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# VIRGINIA STATE BUDGET

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2006 Special Session I

## Budget Bill - HB5002 (Chapter 3)

Bill Order » Office of Natural Resources » Item 358

Department of Conservation and Recreation

| Item 358  | First Year -<br>FY2007 | Second Year -<br>FY2008 |
|---|------------------------|-------------------------|
| <b>Land and Resource Management (50300)</b>   | <b>\$28,186,846</b>    | <b>\$27,486,846</b>     |
| Statewide Agricultural and Urban Nonpoint Source Water Quality Improvements (50301) | \$16,277,593           | \$15,577,593            |
| Dam Inventory, Evaluation and Classification and Flood Plain Management (50314)     | \$1,322,031            | \$1,322,031             |
| Natural Heritage Preservation and Management (50317)                                | \$3,396,238            | \$3,396,238             |
| Financial Assistance to Soil and Water Conservation Districts (50320)               | \$6,318,440            | \$6,318,440             |
| Technical and Financial Assistance for Land Management (50322)                      | \$872,544              | \$872,544               |
| Fund Sources:   |                        |                         |
| General   | \$15,542,450           | \$15,242,450            |
| Special   | \$1,885,618            | \$1,885,618             |
| Dedicated Special Revenue   | \$3,289,903            | \$2,889,903             |
| Federal Trust   | \$7,468,875            | \$7,468,875             |

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Authority: Title 10.1, Chapters 1, 5, 6, 7, and 21.1, Code of Virginia.

A. The funds provided in this Item for the Soil and Water Conservation Districts shall be distributed to the greatest extent possible to the districts in accordance with program, financial and resource allocation policies established by the Soil and Water Conservation Board. The June 30, 2007 and June 30, 2008, unexpended general fund balances in Financial Assistance to Soil and Water Conservation Districts are hereby reappropriated.

B. Included in the amount for Statewide Agricultural and Urban Non-Point Source Water Quality Improvements, are \$685,473 the first year, and \$685,473 the second year from the general fund as the Commonwealth's statewide match for participation in the federal Conservation Reserve Program. Any unexpended general fund balance designated for Virginia's Conservation Reserve Enhancement Program remaining on June 30, 2007, and June 30, 2008, shall be reappropriated.

C. It is the intent of the General Assembly that all interest earnings of the Water Quality Improvement Fund shall be spent only upon appropriation by the General Assembly, after the recommendation of the Secretary of Natural Resources, pursuant to § [10.1-2129](#), Code of Virginia.

D. If the Rappahannock River Basin Commission elects as its chairman a member of the General Assembly, the Division of Legislative Services is hereby authorized to provide reasonable staff and technical assistance to the Commission. The Commission shall report to the Secretary of Natural Resources and the Chairmen of the Senate Finance and House Appropriations Committees on the Commission's activities and accomplishments by November 5 of each year.

E. Notwithstanding § 10.1-552, Code of Virginia, Soil and Water Conservation Districts are hereby authorized to recover a portion of the direct costs of services rendered to, and for use of district-owned conservation equipment used by, landowners within the district. Such recoveries shall not exceed the amounts expended by a District on these services and equipment.

F. The Department of Conservation and Recreation is authorized to develop, through regulatory action, a cost recovery system, the funds from which shall be used to support the direct costs of providing inspections, plan review, administrative review, and certifications of non-Soil and Water Conservation District dams. The system shall employ a sliding scale, if practical, and shall be based on factors that directly relate to the costs of the dam inspection program. Total costs recovered from the new system shall not exceed 90 percent of the actual program cost.

G. The Soil and Water Conservation Board shall prepare annual statistics, by District, that include the number of farmers, the number of acres in farms and in agricultural production (by product type), the number of farmers participating in District programs by program, the number of acres by product under each type of agricultural best management practice, the budgeted and expended funds for each agricultural best management practice, and other information needed by the Department of Conservation and Recreation to evaluate the quantitative impact of Soil and Water Conservation District practices and funding on Virginia's water quality and land conservation goals.

H. Included in the amount for Statewide Agricultural and Urban Nonpoint Source Water Quality Improvements is \$2,000,000 in the first year and \$2,000,000 in the second year from the general fund to be distributed to the Soil and Water Conservation Districts for direct delivery of nonpoint source pollution control activities. The funding will be used to provide for the employment of district conservation specialists in the Chesapeake Bay and Southern Rivers watersheds and shall be distributed with priority given to those districts in the Chesapeake Bay watershed who rank highest in base and priority agricultural best management practice workload, and to the districts in the Southern Rivers watershed with the greatest number and extent of water bodies designated as impaired under Section 303(d) of the United States Clean Water Act and attributed to agricultural nonpoint source pollution.

I. Out of the amounts appropriated for Statewide Agricultural and Urban Nonpoint Source Water Quality Improvements, \$75,000 the first year and \$75,000 the second year from the general fund is provided to add one position for the inspection of erosion and sediment control plans developed by private sector wetland and stream bank restoration companies, pursuant to Chapter 466 of the Acts of Assembly of 2006.

J. Out of the amounts appropriated for Dam Inventory, Evaluation, and Classification and Flood Plain Management, \$350,000 each year from the general fund shall be deposited to the Dam Safety, Flood Prevention and Protection Fund, established pursuant to Chapter 648 of the 2006 Acts of Assembly. The funding provided in this paragraph shall be used for the provision of either grants or loans to localities owning dams in need of renovation and repair or for the provision of loans to private owners of dams in need of renovation and repair.