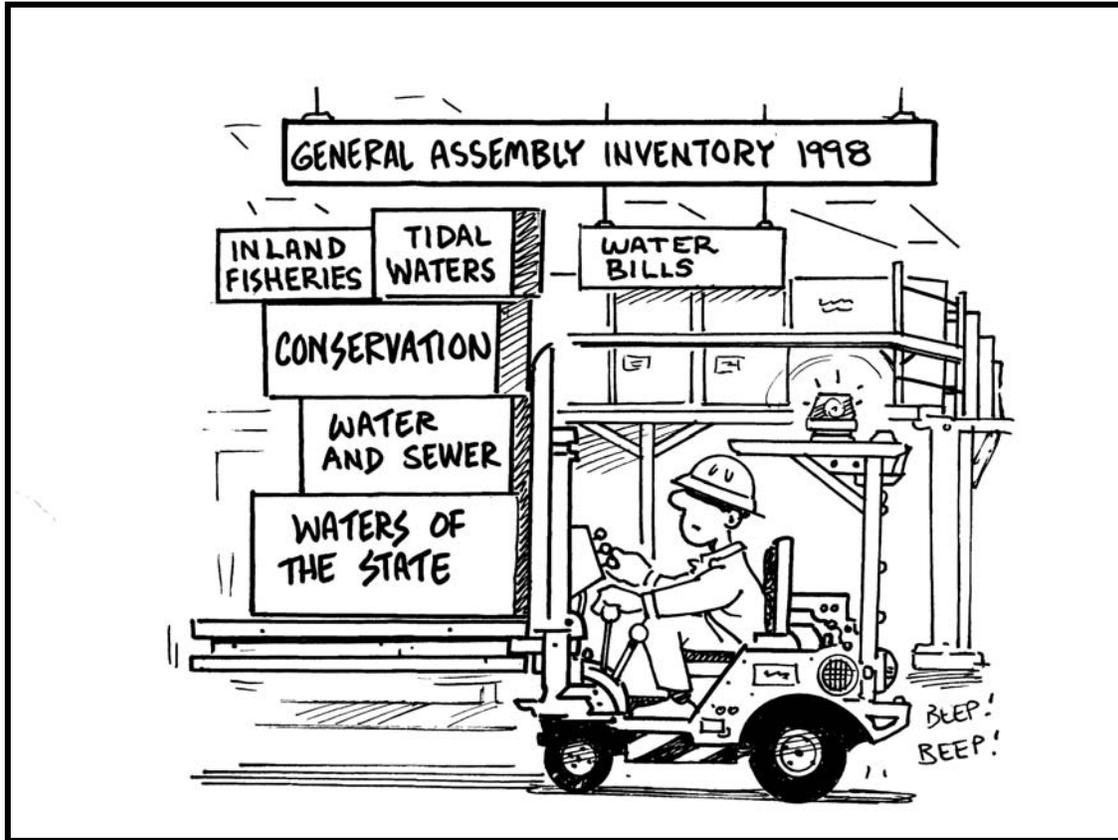


1998 General Assembly Legislation Related to Water

(Originally published in the June 1998 issue of *Virginia Water Central*, available online at <http://www.vwrrc.vt.edu/watercentral.html>. The source for bill information was the Legislative Information System, leg1.state.va.us. Joseph Manfre contributed to this article. Mr. Manfre, a 1998 graduate of Virginia Tech, was an intern at the Water Center during the Spring 1998 semester.)



The Virginia General Assembly held its regular session from January 14 to March 17, then reconvened April 22-23 to respond to the governor's vetoes. A special session on April 23-24 passed the budget along with car-tax and school-construction-grant legislation. During the regular session, 2152 bills were considered (939 passing, 651 failing, and 562 carried over until 1999), along with 730 joint resolutions (580 passing, 115 failing, and 36 carried over).

Among all this legislative action were 97 water-related bills and joint resolutions.¹ (Hereafter, we will use "bills" to include both bills and joint resolutions.) To identify bills related to water, we used the Legislative Information System's subject index, looking first under two categories: "Waters of the State, Ports and Harbors" and "Water and Sewer Systems." Of the 97 bills listed below, 73 were in one of these two categories. We then found 24 other pertinent bills under these categories: Conservation; Fisheries and Habitat of Tidal Waters; and Game, Inland Fisheries and Boating.²

¹ We excluded from our list some bills—probably less than five—that were in some way related to water but that were too narrow for the purpose of this article (for example, a bill regarding special license plates for a bass anglers group).

² The following categories used by the Legislative Information System also can be expected to have some water-related bills (but we found no *additional* bills in these categories for this session): Dangerous or

Because General Assembly committees are key to any legislation, it's helpful to know what committees tend to consider legislation on a given subject. The water-related bills in 1998 were allocated to committees as follows:

House of Delegates

Appropriations:	3
Chesapeake and Tributaries	23
Conserv. and Nat. Res.	40
Corporations, Ins. and Banking	3
Counties, Cities, and Towns	9
Courts of Justice	2
Finance	4
General Laws	1
Mining and Mineral Resources	2
Rules	5
Transportation	5

No water-related bills

Agriculture; Claims; Education;
Health, Welfare and Institutions; Interstate Cooperation; Labor and Commerce; Militia and Police;
Privileges and Elections; Science and Technology.

Senate

Agric., Conserv. and Nat. Res.	46
Commerce and Labor	3
Courts of Justice	3
Finance	5
Local Government	9
Privileges and Elections	1
Rules	8
Transportation	2

No water-related bills

Education and Health;
General Laws.

The rest of this article presents very brief summaries of water-related legislation in 1998, based on information from the Legislative Information System. The bills are grouped first by whether they passed, failed, or were carried over, then by Legislative Information System category. For details of any bill, please refer to sources listed earlier in this article.

Following the inventory is an article on various Virginians' opinions of the most significant water-related bills in the 1998 General Assembly.

Hazardous Substances or Chemicals; Drainage, Soil Conservation, Sanitation, and Public Facilities Districts; Education; Energy Conservation and Resources; Mines and Mining; Public Service Companies; Science and Technology; and Waste Disposal.

A Survey of Water-related Legislation in the 1998 Virginia General Assembly

Abbreviations used are as follows: HB = House bill (that is, introduced in the House first); HJ = House Joint Resolution; SB = Senate bill; SJ = Senate Joint Resolution; SCC = State Corporation Commission; VA DEQ = Virginia Department of Environmental Quality; VMRC = Virginia Marine Resources Commission; and *etc.* = other provisions not noted, due to space.

Passed

Waters of the State, Ports and Harbors

HB 547 Appomattox River; portion a scenic river: Extends from five to 6.2 miles the portion of the river included in the Virginia Scenic Rivers System. Identical to **SB 106** (also passed).

HB 615 Petroleum Storage Tank Fund: Makes several changes to the regulations guiding use of this fund for reimbursement of costs incurred for oil cleanup.

HB 620 Discharges of oil; recovery of costs: Affects the defenses allowed in liability cases for oil discharges.

HB 626 Local penalty powers in Chesapeake Bay Preservation Areas: Authorizes penalties in local Chesapeake Bay water-quality ordinances. Identical to **SB 354** (also passed).

HB 716 Containment and cleanup of oil spills: Alters the definition of "containment and cleanup" in the relevant section of the Virginia *Code*.

HB 779 Property conveyance; lands in James River: Allows the VMRC to convey certain lands to Chesterfield County.

HB 807 Clean Water Farm Award Program; created: A program by the Chesapeake Bay Local Assistance Board to recognize farms using nutrient-management plans.

HB 816 Regulation of water transport of wastes: Requires the Waste Management Board to develop regulation of solid and medical wastes on state waters. Identical to **SB 657** (also passed). See related bill

HB 818 (carried over)

HB 817 Personal watercraft; ordinance enforcement: Empowers law-enforcement officers to enforce local ordinances regulating personal watercraft (i.e., "jet-skis").

HB 903 Definition of no wake: Defines "no wake" as operation of a vessel at the slowest possible speed required to maintain steering and headway.

HB 904 Boating; no wake speed: Makes it unlawful to operate a motorboat above "no wake" speed within a certain distance of various structures or people in the water (*etc.*).

HB 905 Personal watercraft rentals: Requires people who rent or lease personal watercraft to provide certain information to the renter about operating procedures.

HB 972 Concrete plant water discharge general permits: Makes the required general permit for stormwater or process water applicable both to permanent and to portable plants (*etc.*).

HB 991 Confined animal feeding operations: Has various provisions modifying the general permit process covering these operations. Identical to **SB 661** (also passed).

HB 1027 Operation of personal watercraft; penalty: Sets limits on allowable speed of personal watercraft within certain distances from shore or structures.

HB 1209 Potomac River Compact: Makes provisions in Virginia's version of the compact conform to technical changes made by Maryland in 1996 and 1997.

HB 1244 Definition of coastal primary sand dune: Excludes from this definition sand deposited for beach replenishment.

HB 1295 Boating; reckless operation of a personal watercraft: Defines "personal watercraft" and describes activities to be considered a misdemeanor "public nuisance."

HB 1380 Age for operation of a motorboat; penalty: Sets at 16 the legal age to operate a motorboat.

HB 1381 Motorboat safety training: Requires personal-watercraft rental agents to complete a boating safety course, *etc.*

HB 1419 Wetlands and riparian buffers; taxation: Allows local governments to exempt from real-property taxation certain wetlands and riparian buffers; *etc.*

HJ 118 Citizen water monitoring volunteers: Encourages relevant state-agency cooperation with citizen water-quality monitors. Very similar to **HJ 159** (also passed).

HJ 236 Study; water resources: Requests State Water Commission to study ways of making best use of state water resources.

- HJ 283 Study; submerged aquatic vegetation:** Requests the Virginia delegation to the Chesapeake Bay Commission to study ways to protect submerged aquatic vegetation.
- SB 56 Craney Island; construction of additional marine terminal:** Authorizes study of the eastward expansion of the island and a possible additional terminal (this island is part of Portsmouth).
- SB 328 Smith Mountain Lake; no-discharge zone for boat sewage:** Directs Water Control Board to seek federal approval to designate the lake as a no-discharge zone for boat sewage.
- SB 335 Chesapeake Bay Bridge and Tunnel Commission:** Changes procedures for appointing members of the Commission after July 1, 1998. Same as **HB 692**, which failed.
- SB 483 Oil release report and notification:** Requires VA DEQ to compile a list of the locations of oil releases; *etc.*
- SB 487 Powers of the Virginia Resources Authority:** Gives the Authority power to establish a credit enhancement surety bond program; *etc.*
- SB 598 Rappahannock River Basin Commission:** Provides for establishment of the commission, to provide guidance on natural resources of the basin (no regulatory powers).
- SB 621 Peninsula Ports Authority:** Adds additional localities to the Authority and adds representation of those localities to the Authority's Commission.
- SJ 171 Study; economic incentives for shipbuilding industry:** Establishes a joint subcommittee to study economic incentives for shipbuilding, ship repair, and shipping.
- SJ 187 Study; dredging of Rudee Inlet:** Directs Senate Finance and House Appropriations to study funding options to continue dredging this inlet in Virginia Beach.

Water and Sewer Systems

- HB 339 Lien for water and sewer charges:** Adds Orange County to localities allowed to provide that taxes or charges for water or sewer service shall be a lien on the real estate served.
- HB 448 Credit for excessive water or sewer charges:** Allows for partial credit for water and sewer charges where high usage was due to unintentional causes.
- HB 501 Sewer services; Town of Front Royal:** Allows Front Royal to provide sewer to industrial and commercial users outside its boundaries and collect compensation.
- HB 502 Water; Town of Front Royal:** Allows Front Royal to provide water supplies to industrial and commercial users outside its boundaries and collect compensation.
- HB 912 Gray and rain water use guidelines:** Directs state Health Department to develop guidelines for, and promote (with VA DEQ), the use of gray water and rain water.
- HB 1042 Local water supply systems:** Provides that local water rates shall be fair and reasonable and payable as directed by the locality.
- HB 1133 Distribution of coal and gas road improvement tax for water projects:** Removes requirement that all water supplies in a locality be included in plans for funding water projects from this tax.
- HB 1220 Coalbed methane well operations; water supply replacement:** Requires replacement of water supplies contaminated or interrupted by these operations when within a certain distance; *etc.*
- SB 249 Lien for water and sewer charges; City of Fairfax:** Adds Fairfax to localities allowed to provide that water or sewer charges shall be a lien on the real estate served.

Conservation

- HB 648 Stormwater management, fees; exempts cemeteries:** Allows localities to exempt cemeteries from local stormwater management fees.
- HB 1425 Property tax exemption for erosion control improvements:** Allows localities to make partially tax-exempt real estate improved for erosion control; *etc.*

Fisheries and Habitat of Tidal Waters

- HB 656 Placing food in peeler crab pots:** Allows VMRC to develop regulations for placing food for male crabs in peeler pots.
- HB 992 Oyster inspection tax:** Extends from June 30, 1998, to June 30, 2000, the date that the oyster inspection tax becomes effective.
- HB 993 Marine Resources Commission; sale of gear licenses and permits:** Allows VMRC to issue gear licenses or fishing permits to state's island residents.
- HB 1264 Marine Resources Commission; membership:** Requires that one of the nine members of VMRC represent sport fishing industry or recreational fishers.

Game, Inland Fisheries and Boating

HB 535 Local regulation of motorboat distance: Allows Lake Anna localities to require motorboats to remain below planing speed within 50 feet of shore or docks; *etc.*

HB 576 Insuring personal watercraft rentals: Allows localities to establish standards for insurance coverage for businesses that rent personal watercraft.

HB 1353 Liability insurance; private pleasure watercraft: Requires insurers to offer, along with liability policies for such watercraft, optional uninsured operator coverage.

HJ 174 Study; mandatory boating education: Establishes a joint subcommittee to study costs and benefits of a mandatory boating-safety course for motorboat operators.

SB 458 Boating while under the influence: Requires Department of Motor Vehicles to maintain accessible records of people convicted of operating a boat while intoxicated; *etc.*

Failed

Waters of the State, Ports and Harbors

HB 503 Sewage sludge land application: Would have prohibited application of sludge containing any untreated human waste, or issuance of permits for application of sludge, without written consent of affected property holders.

HB 605 Flood prevention; Town of Grundy: Would have required Town of Grundy to gain referendum approval prior to constructing flood-control structures.

HB 887 Advisory referendum; King William reservoir: Would have provided for a referendum in November 1998 on whether the reservoir should be built in the county.

HB 974 Removal of non-conforming structures from state waters: Would have required removal of such structures, regardless of payment of a monetary penalty.

HB 1138 National pollutant discharge elimination permits; penalties (passed but vetoed): Would have clarified use of civil penalties under the Virginia Coal Surface Mining and Reclamation Act to enhance conservation and recreation in the coal counties.

HB 1334 Confined swine-feeding operations: Would have put a moratorium, with certain exceptions, on permitting and construction of such operations until July 1, 2000.

HB 1394 Water permit fees: Would have increased the maximum allowable charge for the processing of various water permits. See related bill **SB 597** (carried over).

HJ 188 Study; animal-waste management in Chesapeake Bay watershed: Would have set up a subcommittee to study animal-waste management in the Bay watershed.

Water and Sewer Systems

HB 956 Small water or sewer public utilities; rate changes: Would have required *individual*, written requests from customers of such utilities to the SCC for public hearings on rate changes. Same as **SB 294** (also failed). See related bills **HJ 207** (also failed) and **HB 739** (carried over).

HJ 207 Study; small water or sewer public utilities, rate changes: Would have set up a subcommittee to evaluate current procedures for rate changes by such utilities. See related **HB 956** (also failed) and **HB 739** (carried over).

SB 253 Water and sewer connections; applicable in York County: Would have allowed York County to require water and sewer connections in certain cases.

SB 403 Private water and sewer systems: Would have required an owner of a system with more than 15 connections to have an escrow account for repairs and maintenance.

Fisheries and Habitat of Tidal Waters

HB 684 Saltwater recreational fishing licenses: Would have removed the seaside exemption from the requirement to have a saltwater recreational fishing license.

HB 691 Marine Resources Commission: Would have changed the position of Commissioner of Marine Resources to Director of the agency; *etc.*

Carried over until 1999

Waters of the State, Ports and Harbors

HB 473 Water Quality Improvement Fund; utilization of: Would expand the eligible uses of the Water Quality Improvement Fund; *etc.* Similar to **HB 814** (also carried over). See related bill **SB 49** (also carried over).

HB 818 Prohibition on water transport of wastes: Would prohibit transport of solid and medical wastes by vessel on state waters (to the extent consistent with the U.S. Constitution). Same as **SB 656** (also carried over). See related bill **HB 816** (passed).

HB 823 Chesapeake Bay Byway Program; created: Would set up a special transportation program for the area along Route 3 between Route 301 and Route 14; *etc.*

HB 1207 Poultry-waste management in Chesapeake Bay watershed: Would require the Water Control Board to set up a poultry-waste regulatory program for the Bay watershed.

HB 1348 Shipbuilding industry tax credit: Would create two credits against employee income tax withholding payments if a qualified shipbuilder makes contributions for a “certified carrier platform integration center”; *etc.* Same as **SB 706**, which failed.

SB 49 Geographic eligibility for Water Quality Improvement Grants: Would clarify that grants from this fund may be made throughout the Chesapeake Bay watershed even if the funded project is not in an area with a completed tributary plan.

SB 582 Wetlands mitigation banks: Would allow use of wetlands mitigation bank credits as compensation for adverse impacts to wetlands; *etc.*

SB 597 Water permit fees: Would require the Water Control Board to recover eventually the total costs of administering the water permit program through the imposition of annual fees on water permits; *etc.* See related bill **HB 1394** (failed).

Water and Sewer Systems

HB 739 Small water or sewer public utilities; rate changes: Would prohibit rate increases or similar changes prior to public hearings and approval by the SCC; *etc.* See related bills **HB 956** and **HJ 207** (both failed).

Conservation

HB 1089 Water Quality Improvement Act point source grants: Would remove restriction that such grants first go to installation of biological nutrient removal at publicly owned sewage treatment plants; *etc.*

SB 492 Water Quality Improvement Grants for education: Would add education efforts to the potential uses of nonpoint source pollution grants from this fund.

Fisheries and Habitat of Tidal Waters

HB 579 Oyster and clam aquaculture: Would ensure riparian landowners in Virginia Beach a 50-foot zone (from mean low water) for oyster and clam aquaculture; *etc.*

HB 598 Fishery regulations: Would require that all VMRC fishery regulations, except emergency regulations, remain effective for one year, without amendments.

HB 671 Fishery Resource Grant Program; created: Would establish grants for commercial equipment, environmental studies, marine aquaculture, or seafood technology; *etc.*

SB 392 Restrictions on taking crabs: Would require any size and catch restrictions to be identical for peeler and soft crabs.

SB 393 Gray trout; management: Would require any regulation of the commercial gray trout fishery to apply the same catch limit to every method of catch.

SB 395 Restrictions on crab dredging: Would prohibit crab dredging on Sundays; *etc.*

Game, Inland Fisheries and Boating

HB 40 Hunting and fishing license fee adjustments: Would authorize an increase in the costs of basic hunting and fishing licenses, tied to inflation; *etc.*

HB 160 Personal watercraft; age increased for operation: Would increase from 14 to 16 the minimum age to operate a personal watercraft.

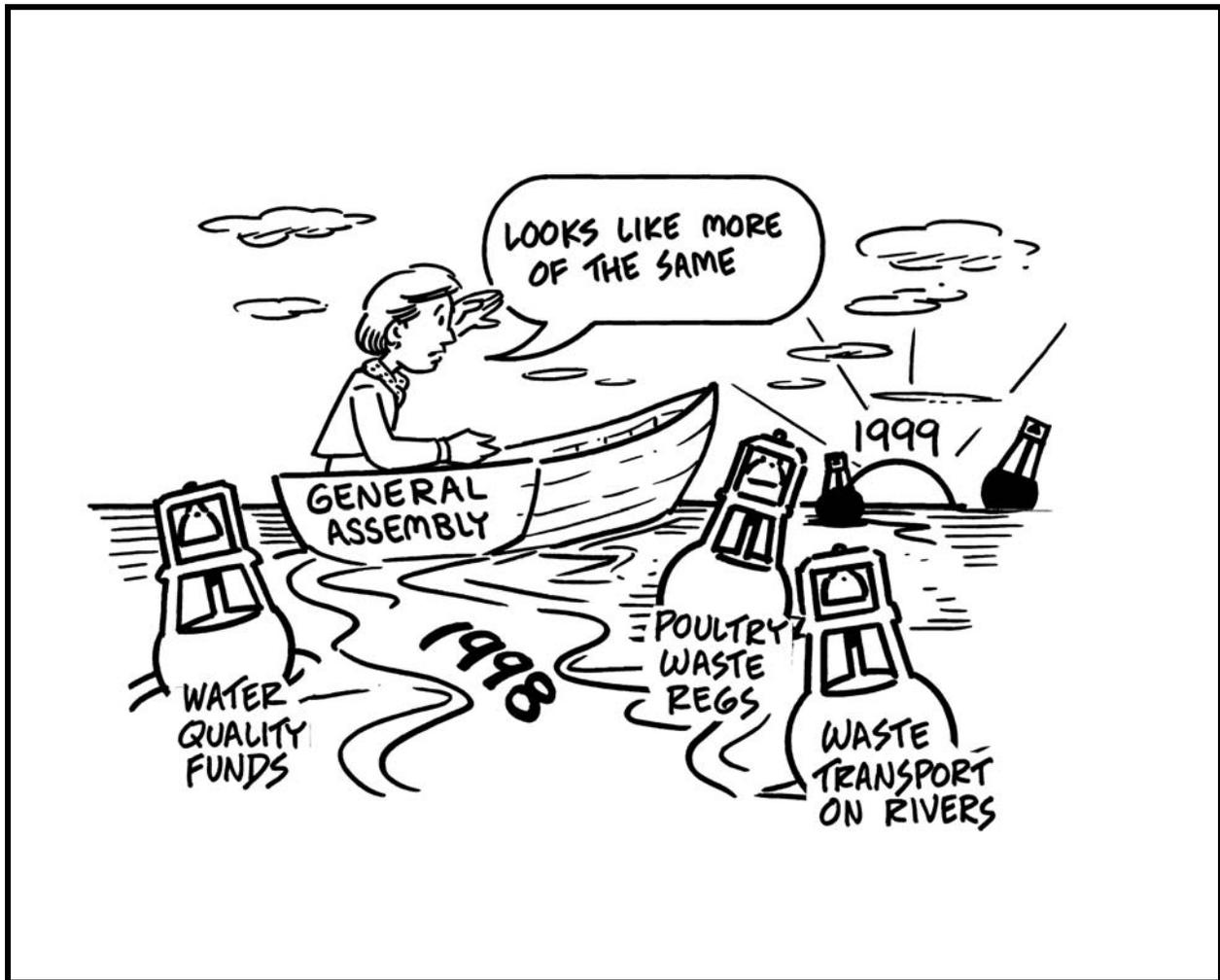
HB 765 Boating; life jackets for children: Would require a child 12 years of age or younger to wear a personal flotation device while in a motorboat; *etc.*

Virginia Water Legislation in the Wake and on the Horizon

(By Lisa Garcia; originally published in the August 1998 issue of *Virginia Water Central*, available online at <http://www.vwrrc.vt.edu/watercentral.html>.)

The use and potential abuse of Virginia's water were the focus of 97 bills considered by the Virginia General Assembly in 1998. The issues ranged from licensing teenage boaters to regulating poultry waste. The question remains, however, which bills are likely to have significant impacts on the state?

In an effort to answer that question, more than 20 Virginians in water-related fields were interviewed in July by phone and e-mail. The sources included lawmakers, economic developers, regulators, local utility managers, and environmentalists. This article summarizes their assessments of the water bills considered in 1998 and the issues likely to be revisited in 1999. [*Ed. note:* For a list of people interviewed and their choices of significant bills, see page 4.]



Animal Waste Management

No bill was mentioned more than HB1207, which calls for the State Water Control Board to regulate poultry manure in the Chesapeake Bay watershed. In recent years concerns have increased about the contribution of poultry manure to nonpoint-source pollution. The poultry waste bill was carried over until 1999. In the interim, the Virginia Department of Environmental Quality (DEQ) is conducting a study of poultry-waste regulation. Dennis Treacy, head of DEQ,

said he expects the study committee to offer some conclusions by the end of the year, and these findings will be integral to the attention the bill gets in 1999.¹

Jack Frye, director of the Division of Soil and Water Conservation in the Department of Conservation and Recreation, gave his assessment of why the administration opposed the bill. He said that poultry growers agreed to self-regulation efforts in 1995 and that they have shown an “increasingly improved track record...This bill runs right in and regulates the industry without giving it a chance,” Frye said.

Del. Raymond R. Guest, Jr. (R-15th District), co-chair of the House Conservation and Natural Resources Committee, agreed with Frye. “I thought the industry was making strides forward,” he said. “[I]f the industry can perform, then we don’t need the bill.”

But others who consider the industry’s efforts at nutrient management insufficient are hoping for the bill’s eventual passage. Joseph H. Maroon, Virginia executive director of the Chesapeake Bay Foundation, considered this bill among 1998’s most important (and most hotly debated). “[Chicken waste] is laden with nitrogen and phosphorus, major pollutants of Virginia’s surface and groundwater and the Bay,” he said.

Kay Slaughter, a senior attorney at the Southern Environmental Law Center in Charlottesville, said DEQ’s study is a “good, minimal first step.” Asked if the industry’s voluntary efforts were sufficient, Slaughter said they don’t eliminate the need for a law. “We don’t expect people to drive under the speed limit voluntarily; [instead] we have a law,” Slaughter said. “It’s good when industries go beyond the law, but we think there needs to be a baseline.”

Del. M. Kirkland Cox (R-66th District), co-chair of the House Chesapeake and Its Tributaries Committee, co-sponsored the poultry waste bill. He said the key to passage of that bill will be cost sharing. “We need to help out farmers, [because] those [best management practices] cost money,” he said. In this context, Cox and others voiced support for innovations in poultry-manure management, such as the use of Phytase.²

Other observers had different perspectives on animal waste management. Jim Warfield, spokesman for the Fairfax County Water Authority³, said the authority is concerned with anything that can result in an outbreak of the *Cryptosporidium* parasite. Although no *Cryptosporidium* outbreak has occurred in Virginia, a 1993 outbreak in Milwaukee killed over 100 people and sickened another 400,000. Warfield said that outbreak “really woke the water industry up.”

Warfield mentioned two bills that concerned his agency: the poultry waste bill, and HB991, which deals with the general permit process for confined animal feeding operations.⁴ HB991, which passed, tightens general-permit rules for livestock operations, in particular hog producers. It increases the required inspections of hog operations from once every five years to once every year.

Several people praised this bill, including Robert G. Burnley, the Virginia Economic Development Partnership’s director of technical services.⁵ Burnley said passage of HB991 (and its twin senate bill, SB661) “...confirmed the value of general permits and the whole general-permit concept...[The use of] general permits, when properly administered ...saves valuable resources for the regulatory agencies, protects the environment, and saves time and money for the permit applicant.”

¹ Meanwhile, the U. S. EPA and Agriculture Department are preparing a nationwide plan, due by November 1998, for reducing nutrient runoff from livestock operations, including poultry.

² Phytase is a feed additive that can decrease phosphorus in poultry waste by about 30 percent.

³ The Fairfax Authority serves 1.2 million people, more than one in five Virginians on public water.

⁴ Individual animal-feeding operations can apply for general waste-discharge permits designed for this industry. Less detailed data is needed for a general permit than for an individual permit.

⁵ The partnership, created in 1995 by the General Assembly, is a private, non-profit corporation whose mission is to promote economic expansion.

But Ms. Slaughter disagreed. She said general permits simply are not enough when dealing with the largest facilities, which have as many as 2,500 hogs. Virginia, she added, is “behind” many other states that require larger operations to have individual permits that take into account a site’s topography and an operation’s waste load.

Water Transport of Waste

Trash riding on water got about as much attention as animal waste flowing into water.

Patricia Jackson, executive director of the James River Association⁶, said she focused particularly on bills pertaining to transportation of waste on river barges.

Identical house and senate bills HB816 and SB657, which passed, require the Waste Management Board to develop regulation of solid waste and medical wastes on Virginia waters [*Ed. note:* See related Notice on page 13]. HB818, which would prohibit water transport of wastes, was carried over. The constitutionality of HB818 is in question: A ruling is expected from the state attorney general on the applicability of interstate commerce laws.

Ms. Jackson said the passed bills should have a significant impact, because the docking facilities for the barges will now be defined as solid-waste facilities. This empowers DEQ to inspect and regulate the docks. She also said the bills originated with concerns by property owners in Charles City County over barges filled with out-of-state trash. “This was a real example of citizens jumping in” and taking action, Jackson said.

But Barbara Wrenn, who as president of Wrenn Environmental Consulting tracks and writes about water legislation, takes a different view. “I really think a lot of this is waste phobia from people who really don’t know how tightly it is regulated,” Wrenn said of the barge bills. “We accept tankers delivering gas to the corner station, and gasoline is a much higher risk. So I watched (the bills) to see what the waste phobia would do. I don’t know if the threat is truly there.”

Tax Exemption for Wetlands and Erosion Control

Ms. Wrenn also took issue with two tax-exemption bills that passed. HB1419 and HB1425 both allow localities to offer property tax incentives: 1491 for placing wetlands and riparian buffers in perpetual easements; 1425, for erosion-control improvements. Wrenn said that from a conservationist’s point of view the bills make a lot of sense, but she questioned whether localities would actually use this authority. “I don’t want to be a naysayer. I think the goal is admirable; I just don’t know if [local governments] will give up the money,” she said.

Mr. Frye, of the Soil and Water Conservation Division, described the tax-exemption bills as important laws that “provide another tool in the toolbox” and give local governments more ways to encourage conservation.

Water Quality Improvement Fund

The action that received the most praise from people contacted for this article wasn’t a bill at all but an appropriation.

The \$57 million budgeted for the Water Quality Improvement Fund dwarfed the \$15 million the fund began with last year. Created in 1997 with the passage of the Water Quality Improvement Act, the fund provides grants to help control point- and nonpoint-source pollution.

Larry J. Land, Virginia Association of Counties’ director of policy development, called the budget “a big commitment.” He said the money shows the state is extremely serious about improving water quality.

⁶ The mission of the private, non-profit James River Association is to promote “conservation of the natural and historic resources of the James River Watershed, consistent with orderly and sustainable growth.”

Praise ran high for adding money to the fund, but where and how to spend the money was another issue altogether. At least five bills that would affect the use of the fund—HB473, HB814, HB1089, SB49, and SB493—were introduced and carried over; HB814 and HB1089 were mentioned in interviews. Currently the Act restricts funds used for *point-source* reduction to nutrient-removal projects in Chesapeake Bay tributaries with approved “tributary plans.” HB814 would allow funds to be used throughout the Bay watershed, not just in areas with an approved tributary plan. HB1089 would allow funds to be used for point-source projects other than biological nutrient removal.

Terrell J. Reid, utilities administrator with the Lynchburg Department of Public Works, said eligibility for grants should be open to point-source projects *throughout* Virginia, as HB819 would stipulate. Moreover, HB1089, by giving the DEQ the discretion to award grants based on the anticipated water-quality improvement, would “increase competition for the funding, encouraging innovation and leading to greater water quality benefits,” Reid said.

But Ms. Jackson, of the James River Association, said she opposed all the bills that broadened eligibility for Water Quality Improvement Fund grants. “I see it as basically a grab for money...and this is not the place to get it,” she said.

Wait ‘til Next Year

Many of the 1998 session’s prime water-related issues were not resolved. Regulation of poultry waste will remain a leading issue for years, according to legislators and private citizens contacted for this article. DEQ Director Treacy said confined livestock permits “have been pretty much dealt with,” but others like Ms. Slaughter plan to bring the issue back repeatedly in the hopes that Virginia will adopt an individual permit system. And water transport of medical and solid waste is a relatively new arena for regulators, with affected citizens pledging to monitor the regulatory system closely.

The People and Their Choices of Significant Bills

(HB = House Bill; SB = Senate Bill; HJ = House Joint Resolution)

Robert G. Burnley, dir. of technical services, Virginia Economic Development Partnership: HB991, HB814
 Del. M. Kirkland Cox (R-66th Dist.), Chesapeake and Its Tributaries Committee: HB1207, HB816.
 Jack E. Frye, director, Division of Soil and Water Conservation: HB1419, HB1425, HB1207.
 Del. Raymond R. Guest (R-15th Dist.), Cons. and Natural Res. Committee: HB991, HB1207.
 Patricia Jackson, executive director, James River Association: HB816, HB818, HB1207, HB1394, SB656, SB657, SB582, SB597.
 Larry Land, director of policy development, Virginia Association of Counties: HB1394.
 Joseph H. Maroon, Virginia executive director, Chesapeake Bay Foundation: HB1207, SB582.
 Terrell J. Reid, utilities administrator, City of Lynchburg Department of Public Works: HB1089.
 Kay Slaughter, senior attorney, Southern Environmental Law Center: HB1207, HB991.
 Del. Vic Thomas (D-17th Dist.), Cons. and Natural Res. Committee: HB1207, HB816, HB904, HB903, HB1380, HJ174.
 Dennis Treacy, director, Virginia Department of Environmental Quality: HB991, HB1207.
 Jim Warfield, spokesman for Fairfax County Water Authority; HB991, HB1207.
 Barbara Wrenn, president, Wrenn Environmental Consulting, Inc.: HB816, HB1419, HB1425, HB1207.

Index to Bills Mentioned in Interviews

(P = Passed; F = Failed; CO = carried over to 1999)

HB814 Eligible uses and locations for Water Quality Improvement Act funds (CO).
 HB816 Regulation of water transport of wastes (P); same as SB657.
 HB818 Prohibition of water transport of wastes (CO); same as SB656.
 HB904 No-wake speed for boats (P).
 HB991 Confined animal feeding operations (P); same as SB661.
 HB1089 Eligible uses for Water Quality Improvement Act funds (CO).
 HB1207 Poultry waste management (CO).
 HB1380 Age requirement for boaters (P).
 HB1394 Water permit fees (F).
 HB1419 Wetlands/riparian buffers taxation (P).
 HB1425 Property tax exemption for erosion control improvements (P).
 HJ174 Study of mandatory boating education (P).
 SB582 Wetlands mitigation banks (CO).
 SB597 Water permit fees (CO).
 SB656 Prohibition of water transport of wastes (CO); same as HB818.
 SB657 Regulation of water transport of wastes (P); same as HB816.
 SB661 Confined animal feeding operations (P); same as HB991.