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SENATE BILL NO. 958

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources
on January 21, 2025)

(Patron Prior to Substitute—Senator Stuart)

*A BILL to amend and reenact § 10.1-2128.1 of the Code of Virginia, relating to Virginia Natural Resources
Commitment Fund.*

Be it enacted by the General Assembly of Virginia:

1. That § 10.1-2128.1 of the Code of Virginia is amended and reenacted as follows:

§ 10.1-2128.1. Virginia Natural Resources Commitment Fund established.

A. There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Natural Resources Commitment Fund hereafter referred to as "the Subfund," which shall be a subfund of the Virginia Water Quality Improvement Fund and administered by the Department of Conservation and Recreation. The Subfund shall be established on the books of the Comptroller. All amounts appropriated and such other funds as may be made available to the Subfund from any other source, public or private, shall be paid into the state treasury and credited to the Subfund. Interest earned on moneys in the Subfund shall remain in the Subfund and be credited to it. Any moneys remaining in the Subfund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Subfund. Moneys in the Subfund shall be used as provided in subsection B solely for the Virginia Agricultural Best Management Practices Cost-Share Program administered by the Department of Conservation and Recreation.

B. Beginning on July 1, 2008, and continuing in each subsequent fiscal year until July 1, 2018, out of such amounts as may be appropriated and deposited to the Subfund, distributions shall be made in each fiscal year for the following purposes:

1. Eight percent of the total amount distributed to the Virginia Agricultural Best Management Practices Cost-Share Program shall be distributed to soil and water conservation districts to provide technical assistance for the implementation of such agricultural best management practices. Each soil and water conservation district in the Commonwealth shall receive a share according to a method employed by the Director of the Department of Conservation and Recreation in consultation with the Virginia Soil and Water Conservation Board, that accounts for the percentage of the available agricultural best management practices funding that will be received by the district from the Subfund;

2. Fifty-five percent of the total amount distributed to the Virginia Agricultural Best Management Practices Cost-Share Program shall be used for matching grants for agricultural best management practices on lands in the Commonwealth exclusively or partly within the Chesapeake Bay watershed; and

3. Thirty-seven percent of the total amount distributed to the Virginia Agricultural Best Management Practices Cost-Share Program shall be used for matching grants for agricultural best management practices on lands in the Commonwealth exclusively outside of the Chesapeake Bay watershed.

Until July 1, 2027, in any fiscal year, 50 percent of any funds previously distributed to the Virginia Agricultural Best Management Practices Cost-Share Program for the purpose of grants for agriculture best management practices on lands in the Commonwealth that cannot be obligated by June 15 by a soil and water conservation district during such fiscal year, regardless of whether such lands are within or outside of the Chesapeake Bay watershed, may be reallocated by the Virginia Soil and Water Conservation Board to any soil and water conservation district for conservation practices. The Virginia Soil and Water Conservation Board may reallocate the remaining previously distributed funds that cannot be obligated by June 15 to the soil and water conservation districts within the same watershed.

Nothing in this section shall prevent any funds distributed to the Virginia Agricultural Best Management Practices Cost-Share Program for the purpose of matching grants for agricultural best management practices on lands in the Commonwealth that cannot be obligated by a soil and water conservation district during a fiscal year to transfer such funds to another soil and water conservation district within the same watershed within the same fiscal year.

C. The Department of Conservation and Recreation, in consultation with stakeholders, including representatives of the agricultural community, the conservation community, and the Soil and Water Conservation Districts, shall determine an annual funding amount for effective Soil and Water Conservation District technical assistance and implementation of agricultural best management practices pursuant to § 10.1-546.1. Pursuant to § 2.2-1504, the Department shall provide to the Governor the annual funding amount needed for each year of the ensuing biennial period. The Department shall include the annual funding amount as part of the reporting requirements in § 62.1-44.118.

2. That the Department of Conservation and Recreation shall include in its annual reports relating to the clean-up plan for the Chesapeake Bay and Virginia waters, as required by § 62.1-44.117 of the Code of Virginia, the amounts of funds reappropriated between watersheds pursuant to subsection B

60 of § 10.1-2128.1 of the Code of Virginia, as amended by this act, to the Chairmen of the House
61 Committee on Appropriations and the Senate Committee on Finance and Appropriations.