



Exempt Action Final Regulation Agency Background Document

Agency name	Virginia Department of Agriculture and Consumer Services
Virginia Administrative Code (VAC) citation	2 VAC 5-316
Regulation title	Rules and Regulations for Enforcement of the Virginia Pest Law-Beach Vitex Quarantine
Action title	Establishing Rules Governing Beach Vitex
Final agency action date	December 3, 2009
Document preparation date	December 4, 2009

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 36 (06) 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.

By authority granted by Section 3.2-703 of the Code of Virginia, the Commissioner of the Virginia Department of Agriculture and Consumer Services hereby establishes the Beach Vitex Quarantine in certain regulated areas of the state. Beach Vitex is a highly invasive, deciduous, woody vine native to Asia that grows rapidly along dunes and shorelines causing damage to these areas by crowding out native plants and threatening the habitats of various animals. The purpose of these proposed regulatory changes is to prevent the long distance, artificial spread of Beach Vitex from coastal areas of the Commonwealth which are infested with Beach Vitex to other areas which are not infested. The proposed amendments will reduce the impact of the Beach Vitex to coastal areas and protect Virginia's native plants and wildlife.

The implementation of this regulation will restrict movement of regulated articles, as defined in 2 VAC 5-316-40. Regulated localities include the counties of Accomack and Northampton and the cities of Norfolk and Virginia Beach. A certificate or permit must be issued before movement

of regulated articles into, from, or within these regulated areas can occur. Conditions under which the certificate or permit will be issued are described in 2 VAC 5-316-70.

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 3, 2009, the Board of Agriculture and Consumer Services adopted as a final regulation, 2 VAC 5-316 Rules and Regulations for Enforcement of the Virginia Pest Law-Beach Vitex Quarantine.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

This regulatory action will have no impact on the institution of the family and family stability.