

Office of Regulatory Management
Economic Review Form

Agency name	Virginia Marine Resources Commission
Virginia Administrative Code (VAC) Chapter citation(s)	4 VAC 20-780
VAC Chapter title(s)	Patent Tong Restrictions
Action title	To protect and conserve the oyster resource on public oyster grounds where the taking of oysters by patent tong is permitted
Date this document prepared	11/1/2023
Regulatory Stage (including Issuance of Guidance Documents)	Final (Repeal)

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>Direct Costs: There are no direct costs associated with this regulation. This regulation is being repealed in its entirety to promote regulatory efficiency associated with current harvesting practices.</p> <p>Indirect Costs: There are no indirect costs associated with this regulatory action. This regulation is being repealed in its entirety to promote regulatory efficiency associated with current harvesting practices.</p> <p>Direct Benefits: There are no direct benefits associated with this regulatory action. This regulation is being repealed in its entirety to promote regulatory efficiency associated with current harvesting practices.</p> <p>Indirect Benefits: There is an indirect benefit of time saving to any persons who may be impacted by oyster and shellfish regulations and is required to spend time reviewing legal harvest requirements. This regulation is being repealed along with six other outdated regulations of the 26 shellfish regulations. The repeal of this regulation saves an estimated one hour of time per person, at rate of \$31.54, (mean average hourly rate for all people in Virginia) over each year, for every person who has currently taken the Shellfish Harvester Training or has a Shellfish License or Permit and likely spends some time reviewing shellfish regulations. Based on the number of persons with this type of license or permit (887 persons) and this estimate of time, a repeal of this regulation could have an indirect benefit of up to \$27,989.00 each year. It would also result in a reduction for each harvester of 3.8% by eliminating the total time it takes to review lawful shellfish harvest regulations (1/26 regulations).</p>	
<p>(2) Present Monetized Values</p>	<p>Direct & Indirect Costs</p>	<p>Direct & Indirect Benefits</p>
	<p>(a) \$0</p>	<p>(b) \$27,989</p>
<p>(3) Net Monetized Benefit</p>	<p>\$27,989</p>	
<p>(4) Other Costs & Benefits (Non-Monetized)</p>	<p>Decreases the overall number of regulations and decreases confusion that is caused by out of date and redundant regulations. Time savings for all those who may periodically review or reference shellfish regulations.</p>	
<p>(5) Information Sources</p>	<p>MRC Commercial Fishing License System (CFLS)</p> <p>The <i>CFLS</i> is a MRC run program that tracks all licenses and permits issued by the Agency.</p>	

	U.S. Bureau of Labor Statistics
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Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: 0</p> <p>Indirect Costs: There is an indirect cost of time saving to any persons who may be impacted by oyster and shellfish regulations and is required to spend time reviewing legal harvest requirements. This regulation is being repealed along with six other outdated regulations of the 26 shellfish regulations. The repeal of this regulation saves an estimated one hour of time per person, at rate of \$31.54, (mean average hourly rate for all people in Virginia) over each year, for every person who has currently taken the Shellfish Harvester Training or has a Shellfish License or Permit and likely spends some time reviewing shellfish regulation. Based on the number of persons with this type of license or permit (887 persons) and this estimate of time, a repeal of this regulation could have an indirect benefit of up to \$27,989.00 each year. It would also result in a reduction for each harvester of 3.8% by eliminating the total time it takes to review lawful shellfish harvest regulations (1/26 regulations).</p> <p>Direct Benefits: 0</p> <p>Indirect Benefits: 0</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$27,989	(b) \$0
(3) Net Monetized Benefit	-\$27,989	
(4) Other Costs & Benefits (Non-Monetized)		
(5) Information Sources	<p>MRC Commercial Fishing License System (CFLS)</p> <p>The <i>CFLS</i> is a MRC run program that tracks all licenses and permits issued by the Agency.</p> <p>U.S. Bureau of Labor Statistics</p>	

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

(1) Direct & Indirect Costs & Benefits (Monetized)	N/A	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Net Monetized Benefit		
(4) Other Costs & Benefits (Non-Monetized)		
(5) Information Sources		

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)	N/A	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Other Costs & Benefits (Non-Monetized)		
(4) Assistance		
(5) Information Sources		

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)	N/A	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Other Costs & Benefits (Non-Monetized)		
(4) Information Sources		

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)	N/A	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Other Costs & Benefits (Non-Monetized)	A considerable portion of the participants in the Virginia shellfish fishery are likely small or independent Businesses.	
(4) Alternatives		

(5) Information Sources	
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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	Net Change
4-20-780-et al.	Statutory:	0	0	0	0
	Discretionary:	2	0	-2	-2
Additional Burden Reduction	Discretionary	2	0	-3.8%	-0.1
Total Net Change of Statutory Requirements:					0
Total Net Change of Discretionary Requirements:					-2.1

Cost Reductions or Increases (if applicable)

VAC Section(s) Involved*	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases
4-20-780-et al.		\$727,714	\$699,725	-\$27,989 annually (3.8%)

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

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

Title of Guidance Document	Original Length	New Length	Net Change in Length

*If the agency is modifying a guidance document that has regulatory requirements, it should report any change in requirements in the appropriate chart(s).