



Virginia
Regulatory
Town Hall

Exempt Action Final Regulation
Agency Background Document

Agency Name:	Department of Conservation and Recreation
VAC Chapter Number:	4 VAC 50-20
Regulation Title:	Impounding Structure Regulations
Action Title:	Amend 4 VAC 50-20-30, 50, 70, 120, 220, and 320
Date:	February 25, 2002

Where a regulation is exempt in part or in whole from the requirements of the Administrative Process Act (§ 9-6.14:1 *et seq.* of the *Code of Virginia*) (APA), the agency may provide information pertaining to the action to be included on the Regulatory Town Hall. The agency must still comply the requirements of the Virginia Register Act (§ 9-6.18 *et seq.* of the *Code of Virginia*) and file the final regulation with the Registrar in a style and format conforming with the *Virginia Register Form, Style and Procedure Manual*. The agency must also comply with Executive Order Fifty-Eight (99) which requires an assessment of the regulation's impact on the institution of the family and family stability.

Note agency actions exempt pursuant to § 9-6.14:4.1(B) do not require filing with the Registrar a Notice of Intended Regulatory Action, or at the proposed stage. When the regulation is promulgated and submitted to the Registrar, the agency need only provide a statement citing the specific Virginia Code section referencing the exemption and an authority certification letter from the Attorney General's Office. No specific format is required.

This form should be used for actions **exempt from the Administrative Process Act pursuant to § 9-6.14:4.1(C)** at the final stage. Note that agency actions exempt pursuant to § 9-6.14:4.1(C) of the APA do not require filing with the Registrar a Notice of Intended Regulatory Action, and at the proposed stage.

Summary

Please provide a brief summary of the proposed new regulation, amendments to an existing regulation, or the regulation being repealed. There is no need to state each provision or amendment or restate the purpose and intent of the regulation, instead give a summary of the regulatory action and alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The Department is amending Chapter 20 to address changes made in the Code of Virginia. The most substantive change is in the definition of impounding structure in accordance with Chapter 92 of the 2001 Virginia Acts of Assembly with an effective date of July 1, 2002.

Statement of Final Agency Action

Please provide a statement of the final action taken by the agency including the date the action was taken, the name of the agency taking the action, and the title of the regulation.

On December 12, 2001, the Virginia Soil and Water Conservation Board authorized the Director of the Virginia Department of Conservation and Recreation to publish the final regulatory amendments necessary to bring the "Virginia Impoundment Regulations" (4 VAC -50-20), including its attendant forms, into conformance with changes made to the Code of Virginia, the Department of Conservation organizational changes, and the federal organizational changes since the last regulatory amendment. The Director of the Department certifies this final action on this day, February 25, 2002. This action has been certified by the Office of the Attorney General as exempt from the Administrative Process Act, pursuant to §§ 2.2-4006.A.3, 2.2-4006.A.4.a, and 2.2-4006.A.4.c. Although exempt, pursuant to 2.2-4006.B the agency will receive, consider and respond to petitions by any interested person at any time with respect to consideration or revision. The effective date of regulations adopted under this subsection shall be in accordance with the provisions of 2.2-4015, except in the case of emergency regulations, which shall become effective as provided in subsection B of 2.2-4012.

Family Impact Statement

Please provide an analysis of the regulatory action that assesses the impact on the institution of the family and family stability including the extent to which the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

No impact.