

VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

CHAPTER 334

An Act to direct the Virginia Marine Resources Commission to review and update certain guidelines to provide for the generation of vegetated and unvegetated wetland credits from wetland creation, restoration, conversion, and enhancement activities, invasive species control, and the establishment of open water channels.

[H 1950]

Approved March 23, 2023

Be it enacted by the General Assembly of Virginia:

1. § 1. *The Virginia Marine Resources Commission (the Commission) shall review and update the Commission's "Guidelines for Establishment, Use and Operation of Tidal Wetland Mitigation Banks in Virginia" (January 1, 1998) and its regulations, Wetlands Mitigation-Compensation Policy and Supplemental Guidelines (4VAC20-390) (the Guidelines). Such review and update shall consider provisions relating to the generation of vegetated and unvegetated wetland credits from wetland creation, restoration, conversion, and enhancement activities, invasive species control, and the establishment of open water channels. Such update shall also include making the Guidelines consistent with the Commission's "Tidal Wetlands Guidelines" (May 2021 Update), including updating the wetlands types and properties. The Commission shall form a stakeholder group including representatives from the mitigation banking industry, conservation organizations, the U.S. Army Corps of Engineers, the Department of Environmental Quality, and the Virginia Institute of Marine Science for the purpose of reviewing and updating the Guidelines. The Commission shall complete the review and update by July 1, 2024.*