



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 2406

PRINTERS NO. 2960

PRIME SPONSOR: Fritz

COST / (SAVINGS)

FUND	FY 2021/22	FY 2022/23
General Fund	\$0	See Fiscal Impact

SUMMARY: House Bill 2406, Printer's Number 2960, amends the Dam Safety and Encroachments Act to create a small stream maintenance project permit.

ANALYSIS: This bill amends the Dam Safety and Encroachments Act (Act 325 of 1978) by adding Section 6.1 addressing small stream maintenance project permit. It states that the Department of Environmental Protection (DEP) shall establish and authorize a small stream maintenance project permit for mitigation of flood-related hazards of less than 250 linear feet or an area of less than one acre in size.

The department shall delegate permit review and approval responsibilities to county conservation districts. An application for a small stream maintenance project permit shall include: a description of the small stream maintenance project; the location and area of the proposed project; a stream profile for a reasonable distance upstream and downstream of the proposed project, showing normal water surface and depths; a description of the equipment to be used; written approval from any affected property owners, proof of title or easements for lands included in the proposed project site, as necessary; and any additional information the department deems necessary.

The department may not require an applicant specify professional engineering services or similar professional qualifications as provided under section 10 for the removal of flood-related hazards or stream clearing activities under a proposed project.

A county conservation district shall grant a permit if the county conservation district determines that the proposed project complies with the provisions of this act and the regulations promulgated under this act, and complies with all other applicable laws administered by the department. No fees may be required for a small stream maintenance project permit.

This legislation would take effect in 60 days upon enactment.

FISCAL IMPACT: Enactment of this legislation will have no adverse impact on Commonwealth funds. It is projected that any administrative and operating costs would be covered under existing operations for the department and conservation districts especially given DEP's related pilot program addresses stream maintenance and its General Permit may be issued by conservation districts depending on the project and district.

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House Appropriations Committee (R)

DATE: June 8, 2022

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.