



Virginia
Regulatory
Town Hall

townhall.virginia.gov

Exempt Action Proposed Regulation Agency Background Document

| | |
|--|---|
| Approving authority name | State Water Control Board |
| Virginia Administrative Code (VAC) citation | 9 VAC 25 – 670 -10 et seq. |
| Regulation title | Virginia Water Protection General Permit WP 2 for Facilities and Activities of Utility and Public Service Companies Regulated by the Federal Energy Regulatory Commission or the State Corporation Commission and Other Utility Line Activities |
| Action title | Revision and Renewal |
| Document preparation date | November 7, 2005 |

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the 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 21 (02) 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.

Virginia Water Protection (VWP) General Permit WP2 will expire on October 1, 2006. The proposed revisions include minor changes to improve the processing and coordination of authorizations, both for the public, DEQ, and other agencies. These VWP general permit regulations generally reduce the permitting burden to the public and minimizes the amount of agency duplication in processing permit authorizations and it is in the interest of all to continue to provide this level of service through the renewal of this general permit.

The substance of the revisions included the addition and deletion of definitions; minor grammatical changes; formatting, consolidating and reordering of text to improve readability; clarification of existing requirements; prohibiting the use of this general permit for wetlands, open waters and streams that are protected by deed restrictions or similar protective covenants imposed by previous state or federal permit actions; extending the life of the general permit regulations to 10 years instead of the current 5 years;

extending the permit authorization period to up to 7 years; reiteration of provisions in the main VWP regulation for purposes of emphasis; and amending the thresholds of coverage for wetlands and open waters and stream impacts, which were previously combined together as “surface waters.” Due to limited interest expressed in the discussions among the Technical Advisory Committee, considerations for repealing this general permit and incorporating its provisions into WP4 has been dropped.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability, including to what extent 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.

The proposed general permit will have no impact on the institution of the family and family stability.