

Office of Regulatory Management
Economic Review Form

Agency name	Department of Environmental Quality (“Department”)
Virginia Administrative Code (VAC) Chapter citation(s)	9VAC25-210
VAC Chapter title(s)	Virginia Water Protection Permit Program Regulation
Action title	Fast-track amendment to the Virginia Water Protection Permit Regulation (9VAC25-210) in response to changes to the Local and Regional Water Supply Planning regulation (9VAC25-780)
Date this document prepared	March 17, 2026
Regulatory Stage (including Issuance of Guidance Documents)	Fast-Track Regulation

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)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p><u>Background</u> The proposed regulatory action protects water quality in the Commonwealth of Virginia which is essential to the health, safety and welfare of Virginia’s citizens. The goal of this regulatory action is to amend the Virginia Water Protection Permit Program Regulation (VWP Regulation) to improve clarity and certainty by making the regulations</p>
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	<p>consistent with recent changes to the Local and Regional Water Supply Planning regulation (9VAC25-780).</p> <p>Direct & Indirect Costs: The amendments to the Part V (9VAC25-210-300 et. seq.) of the VWP Regulation will make it consistent with recent amendments to the Local and Regional Water Supply Planning regulation. The amendments improve clarity and certainty for VWP permit applicants and the Department by making 9VAC25-210 internally consistent with applicable requirements in the Local and Regional Water Supply Planning regulation. Since the amendments are to be consistent with other regulations that are currently effective there are no new direct or indirect costs associated with the proposed changes.</p> <p>Direct Benefits: The amendments ensure the VWP Regulation is consistent with related regulatory requirements provide clarity and certainty to VWP permit applicants. This regulatory action makes the VWP Regulation easier to understand and implement. The Department is unable to quantify these benefits because they do not make any substantive changes to the VWP Regulation or its requirements.</p> <p>Indirect Benefits: Improving clarity of requirements saves time for localities and the regulated community and improves understanding of and compliance with regulatory requirements. Better understanding and compliance protects state waters, water quality, habitat, and recreational use.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) No monetized direct or indirect costs associated with these regulatory changes.	(b) The Department is unable to quantify these benefits.
(3) Net Monetized Benefit	Unknown (see discussion above).	
(4) Other Costs & Benefits (Non-Monetized)	Unknown (see discussion above).	
(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: The “status quo” option would be to continue to use language that is inconsistent with other existing State Water Control Board (Board) regulations. No direct costs would be incurred by the Department.</p> <p>Indirect Costs: The primary indirect cost with the “status quo” is the additional staff time needed for permittees, the Department, local authorities, and other stakeholders to resolve inconsistencies between the VWP Regulation and the Local and Regional Water Supply Planning regulation. The Department is unable to quantify these costs.</p> <p>Direct Benefits: There are no benefits to maintaining incorrect information and requirements in the regulation.</p> <p>Indirect Benefits: There are not any indirect benefits to maintaining the status quo.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) Unable to monetize indirect costs associated with the status quo.	(b) Unable to monetize direct and indirect benefits.
(3) Net Monetized Benefit	N/A	
(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 Department is not aware of any alternatives to this regulatory change. The regulatory change is very limited in scope to include technical amendments for consistency with other effective regulations of the Board.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	N/A	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)	<p>Direct Costs: There are no direct costs to local partners because this action does not change the existing responsibilities of the regulated communities or local governments. The amendments improve clarity and certainty for the regulated community and the Department by making the requirements in the VWP Regulation consistent with the recent amendments to the Local and Water Supply Planning regulation.</p> <p>Indirect Costs: There are no known indirect costs associated with the proposed changes.</p> <p>Direct Benefits: The direct benefit to local partners is reduced confusion, which will result in less staff time in reviewing, processing, and working through issues related to the VWP permitting process.</p> <p>Indirect Benefits: Improving clarity and consistency of requirements saves time for local partners and improves understanding of and compliance with regulatory requirements.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) Unable to monetize direct and indirect costs.	(b) Unable to monetize direct and indirect benefits.
(3) Other Costs & Benefits (Non-Monetized)	N/A	
(4) Assistance	N/A	
(5) Information Sources	N/A	

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)	<p>Direct Costs: There are no direct costs that impact families associated with the proposed changes.</p> <p>Indirect Costs: There are no indirect costs that impact families associated with the proposed changes.</p> <p>Direct Benefits: There are no direct benefits that impact families associated with the proposed changes.</p> <p>Indirect Benefits: There are no indirect benefits that impact families associated with the proposed changes.</p>	
(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)	Small businesses would have the same impact as described in Table 1a above. The Department is unable to identify the number of small businesses that would benefit from this regulatory change.
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(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) No monetized direct or indirect costs associated with the regulatory changes.	(b) Unable to monetize direct and indirect 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.

Change in Regulatory Requirements

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements
9VAC25-210-320	(M/A):	5	0	0	0
	(D/A):	0	0	0	0
	(M/R):	12	0	0	0
	(D/R):	0	0	0	0
9VAC25-210-340	(M/A):	1	0	0	0
	(D/A):	0	0	0	0
	(M/R):	30	0	0	0
	(D/R):	5	0	0	0
9VAC25-210-360	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	5	0	0	0
	(D/R):	0	0	0	0
				Grand Total of Changes in Requirements:	(M/A): 0
					(D/A): 0
					(M/R): 0
					(D/R): 0

Key:

Please use the following coding if change is mandatory or discretionary and whether it affects externally regulated parties or only the agency itself:

(M/A): Mandatory requirements mandated by federal and/or state statute affecting the agency itself

(D/A): Discretionary requirements affecting agency itself

(M/R): Mandatory requirements mandated by federal and/or state statute affecting external parties, including other agencies

(D/R): Discretionary requirements affecting external parties, including other agencies

Cost Reductions or Increases (if applicable)

VAC Section(s) Involved*	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases
N/A				

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		

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			