2015 Session

Budget Bill - HB1400 (Enrolled)

Bill Order » Office of Agriculture and Forestry » Item 98

Department of Forestry

Item 98

	First Year - FY2015	Second Year - FY2016
Forest Management (50100)	**$28,737,263**	~~**$29,295,254**~~ ***$29,275,254***
Reforestation Incentives to Private Forest Land Owners (50102)	~~$2,398,431~~ *$2,554,502*	~~$2,728,142~~ *$2,884,213*
Forest Conservation, Wildfire &Watershed Services (50103)	~~$22,443,854~~ *$22,287,783*	~~$22,672,134~~ *$22,496,063*
Tree Restoration and Improvement, Nurseries &State-Owned Forest Lands (50104)	$3,219,978	$3,219,978
Financial Assistance for Forest Land Management (50105)	$675,000	$675,000
Fund Sources:		
General	$15,895,367	~~$16,446,507~~ *$16,426,507*
Special	$7,703,763	$7,710,614
Trust and Agency	$102,830	$102,830
Dedicated Special Revenue	$74,535	$74,535
Federal Trust	$4,960,768	$4,960,768

Authority: Title 10.1, Chapter 11, and Title 58.1, Chapter 32, Article 4, Code of Virginia.

A. The State Forester is hereby authorized to utilize any unobligated balances in the fire suppression fund authorized by § 10.1-1124, Code of Virginia, for the purpose of acquiring replacement equipment for forestry management and protection operations.

B. In the event that budgeted amounts for forest fire suppression are insufficient to meet forest fire suppression demands, such amounts as may be necessary for this purpose may be transferred from Item 468 of this act to the Department of Forestry, with the approval of the Director, Department of Planning and Budget.

C. The department shall provide technical assistance and project supervision in the aerial spraying of herbicides on timberland on landowner property. In addition to recovering the direct cost associated with the spraying contract, the department may charge an administrative fee for this service.

D. The Department of Forestry, in cooperation with the Department of Corrections, shall increase the use of inmate labor for routine and special work projects in state forests.

E. The department shall report by December 15 of each year on the progress of implementing the silvicultural water quality laws in Virginia. The report shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees.

F. The appropriation in Reforestation Incentives to Private Forest Land Owners include ~~$791,499~~ *$947,570* the first year and ~~$1,121,210~~ *$1,277,281* the second year from the general fund for the Reforestation of Timberlands Program. This appropriation shall be deemed sufficient to meet the provisions of Titles 10.1 and 58.1, Code of Virginia. Out of this appropriation, up to $147,500 the first year from the general fund may be used for replacement of the Department of Forestry's accounts receivable fiscal system.

G. Out of this appropriation, $394,605 the first year and $394,605 the second year from the general fund is included for the purchase of forest fire protection equipment through the state's master equipment lease purchase program.

H. The department is authorized to enter into an agreement with a private entity for a pilot program to place a communication tower on department-owned property that is designed to blend with the surrounding landscape to the greatest extent practicable. Notwithstanding any other provision of law, any revenues received from such an agreement shall be retained by the department and used for forest land management.

I. The department is authorized to sell property located at 2010 Sandy Hook Road, Goochland, Virginia, 23063. Notwithstanding any other provision of law, the net proceeds of this transaction, estimated at $150,000, shall be retained by the department, deposited into a nongeneral fund account, and used for costs incurred replacing current information technology equipment with technology and equipment appropriate to the department's operational needs.

J.1. The State Comptroller shall continue the Virginia State Forest Mitigation and Acquisition Fund and the Long Term Mitigation Fund as established in Item 102, Chapter 806, 2013 Acts of Assembly. All moneys in these funds shall be used as provided for in this Item and in Item 102, Chapter 806, 2013 Acts of Assembly.

2.a. An amount estimated at $9,840,690 from dedicated special revenue shall be deposited into the Virginia State Forest Mitigation Acquisition Fund, contingent upon ratification of a stream mitigation purchase and sale agreement between the Department of Forestry and Henrico County. This amount represents the proceeds from the stream mitigation transaction, which is based upon the Cumberland State Forest Stream Buffer Preservation Stewardship Plan. Such agreement shall be limited to fulfill no more than 75 percent of the required stream credits for the Cobbs Creek Reservoir project. All additional required credits shall be acquired from other sources. With the exception of the amounts prescribed in paragraph J.2.b. of this item, these funds shall be used solely for forest land or conservation easement acquisition.

b. Out of these amounts, a minimum of seven percent, or such amount as agreed to by the parties in the purchase and sale agreement shall be deposited into the Long Term Mitigation Fund, and shall be used only for long term management in accordance with the terms of the final mitigation plan, as approved by the U.S. Army Corps of Engineers, the State Water Control Board, and any other applicable authorities.

3. For any such future mitigation projects, no state forest land shall be used to provide compensatory mitigation for wetland or stream impacts of any public or private project until such time as due consideration has been given to the availability of mitigation credits available from private sources. State forest land means all sites, roadways, game food patches, ponds, lakes, streams, rivers, beaches, and lakes to which the Department of Forestry holds title for use, development, and administration.

K. 1. The Department of Forestry shall evaluate the cost and feasibility of providing retirement credits for special forest wardens who participate directly in extinguishing forest fires. As part of this evaluation, the Department shall consider a methodology for the calculation of creditable hours for direct participation in extinguishing a forest fire. In determining cost, retirement credits can be used to offset not more than five years of service for participation in an unreduced service retirement allowance. Each month of service would be eliminated at the rate of one month for each 173 hours of retirement credit. In no case should creditable service or compensation be allowed for the retirement credits.

2. In conducting the evaluation, the Department of Human Resources Management and Virginia Retirement System shall provide all required technical assistance. The Department of Forestry shall provide this report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than October 1, 2015.