



Virginia Regulatory Town Hall

townhall.virginia.gov

Exempt Action Final Regulation Agency Background Document

Agency name	Virginia Department of Agriculture and Consumer Services
Virginia Administrative Code (VAC) citation	2 VAC 5-316
Regulation title	Rules and Regulations for Enforcement of the Virginia Pest Law – Beach Vitex Quarantine
Action title	Amends Regulations to Expand Beach Vitex Quarantine to Entire State
Final agency action date	July 2, 2010
Document preparation date	July 1, 2010

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The purpose of these amendments is to prevent the long distance (artificial) spread of Beach Vitex to coastal areas of the Commonwealth. The current regulations prohibit the movement of regulated articles in Accomack and Northampton counties and the cities of Norfolk and Virginia Beach. The amendments will prohibit the movement of regulated articles in the entire Commonwealth of Virginia. Including all Virginia localities in this quarantine will help prevent the spread of this plant from inland areas to the coastal areas of Virginia.

Beach Vitex, is a highly invasive, deciduous, woody vine native to the Pacific Rim, that grows rapidly along dunes and shorelines causing damage to these areas by crowding out native plants and threatening the habitats of various animals, including the endangered loggerhead sea turtle. Beach Vitex has been planted in the mid-Atlantic area for the purpose of stabilizing dunes and has been found growing in numerous locations in Virginia. Beach Vitex has proven to be less effective than native grasses in controlling dune erosion and native grasses are now considered superior to Beach Vitex for dune stabilization plantings.

This regulation restricts movement of regulated articles, as defined in 2 VAC 5-316-40. A certificate or permit must be issued before movement of regulated articles into, within, or out of the regulated area can occur. Conditions under which the certificate or permit will be issued are described in 2 VAC 5-316-70. This will reduce the impact of the Beach Vitex to coastal areas and protect Virginia's native plants and wildlife.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On July 2, 2010, the Commissioner of Virginia Department of Agriculture and Consumer Services adopted as a final regulation, 2 VAC 5-316 Rules and Regulations for Enforcement of the Virginia Pest Law- Beach Vitex Quarantine.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

This regulatory action will have no impact on the institution of the family and family stability.