY 11, the House shifts \$329,147 in revenues from the “Friend of the Chesapeake” license plates to the Department of Conservation and Recreation. Originally these revenues are used to award grants to organizations involved in programs to clean up the Chesapeake Bay.

Safe Drinking Water

- The House removes \$2.6 million each year for Safe Drinking Water grants administered by the Department of Health.

Senate Budget

Dam safety regulations

- The Senate budget requires the Soil and Water Conservation Board to issue conditional operational and maintenance certificates for dams constructed prior to current dam safety regulations. This policy will continue until adequate funding is available to assist dam owners in making upgrades to comply with current regulations. Provisions in this budget language are similar to provisions in [SB 276 \(Houck\)](#).

Virginia Stormwater Regulations

- The Senate budget delays effective date of new Virginia Stormwater Management Permit (VSMP) program regulations until at least 280 days after establishment by EPA of Total Maximum Daily Loading (TMDL) requirements for the Chesapeake Bay watershed by no later than Dec. 1, 2011. This budget language is similar to provisions in [HB 1220 \(Hugo\)](#) and [SB 395 \(Wagner\)](#), both receiving final passage by the General Assembly.

Water Quality Agreements, lawn care operators

- The Senate budget continues Water Quality Agreements Program through voluntary cooperation encouraging lawn care operators to voluntarily establish nutrient management plans and annual reporting of fertilizer applications.

Agricultural Best Management Practices

- The Senate budget reduces by \$2 million funding for Agricultural Best Management Practices (BMP) for each year (funding in the amount of \$9.1 million non-general funds and \$3 million in general funds still available through this program). By contrast, the House removes \$5 million each year in BMP payments to farmers.

Land preservation tax credit transfer fees

- The Senate budget provides \$2 million each fiscal year from removal of the cap on Land Preservation Tax Credit (LPTC) transfer fees. Revenues from these fees shall only be used for the purpose of monitoring and enforcing easement restrictions that qualified for tax credits.

Fees for hazardous waste permits

- The Senate budget directs the Waste Management Board to adopt regulations to ensure that general funds shall not be required to cover costs associated with DEQ's hazardous waste program.

Fees for solid waste permits

- In language very similar to [SB 395 \(Wagner\)](#), which was defeated in the House Agriculture Committee, the Senate budget directs the Waste Management Board to adopt regulations to ensure that total fees paid by operators of solid waste facilities are sufficient to cover 75 to 100 percent of direct costs associated with DEQ's solid waste permitting programs. These regulations shall be exempt from Administrative Process Act and be in effect in FY 2011.

Fees for wastewater and other water protection permits

- The Senate budget directs the State Water Control Board to adopt regulations to ensure that total fees paid from permit fees shall be sufficient to cover 55 to 100 percent of direct costs associated with Virginia Pollutant Discharge Elimination System permit and Virginia Pollutant Abatement permits. These regulations shall be exempt from Administrative Process Act and be in effect in FY 2011.

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