

Office of Regulatory Management
Economic Review Form

Agency name	Board of Agriculture and Consumer Services
Virginia Administrative Code (VAC) Chapter citation(s)	2 VAC 5-318
VAC Chapter title(s)	Rules and Regulations for the Enforcement of the Virginia Pest Law – Thousand Cankers Disease
Action title	Repeal of Rules and Regulations for the Enforcement of the Virginia Pest Law – Thousand Cankers Disease
Date this document prepared	April 19, 2023
Regulatory Stage (including Issuance of Guidance Documents)	Fast-Track

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

<p>(1) Direct & Indirect Costs & Benefits (Monetized)</p>	<p>The proposed regulatory action will repeal <i>Rules and Regulations for Enforcement of the Virginia Pest Law – Thousand Cankers Disease (2 VAC 5-318 et seq.)</i>. Based on survey data, import requirements, and recent research, VDACS believes that the quarantine established in this regulation is no longer necessary to slow the spread of the disease.</p> <p>Direct & Indirect Costs: There are no monetizable direct or indirect costs or benefits associated with the repeal of this regulation.</p> <p>Direct Benefits: Repealing this regulation will directly benefit (i) VDACS, (ii) those who are selling, transporting, or moving walnut logs, lumber, or other regulated articles from or through currently regulated localities, and (iii) out-of-state entities who want to ship currently regulated articles from their state into the Commonwealth. There are two currently active compliance agreement holders.</p> <p>The repeal of this regulation will eliminate the need for VDACS to issue permits and compliance agreements to entities that move regulated articles and the minimal costs associated with the issuance of these permits and compliance agreements.</p> <p>The repeal of this regulation will allow businesses to move walnut trees, walnut logs, and other regulated articles out of the quarantined area, without restrictions currently required by this regulation. Out-of-state entities will be able to ship walnut logs, lumber, and other regulated articles into Virginia, without restrictions currently required by this regulation. Repeal of the regulation will eliminate the costs to individuals, businesses, and other entities associated with ensuring compliance with provisions of the regulation</p> <p>Indirect Benefits: The agency has not identified any monetizable indirect benefits.</p>	
<p>(2) Present Monetized Values</p>	<p>Direct & Indirect Costs</p>	<p>Direct & Indirect Benefits</p>
	<p>(a) N/A</p>	<p>(b) The agency does not have data on which to base an estimate of the monetizable direct benefits.</p>
<p>(3) Net Monetized Benefit</p>	<p>-</p>	

(4) Other Costs & Benefits (Non-Monetized)	N/A
(5) Information Sources	N/A

Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: VDACS will have costs associated with the administrative duties of issuing and maintaining compliance agreements and associated with conducting inspections of regulated articles, when necessary. Additionally, businesses selling, moving, and transporting walnut trees, logs, lumber, and other regulated products would continue to have to comply with the quarantine. While there is no cost for a permit or compliance agreement, businesses would continue to be required to meet requirements of the regulation, such as inspection of regulated articles when moving such regulated articles out of the quarantine.</p> <p>Indirect Costs: The agency has not identified any monetizable indirect costs.</p> <p>Direct & Indirect Costs & Benefits: VDACS believes that the quarantine established in this regulation is no longer necessary to slow the spread of the disease. The agency has not identified any monetizable direct or indirect cost or benefit.</p> <p>Indirect Benefits: The agency has not identified any indirect benefits.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) The agency does not have data on which to base an estimate of the direct costs.	(b) The agency does not have data on which to base an estimate of the direct benefits.
(3) Net Monetized Benefit	-	
(4) Other Costs & Benefits (Non-Monetized)	N/A	
(5) Information Sources	N/A	

Table 1c: Costs and Benefits under Alternative Approach(es)

(1) Direct & Indirect Costs & Benefits (Monetized)	The agency has not identified an appropriate alternative approach to repealing the regulation or maintaining the status quo. The agency has determined that the regulation is no longer needed, and there are no other alternatives less intrusive or costly than the proposed repeal of this regulation.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Net Monetized Benefit	N/A	
(4) Other Costs & Benefits (Non-Monetized)	N/A	
(5) Information Sources	N/A	

Impact on Local Partners

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 2: Impact on Local Partners

(1) Direct & Indirect Costs & Benefits (Monetized)	The agency is not aware of any direct or indirect cost or benefit on local partners associated with the repeal of this regulation.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Other Costs & Benefits (Non-Monetized)	N/A	
(4) Assistance	N/A	

(5) Information Sources	N/A
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Impacts on Families

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 3: Impact on Families

(1) Direct & Indirect Costs & Benefits (Monetized)	The agency is not aware of any direct or indirect cost or benefit on families associated with the repeal of this regulation.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) N/A
(3) Other Costs & Benefits (Non-Monetized)	N/A	
(4) Information Sources	N/A	

Impacts on Small Businesses

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 4: Impact on Small Businesses

(1) Direct & Indirect Costs & Benefits (Monetized)	Repeal of the regulation will positively impact businesses that move walnut trees, walnut logs, and other regulated articles out of the quarantined area. VDACS currently has two active compliance agreements with businesses that move regulated articles. Although VDACS does not collect data that would enable it to determine whether these businesses are small businesses, VDACS believes that these entities meet the definition of a small business.
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	<p>Direct & Indirect Costs: The agency has not identified any monetizable direct or indirect costs.</p> <p>Direct Benefits: Repeal of the regulation will eliminate the costs to individuals, businesses, and other entities associated with ensuring compliance with provisions of the regulation.</p> <p>Indirect Benefits: The agency has not identified any monetizable indirect benefits.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) N/A	(b) The agency does not have data on which to base an estimate of the monetizable direct benefits.
(3) Other Costs & Benefits (Non-Monetized)	N/A	
(4) Alternatives	N/A	
(5) Information Sources	N/A	

Changes to Number of Regulatory Requirements

Table 5: Regulatory Reduction

For each individual action, please fill out the appropriate chart to reflect any change in regulatory requirements, costs, regulatory stringency, or the overall length of any guidance documents.

“G/D” means discretionary regulatory requirements governing agency/agencies.

“G/S” means statutory regulatory requirements governing agency/agencies.

“R/D” means discretionary regulatory requirements governing regulated parties.

“R/S” means statutory regulatory requirements governing regulated parties.

Change in Regulatory Requirements

VAC Section(s) Involved	Initial Count	Additions	Subtractions	Net Change
2 VAC 5-318-10	0	0	0	0
2 VAC 5-318-20	0	0	0	0
2 VAC 5-318-30	0	0	0	0
2 VAC 5-318-40	0	0	0	0
2 VAC 5-318-50	0	0	0	0
2 VAC 5-318-60	12 R/D	0	12 R/D	-12 R/D
2 VAC 5-318-70	6 R/D; 2 G/D	0	6 R/D; 2 G/D	-6 R/D; -2 G/D
2 VAC 5-318-80	1 R/D; 3 G/D	0	1 R/D; 3 G/D	-1 R/D; -3 G/D
2 VAC 5-318-90	3 R/D	0	3 R/D	-3 R/D
2 VAC 5-318-100	4 R/D	0	4 R/D	-4 R/D
2 VAC 5-318-110	1 G/S	0	1 G/S	-1 G/S
2 VAC 5-318-120	2 R/D	0	2 R/D	-2 R/D
2 VAC 5-318-130	1 R/D	0	1 R/D	-1 R/D
2 VAC 5-318-140	0	0	0	0

Cost Reductions or Increases (if applicable)

VAC Section(s) Involved	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases
2 VAC 5-318-60	Obtain and attach certain documentation when moving a regulated article	No cost for a certificate or limited permit. Agency unable to estimate any additional related costs.	0	Agency unable to estimate.
2 VAC 5-318-70	Requirements for obtaining documentation needed to move	No cost for a certificate or limited permit. Agency unable to estimate any	0	Agency unable to estimate.

	a regulated article	additional related costs.		
2 VAC 5-318-80	Maintain safeguards when moving a regulated article	Agency unable to estimate any related costs.	0	Agency unable to estimate.
2 VAC 5-318-90	Requirements for obtaining an inspection	Agency unable to estimate any related costs.	0	Agency unable to estimate.
2 VAC 5-318-100	Attach and distribute certain documents when moving a regulated article	Agency unable to estimate any related costs.	0	Agency unable to estimate.
2 VAC 5-318-120	Must have approval to move regulated article into VA from certain states	Agency unable to estimate any related costs.	0	Agency unable to estimate.
2 VAC 5-318-130	Must pay own costs associated with required inspection	Agency unable to estimate any related costs.	0	Agency unable to estimate.

Other Decreases or Increases in Regulatory Stringency (if applicable)

VAC Section(s) Involved	Description of Regulatory Change	Overview of How It Reduces or Increases Regulatory Burden
N/A	N/A	N/A

Length of Guidance Documents (only applicable if guidance document is being revised)

Title of Guidance Document	Original Length	New Length	Net Change in Length
N/A	N/A	N/A	N/A