

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. Senate Bill 679

PRINTER NO. 1395

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

May 31, 2019

PRIME SPONSOR

Senator Yaw

DESCRIPTION

Senate Bill 679 amends the Dam Safety and Encroachments Act to provide for definitions and to allow counties to establish stream obstruction programs.

This legislation establishes definitions for "drainage area", "regional curve" and "streamflow". Counties shall develop a program for streams in two regional curves: rural and municipalities. Counties shall also apply for and obtain a Chapter 105 permit and shall not implement the program unless a permit is issued.

The bill requires the Department of Environmental Protection (department) to conduct an annual review of the counties' programs to determine the program's effectiveness. The department shall also develop a training program for counties conducting channel maintenance under the approved permit. The department and Environmental Quality Board shall promulgate regulations for the removal of obstructions and flood-related hazards on streams by counties.

FISCAL IMPACT:

Senate Bill 679 will have no fiscal impact on Commonwealth funds. The department has indicated that it anticipates five staff in the areas of engineering and biology will be required to develop the training required by the bill and to review and oversee implementation of the required permits. Currently, the department has staff dedicated to a similar pilot program. That pilot program would be redundant with the passage of this legislation. The reallocation of the positions and related funding will be sufficient to cover the anticipated costs of implementing the legislation.

The requirement for the Environmental Quality Board to promulgate regulations can be accomplished within existing staffing and funding levels.

Counties may incur the costs of implementing the required program by this legislation. These costs may include, but are not limited to, costs associated with additional staff with technical expertise in the areas of stream maintenance and remediation and costs related to maintenance and remediation activities.