

VIRGINIA STATE BUDGET

2001 Special Session I

Budget Bill - HB3 (Introduced)

Bill Order » Office of Natural Resources » Item 415

Department of Environmental Quality

Item 415	First Year - FY2001	Second Year - FY2002
Environmental Technical and Financial Assistance (51500)	\$64,249,468	\$42,070,440 \$50,140,833
Litter Control and Recycling Activities (51501)	\$2,117,671	\$2,117,781
Financial Assistance for Environmental Resources Management (51502)	\$3,902,479	\$2,702,479
Construction Assistance Loans and Grants (51503)	\$54,162,126	\$33,562,126 \$41,632,519
Financial Assistance for Water Quality (51504)	\$937,163	\$677,163
Construction Assistance (51505)	\$938,666	\$939,345
Wastewater Treatment Plant Operator and Management Assistance (51506)	\$177,454	\$177,539
Financial Assistance for Coastal Resources Management (51507)	\$1,938,853	\$1,818,853
Prevention of and Response to Chemical Emergencies (51508)	\$75,056	\$75,154
Fund Sources:		
General	\$25,703,623	\$7,223,764 \$9,923,764
Special	\$15,300	\$15,300 \$40,300
Dedicated Special Revenue	\$7,043,515	\$4,344,346 \$9,689,739
Federal Trust	\$31,487,030	\$30,487,030

Authority: Title 10.1, Chapters 11, 14 15, and 21.1; Title 44, Chapter 3.5; Title 62.1, Chapters 3.1, 22, 24 and 25, Code of Virginia.

A. The June 30, 2000, June 30, 2001, and June 30, 2002 unexpended balances for Construction Assistance are hereby reappropriated.

B.1. Out of the amounts for Environmental Technical and Financial Assistance, \$10,300,000 the first year *and* \$1,000,000 the second year from the general fund 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. In addition, the Fund shall include ~~\$2,700,000~~ \$3,280,393 the first year *and* \$2,465,000 the second year of earned interest. It is the intent of the General Assembly that all funds deposited to the Water Quality Improvement Fund, as required by § 10.1-2128, Code of Virginia, shall be used solely for the purposes established by the Water Quality Improvement Act of 1997 (§ 10.1-2117 et seq., Code of Virginia). The Fund shall not be used for agency operating expenses or for purposes of replacing or otherwise reducing any general, nongeneral, or special funds allocated or appropriated to any state agency.

2. The Director of the Department of Environmental Quality is authorized to make a grant from the Virginia Water Quality Improvement Fund for the construction of a permitted biological nutrient removal or other nutrient removal facility for private sewage treatment plants in the Potomac-Shenandoah Basin serving residential and commercial customers, excluding capacity provided in the facility for industrial wastes generated by such customers, that previously received grant funds in an amount less than 50 percent of its eligible construction and equipment costs under the Cooperative Point Source Program. Such grant shall cover only those costs associated with that portion of the design flow allocated to non-industrial wastes.

C. Included in the amounts for Environmental and Technical Assistance is \$600,000 the first year and \$600,000 the second year from the general fund for implementation of a poultry litter management program as required by Chapter 1 of the Acts of Assembly of 1999.

D. Out of the amounts for Environmental Technical and Financial Assistance, \$7,600,000 the first year *and \$1,700,000 the second year* from the general fund shall be deposited to the Combined Sewer Overflow Matching Fund, § 62.1-241.12, Code of Virginia. *The second year deposit, along with \$2,300,000 from accrued interest earnings in the Combined Sewer Overflow Matching Fund, shall constitute the Commonwealth's FY 2002 match for the federal appropriation.* From the Combined Sewer Overflow Matching Fund, the City of Richmond shall receive \$3,800,000 the first year *and \$2,000,000 the second year* and the City of Lynchburg shall receive \$3,800,000 the first year *and \$2,000,000 the second year* to match federal funds received by each city.

E. Included in the amounts for Environmental Technical and Financial Assistance is \$300,000 the first year and \$400,000 the second year from the general fund for the Chesapeake Bay tributary strategy program.

F.1. Included in the amounts for Environmental, Technical and Financial Assistance is \$300,000 the first year from the general fund for the Department to cooperate with the U.S. Environmental Protection Agency for the development, coordination, and implementation of the total maximum daily load program. The Departments of Environmental Quality and Conservation and Recreation, under the guidance of the Secretary of Natural Resources, shall establish an advisory committee of point and nonpoint source pollution control stakeholders. The Department shall develop a comprehensive plan for implementation of the total maximum daily load program through the year 2010. This plan shall include input from the advisory committee hereby established, and shall address the program's funding impacts and suggest means to pay for the program; develop alternative strategies to accomplish the program's aims; and propose a framework for affected stakeholders to determine responsibility for pollution reductions. The Department shall submit the plan to the Governor, the Chairmen of the House Committees on Appropriations and Conservation and Natural Resources, and the Chairmen of the Senate Committees on Finance and Agriculture, Conservation and Natural Resources by November 1, 2000.

2. Included in this amount for Environmental Technical and Financial Assistance is \$1,000,000 the first year from federal funds to conduct chemical, biological and stream flow monitoring, water quality modeling, provide for public involvement in the TMDL process, and to otherwise ensure accurate and timely development of the TMDLs. This appropriation is in anticipation of the Environmental Protection Agency recognizing its responsibilities to the states under the June 11, 1999, Consent Decree and Settlement Agreement for the total maximum daily load program.

G. The Department of Environmental Quality, as part of its regular water testing program, shall provide \$36,500 the first year and \$36,500 the second year from the general fund to the Smith Mountain Lake Volunteer Water Quality Monitoring Project.

H. The amounts for Environmental Technical and Financial Assistance include \$286,000 in the first year and \$66,000 the second year from the general fund as the state share of a feasibility investigation by the United States Army Corps of Engineers on sediment remediation and wetlands restoration in the Elizabeth River. Also included in these amounts is \$100,000 the first year from the general fund for the Elizabeth River Project to organize

community-wide implementation of a plan for reducing toxins and restoring the environmental health of the Elizabeth River.

I. The amounts for this Item include \$50,000 the first year and \$50,000 the second year from the general fund for a citizen water quality monitoring project managed by the Alliance for the Chesapeake Bay. The appropriation shall be used for water quality monitoring below the fall line of Virginia's tidal rivers and streams.

J. The amounts for Environmental Technical and Financial Assistance include \$60,000 the first year from the general fund for the Friends of the Shenandoah River to purchase automated water analysis equipment.

K. Out of the amounts for Environmental Technical and Financial Assistance, \$100,000 the first year and \$100,000 the second year from the general fund is provided for the Lord Fairfax Planning District Commission to fund the Virginia Tech contract portion of years two and three of the four-year North Fork Shenandoah River Minimum Instream Flow Action Plan.

L. As a condition of this appropriation, the State Water Control Board shall not approve the use of debt to match federal dollars for the Virginia Water Facilities Revolving Fund without the prior express approval of the Governor and the General Assembly.

M. Out of the amounts provided for the Wastewater Treatment Revolving Loan Fund, the Department of Environmental Quality shall transfer \$25,000 in the second year to the Town of Tangier for the management of solid waste and wastewater generated on Tangier Island.

N. Out of the amounts for Environmental Technical and Financial Assistance, \$50,000 the second year from the general fund shall be transferred to the U.S. Army Corps of Engineers for the John H. Kerr Dam and Reservoir, Virginia and North Carolina Feasibility Study to be conducted in accordance with Section 216 of the River and Harbor Flood Control Act of 1970.