

Water in the 2010 Virginia General Assembly

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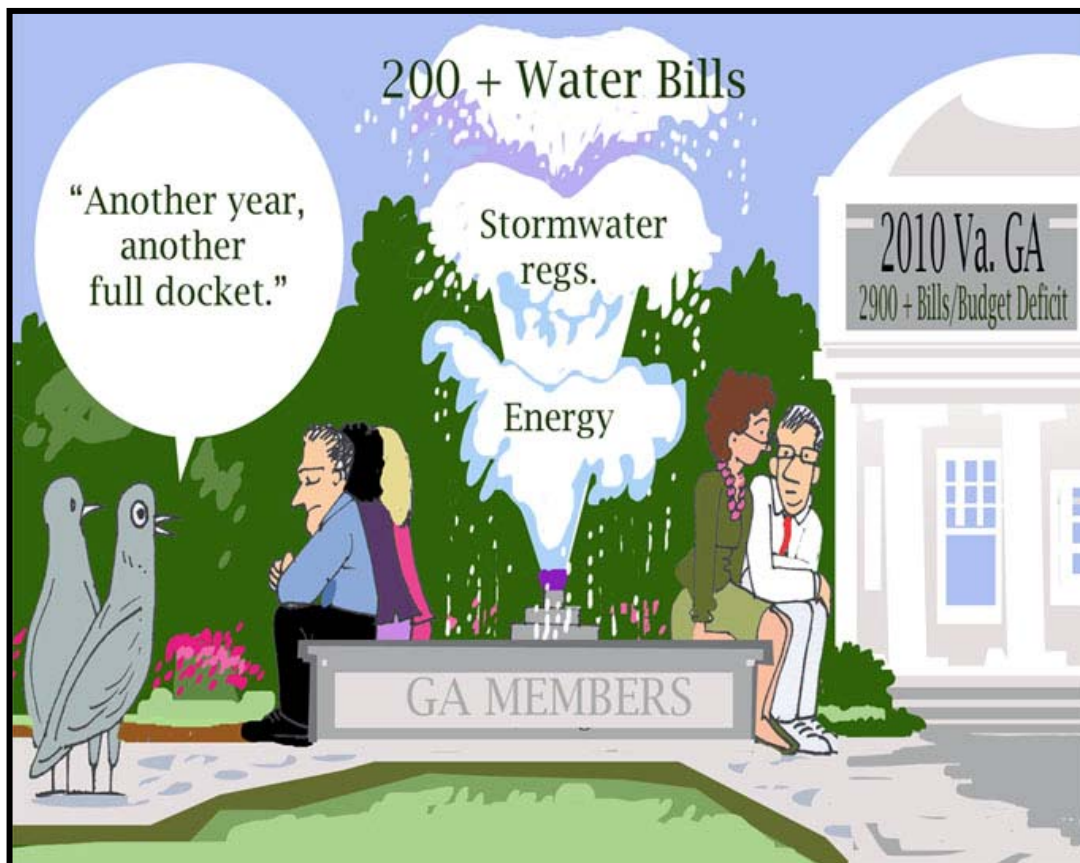
The 2010 Virginia General Assembly convened January 13 and adjourned March 13. The reconvened (“veto”) session was held April 21. During the session, the Assembly considered 2964 measures, passing 1598 of them, defeating 1093, and continuing 273 until 2011. The Assembly also crafted the 2010-12 biennial state budget.

In this article, *Virginia Water Central* lists 201 measures in the 2010 Assembly that dealt with water resources directly or with activities that are likely to affect water. The list comes from the Legislative Information System (LIS) Web site, at <http://leg1.state.va.us>, in the categories indicated by sub-headings below. Bill summaries were also taken from LIS (edited in some cases for space or clarity). Bills are listed under only one category, even if LIS listed them more than once. The categories searched and the bills listed include all those with *direct* water relevance (such as bills in the “Water and Sewer Systems” category) as well as those with a *potential or indirect* relevance to water (such as bills dealing with land conservation and energy-efficiency, two activities that ultimately affect water resources). *Water Central’s* list below *does not necessarily include all bills* that potentially affect Virginia’s water resources (sometimes we miss some!).

Within each category, bills are listed in order of their **bill number**, using the following abbreviations: **HB** = bill started in House of Delegates; **HJ** = joint resolution started in the House; **SB** = bill started in the Senate; and **SJ** = joint resolution started in the Senate. Numbers in the left-hand column have been added by *Water Central*.

A table at the end of the article lists several topics and bills from the 2010 Assembly that received attention in various news media. For a selection of online news articles about water-related legislation in the 2010 Assembly, please visit the *Virginia Water Central* News Grouper at <http://delicious.com/araflo/10VaGenAssembly>.

Water Central’s inventories of water-related bills in previous General Assembly sessions (1998-2009) are available online at www.vwrrc.vt.edu/legislation.html.



2010 Virginia General Assembly Water-related Bill Inventory

If you are reading this article online, click on the bill numbers to access bill information at the Legislative Information System (LIS). **PLEASE NOTE:** In some cases, when opening a bill page your browser may show first a blank window; if this happens, look for a separate tab indicating the LIS site.

Frequently used abbreviations: DCR = Department of Conservation and Recreation; DEQ = Virginia Department of Environmental Quality; DGIF = Department of Game and Inland Fisheries; DMME = Department of Mines, Minerals and Energy; DOF = Department of Forestry; EPA = U.S. Environmental Protection Agency; House ACNR = House Agriculture, Chesapeake, and Natural Resources committee; House APP = House Appropriations committee; SCC = State Corporation Commission; Senate ACNR = Senate Agriculture, Conservation, and Natural Resources committee; VDH = Virginia Department of Health; VDOT = Virginia Department of Transportation; VMRC = Virginia Marine Resources Commission.

BUDGET

1.	HB 29	Budget Bill. Amendments to the 2008-2010 biennial budget.	Passed.
2.	HB 30	Budget Bill. Appropriations for the 2010-2012 biennium (July 1, 2010-June 30, 2012).	Passed.
3.	SB29	Budget Bill. Amendments to the 2008-2010 biennial budget.	Passed Senate; failed in House APP.
4.	SB30	Budget Bill. Appropriations for the 2010-2012 biennium (July 1, 2010-June 30, 2012).	Passed Senate; failed in House APP.
5.	SB 102	Budget process; biennial appropriations shall start on July 1 of odd-numbered years.	Carried over to 2011 in Senate Finance.

CONSERVATION

Land Conservation Bills

6.	HB 141	Land preservation tax credit. Provides that nonprofit organizations holding a conservation easement are <i>ineligible</i> to receive land preservation tax credits for donations of real property.	Passed.
7.	HB 447	Land conservation tax credit fee limitations. Removes the \$10,000 cap on the two-percent fee imposed on the transfer arising from sale of land conservation tax credits and directs up to 50 percent of revenues to the Department of Taxation and the Department of Conservation and Recreation (DCR) first, with remaining revenues transferred to the Virginia Land Conservation Fund. Companion bill is SB 264 (#13).	Passed.
8.	HB 632	Land conservation tax credit increase. Would increase from 40 percent to 50 percent the portion of the value of land donated for conservation purposes that may be taken as a credit.	Carried over to 2011 in House Finance.
9.	HB 717	Civil War Site Preservation Fund. Establishes this fund for the purpose of awarding grants to private nonprofit organizations to preserve endangered Virginia Civil War historic sites. Companion bill is SB 614 (#17).	Passed.
10.	HB 774	Explore Park title reversion from Recreational Facilities Authority. Delays until July 1, 2011, the reversion of title to Explore Park in Roanoke County from the Virginia Recreational Facilities Authority to the Commonwealth, in the event that the Authority ceases to operate. The Authority and Roanoke County are directed to work with other stakeholders to develop an alternate plan for the appropriate utilization and management of the property; the plan shall be completed and transmitted to the Governor and the General Assembly by	Passed.

		December 31, 2010. Companion bill is SB 502 (#16).	
11.	HB 845	Tax credit to taxpayers for easements for trails to a recreation authority.	Carried over to 2011 in House Finance.
12.	SB 233	Land conservation tax credit reduction. Reduces from \$100,000 to \$50,000 the amount of the land preservation tax credit that may be claimed for taxable year 2011.	Passed.
13.	SB 264	Land preservation tax credit; fee for transfer of credits. Companion bill is HB 447 (#7); please see that bill for summary.	Passed.
14.	SB 341	Land preservation tax credit; DCR to provide estimate of land used for production agriculture, etc. Requires the DCR, when preparing its annual report, to consult with the departments of Taxation, Forestry, and Agriculture and Consumer Services to estimate of the amount of land being used for production agriculture and silviculture that has been protected by qualified donations (resulting in tax credits); and the amount of such that has operational best management practices designed to reduce the amount of nutrients and sediment entering public waters.	Passed.
15.	SB 346	Land conservation practices database. Requires the Secretary of Natural Resources to establish and maintain a database of the critical data attributes for onsite best management practices that limit the amount of nutrients and sediment entering state waters.	Passed.
16.	SB 502	Explore Park title reversion to Recreational Facilities Authority. Companion bill to HB 774 (#10); please see that bill for summary.	Passed.
17.	SB 614	Civil War Site Preservation Fund. Companion bill is HB 717 (#9); please see that bill for summary.	Passed.
18.	SB 661	Land preservation tax credit verification for certain donations. Requires the director of the DCR to verify the conservation value of donation under the Virginia Land Conservation Incentives Act of 1999, when the donation is from a property that from which a parcel has received a tax credit in the past three years, and if tax credit from the new donation would be at least \$250,000.	Passed

Other Conservation Bills

19.	HB 3	State parks Disabled Veteran's Passport program. Would have expanded the program to all veterans with a service-related disability, from the current requirement that the veteran be 100-percent disabled.	Failed in House ACNR.
20.	HB 129	Land-disturbing activities; exemptions for certain activities from Erosion and Sediment Control Law. Would have exempted certain harvest of forest products from being considered land-disturbing activities under the Erosion and Sediment Control (E&S) Law if the area was reforested artificially or naturally, or converted to agricultural or improved pasture. Currently, such harvested areas can be exempted from the E&S law if other types of restoration procedures are implemented.	Failed in House ACNR.
21.	HB 326	Mercury thermostats. Requires the Virginia Waste Management Board to adopt regulations to encourage the recycling of thermostats containing mercury, and authorizes localities to prohibit disposal of mercury thermostats in any private landfill within its jurisdiction, if the locality has a mercury thermometer-recycling program.	Passed.
22.	HB 329	Lawn fertilizers and phosphorus. Would prohibit use and	Carried over to 2011 in

		application of phosphorus-containing fertilizers on lawns, golf courses, parks, and cemeteries.	House ACNR.
23.	HB 375	Removal of mercury switches from scrap and recycled vehicles. Would have required manufactures to submit mercury minimization plans to the Department of Environmental Quality (DEQ) and to pay specified costs associated with mercury switch removal; would have required recyclers to remove all switches before transferring ownership of a vehicle to a scrap-processing facility.	Failed in House Transportation.
24.	HB 501	Jordan Scenic River. Designates a seven-mile portion of the Jordan River as a component of Virginia Scenic Rivers System.	Passed.
25.	HB 503	Hughes Scenic River. Designates a 10-mile portion of the Hughes River as a component of Virginia Scenic Rivers System.	Passed.
26.	HB 521	Plastic bags. Would have banned use by retailers at point of sale unless designed and manufactured for reuse.	Failed in House ACNR.
27.	HB 537	Golden Age Card for state parks. Would have required the Provides for the DCR to establish a Virginia Golden Age Card authorizing a 50-percent discount on state park camping to citizens 60 years of age or older.	Failed in House ACNR.
28.	HB 591	Administrative Process Act. Removes obsolete exemptions, including the exemption from the regulatory promulgation process for preliminary program permit fees of the DEQ.	Passed.
29.	HB 619	Erosion and sediment control civil penalties. Removes the specific authority of a locality to impose a \$1,000 civil penalty on a person who engages in a land-disturbing activity without having an approved plan. Instead, any violation of any erosion and sediment control regulation or order of the Virginia Soil and Water Conservation Board, any provision of a local program, or any condition of a permit will be subject to a civil penalty of \$100 to \$1,000.	Passed.
30.	HB 940	Hunting and trapping; reduces penalty for violations. Reduces the penalty for violations of hunting and trapping laws or regulations from a Class 1 misdemeanor to a Class 3 misdemeanor.	Passed.
31.	HB 948	HOT (high-occupancy toll) lanes. Would have required the Virginia Department of Transportation to conduct a National Environmental Policy Act study prior to construction on any portion of I-95 or I-395.	Failed in House Transportation.
32.	HB 951	Blackwater Scenic River. Designates a 56-miles portion of the Blackwater River as a component of Virginia Scenic Rivers System. Companion bill is SB 17 (#43).	Passed.
33.	HB 987	Stormwater regulation; amends current law on waiver. Would remove the requirement that full waivers be given to federal, state, or local government agencies that develop, redevelop, or retrofit outfalls, discharges, or property so that there is a permanent reduction in post-development stormwater flow and pollutant loading. Companion bill is SB 650 (#53).	Carried over to 2011 in House Appropriations.
34.	HB 1100	Stormwater management liability protection. Provides that a common interest community shall enjoy limited liability protection relating to a stormwater management facility located on property owned by that community if the common interest community cedes— via a proper and mutually accepted contract—the responsibility for the maintenance, repair, and replacement of a stormwater management facility to the Commonwealth or a Virginia political subdivision.	Passed.
35.	HB 1180	Russell Fork Scenic River. Designates a nine-mile portion of the Russell Fork as a component of the Virginia Scenic Rivers System. The	Passed.

		bill includes stipulations that the designation is not to be used to preclude land along the river from being mined or to be a criterion for imposing water-quality standards.	
36.	HB 1220	Stormwater management regulations; delay. Delays the effective date for a regulation that establishes stormwater criteria for local programs, water quality, and water-quantity. The delay is until 280 days after the establishment of the U.S. EPA's Chesapeake Bay-wide Total Maximum Daily Load, but no later than December 1, 2011. The bill also directs the Soil and Water Conservation Board to establish an advisory panel to review the regulations and make recommendations on possible revisions. Companion bill is SB 395 (#49). Incorporated HB 155 and HB 1311 .	Passed.
37.	HB 1281	Appomattox Scenic River. Would add 13 miles to the existing 6.2-mile-portion of the Appomattox River designated as a component of the Virginia Scenic Rivers System.	Carried over to 2011 in House ACNR.
38.	HB 1300	Air Pollution Control Board; regulations under the Clean Air Interstate Rule. Retains the authority of the Air Pollution Control Board to provide for participation in the EPA-administered cap-and-trade system for nitrogen oxide (NOx) and sulfur dioxide (SOx), but prohibits the Board from requiring that electric generating facilities located in a non-attainment area meet NOx and SOx compliance obligations without the purchase of allowances from in-state or out-of-state facilities. [These two air pollutants can also affect water resources.] Companion bill is SB 128 (#45).	Passed.
39.	HB 1319	Carbon dioxide emissions; enforcement of federal standards. Would require the Commonwealth to withhold enforcement of any federal standards or cap-and-trade provisions on carbon dioxide emissions, pending the governor's and attorney general's finding of authority by Congress. The bill also would authorize the attorney general to bring an action against the EPA if he finds that the mandated standards are based on a finding that is not scientifically demonstrated. See related HB 1357 (#41).	Carried over to 2011 in House ACNR.
40.	HB 1334	Littering; prohibits disposal of cigarette butts on public property.	Passed House; failed in Senate Courts of Justice.
41.	HB 1357	Carbon dioxide emissions; prohibits state regulation. Would prohibit the Air Pollution Control Board and the DEQ from restricting emission carbon dioxide. The bill would also assert that any federal law or regulation of carbon dioxide emissions shall be without authority or force within the Commonwealth. See related HB 1319 (#39).	Carried over to 2011 in House ACNR.
42.	HR 6	High Bridge Trail State Park. This House resolution commends the DCR and VDOT on efforts to develop this park.	Passed.
43.	SB 17	Blackwater Scenic River. Companion bill is HB 951 (#32); please see that bill for summary.	Passed.
44.	SB 123	Stormwater management in redevelopment. Would have required the developer of a single lot to provide stormwater management when "substantial redevelopment" (defined) of the lot is proposed.	Failed in Senate Local Government.
45.	SB 128	Air Pollution Control Board; regulations under Clean Air Interstate Rule. Companion bill is HB 1300 (#38); please see that bill for summary.	Passed.
46.	SB 175	Law Officers' Retirement System. Would have added conservation officers as members.	Failed in House Finance.
47.	SB 244	Dam Safety Act. Requires the Virginia Soil and Water Conservation	Passed.

		Board to adopt regulations that consider downstream limited-use or private roadways (with low traffic volume and low public safety risk) when determining a dam's hazard-potential classification.	
48.	SB 327	Material near an easement. Would have required that owner of estate not have any debris within 25 feet of an easement; current law calls for no debris adjacent to an easement.	Failed in Senate Courts of Justice.
49.	SB 395	Stormwater management regulations; delay. Companion bill is HB 1220 (#36); please see that bill for summary. Incorporated SB 245 , SB 677 , and SB 681 .	Passed Senate; in House ACNR.
50.	SB 525	Cooperative Marketing Fund of the Virginia Tourism Authority; dedication of soft drink excise tax and litter tax revenues. Would have dedicates the revenues from soft drink excise tax and litter tax to the Cooperative Marketing Fund administered by the Virginia Tourism Authority. Current law dedicates the revenues from the two taxes to the Litter Control and Recycling Fund.	Failed in Senate Finance.
51.	SB 583	Pesticides and fertilizers application and impervious surfaces. Would have prohibited commercial lawn care and landscaping services from broadly applying pesticides and fertilizers onto streets, driveways, or other impervious surfaces.	Failed in Senate ACNR.
52.	SB 627	Nutrient reduction credits. Clarifies who receives credit for the nutrient reductions associated with a stormwater nonpoint nutrient offset, used to achieve compliance with construction site stormwater nutrient discharge requirements. If the land-disturbing activity using a nonpoint nutrient offset discharges to a municipal separate storm sewer system (MS4), then the locality receives credit toward its nutrient allocation. If the discharge is not to a MS4, then the reductions are applied toward compliance with the nutrient allocation applicable to that area.	Passed.
53.	SB 650	Stormwater regulation; amends current law on waivers. Companion bill is HB 987 (#33); please see that bill for summary.	Carried over to 2011 in Senate Local Government.
54.	SB 659	Outer Continental Shelf; air pollution control regulations. Requires the State Air Pollution Control Board, by January 1, 2011, to adopt any regulations necessary to implement and enforce the requirements of Section 328 of the federal Clean Air Act relating to requirements to control air pollution from Outer Continental Shelf sources. The bill also directs the DEQ to request that the U.S. EPA Administrator delegate to the Commonwealth authority to implement and enforce this section of the Clean Air Act.	Passed.
55.	SB 686	Uniform Environmental Covenants Act. A new act established to authorize the DEQ to enter, along with owners of real property, into environmental covenants that restrict the use of the real property. The bill sets requirements for such covenants and authorizes the DEQ pay for administering the covenants through fees to be paid by property owners subject to covenants.	Passed.

ENERGY CONSERVATION AND RESOURCES

56.	HB 25	Greenhouse gas emissions and transportation. Would have required the Statewide Transportation Plan to include quantifiable measures and goals related to greenhouse gas emissions.	Failed in House Transportation subcommittee.
57.	HB 92	Renewable energy certificates: tariffs by electric cooperatives.	Passed.

		Provides that an electric cooperative is deemed to offer a tariff for electric energy considered to be provided completely from renewable energy <i>if</i> the cooperative provides undifferentiated electric energy <i>and</i> retires a quantity of renewable energy certificates (RECs) equal to 100 percent of the electric energy provided pursuant to such tariff. A REC is defined, with respect to cooperatives, as a tradable commodity or instrument issued by a regional transmission entity that validates the generation of electricity from renewable energy sources or that is certified under a generally recognized REC standard. A cooperative offering renewable energy that involves the retirement of RECs shall disclose to customers information regarding the source of the energy.	
58.	HB 327	Electric energy-efficiency standard established. Would establish an energy-efficiency standard under which investor-owned electric utilities are required to reduce—through implementation of energy-efficiency and energy-conservation programs—their Virginia retail customers’ energy consumption by 19 percent by the year 2026, compared to the consumption currently projected for that year. See related SB 71 (#86), which failed.	Carried over to 2011 in House Commerce and Labor.
59.	HB 389	Virginia Offshore Wind Project Development Authority. Creates this Authority to facilitate and support the development of the offshore wind industry and wind-powered electric energy facilities located off the Virginia coast beyond the state's three-mile jurisdictional limit. Membership requirements and specific powers of the Authority are identified. Companion bill is SB 577 (#102).	Passed.
60.	HB 436	Donations by localities to organizations for energy-efficiency services. Provides that a locality may make gifts and donations to any nonprofit organization engaged in providing energy-efficiency services or promoting energy efficiency within or without the boundaries of the locality. Companion bill is SB 291 (#98).	Passed.
61.	HB 441	Community and agricultural net metering. Requires the State Corporation Commission (SCC) to establish a program of community net metering, which will allow a group of residential, small commercial, and other customers to establish an “eligible community customer” that can develop a net metered system whereby excess power generation by some members of the group will be used to offset consumption by other members within the group.	Carried over to 2011 in House Commerce and Labor.
62.	HB 442	Electric utilities; authorizes individual retail customers to continue purchasing renewable energy. Provides that, after the expiration or termination of capped rates, individual retail electricity customers in Virginia shall be permitted-to continue purchasing renewable energy pursuant to the terms of a purchase agreement that was in effect on the date on which a utility filed a renewable energy tariff with the SCC.	Passed.
63.	HB 533	Steps to Advance Virginia's Energy Plan (SAVE) Act for natural gas utilities. Authorizes investor-owned natural gas utilities to petition the SCC to implement a separate rider that will allow for recovery of certain costs associated with infrastructure-replacement projects that enhance safety or reliability, do not increase revenues by directly connecting the infrastructure replacement to new customers, reduce greenhouse gas emissions, are not included in the natural gas utility's rate base in its most recent rate case, and are commenced on or after January 1, 2010. Companion bill is SB 112 (#89).	Passed.
64.	HB 545	Machinery and tools tax exemption when used to create recycled products. Would have allowed localities to classify separately for	Failed in House Finance.

		taxation purposes tools and machinery used to make from recycled products and to exempt them from state taxation.	
65.	HB 672	Infrastructure Project Loan Fund. Creates this fund, to be administered by the Virginia Resources Authority, for financing local-government projects to capture gas energy from solid-waste landfills or wastewater treatment plants.	Passed.
66.	HB 756	Offshore drilling revenue to Transportation Trust Fund. Requires that all revenues paid to the Commonwealth as a result of offshore natural gas and oil drilling shall be distributed as follows: (i) 70 percent to the Transportation Trust Fund, (ii) 20 percent to the Virginia Coastal Energy Research Consortium, and (iii) 10 percent to localities for improvements to infrastructure and transportation. Incorporated HB 805 and HB 900 . See related SB 601 (#103) and SB 684 (#107).	Passed.
67.	HB 787	State policy on oil/gas production and development off the Atlantic shoreline. States that it shall be the policy of the Commonwealth to support oil <i>and</i> natural gas exploration, development, and production 50 miles or more off Virginia's coast, taking into account the impact on localities, armed forces, and the mid-Atlantic regional spaceport. The current policy is limited to supporting exploration for natural gas. Companion bill is SB 394 (#100).	Passed.
68.	HB 803	Income tax credit: Green jobs. Allows individual taxpayers a \$500 income tax credit per job for the creation of up to 350 "green" jobs between January 2010 and January 2015. Green jobs are those involving renewable energy. Companion bill is SB 143 (#92).	Passed.
69.	HB 881	Restrictive covenants regarding solar energy collection devices. Would invalidate community associations' restrictive covenants that prohibit or restrict installation or use of solar energy collection devices, but retain community association authority to establish reasonable restrictions on such devices' size and placement.	Carried over to 2011 in House Counties, Cities and Towns.
70.	HB 928	Virginia Universities Clean Energy Development and Economic Stimulus Foundation. Creates this Foundation to obtain and provide funding for research and development of alternative fuels, clean-energy production, and related technologies; support of economic development projects in disadvantaged rural areas; and provision of assistance in commercializing alternative fuels and clean-energy technologies. Companion bill is SB 326 (#99).	Passed.
71.	HB 998	Income tax credit: Renewable energy products. Would provide an income tax credit from 2011-2016 for production and export of renewable energy products, with a \$6-million annual limit on the amount of credits. Companion bill (with slight difference) is SB 657 (#105).	Carried over to 2011 in House Appropriations.
72.	HB 999	Renewable energy manufacturing equipment as separate classification for property tax. Adds tangible personal property and improvements to real property designed and used primarily for manufacturing a product from renewable energy as separate classifications of property for local property tax purposes.	Passed.
73.	HB 1022	Renewable energy portfolio standard program: offshore wind. Provides that an electric utility will receive triple credit toward meeting the goals of the renewable energy portfolio standard program for energy derived from offshore wind. The measure also has provisions related to purchase/sale of renewable energy certificates.	Passed.
74.	HB 1037	Clean Energy Manufacturing Incentive Grant Program. Would repeal the Solar Photovoltaic Manufacturing Incentive Grant Program and create a program of financial incentives to companies that	Carried over to 2011 in House Appropriations.

		manufacture or assemble equipment or products used for energy efficiency or to produce renewable energy or nuclear energy. Companion bill is SB 129 (#91).	
75.	HB 1044	Income tax credit: Renewable energy property and energy audits. Would have allowed an income tax credit to individuals for renewable energy property and residential energy audits	Failed in House Finance.
76.	HB 1046	Income tax credit: Non-profit charitable donations for Energy Star-qualified products. Would have allowed an income tax credit to individual or business who make a cash donation to charitable non-profit organizations that use the donation to construct, purchase, or lease Energy Star-qualified products for their headquarters.	Failed in House Finance.
77.	HB 1051	Retail sales and use tax dealer discounts. Would have eliminated dealer discounts for a variety of taxes, including the tire-recycling fee and motor vehicle fuel taxes. Companion bill is SB 542 (#101).	Failed in House Appropriations.
78.	HB 1222	Voluntary Solar Resource Development Fund. Would have established this fund, required electric utilities to provide customers with the option to make voluntary contributions to the fund, and provided that the fund be allocated by the SCC as grants for projects that involve the installation and operation of solar-energy devices.	Failed in House Commerce and Labor.
79.	HB 1236	Information on energy conservation. Would require electric utilities and natural gas distribution companies to provide information to customers to support and encourage energy conservation. The bill would require the SCC to determine the type of information and set guidelines for information distribution.	Carried over to 2011 in House Commerce and Labor.
80.	HB 1264	Green Public Buildings Act. Would have required new or renovated public buildings of certain sizes or costs to be built to recognized energy-saving and water-saving standards. Companion bill is SB 109 (#87).	Failed in House General Laws.
81.	HB 1274	Energy mandates. Would require the SCC or the Joint Legislative Audit and Review Commission to assess the economic impact on customers and public utilities in Virginia of any proposed state law or other mandate that affects the use, delivery, availability or regulation of energy in the Commonwealth. Companion bill is SB 647 (#104).	Carried over to 2011 in House Commerce and Labor.
82.	HB 1310	Certification of geothermal heat-pump providers. Would have required the Board of Contractors to certify providers of direct-exchange geothermal heat-pump ground-loop systems.	Failed in House General Laws.
83.	HB 1341	Income tax credit: Electric energy from livestock waste nutrients. Would establish individual and corporate income tax credits for property in any locality that has a current five-year annual average unemployment rate of at least 11 percent, and that is part of a facility producing electricity primarily from livestock waste nutrients. Companion bill (with some difference) is SB 678 (#106).	Carried over to 2011 in House Finance.
84.	HB 1342	Renewable energy portfolio standard: poultry litter or other animal waste. Provides that an electric utility will receive quintuple credit toward meeting the goals of the renewable energy portfolio standard program for energy from poultry litter or other animal waste.	Carried over to 2011 in House Commerce and Labor.
85.	SB 39	Renewable energy portfolio standard: tree products. Would have removed the requirement that utilities participating in a renewable energy portfolio standard program collectively use no more than 1.5 million tons of tree products each year towards meeting RPS goals.	Failed in Senate ACNR.
86.	SB 71	Electric energy-efficiency standard established. Would have required electric utilities to implement a portfolio of energy-efficiency programs to reduce the retail customer consumption of electric energy by	Failed in Senate Commerce and Labor.

		its retail customers by 0.3 percent of the forecast consumption for 2011, 3.9 percent of the forecast consumption for 2015, and 12.2 percent of the forecast consumption for 2022. The bill also had provisions for related rate adjustments and for alternative compliance payments. See related HB 327 (#58), which was carried over to 2011.	
87.	SB 109	Green Public Buildings Act. Companion bill is HB 1264 (#80); please see that bill for summary.	Passed Senate; failed in House Appropriations.
88.	SB 110	Clean energy financing in localities. Authorized localities—in order to secure loans for the initial acquisition and installation of clean energy improvements—to place liens equal in value to the loan against any property where such clean energy systems are being installed; also allows localities to bundle loans for transfer to private lenders in a manner that allows the liens to remain in full force to secure the loans.	Passed.
89.	SB 112	Steps to Advance Virginia's Energy Plan (SAVE) Act for natural gas utilities. Companion bill is HB 533 (#63); please see that bill for summary.	Passed.
90.	SB 113	Constitutional amendment on tax exemption for energy-saving buildings, etc. Would provide for a referendum election on an amendment allowing the General Assembly to authorize localities to exempt or partially exempt from real or personal property taxes certain energy- and resource-efficiency equipment, facilities, or devices. The present Constitution allows exemptions for pollution-abatement and solar-energy equipment. SJ 25 (#109) is nearly identical.	Passed Senate; carried over to 2011 in House Privileges and Elections.
91.	SB 129	Clean Energy Manufacturing Incentive Grant Fund. Companion bill is HB 1037 (#74); please see that bill for summary.	Passed Senate; carried over to 2011 in House Appropriations.
92.	SB 143	Income tax credit: Renewable-energy job creation. Companion bill is HB 803 (#68); please see that bill for summary.	Passed Senate; failed in House Appropriations.
93.	SB 150	Energy-efficiency programs and rate recovery by utilities. Would have prohibited utilities from recovering revenue losses resulting from implementation of energy-efficiency programs.	Failed in Senate Commerce and Labor.
94.	SB 174	Retail sales and use tax exemption: renewable energy systems. Would have exempted from this tax certain solar and wind systems purchased for installation on residential property.	Passed Senate; failed in House Appropriations.
95.	SB 221	Covenants regarding natural drying devices. Would have provided no community association shall prohibit an owner from installing or using a natural drying device on that owner's property, but would have allowed reasonable restrictions on the size, placement, duration, and manner of placement of such devices.	Passed Senate; failed in House General Laws.
96.	SB 267	Commission on Energy and Environment; responsibility to review impacts of energy production and use on natural resources. Would have ensured the Commission's responsibility to review and consider the direct and indirect impacts of energy production and use on the Commonwealth's environment and natural resources, and review the impact of environmental laws, regulations, and initiatives on the Commonwealth's energy supplies.	Passed Senate; failed in House Rules.
97.	SB 272	Biodiesel and green diesel; two-percent minimum content in state contracts for vehicle fuel. Requires the Department of General Services to establish the conditions under which state public bodies may procure diesel fuel containing, at a minimum, two percent biodiesel fuel or other “green” diesel fuel.	Passed.
98.	SB 291	Donations by localities to organizations for energy-efficiency	Passed.

		services. Companion bill is HB 436 (#60); please see that bill for summary.	
99.	SB 326	Universities Clean Energy Development and Economic Stimulus Foundation. Companion bill is HB 928 (#70); please see that bill for summary.	Stricken at request of patron in Senate Education and Health.
100.	SB 394	State policy on oil/gas production and development off the Atlantic shoreline. Companion bill is HB 787 (#67); please see that bill for summary.	Passed.
101.	SB 542	Retail Sales and Use Tax dealer discounts. Companion bill is HB 1051 (#77); please see that bill for summary.	Failed in Senate Finance.
102.	SB 577	Virginia Offshore Wind Development Authority. Companion bill is HB 389 (#59); please see that bill for summary.	Passed.
103.	SB 601	Offshore drilling revenue to Transportation Trust Fund. Would provide that 80 percent of any future royalties from offshore oil/gas drilling be deposited in the Transportation Trust Fund. See related HB 756 (#66) and SB 684 (#107).	Carried over to 2011 in Senate Finance.
104.	SB 647	Energy mandates. Companion bill is HB 1274 (#81); please see that bill for summary.	Carried over to 2011 in Senate Rules.
105.	SB 657	Income tax credit: Renewable energy products tax. Companion bill (with slight difference) is HB 998 (#71); please see that bill for summary.	Passed Senate; continued to 2011 in House Appropriations.
106.	SB 678	Income tax credit: Electric energy from livestock waste nutrients. Companion bill (with some difference) is HB 1341 (#83); please see that bill for summary.	Passed Senate; carried over to 2011 in House Finance.
107.	SB 684	Transportation funding, including from offshore energy. Would have provided new and increased taxes, tolls, royalties from offshore natural gas and oil drilling, and general fund revenues for transportation funding. See related HB 756 (#66) and SB 601 (#103).	Failed in Senate Finance.
108.	SB 713	Coastal Energy Research Consortium. Adds George Mason University to the membership and its president (or designee) to the governing board, and directs that a representative of NASA's Langley Research Center serve as a non-voting member of the board.	Passed.
109.	SJ 25	Constitutional amendment on tax exemption for energy-saving buildings, etc. SB 113 (#90) is nearly identical; please see that bill for summary.	Passed Senate; carried over to 2011 in House Privileges and Elections.

FISHERIES AND HABITAT OF TIDAL WATERS

110.	HB 138	Aquaculture opportunity zones. Requires the Marine Resources Commission (VMRC) to establish zones for propagation of shellfish off the shores of the Northern Neck, Middle Peninsula, and Tangier Island.	Passed.
111.	HB 142	Menhaden fisheries quota. Continues the annual menhaden harvest quota of 109,020 metric tons for the Virginia portion of the Chesapeake Bay until January 1, 2014, three years beyond the original sunset date. Companion bill is SB 47 (#119).	Passed.
112.	HB 194	Filled subaqueous land: cost for purchaser. Would have required a purchaser of filled, state-owned, subaqueous lands to pay the cost of preparing and recording transfer documents, as opposed to the current requirement to pay 25 percent of the assessed value of the parcel.	Failed in House ACNR.

113.	HB 294	Menhaden fishery management. Would have provided that the VMRC adopt regulations to implement the Interstate Menhaden Fishery Management Plan; required that any moratorium on the fishery be subject to legislative review; and repealed the governor's authority to implement menhaden management measures by proclamation. Companion bill is SB 185 (#120).	Failed in House ACNR.
114.	HB 296	Federal water zones. Authorizes patrols in these zones by officers of the Department of Game and Inland Fisheries (DGIF) and by marine patrol divisions of police departments in Tidewater localities. Companion bill is SB 398 (#124).	Passed.
115.	HB 1163	Bottomlands rents and royalties. Would remove the authority of the VMRC to charge rent as a condition of a permit for use of state-owned bottomlands.	Carried over to 2011 in House ACNR.
116.	HB 1268	Recreational gill net license. Would establish a new recreational gear license of \$25 for owners of piers who want to affix a staked gill net to their pier (the gill net cannot exceed 300 feet).	Carried over to 2011 in House ACNR.
117.	HB 1291	Commercial fishing license and certain non-residents. Prohibits the VMRC from selling a commercial fishing license to a non-resident whose state of residence does not sell the same or similar license to a resident of the Commonwealth. Companion bill is SB 192 (#121).	Passed.
118.	HJ 74	Study of submerged land on Eastern Shore. Would have requested the Virginia Institute of Marine Science to study management options for state-owned submerged lands on the seaside of the Eastern Shore.	Failed in House Rules.
119.	SB 47	Menhaden fisheries quota. Companion bill is HB 142 (#111); please see that bill for summary.	Passed.
120.	SB 185	Menhaden fishery management. Companion bill is HB 294 (#113); please see that bill for summary.	Stricken from docket in Senate ACNR.
121.	SB 192	Commercial fishing license and certain non-residents. Companion bill is HB 1291 (#117); please see that bill for summary.	Passed.
122.	SB 202	State-owned bottomland permit fees. Would have authorized the VMRC to establish a new structure of permit fees for use of state-owned bottomlands.	Stricken from docket in Senate ACNR.
123.	SB 345	Oyster restoration projects by local governments. Authorizes the Virginia Resources Authority to finance such projects.	Passed.
124.	SB 398	Federal water zones. Companion bill is HB 296 (#114); please see that bill for summary.	Passed.
125.	SB 447	Shellfish sanitation; inspections; fees. Would have required a permit from the State Health Commissioner for any establishment that processes crabmeat or shellfish, with permit fees paid into a fund that supports the shellfish sanitation program.	Passed Senate; failed in House ACNR.
126.	SB 668	Saltwater recreational fishing; licensing in conformance with national registry. Directs the VMRC to establish the Fisherman Identification Program, which is to be consistent with the National Saltwater Angler Registry Program, and to pay for the program through a one-time fee increase of not more than \$10 on the saltwater recreational boat license. Those persons who purchase a saltwater fishing license are <i>not required to register</i> with the program.	Passed.
127.	SB 726	Hampton Roads Maritime Association. Changes name to Virginia Maritime Association in law regarding ballast water control reports.	Passed.
128.	SJ 35	Tidal shoreline management. Requests the Virginia Institute of Marine Science to review tidal shoreline management in Virginia and	Passed.

		similarly situated states; identify potential changes to the regulatory structure of tidal shoreline management to reduce the cost and time required to issue a permit; identify regulatory innovations that would increase adoption of living shorelines among landowners; and make recommendations for sustained protection of tidal shoreline resources.	
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GAME, INLAND FISHERIES, AND BOATING

129.	HB 128	Fishing license for disabled, active-duty military personnel. Authorizes the DGIF to issue free fishing licenses to disabled, active-duty military personnel who are receiving medical treatment from a hospital in Virginia, an adjoining state, or the District of Columbia.	Passed.
130.	HB 168	Personal flotation devices for children. Companion bill is SB 93 (#141), which passed; please see that bill for summary.	Failed in House Militia, Police and Public Safety.
131.	HB 287	Establishment of Marina Fund. Would have requires a certificate to operate from the Department of Health (VDH) for operation of a marina. Fees for certificates would have gone to a new Marina Fund to be used to support the VDH Marina Program.	Failed in House Health, Welfare and Institutions.
132.	HB 373	Hunting, trapping, and fishing license revocation. Clarifies that courts may revoke these licenses upon conviction of violations of laws and regulations related to these activities.	Passed.
133.	HB 487	Board of Game and Inland Fisheries authority on feeding wild animals. Expands the authority of the Board of Game and Inland Fisheries to adopt regulations on the <i>feeding</i> of any game, game animals, or fur-bearing animals; currently, the Board's regulatory authority pertains to hunting, taking, capture, killing, possession, sale, purchase, and transportation of wild animals.	Passed.
134.	HB 74	Boating safety course. Would have exempted a person from taking this course if they possess a valid Coast Guard boat operator's license.	Stricken from docket in House ACNR.
135.	HB 795	Dams and fishways. Would exempt Harvell Dam on the Appomattox River in Petersburg from fish-passageway requirements.	Carried over to 2011 in House ACNR.
136.	HB 801	License to fish; South Holston Reservoir. Adds a new required license for state residents to fish and to harvest trout in the interstate (Virginia-Tennessee) waters of the South Holston Reservoir.	Passed.
137.	HB 802	Antique motorboats registration fee. Would have established a special, one-time, \$100 registration fee for antique motorboats (at least 30 years old).	Stricken from docket in House ACNR.
138.	HB 1029	Special species fishing license. Would have established a special license for the catch or take of fish species that threaten other fisheries or that may have a significant ecological or economic impact.	Stricken from docket in House ACNR.
139.	HB 1218	Waterfowl blinds. Shifts time to obtain licenses to earlier in year.	Passed.
140.	HB 770	DUI arrests, including for boating. One of several provisions would allow an arrest for misdemeanor DUI or "drunk boating" to be made by any officer, whether or not the offense occurred in the officer's presence. This bill incorporates HB 1254 . See similar SB 688 (#148).	Passed.
141.	SB 93	Personal flotation devices (PFDs) for children. Requires children 12 and under to wear a Coast Guard-approved PFD on recreational vessels in waters. Companion bill is HB 168 (#130).	Passed.
142.	SB 217	Recreational boats or watercraft local registration fee. Would have authorized localities to impose an annual registration fee	Passed Senate; failed in House ACNR.

143.	SB 243	Fishing license exemption for active-duty military. Exempts from the fishing-license requirement active-duty military personnel who are residents and on leave; the exemption does not extend to trout-stocking waters.	Passed.
144.	SB 289	Hunting and fishing licenses for under age two. Establishes lifetime hunting and fishing licenses for residents and nonresidents who are younger than two years of age.	Passed.
145.	SB 500	Hunting and fishing licenses for active-duty military. Would have allowed any active member of the military to obtain a resident hunting, fishing, or trapping license.	Stricken in Senate ACNR.
146.	SB 546	Railroad rights-of-way; passage permitted for access to lands used for recreational purposes. Ensures that railroad rights-of-way may be used for recreation and for access to lands being used for recreation without the easement holder owing a duty of care to the user. This exemption from civil liability already exists for landowners, but does not explicitly include railroad rights-of-way.	Passed.
147.	SB 575	Endangered and threatened species. Would have authorized the Board of Game and Inland Fisheries to adopt regulations regarding taking of populations provided for in conservation plans.	Failed in Senate ACNR.
148.	SB 688	DUI arresting, including for boating. Would expand the DUI crimes for which an officer may arrest a person without a warrant. The bill removes the requirement that an arrest for DUI be made within three hours of an accident and allows an arrest for misdemeanor DUI or "drunk boating" to be made by any officer, whether or not the offense occurred in his presence, and removes language from the law providing for transfer of custody from one officer to another in boating DUI incidents. See similar HB 770 (#140).	Carried over to 2011 in Senate Finance.

MINING

149.	HB 1072	Mining: ownership of underground void. Would have broadened the existing statutory provision for ownership of the space opened underground by the removal of minerals and coal.	Failed in House Courts of Justice.
150.	HB 1179	Coalbed methane natural gas. Provides that a conveyance, reservation, or exception of coal shall not be deemed to include coalbed methane gas. Companion bill is SB 376 (#155).	Passed.
151.	HB 1184	Gas and oil wells fee. Would have established a \$50 annual permit renewal fee. Companion bill is SB 560 (#158).	Failed in House Appropriations.
152.	HB 1344	Coalbed methane gas; conflicting claims of ownership; arbitration. Requires that the Virginia Gas and Oil Board order arbitration to resolve conflicting claims of ownership over coalbed methane upon the written request of all parties claiming ownership.	Passed.
153.	HJ 121	Ownership of coalbed methane and other natural gases; study. Directs the Virginia Coal and Energy Commission to study ownership rights of coalbed methane and other natural gases, and opportunities to encourage production and use of natural gas in Virginia.	Passed.
154.	SB 247	Carbon dioxide; regulation of geologic storage. Would have authorized the geologic storage of carbon dioxide by permit issued by the Department of Mines, Minerals and Energy (DMME), including fees established by the DMME; testing and monitoring the geologic storage facility; and any mechanisms needed to ensure the public health and environment subsequent to the closure of operations.	Failed in Senate ACNR.

155.	SB 376	Coalbed methane natural gas. Companion bill is HB 1179 (#150); please see that bill for summary.	Passed.
156.	SB 558	Coal mining; increases license fee. Would have increased the coal mine license fee from \$180 to \$450. See similar SB 559 (#157).	Passed Senate; failed in House Appropriations.
157.	SB 559	Mineral mining; increases license fee. Would have increases the license fee for a mineral mine license from \$180 to \$450 and the license fee for any person engaged in mining sand or gravel on an area of five acres or less from \$48 to \$120. See similar SB 558 (#156).	Passed Senate; failed in House Appropriations.
158.	SB 560	Gas and oil wells fee. Companion bill is HB 1184 (#151); please see that bill for summary.	Passed Senate; failed in House Appropriations.
159.	SB 564	Coal surface mining; prohibiting material disposal in streams. Would have prohibited coal surface-mining operations unless the permit applicant affirmatively demonstrates that no waste materials from mining and reclamation operations would be disposed of in any intermittent, perennial, or ephemeral stream.	Failed in Senate ACNR.

WASTE DISPOSAL

160.	HB 137	Solid-waste disposal in Isle of Wight and Southampton Counties. Would have allowed these two counties to levy solid-waste disposal fees upon households. Identical to HB 894 (#161). Companion bill is SB 19 (#162).	Failed in House Counties, Cities and Towns.
161.	HB 894	Solid-waste disposal in Isle of Wight and Southampton Counties. Identical to HB 137 (#160); please see that bill for summary. Companion bill is SB 19 (#162).	Failed in House Counties, Cities and Towns.
162.	SB 19	Solid-waste disposal in Isle of Wight and Southampton Counties. Companion bills are HB 137 (#160) and HB 894 (#161); please see HB 137 for summary.	Passed Senate; failed in House Counties, Cities and Towns.
163.	SB 234	Hazardous-waste permit fees. Would have authorized the Virginia Waste Management Board to collect hazardous waste facility and transport permit fees in an amount that ensures that general funds are not required to cover the costs of permit issuance and reissuance.	Passed Senate; failed in House ACNR.
164.	SB 235	Nonhazardous solid-waste permit fees. Would have required the Waste Management Board to review periodically permit fees and annual fees for sanitary landfills and other facilities that dispose, treat, or store nonhazardous solid waste, in order to ensure that the fees collected are sufficient to cover at least 75 percent, but no more than 100 percent, of the direct costs of processing an application, performing inspections, and taking enforcement actions.	Passed Senate; failed in House ACNR.
165.	SB 682	Recycling at schools. Would require each local school board to report to the Superintendent of Public Instruction information on recycling voluntarily implemented or in place in any school, including types of items recycled, number of schools participating in the recycling program, and the approximate amount of materials being recycled.	Passed Senate; carried over to 2011 in House Education.

WATER AND SEWER SYSTEMS

166.	HB 82	Public sewer systems: civil penalties. Allows any locality under an order of the Virginia DEQ (under Virginia Code Sec. 62.1-44.19) to establish a uniform schedule of civil penalties for violations of ordinances governing introduction of pollutants into the locality's public	Passed.
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		sewer system. Such civil penalties may not be more than \$100 for the initial summons and not more than \$150 for each additional summons.	
167.	HB 132	Onsite sewage systems in areas with impaired waters. Would have prohibited the VDH from issuing permits from alternative onsite sewage systems in the watershed of any impaired waters if the system were located in a wetland, set back less than 50 feet from any impaired waters, within one foot vertically of any groundwater resource, or discharging directly into a groundwater resource if located in the watershed of any impaired waters. The bill also would have allowed localities that include impaired waters to require maintenance standards and requirements for onsite sewage systems that exceed those established by the State Board of Health.	Failed in House Health, Welfare and Institutions.
168.	HB 332	Alternative onsite sewage systems: testing. Would have prohibited the VDH from requiring that owners of alternative onsite sewer systems with flows of less than or equal to 1,000 gallons per day, and serving a single-family dwelling, provide analyzed samples of effluent on a routine and recurring basis.	Failed in House Health, Welfare and Institutions.
169.	HB 396	Water and wastewater utilities; delinquent payment of rates and charges. Would have removed the authority of localities and of water/waste authorities to hold a <i>non-occupying</i> owner of premises liable for delinquent rates or charges incurred by a tenant or lessee unless the owner is the same person contracting for the service.	Failed in House Counties, Cities and Towns.
170.	HB 484	Water or sewer companies: incorporation. Would require any water or sewer company serving more than <i>25 customers</i> , rather than <i>50 under current law</i> , to incorporate as a public service company.	Carried over to 2011 in House Commerce and Labor.
171.	HB 508	Sewage sludge (or biosolids) land application. Would require the SWCB to adopt a regulation for notifying health-sensitive individuals who live within two miles of a site where sewage sludge is going to be land-applied, and would require the DEQ to establish conditions to ensure that such individuals are not exposed to the sewage sludge. The bill also requires the SWCB to adopt “requirements for the protection from potential damage or injury to surface waters, ground waters, and sensitive natural resource features.”	Carried over to 2011 in House ACNR.
172.	HB 552	Vested rights; includes right to replace failed septic system. Adds under vested-rights protection the right for a property owner to replace failed septic system, even if a new septic system would not otherwise be permitted in that location, <i>unless</i> access to a public sanitary sewer is available to the property.	Passed.
173.	HB 667	Residential Property Disclosure Act. Requires a property disclosure to state that the seller makes no representation about any wastewater system on the property and that the buyer is responsible for ascertaining whether a system exists.	Passed.
174.	HB 707	Water and sewer charges by localities: lien on property. Adds the counties of Caroline and New Kent to those localities that may impose water and sewer charges as a lien on property.	Passed.
175.	HB 1135	Nutrient offsets for wastewater discharges. Requires owners or operators of wastewater-treatment facilities discharging between 1,000 and 39,999 gallons per day—and that has not begun the discharge of pollutants prior to January 1, 2011—to demonstrate to the DEQ that they have acquired waste-load allocations sufficient to offset nitrogen and phosphorus discharges.	Passed.
176.	HB 1340	Sewage sludge (or biosolids) land-application in karst areas. Would authorize localities located in karst areas (defined in the bill) to	Carried over to 2011 in House ACNR.

		prohibit land-application of sewage sludge within their boundaries.	
177.	SB 374	Alternative onsite sewage systems: installation licensure. Would provide a waiver from a written examination for applicants for licensure as an installer of alternative onsite sewage systems if the applicant has been providing such services for at least two years immediately prior to July 1, 2009.	Passed Senate; carried over to 2011 in House Health, Welfare and Institutions.
178.	SB 448	Alternative onsite sewage systems: local prohibition. Would have allowed localities to prohibit use of VDH-approved systems when central sewer systems are <i>not</i> available.	Failed in Senate Local Government.
179.	SB 536	Water-quality testing for private wells. Would have added Bedford County to those localities authorized to establish requirements for compliance with existing drinking-water standards for building permit applicants who propose to use private wells.	Stricken from docket in Senate Education and Health.

WATERS OF THE STATE, PORTS AND HARBORS

180.	HB 4	Roanoke River Basin Advisory Committee. Removes the cap of three consecutive terms on reappointments for non-legislative citizens. Companion bill is SB 317 (#195).	Passed.
181.	HB 121	Virginia ports ownership. Would have required approval both of the governor and the General Assembly before any change in ownership of the Virginia ports. Also see related SB 140 (#193).	Failed in House Transportation.
182.	HB 438	Dam safety. Adds two new requirements for Soil and Water Conservation Board dam-safety regulations: 1) establish an incremental damage-analysis procedure that provides for a new standard for spillway design; 2) adopt regulations that consider the impact of downstream limited-use or private roadways with low traffic volume and low public safety risk in the determination of the hazard potential classification of an impounding structure. The bill also allows dam owners who receive Board recommendations for correction of dam deficiencies to submit their own plan for such corrections. The bill also changes one of the two criteria for designating a dam as unsafe, adding "significant" to the potential property damage needed for a designation.	Passed.
183.	HB 506	Island Ford Road bridge in Harrisonburg. Would have changed the name to the Roy D. Smith, III, Memorial Bridge.	Failed in House Transportation.
184.	HB 515	Wetlands/stream mitigation projects. Prohibits localities from regulating location of projects for wetlands or stream mitigation under a Virginia Water Protection Permit or U.S. Army Corps of Engineers permit, but does not override a locality's authority to determine the allowed uses within its zoning classifications or to approve/reject the siting or construction of wetlands or stream mitigation projects.	Passed.
185.	HB 696	Registration of withdrawals of surface water or groundwater. Would authorize the SWCB to impose a civil penalty, not to exceed \$1,000, upon any person who fails to register and report water withdrawals of more than one million gallons in any month for crop irrigation or a daily average of 10,000 gallons or more in any month.	Carried over to 2011 in House ACNR.
186.	HB 697	Water Protection Permit and state water supply plan. Would authorize the SWCB to consider whether an activity for which a water-withdrawal permit is being sought is in accordance with the state comprehensive water-supply planning process established in 2006 (see <i>Va. Code</i> 62.1-44.38:1).	Failed in House ACNR.
187.	HB 1137	Groundwater-withdrawal permit fees. Would have increased from	Failed in House

		\$6000 to \$12,000 the maximum amount that the SWCB can charge for a 10-year groundwater -withdrawal permit.	Appropriations.
188.	HB 1221	Water Facilities Revolving Fund: loans for stormwater runoff-control best management practices (BMPs). Authorized the SWCB to make loans from the Virginia Water Facilities Revolving Fund to localities for construction or implementation of BMPs that reduce or prevent stormwater pollution.	Passed.
189.	HB 1290	Nutrient-credit trading among basins. Allows wastewater treatment facilities on the Eastern Shore to acquire point-source nitrogen and phosphorus credits from facilities in the Potomac and Rappahannock basins; facilities in other basins remain restricted to acquiring credits from facilities in the same basins.	Passed.
190.	HB 1302	Land conveyance to Roanoke River Rails-to-Trails. Authorizes conveyance of about 1.8 acres of property in the Town of Lawrenceville to Roanoke River Rails-to-Trails to maintain and operate a public trail.	Passed.
191.	HB 1320	Dam safety funds. Authorizes the DCR to award grants from the Dam Safety, Flood Prevention, and Protection Assistance Fund to private entities (current law allows grants only to localities) for dam-break analysis, mapping and digitization of dam-break inundation zones, and incremental damage analysis. The bill also establishes the Dam Safety Administrative Fund, capitalized from the dam application permit fees, for administration of the dam safety program.	Passed.
192.	HB 637	Concealed handgun permit fees for Coast Guard. Waives the concealed handgun permit fee for certain designated boarding team members and boarding officers of the United States Coast Guard.	Passed.
193.	SB 140	Virginia ports ownership. Would have prohibited the Commonwealth, the Virginia Port Authority, any governmental entity, and any other person from selling any harbor, seaport, marine terminal, or other port facility, or inland intermodal facility owned by the Commonwealth or the Authority; prohibited any lease of such facilities for longer than 20 years; and required governor approval for any lease under 20 years. Also see related HB 121 (#181).	Passed Senate; failed in House Rules.
194.	SB 276	Dam safety: spillways. Requires that Impounding Structure Regulations <i>not</i> require any dam in existence or under construction prior to July 1, 2010, and that is classified as high hazard or is subsequently reclassified as high hazard, to upgrade its spillway to pass a rainfall event that is <i>greater</i> than the maximum rainfall event recorded in Virginia. In addition, a dam would be in compliance with spillway requirements if the dam passes <i>two-thirds</i> of the maximum rainfall event and annually meets eight conditions identified in the bill.	Passed.
195.	SB 317	Roanoke River Basin Advisory Committee. Companion bill is HB 4 (#180); please see that bill for summary.	Passed.
196.	SB 569	Water Supply Plan Advisory Committee. Establishes this committee to assist the DEQ in development and implementation of the state water resources plan. The DEQ director is to appoint the members, who are to represent various stakeholders, including water users; water providers; agricultural, conservation, and environmental organization; state and federal agencies; and university faculty. The bill also identifies the issues to be examined by the committee.	Passed.
197.	SB 708	Nutrient Offset Fund. Would have created this sub-fund of the Virginia Water Quality Improvement Fund to be administered by the DEQ for purchase of nutrient reductions (offsets) under the Chesapeake Bay Watershed Nutrient Credit Exchange Program, with	Passed Senate; failed in House Appropriations.

		priority for offsets produced from facilities that generate electricity from animal waste. The offsets purchased with this fund would have been available for sale to new or expanded facilities required to offset nutrient loads.	
198.	SJ 77	Commending the Virginia Resources Authority on the occasion of its 25th anniversary.	Passed.

FROM MISCELLANEOUS CATEGORIES

199.	HB 1115	Virginia Waterways Clean Up and Consumer Choice Act. Would have imposes a fee of five cents on paper and non-reusable plastic bags at retail stores, with retailers retaining one cent (two cents if the retailer has a customer bag credit program) and the rest going to the Virginia Water Quality Improvement Fund.	Failed in House Finance.
200.	HB 1211	Above-ground liquid fertilizer storage tanks. Authorizes localities to adopt an ordinance makes it unlawful to construct, maintain, or use any above-ground liquid fertilizer storage tank (of 100,000 gallons or more) without a permit from the local fire official.	Passed.
201.	SB 582	Fertilizer labeling. Would require labeling on proper use and precautions for non-farm fertilizers.	Carried over to 2011 in Senate ACNR.

Some Water Resource Issues Covered by News Media or Organizations during the 2010 Virginia General Assembly.

Boating: HB168/SB 93 (children required to wear life vests).
Biosolids: HB 508 (notification of land-application to health-sensitive individuals).
Dam Safety: HB 438, HB 1320.
Energy: Conservation/Demand: SB71 (electricity efficiency standard).
Energy: Offshore oil/gas drilling: HB 787, HB 756, HB 900, SB 601.
Energy: Wood chips in power plants: SB 39.
Energy: Wind: HB 389/SB 577 (Offshore Wind Energy Development Authority).
Erosion and Sediment Control: HB 129, HB 619.
Fertilizer Use: HB 329, SB 582, SB 583 (fertilizers and pesticides).
Fishing Licenses: SB 289, SB 668.
“Green” Building: SB 109.
Land Use/Conservation: SB 346, SB 502.
Menhaden Fishery Management: HB 142/SB 47, HB 294/SB 185
Nutrient-reduction Credits: SB 627
Stormwater Management Regulations: HB 1220/SB 395 (postpones effective date of regulations under review by Soil and Water Conservation Board), HB 155, HB 987, HB 1311, SB 245, SB 650, SB 677, SB 681.
Stormwater Management Facilities: HB 1100.
Waste Management: Plastic bag bans/fees: HB 521, HB 1115.
Water Supply Planning: SB 569 (Advisory Committee).

Sources (each issue was mentioned by at least one source)

MEDIA: *Bay Journal*; *Daily Press* [Hampton Roads area]; *Fredericksburg Free Lance-Star*; *Richmond Times-Dispatch*; *Roanoke Times*; *Virginian-Pilot*.

ORGANIZATION: Virginia Association of Soil and Water Conservation Districts.

Tracking Legislation and Voicing Your Opinion in the Next General Assembly

For current information about the General Assembly (including lists and summaries of all bills, budget information, member information, committee schedules, and more) visit the Legislative Information System Web site at <http://leg1.state.va.us>. You may also check on a bill's status by phone: for the House of Delegates, (877) 391-3228 (toll-free; in Virginia only), or (804) 698-1500; for the Senate, (888) 892-6948 (toll-free; in Virginia only) or (804) 698-7410.

Various services are available for following legislation during a General Assembly session. Virginia's **Legislative Tracking Service** allows tracking up to five bills in one "profile"; online registration is at www.virginia.gov/liab/cgi-bin/liab_signup.cgi. To track more than five bills, the **Lobbyist-In-A-Box** subscriber service is available for a fee; visit www.virginia.gov/liab/infopage.htm. If you have questions about these services, contact the Virginia Division of Legislative Automated Systems at (804) 786-1895.

According to the General Assembly's Web site (http://legis.state.va.us/1_cit_guide/cit_welcome.html#), when the General Assembly is in session the House of Delegates and Senate jointly operate a telephone message center to accept calls from citizens wishing to express an opinion on legislation. The messages are relayed to members' offices as requested. Phone the Constituent Viewpoint operators (8:30 a.m.-5 p.m., M-F) toll-free at (800) 889-0229 (outside Richmond) or 698-1990 (Richmond area).

To contact your representatives, find their e-mail addresses and phone numbers online at <http://dela.state.va.us/dela/MemBios.nsf/MWebsiteTL?OpenView> (House of Delegates) or <http://sov.state.va.us/SenatorDB.nsf/Viewtemplate+for+WMembershipHome?OpenForm> (Senate) (as of 1/30/08). Or, if you know the number of your legislative districts, you can also use the following code to identify your representatives' Capitol phone numbers: for delegates, (804) 698-10 + district number (for example, 698-1003 for the District 3 delegate); for senators, (804) 698-75 + district number (for example, 698-7510 for the District 10 senator)