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# VIRGINIA STATE BUDGET

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2006 Special Session I

## Budget Bill - HB5012 (Chapter 2)

Bill Order » Office of Natural Resources » Item 388

Department of Environmental Quality

Item 388	First Year - FY2005	Second Year - FY2006
<b>Environmental Technical and Financial Assistance (51500)</b>	<b>\$54,075,796</b>	<b><del>\$111,063,421</del> \$128,068,621</b>
Litter Control and Recycling Activities (51501)	\$7,014,761	\$7,014,761
Financial Assistance for Environmental Resources Management (51502)	\$1,909,907	<del>\$693,202</del> \$723,202
Construction Assistance Loans and Grants (51503)	\$42,181,622	<del>\$100,142,522</del> \$117,117,722
Financial Assistance for Water Quality (51504)	\$967,819	\$1,211,249
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	\$20,492,334	<del>\$77,479,959</del> \$94,485,159
Special	\$28,293	\$28,293
Dedicated Special Revenue	\$7,513,963	\$7,513,963
Federal Trust	\$26,041,206	\$26,041,206

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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 and \$25,000 the second 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.a. Out of the amounts for Environmental Technical and Financial Assistance, \$13,252,500 the first year and \$17,213,400 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. Of these amounts, \$679,838 the first year and \$1,457,010 the second year shall be transferred to the Virginia Water Quality Improvement Fund Reserve pursuant to Item 378 of this act.

*b. Out of the amounts for Environmental Technical and Financial Assistance, \$16,975,200 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. Of this amount, \$2,450,250 shall be deposited to the Virginia Water Quality Improvement Fund Reserve pursuant to Item 378 of this Act. This appropriation meets the mandatory deposit requirements associated with FY 2005 excess general fund revenue collections and discretionary year-end general fund balances and is made pursuant to § 10.1-2129, Code of Virginia, and assumes the additional appropriation for the Virginia Water Quality Improvement Fund included in House Bill 30 (2006 Session).*

~~b.c.~~ Out of the amounts for Construction Assistance Loans and Grants, \$50,000,000 the second year from the general fund shall be deposited to the Water Quality Improvement Fund established in Title 10.1, Chapter 21.1, Code of Virginia, pursuant to the provisions of House Bill 2777, Senate Bill 810, and Senate Bill 1235 (2005 Session).

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.

3. Up to \$300,000 in the second year from the amounts appropriated for deposit to the Water Quality Improvement Fund for the control of nutrient pollution from point sources may be used to provide a grant to the Virginia Nutrient Credit Exchange Association created pursuant to House Bill 2862 and Senate Bill 1275, as adopted by the 2005 Session of the General Assembly. The terms and conditions applicable to this grant shall be established by the Department of Environmental Quality. The purposes for which the Virginia Nutrient Credit Exchange Association may use this grant include, but are not limited to, retaining technical expertise for the development of trading scenarios, analyzing the trading options that may exist within each of Virginia's Chesapeake Bay tributaries, establishing timetables and schedules for upgrading point source facilities, and developing a compliance plan for meeting statutory and regulatory criteria.

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. This appropriation includes \$1,272,705 the first year from the general fund to repay this treasury loan.

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.

H. Out of the amounts appropriated for Environmental Technical and Financial Assistance, \$106,000 the second year from the general fund shall be used to support citizen water quality monitoring efforts. Of this amount, the Department of Environmental Quality shall provide \$20,000 to the Tri-County Lake Administrative Commission for water quality monitoring and analysis at Smith Mountain Lake.

I. Out of the amounts for Environmental Technical and Financial Assistance, \$4,000,000 the second year from the general fund shall be deposited to the Combined Sewer Overflow Matching Fund pursuant to § [62.1-241.12](#), Code of Virginia. From this Fund, the City of Richmond shall receive \$2,000,000 in the second year and the City of Lynchburg shall receive \$2,000,000 in the second year.

*J. Out of the amounts for this item shall be provided \$30,000 the second year from the general fund to investigate the potential factors resulting in fish lesions and mortality in the Shenandoah River.*