

Water in the 2018 Virginia General Assembly

Current List and Status of Water Related Bills, as of January 25, 2018

The 2018 Virginia General Assembly session convened January 10 and is scheduled to adjourn March 10. All bills were to be filed by January 19. The reconvened (“veto”) session is scheduled for April 18.

In the tables below, the Virginia Water Resources Research Center lists 167 measures in the 2018 Assembly dealing with water resources directly or indirectly, including two bills determining the state budget. Inventories from previous General Assembly sessions, back to 1998, are available via this link: <http://www.vwrrc.vt.edu/virginia-water-legislation/>.

The list comes from the Legislative Information System (LIS) Web site at <http://lis.virginia.gov/> (also at <http://leg1.state.va.us> in a slightly different format), in the categories indicated by sub-headings below.

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 the Water Center for cross-referencing among the bills.

The **bill titles and descriptions** (third column from left) are taken from the LIS site, edited in some cases for clarity, space, or both. The right hand-column lists the **status of bills**—that is, a given bill’s location in House or Senate, the committee currently considering the bill (e.g., “House ACNR” or “Senate Local Government”), and whether the bill has passed or failed in those locations (please note that “reported” from a committee is effectively equivalent to “passing” the committee). LIS links to information about General Assembly committees (including members and meeting times) are available online at <http://lis.virginia.gov/181/com/COM.HTM>. *The status given in this edition is according to information available on the LIS Web site on January 25, 2018. Click on the underlined bill numbers to access more detailed bill information at the LIS site.*

Frequently used abbreviations in the tables: House ACNR = House Agriculture, Chesapeake, and Natural Resources committee; Senate ACNR = Senate Agriculture, Conservation, and Natural Resources committee; DCR = Virginia Department of Conservation and Recreation; DEQ = Virginia Department of Environmental Quality; DGIF = Virginia Department of Game and Inland Fisheries; JLARC = Joint Legislative Audit and Review Commission; SCC = State Corporation Commission; SWCB = State Water Control Board; VDH = Virginia Department of Health; VDOT = Virginia Department of Transportation; VMRC = Virginia Marine Resources Commission.

BUDGET BILLS AND BUDGETING PROCESS

Please note that the budget bills include many separate proposed changes to the biennial budget. Details on the 2017 budget bills are available at <http://budget.lis.virginia.gov/default/2017/1/>.

1.	HB 29	House budget bill for current biennium (2016-18). Amendments to Chapter 836 of the 2017 General Assembly, affecting funds for the 2016-18 Biennium, ending on the 30 th day of June 2018.	In House Appropriations.
2.	HB 30	House budget bill for upcoming biennium (2018-20). All appropriations of the budget submitted for the two years ending respectively on the thirtieth day of June, 2019, and the thirtieth day of June, 2020.	In House Appropriations.
3.	SB 404	Biennial appropriations: changes to being in an odd-numbered year.	Passed Senate.

CONSERVATION

Bills on Land Conservation Policy, including Tax-credits

4.	HB 1448	Land preservation: special assessment, agricultural use.	In House Finance.
5.	HB 1460	Land preservation tax credits: transfer to a designated beneficiary.	In House Finance.
6.	SB 499	Conservation easements: validity, termination.	Continued to 2019 in Senate ACNR.
7.	SB 582	Open-space land: increase threshold for substitution of real property when lands are converted.	In Senate ACNR.
8.	HB 61	Battlefield property: termination of easement upon transfer to United States.	Reported from House ACNR.
9.	HB 1353	Battlefield property: incorporation into national park, transfer of easement.	In House ACNR.
10.	SB 450	Battlefield property: incorporation into national park, transfer of easement.	Passed Senate; in House ACNR.

Other Conservation Bills

11.	HB 182	Coal combustion residuals units in Chesapeake Bay watershed: closure required by 2022.	In House Commerce and Labor.
12.	HB 341	Cluster development: open space, stormwater management area.	In House Counties, Cities, and Towns.
13.	HB 400	Trees replacement in land development in Chesapeake Bay watershed	In House Counties, Cities, and Towns.
14.	HB 447	Chesapeake Bay Preservation Areas: preservation of mature trees to be encouraged by SWCB.	In House ACNR.
15.	HB 467	Coal ash: recycling or reuse as preferred disposal method.	In House Commerce and Labor.
16.	HB 494	Trees replacement in land development in localities within Chesapeake Bay watershed.	Reported from House Counties, Cities, and Towns.
17.	HB 574	Va. Public Procurement Act: cooperative procurement exception added for construction related to stream restoration and stormwater management.	In House General Laws.
18.	HB 636	State forest roads and trails; use of electric personal assistive mobility device.	In House ACNR.
19.	HB 736	Seaplanes; DCR to allow to land on lakes in state parks.	In House ACNR.
20.	HB 821	Little Island Coast Guard Station; conveyance of certain property in Virginia Beach.	In House ACNR.
21.	HB 844	Burn ban; definition of “orchard” and “vineyard.”	In House ACNR.
22.	HB 922	Electric vehicle charging stations; requirements for local and public operation.	In House General Laws.
23.	HB 952	Nonfederally managed hazardous waste site inventory: DEQ to publish and update annually.	In House ACNR.
24.	HB 1004	Stormwater: locality shall provide for full waiver of certain charges for public use airport runway.	In House ACNR.

25.	HB 1038	Virginia Property Owners' Association Act: maintenance of stormwater management facilities.	In House General Laws.
26.	HB 1082	Environmental regulations by several Commonwealth agencies prohibited from being stricter than federal law.	In House ACNR.
27.	HB 1150	Pavement sealants containing coal tar prohibited.	In House ACNR.
28.	HB 1270	Regional Greenhouse Gas Initiative: prohibition on participation by Commonwealth.	In House Commerce and Labor.
29.	HB 1397	Small Business Environmental Compliance Advisory Panel: appointments.	In House Rules.
30.	HB 1344	Alternative Energy and Coastal Protection Act: establishing auction of carbon dioxide allowances with funds to go to a new Commonwealth Resilience Fund.	In House Rules.
31.	SB 218	Recycling: clarifies definitions of beneficial use and recycling center, etc.	Passed Senate; in House ACNR.
32.	SB 340	Virginia Water Quality Improvement Fund: publicly owned treatment works, nutrient reductions required related to Chesapeake Bay.	Passed Senate; in House ACNR.
33.	SB 367	Stormwater: localities to provide for partial waiver of service charges for management at airports.	In Senate Local Government.
34.	SB 587	Caledon State Park: DCR to convey certain property.	In Senate Courts of Justice.
35.	SB 696	Alternative Energy and Coastal Protection Act: regulations to establish carbon dioxide cap and develop market-based trading program.	In Senate ACNR.
36.	SB 708	Coal combustion residuals units in Chesapeake Bay watershed: closure required.	In Senate ACNR.

CONSTITUTIONAL AMENDMENTS

37.	SJ 21	Property tax exemption for flooding remediation, abatement, and resiliency efforts.	In Senate Privileges and Elections.
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ENERGY CONSERVATION AND RESOURCES

38.	HB 474	Solar energy collection devices: land lease program to be conducted by VDOT for installation on Commonwealth property.	In House Commerce and Labor.
39.	HB 508	Solar facilities: allowable on rooftops, subject to local regulation.	In House Counties, Cities, and Town.
40.	HB 560	Virginia Energy Efficiency Revolving Fund created.	In House Commerce and Labor.
41.	HB 978	Net energy metering by electric utilities: standby charges to be based on a value of solar analysis.	In House Commerce and Labor.
42.	HB 1155	Distributed and renewable generation of electric energy: net energy metering and third party purchase agreements.	In House Commerce and Labor.

43.	HB 1372	Green job creation tax credit: extends sunset provision through taxable year 2019.	In House Finance.
44.	SB 179	Solar facilities and local comprehensive plans; criteria for facilities to meet plan requirements.	In Senate Local Government.
45.	SB 312	Cooperative procurement of professional services; exceptions for solar power facilities and purchase agreements.	In Senate General Laws and Technology.
46.	SB 313	Community solar generation: establishment of facilities authorized.	In Senate Commerce and Labor.
47.	SB 429	Solar facilities: allowable on rooftops, subject to local regulation.	In Senate Local Government.
48.	SB 573	Green job creation tax credit: extends sunset provision through taxable year 2020.	In Senate Finance.

FISHERIES AND HABITAT OF TIDAL WATERS

49.	HB 56	Crab scraping: possession of hard crabs, characteristics of scrape.	In House ACNR.
50.	HB 264	Oyster planting-ground leases: allowing transfer or assignment to local government or other political entity.	In House ACNR.
51.	HB 487	Oyster planting-ground leases: allowing transfer or assignment to local government or other political entity.	In House ACNR.
52.	HB 577	Crab scraping: possession of hard crabs, characteristics of scrape.	Reported from House ACNR.
53.	HB 584	Riparian planting grounds leases: eligibility requirement changes.	In House ACNR.
54.	HB 822	Menhaden: adjusts annual total allowable landings.	In House ACNR.
55.	HB 853	Saltwater recreational fishing license: exemption for members of American Indian tribe.	In House ACNR.
56.	HB 1488	Oyster dredge transport rules for sanctuary areas.	In House ACNR.
57.	SB 214	Menhaden: changes to prohibitions and penalty for purse net fishing; prohibited, civil penalty.	Passed by indefinitely in Senate ACNR.
58.	SB 552	Crab pots and peeler pots: marine-biodegradable escape panels required.	Reported from Senate ACNR; failed on Senate floor.

GAME, INLAND FISHERIES, AND BOATING

59.	HB 346	Personal watercraft: prohibits operation on lakes smaller than 50 acres.	Reported from House ACNR.
60.	HB 465	Watercraft: increases sales and use tax rate.	In House Finance.
61.	HB 635	Free fishing day: substitute day due to inclement weather.	Reported from House ACNR.
62.	HB 751	Motorboats: means of propulsion regarding wakesurfing.	In House ACNR.
63.	HB 920	Endangered species: sale of items made from certain animals, penalty.	In House ACNR.

64.	HB 1075	Poaching: revocation of hunting, trapping, or fishing license and privileges.	In House ACNR.
65.	HB 1151	Nonresident youth fishing license: changes to exemption.	In House ACNR.
66.	HB 1229	Water skies, surfboards, etc.: prohibition on towing.	In House ACNR.
67.	HB 1393	Airbow hunting.	In House ACNR.
68.	HB 1404	Snakehead fish purchase: allowance for certified restaurants and retail markets.	In House ACNR.
69.	SB 81	Landowner liability exemption for educational activity.	Passed Senate; in House ACNR.

HEALTH

70.	HB 169	Lyme disease: information disclosure requirement sunset.	Stricken from docket in House Health, Welfare, and Institutions
71.	HB 192	Rainwater and gray water: VDH to adopt regulations (replacing guidelines).	In House Health, Welfare, and Institutions
72.	HB 1234	Water supplies and water works; replaces defined term “human consumption” with “domestic use.”	In House Health, Welfare, and Institutions
73.	SB 346	Fire Programs Fund: cancer prevention added as allowable use of fund.	In Senate Commerce and Labor.
74.	SB 347	Firefighter information in statewide cancer registry.	In Senate Education and Health.

MINES AND MINING

75.	HB 665	Coal tax credits: reinstates Virginia coal employment and production incentive tax credit.	In House Finance.
76.	HB 812	Virginia Coal Surface Mining Reclamation Fund Advisory Board: increases membership, duties.	In House ACNR.
77.	HB 1490	Fossil fuel projects moratorium and clean energy mandates.	In House Commerce and Labor.

PUBLIC SERVICE COMPANIES

78.	HB 33	Electric utility regulation: approval of generating facilities to consider environmental effects.	In House Commerce and Labor.
79.	HB 204	Energy benchmarking: access to data on energy usage in covered buildings.	In House Counties, Cities, and Towns.
80.	HB 392	Electric utilities: solar energy declared in public interest.	In House Commerce and Labor
81.	HB 393	Electric utilities: net energy metering program cap to lead to SCC analysis.	In House Commerce and Labor.
82.	HB 421	Multi-family residential building sale of renewable electricity to occupants.	In House Commerce and Labor.

83.	HB 436	Electric utilities: mandatory renewable portfolio standard to replace voluntary standard.	In House Commerce and Labor
84.	HB 586	Electric utilities and cooperatives: community energy and net-metering programs authorized.	In House Commerce and Labor.
85.	HB 698	Department of Transportation conveyances of right-of-way for water and sewer.	Reported from House Commerce and Labor.
86.	HB 782	Electric utilities: battery deployment pilot programs.	In House Commerce and Labor.
87.	HB 904	Virginia Freedom of Information Act: general exclusion for trade secrets submitted to a public body.	In House General Laws.
88.	HB 930	Electric utilities: Multifamily net energy metering program to be established.	In House Commerce and Labor.
89.	HB 963	Electric and natural gas utilities: energy efficiency goals.	In House Commerce and Labor.
90.	HB 964	Electric utilities; energy efficiency programs and Ratepayer Impact Test.	In House Commerce and Labor.
91.	HB 975	Electric utilities: renewable energy requirement for new generation sources.	In House Commerce and Labor.
92.	HB 1018	Energy storage system tax credit established.	In House Finance.
93.	HB 1060	Electric utilities: net energy metering, program cap removed.	In House Commerce and Labor.
94.	HB 1187	Natural gas companies: changes to right of entry upon property.	In House Rules.
95.	HB 1202	Electrical transmission lines: approval of underground construction and pilot program.	In House Commerce and Labor.
96.	HB 1215	Electric utilities: solar generation specified to be in public interest.	In House Commerce and Labor.
97.	HB 1252	Electric utilities: changes to 2013 pilot program for renewable energy third-party power purchase agreements and net energy metering.	In House Commerce and Labor.
98.	HB 1253	Electric utilities: net energy metering by municipalities authorized.	In House Commerce and Labor.
99.	HB 1261	Electric utilities: tests for public interest of energy efficiency programs.	In House Commerce and Labor.
100.	HB 1451	Electric utilities: net energy metering at schools.	In House Commerce and Labor
101.	HB 1493	Electric utilities: allowing recovery of costs of coal combustion by-product management.	In House Commerce and Labor.
102.	HB 1503	Electric utilities: community solar generation facilities authorized.	In House Commerce and Labor.
103.	HB 1555	Hydroelectric facility: revenue sharing agreement among certain southwestern Virginia localities.	In House Commerce and Labor.
104.	HB 1558	Electric utilities: numerous changes to rate-review arrangement and Transitional Rate period established in 2015.	In House Commerce and Labor.
105.	HB 1563	Electric utilities: numerous changes to rate-review arrangement and Transitional Rate period established in 2015.	In House Commerce and Labor.

106.	SB 72	Electric distribution lines: minimum height upon or over agricultural land.	In Senate Commerce and Labor.
107.	SB 82	Electric utilities: change to agricultural net energy metering.	In Senate Commerce and Labor.
108.	SB 83	Electric utilities: changes to 2013 pilot program for renewable energy third-party power purchase agreements and net energy metering.	In Senate Commerce and Labor.
109.	SB 191	Electric utilities: net energy metering eligibility limits.	In Senate Commerce and Labor.
110.	SB 284	Electric utilities: solar generation specified to be in public interest.	In Senate Commerce and Labor.
111.	SB 311	Community solar gardens standards for operation to be established by SCC.	In Senate Commerce and Labor.
112.	SB 355	City of Richmond natural gas utility service territory designated.	Continued to 2019 in Senate Local Government.
113.	SB 646	Electric utilities: limits to fuel cost recovery for contracts to purchase natural gas pipeline capacity.	In Senate Commerce and Labor.
114.	SB 662	Electric utilities: provisions for retail competition for purchase and sale of electricity.	In Senate Commerce and Labor.
115.	SB 697	Natural gas companies: changes to right of entry upon property.	In Senate Commerce and Labor.
116.	SB 711	Electric utilities: community renewable project rules to be established by SCC.	In Senate Commerce and Labor.
117.	SB 768	Electric utilities: limits on recovery of costs associated with closure in place of coal ash facilities.	In Senate Commerce and Labor.
118.	SB 780	Hydroelectric facility: revenue sharing agreement among certain southwestern Virginia localities.	In Senate Commerce and Labor.
119.	SB 837	Electric utilities: provisions for retail competition for purchase and sale of electricity.	In Senate Commerce and Labor.

WATER AND SEWER SYSTEMS

120.	HB 22	Water and sewer connections in Powhatan County.	In House Counties, Cities, and Towns.
121.	HB 885	Onsite sewage systems: authority of the Board of Health over conventional systems as well as alternative ones.	Reported from House Health, Welfare, and Institutions.
122.	HB 887	Onsite sewage systems: adjustment or replacement of sewer lines, etc., considered maintenance.	Reported from House Health, Welfare, and Institutions.
123.	HB 888	Onsite sewage systems: evaluation and design services by VDH to be eliminated.	Reported from House Health, Welfare, and Institutions.

124.	HB 1217	Waterworks permitting: yield testing of system and monitoring of existing active wells.	In House Health, Welfare, and Institutions.
125.	HB 1374	Wastewater treatment for ammonia: restriction on state adoption of federal criterion.	In House ACNR.
126.	HB 1475	Wastewater treatment for ammonia: restriction on state adoption of federal criterion.	In House ACNR.
127.	SB 344	Wastewater treatment for ammonia: restriction on state adoption of federal criterion.	Passed Senate; in House ACNR.
128.	SB 765	Coal ash ponds: mandatory testing of drinking water wells in Chesapeake Bay watershed.	In Senate ACNR.

WATERS OF THE STATE, PORTS AND HARBORS

129.	HB 211	Groundwater withdrawal permits: lengthening term to 15 years.	Reported from House ACNR.
130.	HB 358	Groundwater Management Areas: requirements for subdivision developers.	In House ACNR.
131.	HB 377	Virginia Water Protection Permit: exception for stormwater management facility on dry land.	In House ACNR.
132.	HB 493	Stormwater Local Assistance Fund: recipient of grants authorized to use portion to pay administrative costs.	In House ACNR.
133.	HB 575	Virginia Waterway Maintenance Grant Program and Fund: established under the Port Authority.	In House ACNR.
134.	HB 723	Stormwater management facilities: disclosure required on private residential lots.	In House ACNR.
135.	HB 771	Potomac Aquifer recharge in Hampton Roads: advisory board and laboratory established to monitor impacts.	Reported from House ACNR; in House Appropriations.
136.	HB 772	Groundwater withdrawal permits: lengthening term to 15 years.	In House ACNR.
137.	HB 801	Stormwater regulation: prohibition on state law stricter than federal law.	Reported from House ACNR.
138.	HB 805	Stormwater management regulations: reversion to pre-July 2014 law for localities outside the Chesapeake Bay watershed.	In House ACNR.
139.	HB 866	Scenic Rivers: consolidates provisions of Scenic Rivers Act relating to prohibitions on the construction of dams and to limits on the effects of the Act.	In House ACNR.
140.	HB 925	Industrial waste permits: enforcement in localities with municipal separate storm sewer systems (MS4).	In House ACNR.
141.	HB 1035	Virginia Water Supply Revolving Fund: loan priority in Eastern Virginia for projects using alternatives to groundwater.	In House ACNR.
142.	HB 1036	Eastern Virginia Groundwater Management Area: annual forum to be held by DEQ, and aquifer trading work group to be established.	In House ACNR.

143.	HB 1091	Virginia Resources Authority: dredging in definition of “project.”	In House ACNR.
144.	HB 1093	Middle Peninsula Chesapeake Bay Public Access Authority: authorized for dredging and other projects to increase access to waterways.	Passed House.
145.	HB 1094	Chesapeake Bay Preservation Areas: regulations for local permits to raise land.	In House ACNR.
146.	HB 1095	Chesapeake Bay public water access authorities: regional dredging.	Passed House.
147.	HB 1096	Dredged material siting: fast-track permitting program to be developed.	In House ACNR.
148.	HB 1141	Natural gas pipelines: Virginia Water Protection Permit requirements.	In House Rules.
149.	HB 1185	Regional water resource planning: SWCB and DEQ to develop regulations for supply planning by regions and localities.	In House ACNR.
150.	HB 1186	Eastern Virginia groundwater: changes to permitted withdrawals.	In House ACNR.
151.	HB 1188	Natural gas pipelines: requiring groundwater tests, discharge reporting, contingency plans, etc.	In House Rules.
152.	HB 1206	Virginia Pollutant Discharge Elimination System: SWCB to provide online notice system of permits.	In House ACNR.
153.	HB 1294	Natural gas pipelines: water quality impact bond.	In House Rules.
154.	HB 1307	Stormwater management: tiered approach to water quantity technical criteria to be authorized in rural Tidewater localities.	In House ACNR.
155.	HB 1308	Stormwater management: provision of signed plan by professional in lieu of local review in rural Tidewater localities.	In House ACNR.
156.	HB 1442	Wetlands: value to be included in real property tax assessment.	In House Finance.
157.	HB 1491	Electricity transmission line under Rappahannock River: VMRC to convey easement.	In House ACNR.
158.	HB 1566	Stormwater management: provision of signed plan by professional in lieu of local review in any locality.	In House ACNR.
159.	SB 211	Comprehensive plans: authorization and requirement regarding groundwater and surface water supplies.	In Senate Local Government.
160.	SB 520	Groundwater for irrigation: nonagricultural irrigation wells prohibited outside surficial aquifer, and general permit for agricultural irrigation above 300,000 gallons per month.	Reported from Senate ACNR.
161.	SB 576	Stream restoration: standards and specifications.	Reported from Senate ACNR.
162.	SB 698	Natural gas pipelines: inspections of land-disturbing activities and stop work instructions.	Reported from Senate ACNR.
163.	SB 699	Natural gas pipelines: inspections of land-disturbing activities and stop work instructions.	Reported from Senate ACNR.
164.	SB 741	Stormwater management: termination of general permit, notice.	Passed Senate.

165.	SB 766	Citizen water quality monitoring data: use as evidence in enforcement actions.	In Senate ACNR.
166.	SB 767	Coal ash ponds: delay of closure permit issuance for certain flaws in closure plans.	In Senate ACNR.

MISCELLANEOUS OTHER CATEGORIES

167.	HB 662	American Legion Bridge (formerly Cabin John Bridge) over Potomac River: VDOT to submit a plan for remediation of bridge (<i>in LIS Highways, Bridges, and Ferries category</i>).	In House Rules.
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