

Office of Regulatory Management
Economic Review Form

Agency name	Virginia Marine Resources Commission
Virginia Administrative Code (VAC) Chapter citation(s)	4VAC20-960
VAC Chapter title(s)	Pertaining to Tautog
Action title	Removal of all fees associated with unreturned commercial tautog tags or tags returned after the yearly February 15 th deadline.
Date this document prepared	February 13, 2024
Regulatory Stage (including Issuance of Guidance Documents)	Final

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: Changing this regulation will have no direct costs.</p> <p>Indirect Costs: Changing this regulation will have no indirect costs.</p> <p>Direct Benefits: Changes to this regulation will eliminate any fees that can be issued to commercial tautog harvesters if they do not return their unused tags from the previous fishing year by the February 15th deadline. These fees can be issued to all harvesters who do not return unused tags and include a \$25 processing fee and a \$0.28 fee for every unreturned tag. The 2023 commercial tautog season has 35 harvesters with 2,800 tags being distributed. Based on the previous year's landings around 25 percent of distributed tags will be used totaling over 2,200 pounds of tautog landed, \$6,700 in wholesale revenue. Of the tags initially distributed around 2,100 must be returned from these 35 harvesters, resulting in up to \$1,463 in late fees being issued, 21.8% of the commercial tautog fisheries yearly estimated value.</p> <p>Indirect Benefits: Changes to this regulation will lower the burden on commercial harvesters by eliminating another deadline they must meet to avoid being charged these fees. The commercial tog fishery starts on January 1 and runs through January 22nd and most harvesters are actively targeting tautog before the season closes or have shifted to another winter fishery like oyster. Removing these fees will allow harvesters to return the previous year's tags in late February or early March when commercial fishing has slowed greatly due to season restrictions and species availability.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$1,463 in financial burden will be removed yearly from possible fees associated with unreturned tags or tags returned after the February 15 th deadline.
(3) Net Monetized Benefit	\$	
(4) Other Costs & Benefits (Non-Monetized)	This regulation change will allow commercial harvesters to continue fishing in the first few months of winter without having to take time off the water to return the previous year's tautog tags to the commission.	
(5) Information Sources	VMRC's mandatory harvest reporting Commercial tautog tagging program	

Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: The status quo regulation would leave fees that would be charged to commercial tautog harvesters who did not return their previous year's tags to the commission by the February 15th deadline. The fees can be charged to harvesters regardless of the reason they are unable to return their previous year's tags.</p> <p>Indirect Costs: The status quo regulation would force commercial tautog harvesters to take a day off the water in the early winter when they could be targeting winter species to return their tags to the commission resulting in lost revenue.</p> <p>Direct Benefits: The status quo regulation would have had no direct benefits.</p> <p>Indirect Benefits: The status quo regulation would have had no direct benefits.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Net Monetized Benefit	\$0	
(4) Other Costs & Benefits (Non-Monetized)		
(5) Information Sources	VMRC Mandatory Harvest Reporting Commercial tautog tagging program	

Table 1c: Costs and Benefits under Alternative Approach(es)

(1) Direct & Indirect Costs & Benefits (Monetized)	There were no alternative options considered other than status quo (listed above).	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Net Monetized Benefit		

(4) Other Costs & Benefits (Non-Monetized)	
(5) Information Sources	

Impact on Local Partners

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 2: Impact on Local Partners

(1) Direct & Indirect Costs & Benefits (Monetized)	This regulatory change will have no direct or indirect cost to local partners. This regulatory change will have no direct or indirect benefits for local partners.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Other Costs & Benefits (Non-Monetized)	None	
(4) Assistance		
(5) Information Sources		

Impacts on Families

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 3: Impact on Families

(1) Direct & Indirect Costs & Benefits (Monetized)	There are no direct or indirect costs for families. There are no direct or indirect benefits for families.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)

(3) Other Costs & Benefits (Non-Monetized)	
(4) Information Sources	

Impacts on Small Businesses

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 4: Impact on Small Businesses

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>This regulatory change will have no direct or indirect cost to small businesses.</p> <p>Direct Benefits: Changes to this regulation will allow commercial tautog harvesters to continue fishing at the beginning of the New Year allowing a continued income for commercial fishermen who operate as small businesses. Previously commercial harvesters would have had to take a day off the water during the early months of the winter when they could be targeting tautog or other early winter commercial species.</p> <p>Indirect Benefits: Changes to this regulation will lower the burden on commercial harvesters by eliminating another deadline they must meet to avoid being charged these fees. The commercial tog fishery starts on January 1 and runs through January 22nd and most harvesters are actively targeting tautog before the season closes or have shifted to another winter fishery like oyster. Removing these fees will allow harvesters to return the previous year's tags in late February or early March when commercial fishing has slowed greatly due to season restrictions and species availability.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b) \$1,463 in financial burden will be removed yearly from possible fees associated with unreturned tags or tags returned after the February 15 th deadline.
(3) Other Costs & Benefits (Non-Monetized)		
(4) Alternatives		

(5) Information Sources	
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Changes to Number of Regulatory Requirements

Table 5: Regulatory Reduction

For each individual action, please fill out the appropriate chart to reflect any change in regulatory requirements, costs, regulatory stringency, or the overall length of any guidance documents.

Change in Regulatory Requirements

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements
4VAC20-960-48	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	17	0	0	0
	(D/R):	9	0	-1 D/R line and (21.8% * 9 lines = 1.97) lines reduced	-2.97
Grand Total of Changes in Requirements:					(M/A):0
					(D/A):0
					(M/R):0
					(D/R): -2.97

Key:

Please use the following coding if change is mandatory or discretionary and whether it affects externally regulated parties or only the agency itself:

(M/A): Mandatory requirements mandated by federal and/or state statute affecting the agency itself

(D/A): Discretionary requirements affecting agency itself

(M/R): Mandatory requirements mandated by federal and/or state statute affecting external parties, including other agencies

(D/R): Discretionary requirements affecting external parties, including other agencies

Other Decreases or Increases in Regulatory Stringency (if applicable)

VAC Section(s) Involved	Description of Regulatory Change	Overview of How It Reduces or Increases Regulatory Burden
4VAC20-960-48	Removing all fees for commercial tautog tags unreturned or returned after the February 15 th deadline.	Changes to this regulation will decrease the financial burden by eliminating any fees that can be issued to commercial tautog

		harvesters if they do not return their unused tags from the previous fishing year by the February 15th deadline. These fees can be issued to all harvesters who do not return unused tags and include a \$25 processing fee and a \$0.28 fee for every unreturned tag. Based on the 2023 commercial tautog season around \$1,463 in fees will be eliminated yearly from this fishery.

Length of Guidance Documents (only applicable if guidance document is being revised)

Title of Guidance Document	Original Length	New Length	Net Change in Length

*If the agency is modifying a guidance document that has regulatory requirements, it should report any change in requirements in the appropriate chart(s).