

Office of Regulatory Management
Economic Review Form

Agency name	Board for Professional Soil Scientists, Wetland Professionals, and Geologists
Virginia Administrative Code (VAC) Chapter citation(s)	18 VAC 145-30
VAC Chapter title(s)	Regulations Governing Certified Professional Wetland Delineators
Action title	General Review of Regulations Governing Certified Professional Wetland Delineators
Date this document prepared	September 25, 2024
Regulatory Stage (including Issuance of Guidance Documents)	Proposed (Action 6299 / Stage 10507)

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)

<p>(1) Direct & Indirect Costs & Benefits (Monetized)</p>	<p>1. This action revises the qualifying experience provisions for certification to increase the minimum number of nontidal wetland delineations that an applicant must have inspected, reviewed, or confirmed if seeking to qualify based on experience in inspecting, reviewing, and confirming delineations.</p> <p>2. This action revises the qualifying education provisions to (i) provide that acceptable education may include a graduate degree in an approved curriculum; and (ii) remove the minimum number of required semester hours in biology, physical, and quantitative sciences as criteria for acceptable coursework for a degree in an approved curriculum.</p> <p>3. This action removes a requirement that an application for certification be received by the Board at least 90 days prior to the certification examination.</p> <p>4. This action extends the period of time for an individual to reinstate an expired certificate from one (1) year to two (2) years.</p> <p>5. This action eliminates requirements that are not necessary to protect the health, safety, and welfare of the public or effectively administer the licensure program and seeks to provide clarity to the regulation and make the regulation easier to understand.</p> <p>Direct Costs: There are no anticipated monetizable direct costs associated with the regulatory change.</p> <p>Indirect Costs: There are no anticipated monetizable indirect costs associated with the regulatory change.</p> <p>Direct Benefits: There are no anticipated monetizable direct benefits associated with the regulatory change.</p> <p>Indirect Benefits: There are no anticipated monetizable indirect benefits associated with the regulatory change.</p>	
<p>(2) Present Monetized Values</p>	<p>Direct & Indirect Costs</p>	<p>Direct & Indirect Benefits</p>
	<p>(a) \$0</p>	<p>(b) \$0</p>

(3) Net Monetized Benefit	\$0
(4) Other Costs & Benefits (Non-Monetized)	<p>Costs:</p> <ul style="list-style-type: none"> • Individuals seeking to qualify for certification based on experience in inspecting, reviewing, and confirming delineations may experience an additional time cost to meet the revised experience requirement. <p>Benefits:</p> <ul style="list-style-type: none"> • Individuals seeking to qualify for certification based on holding a degree in an approved curriculum may be more likely to qualify due to the changes in the qualifying education provisions. • Removes requirements that are not necessary to protect the health, safety, and welfare of the public or effectively administer the licensure program. • Provides needed updating and clarification to the regulation. • Aligns provisions in the regulation to current agency practice. • Ensures the regulation complements current Virginia law and is clearly written and understandable.
(5) Information Sources	Agency staff.

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

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: There are no new direct costs associated with maintaining the status quo.</p> <p>Indirect Costs: There are no new indirect costs associated with maintaining the status quo.</p> <p>Direct Benefits: There are no new direct benefits associated with maintaining the status quo.</p> <p>Indirect Benefits: There are no new indirect benefits associated with maintaining the status quo.</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)	There are no new non-monetizable costs or benefits associated with maintaining the status quo.
(5) Information Sources	Agency staff.

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

(1) Direct & Indirect Costs & Benefits (Monetized)	Refer to Box #4.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Net Monetized Benefit	N/A	
(4) Other Costs & Benefits (Non-Monetized)	No less intrusive or less costly alternatives to achieve the purpose of the regulatory change were identified.	
(5) Information Sources	N/A	

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)	Refer to Box #3.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A

(3) Other Costs & Benefits (Non-Monetized)	There are no anticipated direct or indirect costs to local partners. There are no anticipated direct or indirect benefits to local partners
(4) Assistance	N/A
(5) Information Sources	N/A

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)	Refer to Box #3.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Other Costs & Benefits (Non-Monetized)	There are no anticipated direct or indirect costs to families. There are no anticipated direct or indirect benefits to families.	
(4) Information Sources	N/A	

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)	Refer to Box #3.
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(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Other Costs & Benefits (Non-Monetized)	<p>As indicated in the ABD, certifications issued under this regulation are issued to individuals, and not to business entities. However, individuals who are certificated may be owners or employees of business entities that may fall within the meaning of “small business” as defined in § 2.2-4007.1 of the Code of Virginia.</p> <p>The costs and benefits of this regulatory change are identified in Table 1(a). To the extent that any additional costs are assumed by a small business entities owned by certificate holders or that employ certificate holders, this regulatory change would impact small businesses.</p>	
(4) Alternatives	No less intrusive or less costly alternatives to achieve the purpose of the regulatory change were identified.	
(5) Information Sources	N/A	

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
30-20	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	4	2	0	+2
	(D/R):	0	0	0	0
30-40	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	3	1	3	-2
	(D/R):	3	0	0	0
30-70	(M/A):	0	0	0	0
	(D/A):	3	0	0	0
	(M/R):	0	0	0	0
	(D/R):	9	0	3	-3
30-80	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	2	0	2	-2
	(D/R):	1	0	1	-1
30-140	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	15	0	6	-6
Grand Total of Changes in Requirements:					(M/A): 0 (D/A): 0 (M/R): -2 (D/R): -10

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
N/A	N/A	N/A	N/A	N/A

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
30-50	<p>The qualifying experience requirements for those seeking to qualify based on inspection, review, or confirmation of delineations are revised to provide that a minimum of 18 of the 30 delineations an individual has inspected, reviewed, or confirmed must be for nontidal wetlands.</p> <p>Currently, only six (6) of the required 30 delineations must be for nontidal wetlands.</p>	<p>This change partially increases the stringency of the current requirement.</p> <p>This change applies to one D/R requirement in the section.</p>
30-20 30-60	<p>The qualifying education provisions are revised to provide that acceptable education may include a graduate degree in a qualifying curriculum.</p> <p>Currently, only a bachelor's degree in a qualifying curriculum may be accepted.</p>	<p>This change reduces the stringency of the current requirement for qualifying education.</p> <p>The change applies to one M/R requirement in section -20.</p>
30-60	<p>The qualifying education provisions are revised to remove the minimum number of required semester hours in biology, physical, and quantitative sciences as criteria for acceptable coursework for a degree in a qualifying curriculum.</p>	<p>These changes reduce the stringency of the current requirement for qualifying education by 100%.</p> <p>The change applies to three D/R requirements in the section.</p>

	Currently, those seeking to qualify with a bachelor's degree must have a total of 36 semester hours in biological sciences, physical sciences, and quantitative sciences.	
30-120	The section is revised to increase the timeframe for reinstatement of an expired certificate from one (1) year to two (2) years before an individual must obtain a new certificate.	This change reduces the stringency of the current requirement by 100%.

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

Title of Guidance Document	Original Word Count	New Word Count	Net Change in Word Count
N/A	N/A	N/A	N/A

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