

VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

CHAPTER 665

An Act to amend and reenact the ninth enactments of Chapters 68 and 758 of the Acts of Assembly of 2016 and the tenth enactments of Chapters 68 and 758 of the Acts of Assembly of 2016, as amended by the second enactment of Chapter 345 of the Acts of Assembly of 2017, relating to Virginia Erosion and Stormwater Management Act; regulations; effective date.

[H 2390]

Approved March 26, 2023

Be it enacted by the General Assembly of Virginia:

1. That the ninth enactments of Chapters 68 and 758 of the Acts of Assembly of 2016 and the tenth enactments of Chapters 68 and 758 of the Acts of Assembly of 2016, as amended by the second enactment of Chapter 345 of the Acts of Assembly of 2017, are amended and reenacted as follows:

9. That the State Water Control Board (the Board) shall adopt regulations to implement the requirements of this act *before July 1, 2024*. The adoption of such regulations shall *include the reduction of regulations through consolidation of duplicative requirements* and be exempt from the requirements of Article 2 (§ 2.2-4006 et seq.) of the Administrative Process Act (§ 2.2-4000 et seq.) of the Code of Virginia. However, the Department shall (i) provide a Notice of Intended Regulatory Action, (ii) form a stakeholders advisory group, (iii) provide for a 60-day public comment period prior to the Board's adoption of the regulations, and (iv) provide the Board with a written summary of comments received and responses to comments prior to the Board's adoption of the regulations. *This enactment shall become effective in due course. The regulations shall become effective on July 1, 2024, concurrent with the effective date of the remainder of this act.*

10. That the provisions of this act, *except for the ninth enactment*, shall become effective on July 1, 2018 2024, or 30 days after the adoption by the State Water Control Board concurrent with the effective date of the regulations required by the ninth enactment of this act, ~~whichever occurs later~~.