



Exempt Action Final Regulation Agency Background Document

Approving authority name	State Water Control Board
Virginia Administrative Code (VAC) citation	9VAC25-210
Regulation title	Virginia Water Protection Permit Regulation
Action title	2008 Statutory Conformance Amendments
Final agency action date	October 17, 2008
Document preparation date	October 18, 2008

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 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.

In summary, no VWP permit is required for the construction and maintenance of agricultural or silvicultural ponds or impoundments that meet specific criteria in the Virginia Soil and Water Conservation Board code § 10.0-604 et seq. In order to be consistent with the statute, Sections 50, 60, 130, and 220 of the VWP regulation need to be revised.

Additionally, several processing forms used by the VWP program were updated, and thus, the Forms section of the regulation was also revised to note the correct form versions.

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.

The amendments were adopted by the State Water Control Board at its meeting on October 16-17, 2008.

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 amendments are not expected to 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; or 3) strengthen or erode the marital commitment. The amendments may increase disposable family income as the construction and maintenance of agricultural or silvicultural ponds or impoundments that meet specific criteria are no longer required to acquire a Virginia Water Protection Permit.