

Office of Regulatory Management
Economic Review Form

Agency name	Virginia Marine Resources Commission
Virginia Administrative Code (VAC) Chapter citation(s)	Chapter 4VAC20-1250-10
VAC Chapter title(s)	Pertaining to the Tagging of Shellfish
Action title	To modify the method of identifying harvested shellfish to align with the National Shellfish Sanitation Program’s tagging requirements to increase public safety and protect the shellfish resource.
Date this document prepared	July 15, 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>The proposed mandatory amendments will enhance the specificity of shellfish harvest locations in Virginia. By aligning Virginia’s regulations with the latest National Shellfish Sanitation Program standards, these changes will improve the traceability of molluscan shellfish harvested in the state. Specifically, the amendments incorporate updated growing areas identified by the Virginia Department of Health and mandate that shellfish tags include the growing area and either the lease number or public harvest area.</p> <p>Direct Benefits: Align Virginia regulations with the requirements of the National Shellfish Sanitation Program (NSSP) which is the federal/state cooperative program recognized by the U. S. Food and Drug Administration (FDA) and the Interstate Shellfish Sanitation Conference (ISSC).</p> <p>Indirect Benefits: The amendments incorporate updated growing areas identified by the Virginia Department of Health and mandate that shellfish tags include the growing area and either the lease number or public harvest area. This will improve traceability for shellstock products and potentially reduced the size and scope of closed areas if necessary.</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	National Shellfish Sanitation Program (NSSP) is the federal/state cooperative program	

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

(1) Direct & Indirect Costs & Benefits (Monetized)	Direct Costs: Status quo would leave Virginia out of compliance with National Shellfish Sanitation Program's tagging requirements potentially reducing the ability of the state to do inter-state commerce. Indirect Costs: Status quo will have the indirect cost of not increasing public safety and protecting the shellfish resource.	
(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	National Shellfish Sanitation Program (NSSP) is the federal/state cooperative program	

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

(1) Direct & Indirect Costs & Benefits (Monetized)	There were no alternative options considered other than the status quo (listed above).	
(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)	\$0	
(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)	This regulatory change will have no direct or indirect costs for families. This regulatory change will have 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)	This regulatory change will have a net indirect benefit to small fish charter businesses that will now be able to snag their own bait or catch bait more efficiently throughout their trip.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Other Costs & Benefits (Non-Monetized)		
(4) Alternatives		
(5) Information Sources		

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
4 VAC 20-1250	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	8	0	0	0
	(D/R):	0	0	0	0
Grand Total of Changes in Requirements:				(M/A):0	
				(D/A):0	
				(M/R):0	
				(D/R): 0	

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

Cost Reductions or Increases (if applicable)

VAC Section(s) Involved	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases

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
4 VAC 20-1250	Modifying the method of identifying harvested shellfish to align with the National Shellfish Sanitation Program's tagging requirements	Increases public safety and protect the shellfish resource.