

Natural Resources

Adopted Adjustments				
(\$ in millions)				
	FY 2021 Adopted		FY 2022 Adopted	
	<u>GF</u>	<u>NGF</u>	<u>GF</u>	<u>NGF</u>
2020-22 Current Budget	\$211.9	\$284.2	\$199.3	\$283.0
(Ch. 56, 2020 Special Session I)				
Adopted Increases	7.6	0.0	98.8	0.2
Adopted Decreases	<u>(10.0)</u>	<u>(0.0)</u>	<u>(41.0)</u>	<u>(0.0)</u>
\$ Net Change	(2.7)	0.0	57.8	0.2
Ch. 552 (HB 1800, as Adopted)	\$209.3	\$284.2	\$257.1	\$283.2
% Change	(1.3%)	0.0%	29.0%	0.1%
FTEs	1,022.00	1,157.00	1,036.50	1,157.00
# Change	0.00	0.00	14.50	0.00

- **Department of Conservation and Recreation**

- *Allocation of Mandatory and Supplemental Water Quality Improvement Fund (WQIF) Deposit.* Appropriates a total of \$69.9 million to the WQIF in FY 2022, reflecting both a mandatory deposit of \$30.4 million based upon FY 2020 agency balances and a supplemental deposit totaling \$39.5 million, in addition to \$8.5 million GF authorized in FY 2022 for base technical assistance funding provided to the Soil and Water Conservation Districts. The deposit is distributed as follows:

- \$35.0 million GF in FY 2022 to be deposited in the Natural Resources Commitment Fund (NRCF), with \$24.5 million used for Agricultural Best Management Practices within the Chesapeake Bay watershed and \$10.5 million for Agricultural Best Management Practices outside the Chesapeake Bay watershed. Additionally, the remaining \$4.9 million would be used to provide \$500,000 for the Conservation Reserve Enhancement Program (CREP); \$1.0 million for the Virginia Conservation Assistance Program (VCAP); \$1.0 million for special nonpoint source reduction projects including

poultry litter transportation and development of Resource Management Plans; \$250,000 for the Small Farm Outreach Program; \$250,000 for the Department of Forestry water quality grants; \$500,000 for the Virginia Trees for Clean Water program; \$1.0 million to the Department of Environmental Quality for the Clean Water Financing and Assistance Program; \$100,000 to the Department of Health for analysis of statewide septic hotspots and mapping of communities with failing or failed onsite wastewater treatment; and \$250,000 for development and maintenance of the Conservation Application Suite.

- ***Project Harmony.*** Provides \$4.0 million GF the second year for Project Harmony in support of the establishment of the Harmony Living Shoreline Memorial and activities to repatriate the tombstones of the former Columbian Harmony Cemetery, located in Washington D.C. The authorizing language allows for the funds to be used for all aspects of the project, including but not be limited to the location, recovery, and cataloging of tombstones from the shoreline of the Potomac River; transportation of tombstones to New Harmony cemetery in Landover, Maryland; and, the installation of Harmony Living Shoreline memorial using remaining materials from the former Columbian Harmony Cemetery that cannot be recovered.
- ***Acquisition and Reclamation of Chickahominy Tribe Land.*** Provides a direct general fund appropriation of \$3.5 million the second year to assist the Chickahominy Tribe in the acquisition and restoration of tribal lands.
- ***Preservation of River Farm.*** Authorizes a one-time appropriation of \$2.0 million GF the second year to support the efforts of the Northern Virginia Regional Park Authority to purchase River Farm in the City of Alexandria for conservation and maintenance as a publicly-accessible historic site. River Farm was originally owned by George Washington and has been the home of the American Horticultural Society for the past fifty years.
- ***Mason Neck State Park.*** Provides \$1.5 million GF the second year to allow the Department of Conservation and Recreation to connect Mason Neck State Park to a public drinking water supply system.
- ***Breaks Interstate Park.*** Authorizes the Department of Conservation and Recreation to provide \$1.4 million GF the first year to Breaks Interstate Park for the modernization and repair of existing lodge units and the Rhododendron Restaurant. This investment supports a key component of the Breaks Interstate Park five-year strategic plan to increase the sustainability of the park and increase overnight visitation.
- ***Increase Support for Natural Heritage Area.*** Includes \$1.0 million GF the second year and five positions to improve public safety and access to Natural Area

Preserves. Of the new positions, three will be public access coordinators to handle increased visitor traffic being experienced at Virginia's Natural Area Preserves.

- ***Increase Appropriation for State Park Operations.*** Provides \$556,000 GF the second year to increase support for state park maintenance, supplies, and the hiring of additional wage staff. This is a restoration of funding that had been approved during the 2020 Session, but was subsequently unallotted.
- ***Environmental Education Programs.*** Restores \$170,000 GF the second year for environmental education experiences that provide meaningful interactions and learning opportunities for students throughout the Chesapeake Bay watershed. This is a restoration of funding that had been approved during the 2020 Session, but was subsequently unallotted.
- ***Lake Gaston Lyngbya Remediation.*** Includes \$400,000 GF each year as part of a multi-year effort to remediate a lyngbya bloom at Lake Gaston. Lyngbya is an algae that can be harmful to swimmers, boaters, and marine life.
- ***Mendota Trail.*** Directs the Department of Conservation and Recreation to provide \$350,000 GF the second year to the Mendota Trail Conservancy to support the restoration of approximately 300 linear feet of abandoned railroad trestle for conversion to a multi-use recreational trail. The funding will allow for the completion of an approximately 2.7 mile-long section of the trail.
- ***Address Agency Pandemic-Related Costs.*** Provides \$300,000 GF the first year to address increased personnel costs resulting from pandemic response activities.
- ***Riverfront Park.*** Restores a one-time grant to the City of Danville of \$740,000 GF the first year as a matching grant for the construction of Riverfront Park, contingent upon an equal amount of matching funding provided by the City. This funding was approved in the 2020 General Assembly and subsequently unallotted.
- ***Dam Safety Floodplain Manager.*** Authorizes \$400,395 GF the second year and three positions in the Dam Safety and Floodplain Management Program. Of these, two positions are intended to provide assistance to Virginia residence and localities to ensure compliance with the National Flood Insurance Program. This is a restoration of had been approved during the 2020 Session, but was subsequently unallotted.
- ***Distribute Budget Reductions from Central Appropriations to Agency Budget.*** Reduces by \$2.5 million GF the first year and \$27.2 million GF the second year the agency's general fund budget to reflect approved budget reductions in Chapter 56 of the 2020 Acts of Assembly, Special Session I (HB 5005). These reductions were originally unallotted in Chapter 1289 of the 2020 Acts of Assembly (HB 30) and

subsequently converted to budget reductions in 2020 Special Session I. The vast majority relates to a supplemental WQIF deposit that has been replaced by the deposit resulting from the FY 2020 agency balances.

- ***Increase Nongeneral Fund Appropriation for State Park Projects Fund.*** Increases the appropriation for the State Park Projects Fund by \$200,000 NGF the second year to reflect anticipated revenues and expenditures.
- ***State Park and Natural Preserve Acquisition List.*** Adjustments to Part 2 increase by \$500,000 NGF the first year and \$800,000 NGF the second year support for state park land acquisition, and updates the list of parks and natural area preserves to expand acquisitions of property. Specifically, the amendment adds Kiptopeke, Highbridge Trail, Staunton River, and Grayson Highlands State Parks and removes Westmoreland. With respect to natural areas, Dendron Swamp, Magothy Bay, and Lyndhurst Ponds are added and Antioch Pines and Camp Branch Wetlands are removed from the list of properties the Department is authorized to purchase property within or adjacent to.

- **Department of Environmental Quality**

- ***Increase Appropriations for Monitoring and Compliance Activities.*** Includes a total of \$12.0 million GF the second year be provided for positions, equipment and contractual work for monitoring, compliance, permitting, and policy activities in the Air Protection (\$2.0 million); Land Protection (\$1.7 million); and, Water Protection (\$8.3 million) programs. This is a restoration of funding that had been approved during the 2020 Session, but was subsequently unallotted.
- ***Stormwater Local Assistance Fund.*** Provides a one-time deposit to the Stormwater Local Assistance Fund (SLAF) of \$25.0 million GF the second year for local stormwater quality retrofits and upgrades.
- ***Stormwater Management Program Fee Schedule.*** Authorizes a \$1.1 million GF deposit in the second year to the Virginia Stormwater Management Fund and directs the State Water Control Board to adopt a fee schedule for the Virginia Pollutant Discharge Elimination System (VPDES) permit for discharges of stormwater from construction activities and Municipal Separate Storm Sewer System (MS4) permits that recovers between 60 to 62 percent of the direct costs of the Department’s administration, compliance, and enforcement costs. A similar proposal to extend the water quality enhancement fee paid by nutrient credit banks upon application for credits, at a rate equal to five percent of the amount paid for credits, included in the introduced HB 1800 was rejected by the General Assembly.
- ***Solar Energy Project Permitting Program.*** Provides a total of \$345,500 for three additional full-time positions related to legislation to expedite the administration of

the permit-by-rule applications for energy storage projects as adopted in Chapters 419 and 58 of the 2021 Acts of Assembly, Special Session I (HB 2148/SB 1207), and to allow localities to request the Department to perform erosion and sediment control program reviews for solar and energy storage projects as adopted in Chapter 497 of the 2021 Acts of Assembly, Special Session I (SB 1258). In addition, language directs a working group be established to develop an appropriate fee schedule for the program. A separate enactment to Chapter 497 of the 2021 Acts of Assembly, Special Session I (SB 1258), requires that the fee recover between 60 and 62 percent of direct program costs, consistent with actions taken with respect to stormwater program permits.

- ***Review of Advanced Recycling.*** Includes language directing the Department of Environmental Quality to review the chemical conversion process referred to as Advanced Recycling which uses the processes of pyrolysis, gasification, and depolymerization to convert certain plastic waste into raw hydrocarbon material. In conducting its assessment, DEQ is directed to review other state regulatory models for the advanced recycling industry, assess the adequacy of Virginia’s current waste management and recycling laws for regulating the advanced recycling industry, and convene a stakeholder workgroup of industry and environmental stakeholders. A final report of the workgroup is required to be submitted to the Chairs of the House and Senate Natural Resources standing committees no later than December 31, 2021.
- ***Harmful Algae Blooms.*** Language directs the Department of Environmental Quality to lead an interagency working group with the Departments of Health (VDH) and Agriculture & Consumer Services (VDACS) to assess the prevalence of, and reasons for, harmful algae blooms in Virginia waters. The working group is directed to recommend strategies for state agencies to support mitigation effort to the Chairs of the House and Senate Natural Resources standing committees no later than September 1, 2021.
- ***Agricultural Land Sustainability Assessment.*** Includes language directing the creation of a multiagency workgroup, with the Departments of Forestry and Agriculture & Consumer Service, to review the practice of retiring agricultural land for the generation of nutrient credits and assess its impact on agricultural sustainability, farmland retention, farmland preservation, and functionality of the nutrient credit exchange program in the Virginia portion of the Chesapeake Bay watershed. The final report of the workgroup is required to be submitted to the Chairs of the House and Senate Natural Resources standing committees no later than December 31, 2021.

- *Native Plant Field Test.* Provides \$175,000 GF the second year for a research project to test the effectiveness of using halophytes growing in biochar-amended soil to capture and remove salts in stormwater runoff.
- *Distribute Budget Reductions from Central Appropriations to Agency Budget.* Reduces by \$6.2 million GF the first year and \$12.0 million GF the second year the agency’s general fund budget to reflect approved budget reductions in Chapter 56 of the 2020 Acts of Assembly, Special Session I (HB 5005). These reductions were originally unallotted in Chapter 1289 of the 2020 Acts of Assembly (HB 30) and subsequently converted to budget reductions in 2020 Special Session I. The second year amounts are offset by a corresponding increase in staffing for these activities listed above.

- **Department of Wildlife Resources**

- *Boat Ramp Access Fees.* Language is included to temporarily suspend the implementation of recreational boat ramp access fees authorized in Chapter 321 of the 2020 Acts of Assembly (HB 1604) until July 1, 2022. Additionally, the language requires the Department of Wildlife Resources to convene a stakeholder to evaluate alternative approaches to ensuring adequate public access and improved facility maintenance that will decrease the burden on recreational outfitters and non-profit organizations. The final report of the workgroup is required to be submitted to the Chairs of the House and Senate Natural Resources standing committees no later than December 31, 2021.
- *Remove Restrictions on Agency Operations.* Removes an obsolete requirement that the Department of Wildlife Resources notify the Chairs of the House and Senate Natural Resources standing committees prior to relocating agency offices or consolidating divisions.
- *Rapidan Wildlife Management Area.* Includes language directing the Departments of Wildlife Resources and Conservation & Recreation to assess the feasibility of converting the existing Rapidan Wildlife Management Area into a State Park, including the costs of releasing any terms and conditions on the funding used in the initial land acquisition as well as to construct and operate overnight accommodations. The area was originally home to Scotch-Irish settlers and the assessment is required to be submitted to the Chairs of the House Appropriations and Senate Finance & Appropriations Committees no later than November 1, 2021.

- **Department of Historic Resources**

- *Replace Robert E. Lee Statue in U.S. Capitol.* Provides \$35,000 GF the first year and \$483,500 GF the second year for the removal of the Robert E. Lee statute in the

Statuary Hall of the United States Capitol building and the design and installation of a statue of Barbara Rose Johns as its replacement.

- ***Historic Property Catalogue and Internship Program.*** Includes a total of \$250,000 GF the second year for a new initiative to expand Virginia’s historic property catalogue to increase the diversity of African American and indigenous properties included within the catalogue in partnership with Virginia’s Historically Black Colleges and Universities (HBCU’s). Within these amounts is funding for a full-time position to coordinate the program, necessary information technology upgrades to the Virginia Cultural Resources Information System, and \$100,000 for the initial cohort group beginning in Fiscal Year 2022.
- ***Clarification of Legislative Intent.*** Explicit language is included to clarify the intent of the General Assembly regarding the awarding of grant funding to localities for historic and commemorative attractions in order to ensure that local matching funding for grants authorized in the Appropriations Act is not required unless specifically stated.
- ***The Maroon Village / Underground Railroad.*** Includes \$3.0 million GF the first year for a one-time grant to the City of Chesapeake to support the development of a cultural attraction commemorating the Maroon Village and Underground Railroad in Virginia’s Great Dismal Swamp.
- ***Loudoun Freedom Center.*** Provides a one-time grant of \$255,000 GF the first year to Loudoun County for the African American Museum and History Education program at the Loudoun Freedom Center.
- ***Carver Price Legacy Museum.*** Authorizes a one-time grant of \$570,000 GF in the first year to Appomattox County for facility renovations to the Carver Price Legacy Museum.
- ***The JXN Project.*** Includes funding of \$500,000 GF the first year for a grant to the City of Richmond to support the JXN Project to commemorate the 150th Anniversary of Historic Jackson Ward.
- ***Restore Agency Base Operating Expenses.*** Restores \$139,328 GF each year for compensation actions to adjust specific staff salaries consistent with DHRM benchmarks. This funding was approved by the 2020 General Assembly and subsequently unallotted.
- ***Underwater Archaeology.*** Restores \$159,479 GF the second year to fund 1.50 FTE positions within the Department of Historic Resources to establish an underwater archaeology program consistent with the provisions of §10.1-2214, *Code of Virginia*.

Funding for these positions was approved by the 2020 General Assembly and subsequently unallotted.

- ***Fund Cemetery Preservation Position.*** Includes \$108,000 GF the second year for the Department to hire a cemetery preservation specialist. Funding for this position was approved by the 2020 General Assembly and subsequently unallotted.
- ***Distribute Budget Reductions from Central Appropriations to Agency Budget.*** Reduces by \$732,144 GF the first year and \$740,714 GF the second year the agency’s general fund budget to reflect approved budget reductions in Chapter 56 of the 2020 Acts of Assembly, Special Session I (HB 5005). These reductions were originally unallotted in Chapter 1289 of the 2020 Acts of Assembly (HB 30) and subsequently converted to budget reductions in 2020 Special Session I.

- **Marine Resources Commission**

- ***Coastal Resiliency Manager.*** Includes \$78,150 GF the second year for a coastal resiliency manager to manage the Waterways Improvement Fund. This is a restoration of what had been approved during the 2020 Session, but was subsequently unallotted.
- ***Unmanned Aerial Vehicles.*** Appropriates \$18,672 GF the second year through a pilot program to use unmanned aerial vehicles to assist in patrolling coastal areas. This is a restoration of what had been approved during the 2020 Session, but was subsequently unallotted.
- ***Outboard Motors.*** Provides \$14,710 GF the second year to purchase six replacement outboard motors for law enforcement. This is a restoration of funding that been approved during the 2020 Session, but was subsequently unallotted.
- ***Distribute Budget Reductions from Central Appropriations to Agency Budget.*** Reduces by \$575,153 GF the first year and \$135,845 GF the second year the agency’s general fund budget to reflect approved budget reductions in Chapter 56 of the 2020 Acts of Assembly, Special Session I (HB 5005). These reductions were originally unallotted in Chapter 1289 of the 2020 Acts of Assembly (HB 30) and subsequently converted to budget reductions in 2020 Special Session I.