

2008 VASWCD State Legislative Agenda

Agenda items 1 through 4 are the highest priority issues for the 2008 Session of the General Assembly:

1. **Maintain operational funding allocated to Virginia's 47 Soil and Water Conservation Districts**
Districts play an important and indispensable role in helping to meet the state's water quality goals for the Chesapeake Bay and the Southern Rivers (TMDLs). As the efforts to reduce nonpoint sources of pollution intensify, district funding will also need to increase. For the upcoming biennium (2009—2010) at a minimum, current levels of funding for district operations, staffing technical positions, district operations and flood control dam operation and maintenance must be maintained. The annual base funding for fiscal year 2008 includes \$6,352,240 for district operations, technical staffing; \$658,000 for flood control dam operation and maintenance and \$108,200 for audits, bonding, etc. This is critical because state revenues are currently projected to decrease.
2. **Increase essential funding for Virginia's 47 Soil and Water Conservation Districts** From 1999 to 2007 each SWCD has received \$78,000 annually from the Commonwealth to support the costs of staff, rent, communications, travel and the like. It was increased to \$83,500 for fiscal year 2008. A minimum of \$111,000 is required per year by each SWCD to meet the costs of these items in the next biennium. The total annual costs of increasing the 1999 level of state funding of each SWCD would be \$1.3 million. Without adequate funding, SWCDs will not be able to help accomplish the water quality goals established by the Governor and state legislature. As the efforts to reduce nonpoint sources of pollution intensify, district funding will also need to increase.
3. **Provide dedicated funds to the Water Quality Improvement Fund** in support of reducing nonpoint sources of pollution and assisting farmers with the installation of conservation practices. A dedicated sales tax of 1/10th of 1 cent would generate approximately \$100 million statewide each year over the next 10 years for cost sharing and additional technical assistance to install agricultural best management practices to meet the goals of the streams that do not meet the Total Maximum Daily Loads (TMDL) and the Chesapeake Bay Tributary Strategies. This investment, distributed as 60% to the Chesapeake Bay and 40% to the Southern Rivers watersheds, will achieve significant improvements in water quality for our local streams and creeks, the Chesapeake Bay and Virginia's Southern Rivers. (Note. This proposal was developed and supported by a large coalition of watershed partners.)
4. **Support funding to rehabilitate and maintain unsafe and deteriorating Soil and Water Conservation District dams** that do not meet Virginia's Dam Safety Regulations. A total of \$700,000 each year of the biennium* is needed to repair deteriorating SWCD dams, and \$1.5 million in FY 2009* is needed for inundation zone mapping for emergency preparedness purposes.

Items 5 through 15 are important issues for soil and water conservation districts for consideration by the 2008 Session of the General Assembly:

5. **Support dam break inundation legislative amendments** necessary for a viable state dam safety program.
6. **Continuation of the Ag Cost-Share Reporting Modernization** - This year's funds are being used for a systems analysis study to define modernization requirements at districts and DCR, to develop alternatives for implementation, and to select an alternative for implementation. Remaining current year funds will be used to begin implementation, but additional (not yet quantified) funds will be needed to complete the initial implementation phase.
7. **Provide \$100,000 each fiscal year to staff legal representation to Virginia's SWCDs through the Office of the Attorney General.** A 2005 change in the Code of Virginia §2.2-507 gave the Attorney General responsibility for legal defense against claims made against soil and water conservation districts, and provided that the Office of the Attorney General may provide legal service in civil matters for districts if requested by the local commonwealth attorney. Still the General Assembly did not provide any funds for this purpose. This Attorney General legal representation is needed by the SWCDs, independent political subdivisions of the Commonwealth, which hold public funds, manage government programs, etc.

8. **Support the Governor's goal of conserving 400,000 acres by 2011 to meet Virginia's commitments of the Chesapeake Bay 2000 Agreement (Bay 356,000 acres/Non-Bay 44,000 acres).** Increased funding is essential if Virginia's natural resources are to be conserved. Funding should be provided through the Virginia Land Conservation Foundation and the Office of Farmland Preservation including matching funds for the purchase of development rights and easements on farm lands and other sensitive areas. Funding should also include resources to manage the easements in the future. (Maryland and Pennsylvania have already met their commitments.)
9. **Support the establishment of a Virginia Urban Best Management Practices Cost Share and Tax Credit program** that complements the Agricultural BMP Cost Share Program. The program needs to include Low Impact Development. Such a program is essential if Virginia is to meet the goals of the Chesapeake Bay 2000 Agreement.
10. **Re-establish a stream and shoreline erosion program.** A stream and shoreline erosion program should be initiated. Stream and shoreline erosion are direct contributors of sediment pollution to waters of Virginia.
11. **Support amendments to the Virginia Erosion and Sediment Control Law** that would sufficiently and fairly address loopholes that exist relating to the misapplication of agricultural and silvicultural exemptions as such lands are being converted for development purposes.
12. **Ask the General Assembly that the Department of Health prepare and distribute guidelines regarding the use of gray water and rain water harvesting** as provided in the Code of Virginia Section 32.1-248.2.
13. **Support amendments to the Water Quality Improvement Act** to clarify that additional funds may be added to the Water Quality Improvement Fund by the Governor or General Assembly in excess of the deposit required 10 percent of the unreserved general fund balance at the close of the fiscal year.
14. **Support an amendment to the Soil and Water Conservation Districts Law that eliminates the requirement of giving due notice for the election of district directors.** Cost savings of approximately \$43,000 would be realized for each 4 year election cycle. The cost savings would be applied to conservation priorities.
15. **Support an amendment to the Virginia Public Building Authority to provide funds for major modifications to dams** of the Department of Game and Inland Fisheries, Department of Conservation and Recreation and Virginia Soil and Water Conservation Districts to include funding to repay the loans.
16. **NACD Resolution – VASWCD Recommendation on USDA Lease Management.** The VASWCD recognizes that USDA has mandated that its local agency offices be co-located in Service Centers. It is requested all USDA Agencies that are part of a Service Center lease be obligated for their portion of the leased space until the existing lease expires. This policy would become effective if one or more of the USDA agencies elects to close their portion of the Service Center prior to the expiration of the lease.

*The next biennium include fiscal years 2009 and 2010. Fiscal year 2009 begins July 1, 2008 and ends June 30, 2009. Fiscal year 2010 begins July 1, 2009 and ends June 30, 2010.