



Virginia  
Regulatory  
Town Hall

## Exempt Action Final Regulation Agency Background Document

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| <b>Agency Name:</b>        | State Water Control Board   |
| <b>VAC Chapter Number:</b> | 9 VAC 25-210  |
| <b>Regulation Title:</b>   | Virginia Water Protection Permit Program Regulation                           |
| <b>Action Title:</b>       | VWP Permit Program Regulation – Amendments to Conform to State Law Amendments |
| <b>Date:</b>               | July 24, 2000   |

Where a regulation is exempt in part or in whole from the requirements of the Administrative Process Act (§ 9-6.14:1 *et seq.* of the *Code of Virginia*) (APA), the agency may provide information pertaining to the action to be included on the Regulatory Town Hall. The agency must still comply the requirements of the Virginia Register Act (§ 9-6.18 *et seq.* of the *Code of Virginia*) and file the final regulation with the Registrar in a style and format conforming with the *Virginia Register Form, Style and Procedure Manual*. The agency must also comply with Executive Order Fifty-Eight (99) which requires an assessment of the regulation's impact on the institution of the family and family stability.

**Note agency actions exempt pursuant to § 9-6.14:4.1(B)** do not require filing with the Registrar a Notice of Intended Regulatory Action, or at the proposed stage. When the regulation is promulgated and submitted to the Registrar, the agency need only provide a statement citing the specific Virginia Code section referencing the exemption and an authority certification letter from the Attorney General's Office. No specific format is required.

This form should be used for actions **exempt from the Administrative Process Act pursuant to § 9-6.14:4.1(C)** at the final stage. Note that agency actions exempt pursuant to § 9-6.14:4.1(C) of the APA do not require filing with the Registrar a Notice of Intended Regulatory Action, and at the proposed stage.

### Summary

*Please provide a brief summary of the proposed new regulation, amendments to an existing regulation, or the regulation being repealed. There is no need to state each provision or amendment or restate the purpose and intent of the regulation, instead give a summary of the regulatory action and alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

The Virginia Water Protection Permit Program Regulation establishes the procedures and standards for the issuance of Virginia Water Protection Permits. The amendments incorporate revisions to the law enacted by the 2000 General Assembly concerning the excavation of wetlands and the duration of a Virginia Water Protection Permit.

**Statement of Final Agency Action**

*Please provide a statement of the final action taken by the agency including the date the action was taken, the name of the agency taking the action, and the title of the regulation.*

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The State Water Control Board, at its meeting on July 12, 2000, adopted amendments to 9 VAC 25-210-10, 9 VAC 25-210-50 and 9 VAC 25-210-110 of the Virginia Water Protection Permit Program Regulation and as part of that action, agreed to receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision.

**Family Impact Statement**

*Please provide an analysis of the regulatory action that assesses the impact on the institution of the family and family stability including the extent to which 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.*

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The amendments to this regulation will not have any direct impact on the institution of the family and family stability.