



townhall.virginia.gov

Exempt Action Final Regulation Agency Background Document

Agency name	State Water Control Board
Virginia Administrative Code (VAC) citation(s)	9VAC25-390
Regulation title(s)	Water Resources Policy
Action title	Exempt action to correct a citation and the name of the Ground Water Management Act
Final agency action date	December 13, 2019
Date this document prepared	October 8, 2019

While a regulatory action may be exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the *Code of Virginia*, the agency is still encouraged to provide information to the public on the Regulatory Town Hall using this form. However, the agency may still be required to comply with the Virginia Register Act, Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1 VAC7-10), and the *Virginia Register Form, Style, and Procedure Manual for Publication of Virginia Regulations*.

Brief Summary

Please provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

This amendment corrects a citation referencing the Code of Virginia and the name of the Ground Water Management Act.

Mandate and Impetus

Please identify the mandate for this regulatory change, and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, board decision, etc.). "Mandate" is defined as "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

A periodic review was recently conducted for this regulation. The result of the periodic review was to amend the regulation to correct a citation to the Code of Virginia and the name of the Ground Water Management Act of 1992.

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.

On December 13, 2019, the State Water Control Board took final action to adopt an amendment to the regulation entitled Water Resources Policy (9VAC25-390). The regulatory action will be filed as soon as possible, consistent with the Administrative Process Act.

All changes made in this regulatory action

Please detail all changes that are being made and the consequences of the changes. Detail new provisions and/or all changes to existing sections.

Current section number	New section number, if applicable	Current requirement	Change, intent, rationale, and likely impact of new requirements
20		Regulation references the Groundwater Act of 1973	The Groundwater Act of 1973 has been repealed and replaced with the Ground Water Management Act of 1992. The citation referencing the Ground Water Management Act of 1992 has also been updated.

The amendments are corrections of technical errors and are being made using the exempt final process as allowed by § 2.2-4006 A 3 of the Administrative Process Act.

Regulatory Flexibility Analysis

Pursuant to § 2.2-4007.1B of the Code of Virginia, please describe the agency’s analysis of alternative regulatory methods, consistent with health, safety, environmental, and economic welfare, that will accomplish the objectives of applicable law while minimizing the adverse impact on small business. Alternative regulatory methods include, at a minimum: 1) establishing less stringent compliance or reporting requirements; 2) establishing less stringent schedules or deadlines for compliance or reporting requirements; 3) consolidation or simplification of compliance or reporting requirements; 4) establishing performance standards for small businesses to replace design or operational standards required in the proposed regulation; and 5) the exemption of small businesses from all or any part of the requirements contained in the regulatory change.

This amendment contains corrections of technical errors and does not change any requirements of the regulation. No alternative regulatory methods were identified that would achieve the goal of the regulation.

Family Impact

In accordance with § 2.2-606 of the Code of Virginia, please assess the potential impact of the proposed 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.

This regulation does not directly impact the institution of the family or family stability.