2004 Special Session I

Budget Bill - HB5001 (Chapter 4)

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Department of Environmental Quality

Item 388

	First Year - FY2005	Second Year - FY2006
Environmental Technical and Financial Assistance (51500)	**$52,803,091**	**$46,919,021**
Litter Control and Recycling Activities (51501)	$7,014,761	$7,014,761
Financial Assistance for Environmental Resources Management (51502)	$637,202	$637,202
Construction Assistance Loans and Grants (51503)	$42,181,622	$36,429,122
Financial Assistance for Water Quality (51504)	$967,819	$836,249
Construction Assistance (51505)	$1,156,653	$1,156,653
Wastewater Treatment Plant Operator and Management Assistance (51506)	$203,893	$203,893
Financial Assistance for Coastal Resources Management (51507)	$569,000	$569,000
Prevention of and Response to Chemical Emergencies (51508)	$72,141	$72,141
Fund Sources:		
General	$19,219,629	$13,335,559
Special	$28,293	$28,293
Dedicated Special Revenue	$7,513,963	$7,513,963
Federal Trust	$26,041,206	$26,041,206

Authority: Title 10.1, Chapters 11.1, 14, 15 and 21.1; Title 44, Chapter 3.5; Title 62.1, Chapters 3.1, 22, 23.2, 24 and 25, Code of Virginia.

A. The June 30, 2005 and June 30, 2006 unexpended balances for Construction Assistance are hereby reappropriated.

B. Out of the amounts provided for the Virginia Water Facilities Revolving Fund, the Department of Environmental Quality shall transfer $17,500 the first year and $15,000 the second year to the Town of Tangier for a comprehensive plan to clean up waste and ash piles found on the island and implement systems to assure compliance with state environmental protection requirements.

C. Out of the amounts for Environmental Technical and Financial Assistance, $100,000 the first year from the general fund shall be provided for the Commonwealth of Virginia to participate with the U.S. Army Corps of Engineers and the Cities of Chesapeake, Norfolk, Portsmouth, Virginia Beach and the Elizabeth River Restoration Trust in an effort to improve the water and sediment quality of the Elizabeth River.

D.1. Out of the amounts for Environmental Technical and Financial Assistance, $13,252,500 the first year and

$7,500,000 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.

2. Beginning in its January 2005 Annual Report on the Virginia Water Quality Improvement Fund, the Department shall provide the following additional information for approved projects: (1) annual projections of the nutrient reductions from the grant project from the time of project completion to either the year the facility will reach design capacity, or ten years, whichever is longer, (2) the impact the project will have on nutrient reduction goals for any associated tributary strategy, and (3) the discounted net present value of the grant award in terms of dollars per ton of nutrients removed based on the projections included in subsection (1) of this Paragraph.

E. The Department of Accounts shall provide a treasury loan of $1,272,705 to the Department of Environmental Quality in order to support the continued payment of formula-based Litter Prevention and Recycling Grants to local governments during fiscal year 2005. Such loan shall bear interest at a rate equal to the general fund composite investment rate and shall be repaid over a period of five years beginning in fiscal year 2006 from the proceeds of the Department of Environmental Quality's Litter Control and Recycling Program (Fund 0925). Repayment is to be made from that portion of the proceeds that is in excess of the annual amounts needed to continue the payment of these formula-based grant awards in subsequent fiscal years. During the period required to repay this treasury loan, the total annual value of Litter Prevention and Recycling Grants awarded to local governments shall not exceed the total amounts issued during fiscal year 2004.

F. The Director of the Department of Environmental Quality (DEQ) and the State Water Control Board shall give a high priority to securing funding for regional facility and capacity planning related to wastewater treatment and water quality in the Lenowisco, Cumberland Plateau, and Mount Rogers Planning District Commissions. Possible sources of funding which the Director shall pursue, in cooperation with the planning district commissions, include: State Tribal Assistance Grants (STAG) through the Environmental Protection Agency, Rural Utility Services funding through the U.S. Department of Agriculture, and funds available to the Virginia Department of Housing and Community Development. In considering financing through the wastewater treatment revolving loan fund, and the interest rate of the loan, the State Water Control Board shall consider the economic capacity of the localities in question, and the important environmental quality benefits to be gained from planning and development of adequate wastewater treatment capacity. There is hereby established a sum sufficient nongeneral fund appropriation in the Department of Environmental Quality, not to exceed the amount of grants received through these programs in which the Department is a grant recipient on behalf of the planning district commissions.

G. Under § 56-575.1, Code of Virginia, the definition for a recreational facility shall include improvements to or dredging of any waterway used for recreational purposes.