



Exempt Action Proposed Regulation Agency Background Document

Approving authority name	State Water Control Board
Virginia Administrative Code (VAC) citation	9 VAC 25-720
Regulation title	Amendment of the Water Quality Management Planning Regulation
Action title	Amendment to adopt four TMDL waste load allocations contained in four TMDL reports for the following river basins: Potomac-Shenandoah River Basin (9 VAC 25-720-50.A), Roanoke River Basin (9 VAC 25-720-80.A), Tennessee - Big Sandy River Basin (9VAC 25-720-90.A), and Chowan River – Dismal Swamp River Basin (9 VAC 25-720-100.A).
Document preparation date	

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the 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.

This amendment to the state's Water Quality Management Planning Regulation (9 VAC 25-720) consists of the inclusion of four Total Maximum Daily Load (TMDL) waste load allocations contained in four TMDL reports. The TMDLs were developed in accordance with Federal Regulations (40 CFR §130.7) and are exempt from the provisions of Article II of the Virginia Administrative Process Act. The TMDLs were subject to the TMDL public participation process and the waste load allocations are adopted as part of 9 VAC 25-720 in accordance with Virginia's "Public Participation Procedures for Water Quality Management Planning". Attached is a document that lists by name the four TMDL reports and individual TMDLs affected by this regulation. The State Water Control Board adopted these amendments at their meeting on September 6, 2006.

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 amendment of the Water Quality Management Planning regulation is for the protection of public health and safety, which has only an indirect impact on families.

List of four TMDL reports and four TMDL Waste Load Allocations affected by the proposed amendment of the Water Quality Management Planning regulation**In the Potomac - Shenandoah River Basin (9 VAC 25-720-50.A):**

"Mill Creek Sediment TMDL for a Benthic Impairment, Shenandoah County, Virginia" - Mill Creek benthic TMDL, located in Shenandoah County, proposes sediment reductions for portions of the watershed and provides a total sediment wasteload allocation of 0.9 tons/year.

In the Roanoke River Basin (9 VAC 25-720-80.A):

"Benthic TMDL Development for the Roanoke River, Virginia" - Roanoke River benthic TMDL, located in Roanoke, Montgomery, Floyd, and Botetourt Counties, as well as the Cities of Roanoke and Salem, proposes sediment reductions for portions of the watershed and provides a total sediment wasteload allocation of 5,189 tons/year.

In the Tennessee - Big Sandy River Basin (9VAC 25-720-90.A):

"General Standard (Benthic) Total Maximum Daily Load Development for Stock Creek" - Stock Creek benthic TMDL, located in Scott County, proposes sediment reductions for portions of the watershed and provides a total sediment wasteload allocation of 0 tons/year.

In the Chowan River – Dismal Swamp River Basin (9VAC 25-720-100.A):

"Total Maximum Daily Load Development for Spring Branch " - Spring Branch benthic TMDL, located in Sussex County and the Town of Waverly, proposes total phosphorus reductions for portions of the watershed, including the Spring Branch Sewage Treatment Plant operated by the Sussex County Service Authority, and provides a total phosphorus wasteload allocation of 145.82 kg/year.