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# VIRGINIA STATE BUDGET

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2000 Session

## Budget Bill - SB29 (Introduced)

Bill Order » Office of Natural Resources » Item 436

Department of Conservation and Recreation

Item 436 (Not set out)	First Year - FY1999	Second Year - FY2000
<b>Land Management (50300)</b>	<b>\$34,851,422</b>	<b>\$30,487,563</b>
Construction Regulation Enforcement (50301)	\$379,771	\$582,223
Land Stabilization and Conservation (50302)	\$1,905,773	\$2,013,175
Soil Research and Mapping (50307)	\$260,000	\$260,000
Shoreline Management (50311)	\$1,111,288	\$1,837,390
Non-Point Source Pollution Control (50312)	\$22,197,292	\$15,496,509
Dam Safety and Flood Plain Management (50314)	\$724,998	\$884,219
Financial Assistance for Land Management (50316)	\$6,861,394	\$7,396,598
Natural Areas Preservation and Management (50317)	\$1,410,906	\$2,017,449
Fund Sources:		
General	\$26,684,114	\$21,727,359
Special	\$905,264	\$1,490,256
Federal Trust	\$7,262,044	\$7,269,948

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Authority: Title 10.1, Chapters 1, 5, 6, and 7, Code of Virginia.

A. The amount for Financial Assistance for Land Management includes \$280,000 the first year and \$280,000 the second year from the general fund for Soil and Water Conservation Districts to coordinate and assist in the implementation of local Tributary Strategies under the Chesapeake Bay Program.

B. The June 30, 1998, and June 30, 1999, unexpended general fund balances in the Land Management Program for grants to soil and water conservation districts are hereby reappropriated.

C.1. Out of the amounts for Non-Point Source Pollution Control, \$16,750,000 the first year, and \$9,831,250 the second year from the general fund and \$962,812 from nongeneral funds shall be deposited to the Virginia Water Quality Improvement Fund established under the Virginia Water Quality Improvement Act of 1997, Title 10.1, Chapter 21.1, Code of Virginia. Of the amount deposited in the first year, \$8,390,000 is estimated as the fiscal year 1999 allocation for nonpoint source projects and \$8,360,000 is estimated as the allocation for fiscal year 2000.

2. Funds deposited in the Virginia Water Quality Improvement Fund in excess of the amounts specified in subparagraph 1 above shall be used by the Department of Conservation and Recreation to implement adopted strategies for nutrient reduction in the James, York, and Rappahannock Rivers and the eastern and western coastal basins. In the event that final strategies have not been adopted in accordance with statutory deadlines, projects to

reduce nutrients in these rivers and basins shall be eligible to receive grants from the Virginia Water Quality Improvement Fund.

3. Notwithstanding the provisions of § 10.1-2132 C, Code of Virginia, \$4,890,000 of the amount deposited to the Water Quality Improvement Fund in subparagraph 1 shall be distributed to the Potomac-Shenandoah watershed in the first year. Of the remaining amount, \$1,750,000 in the first year shall be distributed to other watersheds within the Chesapeake Bay Basin and \$1,750,000 in the first year shall be distributed in areas outside the Chesapeake Bay Basin.

4. Out of the amount deposited to the Water Quality Improvement Fund in the second year, the Department of Conservation and Recreation is authorized to expend \$3,831,250 as the Commonwealth's statewide match for the federal Conservation Reserve Enhancement Program. Notwithstanding the provisions of paragraph 2 above, the Department of Conservation and Recreation is authorized to expend funds deposited into the Water Quality Improvement Fund for statewide projects funded through the Conservation Reserve Enhancement Program in the Potomac-Shenandoah, lower tributaries, and southern river areas.

D. Out of the amounts for Shoreline Management, \$175,000 the first year and \$925,000 the second year from the general fund shall be deposited to the fund authorized by § 10.1-709 A, Code of Virginia, to provide grants to local governments to cover up to 50 percent of the cost of projects designed to improve, maintain, and develop public beaches.

E. Out of the amounts for Shoreline Management, \$65,000 the first year and \$65,000 the second year from the general fund shall be made available to the Board on Conservation and Development of Public Beaches for technical studies provided by the Virginia Institute of Marine Science and Old Dominion University.

F.1. Out of the amounts for Shoreline Management, \$10,000 the first year and \$10,000 the second year from the general fund shall be made available to the Board on Conservation and Development of Public Beaches for the Board's operations.

2. The Department, with the assistance of the Board on Conservation and Development of Public Beaches, shall study methods to develop a dedicated, stable state funding source for the conservation and development of public beaches. The results of the study shall be reported to the Secretary of Natural Resources and to the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 1999.

G. Out of the amounts for Shoreline Management, \$25,000 the first year from the general fund shall be made available to the Board on Conservation and Development of Public Beaches to continue the study of the economic impact of public beaches on tourism and economic development in the Commonwealth pursuant to Senate Joint Resolution No. 338 (1997).

H. The Department shall report to the Chairmen of the Senate Finance and House Appropriations Committees by November 4 of each year on actions taken to manage the State's Natural Area Preserve System. In addition to program costs and other management information, the Department shall include data on new lands and sites brought into the system, efforts to educate Virginians about the importance of the system, research findings, and future plans.

I. Out of the amounts for Financial Assistance for Land Management, \$425,000 the first year from the general fund, to be matched equally by the City of Norfolk, shall be transferred to the City in accordance with § 10.1-709 A, Code of Virginia, to continue construction of a system of off-shore breakwaters to provide long-term public beach and property development protection.

J.1. The funds provided in this Item for the Soil and Water Conservation Districts shall be distributed to the districts in accordance with program, financial and resource allocation policies established by the Soil and Water

Conservation Board. To the greatest extent possible, funds provided in this Item for programs managed and carried out by the Department of Conservation and Recreation, including the \$610,000 each year designated for technical assistance in the Potomac-Shenandoah water basin, shall reflect the policies and priorities established by the Soil and Water Conservation Board. Of the amounts for Financial Assistance for Land Management the second year is included \$250,000 from the general fund for the Soil and Water Conservation District Dam Maintenance and Small Repair Fund. Funds shall be used in making necessary concrete and gate valve repairs to the dams listed in Appendix 5 of House Document 49, 1998 Session of the General Assembly. Any remaining funds shall be used for concrete and gate repair on other Soil and Water Conservation District-owned dams.

2. The Department, working in concert with the Soil and Water Conservation Board, shall provide a report to the Chairmen of the Senate Finance and House Appropriations Committees by November 4 each year on the agricultural best management practices program, including, but not limited to, the number of participating farmers, acres under program management, types and frequency of best management practices used, amounts of local and private funding matches, and results.

K. Out of the amounts for Financial Assistance for Land Management, \$30,000 the first year from funds deposited in the Flood Prevention and Protection Assistance Fund (§ [10.1-603.17](#), Code of Virginia) pursuant to §§ [38.2-137](#) and [38.2-401.1](#), Code of Virginia, in fiscal year 1999 shall be paid to Rockbridge County for the nonfederal share of an emergency flood control and repair project.

L. The Department shall transfer \$60,000 from the general fund in the first year to the fiscal agent of the Rappahannock River Basin Commission, pursuant to Chapter 553, 1998 Acts of Assembly. It is the General Assembly's intent that these funds not be released until the Commission's local government members determine and adopt a process for allocating their portion of the Commission's costs. The Commission shall report to the Secretary of Natural Resources and to the Chairmen of the Senate Finance and House Appropriations Committees on the Commission's activities and accomplishments by November 4 of each year.

M. The Department shall report to the Chairmen of the Senate Finance and House Appropriations Committees by November 4, 1998, on the grant and contract work performed by the Natural Heritage Division for the federal government and other nonstate entities. The report shall include, but not be limited to, the number of contracts and dollar value, the sites where the Department worked, and the research findings or other outcomes.

N.1. Notwithstanding the provisions of § [10.1-603.16](#) et seq., Code of Virginia, 75 percent of the funds deposited in the Virginia Flood Prevention and Protection Assistance Fund pursuant to §§ [38.2-137](#) and [38.2-401.1](#), Code of Virginia, in fiscal years 1999 and 2000 shall be used for the nonfederal share of flood hazard mitigation projects, as determined by the Department of Emergency Services.

2. Notwithstanding the provisions of § [10.1-603.16](#) et seq., Code of Virginia, 100 percent of the funds collected during fiscal year 1998 but deposited during fiscal year 1999 in the Virginia Flood Prevention and Protection Assistance Fund pursuant to §§ [38.2-137](#) and [38.2-401.1](#), Code of Virginia, shall be used for the nonfederal share of flood hazard mitigation projects, as determined by the Department of Emergency Services.

O. The Department shall develop and establish an Adopt-A-Stream Program and provide quarterly reports on its progress in developing and implementing the program to the Chairmen of the House Committees on Appropriations and Conservation and Natural Resources and the Senate Committees on Finance and Agriculture, Conservation and Natural Resources.

P. Notwithstanding the provisions of § [10.1-2128](#), Code of Virginia, the Director of the Department of Conservation and Recreation is authorized to utilize up to \$410,464 the second year from the Water Quality Improvement Fund for six additional Nutrient Management Specialists to support the animal waste permitting program designed to reduce nonpoint source pollution.

Q. Out of the appropriation for Land Management, \$379,796 the first year from special funds derived from the sale of "Friend of the Chesapeake" license tags is allocated to carry out the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee.

R. Notwithstanding the provisions of § 10.1-2128, Code of Virginia, the Director of the Department of Conservation and Recreation shall provide grants totaling \$350,000 the second year from the Water Quality Improvement Fund to Soil and Water Conservation Districts in accordance with program, financial, and resource allocation policies established by the Soil and Water Conservation Board for nonpoint source pollution abatement efforts. No match from local soil and water conservation districts shall be required.

S. Notwithstanding the provisions of § 10.1-2128, Code of Virginia, and with the concurrence of the Virginia Soil and Water Conservation Board, the Director of the Department of Conservation and Recreation is authorized to utilize up to \$200,000 from the Water Quality Improvement Fund in the second year to contract for conservation engineering services. The award of the contract shall be determined through competitive process. Criteria for evaluating proposals shall include the service provider's experience in applying and teaching the technical standards and specifications of the Virginia Field Office Technical Guide as adopted and required by the Department for water quality and agricultural best management practices and in conducting classroom and field training. In addition, the service provider shall be experienced and knowledgeable with the engineering job approval authority requirements, computer applications, and professional needs of soil and water conservation district personnel in the areas of animal waste management, hydrology, and agronomy. The contract shall be awarded by July 1, 1999.

T. Included in the amount for Shoreline Management is \$100,000 the second year from the general fund for the City of Norfolk to dredge a channel for boat access in Pretty Lake, a tidal inlet in the northern part of the city. The city shall match the state appropriation.