



# VIRGINIA

## REGISTER OF REGULATIONS

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# VIRGINIA REGISTER INFORMATION PAGE

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**THE VIRGINIA REGISTER OF REGULATIONS** is an official state publication issued every other week throughout the year. Indexes are published quarterly, and are cumulative for the year. The *Virginia Register* has several functions. The new and amended sections of regulations, both as proposed and as finally adopted, are required by law to be published in the *Virginia Register*. In addition, the *Virginia Register* is a source of other information about state government, including petitions for rulemaking, emergency regulations, executive orders issued by the Governor, and notices of public hearings on regulations.

## **ADOPTION, AMENDMENT, AND REPEAL OF REGULATIONS**

An agency wishing to adopt, amend, or repeal regulations must first publish in the *Virginia Register* a notice of intended regulatory action; a basis, purpose, substance and issues statement; an economic impact analysis prepared by the Department of Planning and Budget; the agency's response to the economic impact analysis; a summary; a notice giving the public an opportunity to comment on the proposal; and the text of the proposed regulation.

Following publication of the proposal in the *Virginia Register*, the promulgating agency receives public comments for a minimum of 60 days. The Governor reviews the proposed regulation to determine if it is necessary to protect the public health, safety and welfare, and if it is clearly written and easily understandable. If the Governor chooses to comment on the proposed regulation, his comments must be transmitted to the agency and the Registrar no later than 15 days following the completion of the 60-day public comment period. The Governor's comments, if any, will be published in the *Virginia Register*. Not less than 15 days following the completion of the 60-day public comment period, the agency may adopt the proposed regulation.

The Joint Commission on Administrative Rules (JCAR) or the appropriate standing committee of each house of the General Assembly may meet during the promulgation or final adoption process and file an objection with the Registrar and the promulgating agency. The objection will be published in the *Virginia Register*. Within 21 days after receipt by the agency of a legislative objection, the agency shall file a response with the Registrar, the objecting legislative body, and the Governor.

When final action is taken, the agency again publishes the text of the regulation as adopted, highlighting all changes made to the proposed regulation and explaining any substantial changes made since publication of the proposal. A 30-day final adoption period begins upon final publication in the *Virginia Register*.

The Governor may review the final regulation during this time and, if he objects, forward his objection to the Registrar and the agency. In addition to or in lieu of filing a formal objection, the Governor may suspend the effective date of a portion or all of a regulation until the end of the next regular General Assembly session by issuing a directive signed by a majority of the members of the appropriate legislative body and the Governor. The Governor's objection or suspension of the regulation, or both, will be published in the *Virginia Register*. If the Governor finds that changes made to the proposed regulation have substantial impact, he may require the agency to provide an additional 30-day public comment period on the changes. Notice of the additional public comment period required by the Governor will be published in the *Virginia Register*.

The agency shall suspend the regulatory process for 30 days when it receives requests from 25 or more individuals to solicit additional public comment, unless the agency determines that the changes have minor or inconsequential impact.

A regulation becomes effective at the conclusion of the 30-day final adoption period, or at any other later date specified by the promulgating agency, unless (i) a legislative objection has been filed, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 21-day objection period; (ii) the Governor exercises his authority to require the agency to provide for additional public comment, in which event the regulation,

unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the period for which the Governor has provided for additional public comment; (iii) the Governor and the General Assembly exercise their authority to suspend the effective date of a regulation until the end of the next regular legislative session; or (iv) the agency suspends the regulatory process, in which event the regulation, unless withdrawn, becomes effective on the date specified, which shall be after the expiration of the 30-day public comment period and no earlier than 15 days from publication of the readopted action.

A regulatory action may be withdrawn by the promulgating agency at any time before the regulation becomes final.

## **FAST-TRACK RULEMAKING PROCESS**

Section 2.2-4012.1 of the Code of Virginia provides an exemption from certain provisions of the Administrative Process Act for agency regulations deemed by the Governor to be noncontroversial. To use this process, Governor's concurrence is required and advance notice must be provided to certain legislative committees. Fast-track regulations will become effective on the date noted in the regulatory action if no objections to using the process are filed in accordance with § 2.2-4012.1.

## **EMERGENCY REGULATIONS**

Pursuant to § 2.2-4011 of the Code of Virginia, an agency, upon consultation with the Attorney General, and at the discretion of the Governor, may adopt emergency regulations that are necessitated by an emergency situation. An agency may also adopt an emergency regulation when Virginia statutory law or the appropriation act or federal law or federal regulation requires that a regulation be effective in 280 days or less from its enactment. The emergency regulation becomes operative upon its adoption and filing with the Registrar of Regulations, unless a later date is specified. Emergency regulations are limited to no more than 18 months in duration; however, may be extended for six months under certain circumstances as provided for in § 2.2-4011 D. Emergency regulations are published as soon as possible in the *Register*. During the time the emergency status is in effect, the agency may proceed with the adoption of permanent regulations through the usual procedures. To begin promulgating the replacement regulation, the agency must (i) file the Notice of Intended Regulatory Action with the Registrar within 60 days of the effective date of the emergency regulation and (ii) file the proposed regulation with the Registrar within 180 days of the effective date of the emergency regulation. If the agency chooses not to adopt the regulations, the emergency status ends when the prescribed time limit expires.

## **STATEMENT**

The foregoing constitutes a generalized statement of the procedures to be followed. For specific statutory language, it is suggested that Article 2 (§ 2.2-4006 et seq.) of Chapter 40 of Title 2.2 of the Code of Virginia be examined carefully.

## **CITATION TO THE VIRGINIA REGISTER**

The *Virginia Register* is cited by volume, issue, page number, and date. **29:5 VA.R. 1075-1192 November 5, 2012**, refers to Volume 29, Issue 5, pages 1075 through 1192 of the *Virginia Register* issued on November 5, 2012.

*The Virginia Register of Regulations* is published pursuant to Article 6 (§ 2.2-4031 et seq.) of Chapter 40 of Title 2.2 of the Code of Virginia.

Members of the Virginia Code Commission: **John S. Edwards**, Chair; **James M. LeMunyon**, Vice Chair, **Gregory D. Habeeb**; **Ryan T. McDougle**; **Pamela S. Baskerville**; **Robert L. Calhoun**; **Carlos L. Hopkins**; **E.M. Miller, Jr.**; **Thomas M. Moncure, Jr.**; **Christopher R. Nolen**; **Timothy Oksman**; **Charles S. Sharp**; **Robert L. Tavenner**.

Staff of the Virginia Register: **Jane D. Chaffin**, Registrar of Regulations; **Karen Perrine**, Assistant Registrar; **Anne Bloomsburg**, Regulations Analyst; **Rhonda Dyer**, Publications Assistant; **Terri Edwards**, Operations Staff Assistant.

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## PUBLICATION SCHEDULE AND DEADLINES

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This schedule is available on the *Register's* Internet home page (<http://register.dls.virginia.gov>).

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### May 2015 through May 2016

<u>Volume: Issue</u>	<u>Material Submitted By Noon*</u>	<u>Will Be Published On</u>
31:19	April 29, 2015	May 18, 2015
31:20	May 13, 2015	June 1, 2015
31:21	May 27, 2015	June 15, 2015
31:22	June 10, 2015	June 29, 2015
31:23	June 24, 2015	July 13, 2015
31:24	July 8, 2015	July 27, 2015
31:25	July 22, 2015	August 10, 2015
31:26	August 5, 2015	August 24, 2015
32:1	August 19, 2015	September 7, 2015
32:2	September 2, 2015	September 21, 2015
32:3	September 16, 2015	October 5, 2015
32:4	September 30, 2015	October 19, 2015
32:5	October 14, 2015	November 2, 2015
32:6	October 28, 2015	November 16, 2015
32:7	November 10, 2015 ( <b>Tuesday</b> )	November 30, 2015
32:8	November 24, 2015 ( <b>Tuesday</b> )	December 14, 2015
32:9	December 9, 2015	December 28, 2015
32:10	December 21, 2015 ( <b>Monday</b> )	January 11, 2016
32:11	January 6, 2016	January 25, 2016
32:12	January 20, 2016	February 8, 2016
32:13	February 3, 2016	February 22, 2016
32:14	February 17, 2016	March 7, 2016
32:15	March 2, 2016	March 21, 2016
32:16	March 16, 2016	April 4, 2016
32:17	March 30, 2016	April 18, 2016
32:18	April 13, 2016	May 2, 2016
32:19	April 27, 2016	May 16, 2016
32:20	May 11, 2016	May 30, 2016

\*Filing deadlines are Wednesdays unless otherwise specified.

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# PETITIONS FOR RULEMAKING

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## TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING

### BOARD OF DENTISTRY

#### Initial Agency Notice

Title of Regulation: **18VAC60-20. Regulations Governing Dental Practice.**

Statutory Authority: § 54.1-2400 of the Code of Virginia.

Name of Petitioner: Mandepp Sood.

Nature of Petitioner's Request: Amend 18VAC60-20-60 to accept dental school programs accredited by the Commission on Dental Accreditation of Canada (CDAC) since there is an existing reciprocal agreement between CDAC and the Commission on Dental Accreditation of the American Dental Association (CODA) to bilaterally recognize programs that are accredited by either of these commissions.

Agency Plan for Disposition of Request: The board will publish the petition on May 18, 2015, and ask for public comment until June 9, 2015. The petition and any comment will be considered by the board at its meeting scheduled for June 12, 2015.

Public Comment Deadline: June 9, 2015.

Agency Contact: Elaine Yeatts, Agency Regulatory Coordinator, Department of Health Professions, 9960 Mayland Drive, Richmond, VA 23233, telephone (804) 367-4688, or email [elaine.yeatts@dhp.virginia.gov](mailto:elaine.yeatts@dhp.virginia.gov).

VA.R. Doc. No. R15-31; Filed April 20, 2015, 9:18 a.m.

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# REGULATIONS

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For information concerning the different types of regulations, see the Information Page.

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## Symbol Key

Roman type indicates existing text of regulations. Underscored language indicates proposed new text. Language that has been stricken indicates proposed text for deletion. Brackets are used in final regulations to indicate changes from the proposed regulation.

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## TITLE 4. CONSERVATION AND NATURAL RESOURCES

### MARINE RESOURCES COMMISSION

#### Forms

Title of Regulation: **4VAC20-252. Pertaining to the Taking of Striped Bass.**

Contact Information: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002, or email [jennifer.farmer@mrc.virginia.gov](mailto:jennifer.farmer@mrc.virginia.gov).

**REGISTRAR'S NOTICE:** Forms used in administering the following regulation have been filed by Marine Resources Commission. The forms are not being published; however, online users of this issue of the Virginia Register of Regulations may click on the name of the new or amended form to access it. The forms are also available from the agency contact or may be viewed at the Office of the Registrar of Regulations, General Assembly Building, 2nd Floor, Richmond, Virginia 23219.

#### FORMS (4VAC20-252)

[2015 Striped Bass Charter Boat Fishing Reporting Form \(rev. 12/14\)](#)

[2015 Trophy-Size Striped Bass Season Charter Boat Fishing Reporting Form \(rev. 12/14\)](#)

~~[Spring Striped Bass Recreational Trophy-Size Report Form \(rev. 12/14\)](#)~~

[Spring Striped Bass Recreational Trophy-Size Report Form \(rev. 3/15\)](#)

VA.R. Doc. No. R15-4372; Filed April 23, 2015, 1:09 p.m.

#### Final Regulation

**REGISTRAR'S NOTICE:** The Marine Resources Commission is claiming an exemption from the Administrative Process Act in accordance with § 2.2-4006 A 11 of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

Title of Regulation: **4VAC20-252. Pertaining to the Taking of Striped Bass (amending 4VAC20-252-60, 4VAC20-252-80).**

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: May 1, 2015.

Agency Contact: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 2600 Washington Avenue,

3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002, or email [jennifer.farmer@mrc.virginia.gov](mailto:jennifer.farmer@mrc.virginia.gov).

#### Summary:

*The amendments establish the coastal area and Chesapeake area trophy-size striped bass minimum possession size limit of 36 inches total length.*

#### **4VAC20-252-60. Bay and Coastal Spring Trophy-size Striped Bass Recreational Fisheries.**

A. The open season for the Bay Spring Trophy-size Striped Bass Recreational Fishery shall be May 1 through June 15, inclusive.

B. The area open for the Bay Spring Trophy-size ~~fishery~~ Striped Bass Recreational Fishery shall be the Chesapeake Bay and its tributaries, except the spawning reaches of the James, Pamunkey, Mattaponi, and Rappahannock Rivers.

C. The open season for the Coastal Spring Trophy-size Striped Bass Recreational Fishery shall be May 1 through May 15, inclusive.

D. The area open for the Coastal Spring Trophy-size Striped Bass Recreational Fishery is the coastal area as described in 4VAC20-252-20.

E. The minimum size limit for the fisheries described in this section shall be ~~32~~ 36 inches total length.

F. The possession limit for the fisheries described in this section shall be one fish per person.

G. It shall be unlawful for any person, 16 years of age or older, participating in the Bay and Coastal Spring Trophy-size striped bass recreational fisheries to fail to obtain a Spring Recreational Striped Bass Trophy Permit from the commission prior to any participation, except when fishing from a legally licensed headboat or charter boat.

H. It shall be unlawful for any spring recreational striped bass trophy permittee or any charter boat striped bass permittee to fail to report the take, harvest, or possession of any trophy-size striped bass, as described in subsection E of this section, on forms provided by the commission by the 15th day after the close of the Bay and Coastal Spring Trophy-size striped bass recreational fisheries. The report requirements shall be as follows:

1. Any spring recreational striped bass trophy permittees or charter boat striped bass permittees shall provide the permittee name, commission permit identification number, the date of any harvest, the water body where the trophy-size striped bass was caught, number of trophy-size striped bass kept or released, and the length of each trophy-size

striped bass kept or released. Any weight information on any kept or released trophy-size striped bass may be provided voluntarily by the permittees.

2. Any spring recreational striped bass trophy permittees or charter boat striped bass permittees who did not participate in the Bay and Coastal Spring Trophy-size striped bass recreational seasons shall notify the commission of their lack of participation by the 15th day after the close of the Bay and Coastal Spring Trophy-size striped bass recreational seasons on forms provided by the commission.

I. It shall be unlawful for any permittee, as described in 4VAC20-252-50 H and subsection G of this section, to fail to report either the harvest of trophy-size striped bass or no harvest activity within 15 days of the closing of the Bay and Coastal Spring Trophy-size striped bass recreational seasons.

**4VAC20-252-80. Bay Spring/Summer Striped Bass Recreational Fishery.**

A. The open season for the Bay Spring/Summer Striped Bass Recreational Fishery shall be May 16 through June 15 inclusive.

B. The area open for this fishery shall be the Chesapeake Bay and its tributaries.

C. The minimum size limit for this fishery shall be 20 inches total length, and the maximum size limit for this fishery shall be 28 inches total length, except as provided in subsection E of this section.

D. The possession limit for this fishery shall be two fish per person.

E. The possession limit described in subsection D of this section may consist of one trophy-size striped bass ~~32~~ 36 inches or greater, which is subject to the provisions of subsections A, B, E, F, ~~and G~~ and H of 4VAC20-252-60.

VA.R. Doc. No. R15-4324; Filed April 30, 2015, 12:08 p.m.

**Final Regulation**

**Title of Regulation:** 4VAC20-620. Pertaining to Summer Flounder (amending 4VAC20-620-40).

**Statutory Authority:** § 28.2-201 of the Code of Virginia.

**Effective Date:** May 1, 2015.

**Agency Contact:** Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002, or email jennifer.farmer@mrc.virginia.gov.

**Summary:**

*The amendments adjust limitations on the possession and landing of Summer Flounder harvested outside of Virginia waters by closing the directed offshore commercial fishery from the second Wednesday in March through April 19th.*

**4VAC20-620-40. Commercial vessel possession and landing limitations.**

A. It shall be unlawful for any person harvesting Summer Flounder outside of Virginia's waters to do any of the following, except as described in subsections B, C, and D of this section:

1. Possess aboard any vessel in Virginia waters any amount of Summer Flounder in excess of 10% by weight of Atlantic croaker or the combined landings, on board a vessel, of black sea bass, scup, squid, scallops and Atlantic mackerel.
2. Possess aboard any vessel in Virginia waters any amount of Summer Flounder in excess of 1,500 pounds landed in combination with Atlantic croaker.
3. Fail to sell the vessel's entire harvest of all species at the point of landing.

B. From the second Wednesday in March through ~~November 30, or until it has been projected and announced that 85% of the allowable landings have been taken~~ April 19, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia waters to do any of the following:

1. Possess aboard any vessel in Virginia waters any amount of Summer Flounder in excess of the combined total of the Virginia landing limit described in subdivision 3 of this subsection and the amount of the legal North Carolina landing limit or trip limit.
2. Land Summer Flounder in Virginia for commercial purposes more than twice during each consecutive 20-day period, with the first 20-day period beginning on the second Wednesday in March.
3. Land in Virginia more than 7,500 pounds of Summer Flounder during each consecutive 20-day period, with the first 20-day period beginning on the second Wednesday in March.
4. Land in Virginia any amount of Summer Flounder more than once in any consecutive five-day period.

C. From December 1 through December 31 of each year, or until it has been projected and announced that 85% of the allowable landings have been taken, it shall be unlawful for any person harvesting Summer Flounder outside of Virginia waters to do any of the following:

1. Possess aboard any vessel in Virginia waters any amount of Summer Flounder in excess of the combined total of the Virginia landing limit described in subdivision 3 of this subsection and the amount of the legal North Carolina landing limit or trip limit.
2. Land Summer Flounder in Virginia for commercial purposes more than twice during each consecutive 20-day period, with the first 20-day period beginning on December 1.

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3. Land in Virginia more than a total of 10,000 pounds of Summer Flounder during each consecutive 20-day period, with the first 20-day period beginning on December 1.

4. Land in Virginia any amount of Summer Flounder more than once in any consecutive five-day period.

D. From January 1 through December 31 of each year, any boat or vessel issued a valid federal Summer Flounder moratorium permit and owned and operated by a legal Virginia Commercial Hook-and-Line Licensee that possesses a Restricted Summer Flounder Endorsement shall be restricted to a possession and landing limit of 200 pounds of Summer Flounder, except as described in 4VAC20-620-30 F.

E. Upon request by a marine police officer, the seafood buyer or processor shall offload and accurately determine the total weight of all Summer Flounder aboard any vessel landing Summer Flounder in Virginia.

F. Any possession limit described in this section shall be determined by the weight in pounds of Summer Flounder as customarily packed, boxed and weighed by the seafood buyer or processor. The weight of any Summer Flounder in pounds found in excess of any possession limit described in this section shall be prima facie evidence of violation of this chapter. Persons in possession of Summer Flounder aboard any vessel in excess of the possession limit shall be in violation of this chapter unless that vessel has requested and been granted safe harbor. Any buyer or processor offloading or accepting any quantity of Summer Flounder from any vessel in excess of the possession limit shall be in violation of this chapter, except as described by subsection I of this section. A buyer or processor may accept or buy Summer Flounder from a vessel that has secured safe harbor, provided that vessel has satisfied the requirements described in subsection I of this section.

G. If a person violates the possession limits described in this section, the entire amount of Summer Flounder in that person's possession shall be confiscated. Any confiscated Summer Flounder shall be considered as a removal from the appropriate commercial harvest or landings quota. Upon confiscation, the marine police officer shall inventory the confiscated Summer Flounder and, at a minimum, secure two bids for purchase of the confiscated Summer Flounder from approved and licensed seafood buyers. The confiscated fish will be sold to the highest bidder and all funds derived from such sale shall be deposited for the Commonwealth pending court resolution of the charge of violating the possession limits established by this chapter. All of the collected funds will be returned to the accused upon a finding of innocence or forfeited to the Commonwealth upon a finding of guilty.

H. It shall be unlawful for a licensed seafood buyer or federally permitted seafood buyer to fail to contact the Marine Resources Commission Operation Station prior to a vessel offloading Summer Flounder harvested outside of Virginia. The buyer shall provide to the Marine Resources Commission the name of the vessel, its captain, an estimate of the amount

in pounds of Summer Flounder on board that vessel, and the anticipated or approximate offloading time. Once offloading of any vessel is complete and the weight of the landed Summer Flounder has been determined, the buyer shall contact the Marine Resources Commission Operations Station and report the vessel name and corresponding weight of Summer Flounder landed. It shall be unlawful for any person to offload from a boat or vessel for commercial purposes any Summer Flounder during the period of 9 p.m. to 7 a.m.

I. Any boat or vessel that has entered Virginia waters for safe harbor shall only offload Summer Flounder when the state that licenses that vessel requests to transfer quota to Virginia, in the amount that corresponds to that vessel's possession limit, and the commissioner agrees to accept that transfer of quota.

J. After any commercial harvest or landing quota as described in 4VAC20-620-30 has been attained and announced as such, any boat or vessel possessing Summer Flounder on board may enter Virginia waters for safe harbor but shall contact the Marine Resources Commission Operation Center in advance of such entry into Virginia waters.

K. It shall be unlawful for any person harvesting Summer Flounder outside of Virginia waters to possess aboard any vessel, in Virginia, any amount of Summer Flounder, once it has been projected and announced that 100% of the quota described in 4VAC20-620-30 A has been taken.

VA.R. Doc. No. R15-4330; Filed April 30, 2015, 12:06 p.m.

## Final Regulation

**Title of Regulation: 4VAC20-950. Pertaining to Black Sea Bass (amending 4VAC20-950-45).**

**Statutory Authority: § 28.2-201 of the Code of Virginia.**

**Effective Date: May 1, 2015.**

**Agency Contact: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002, or email [jennifer.farmer@mrc.virginia.gov](mailto:jennifer.farmer@mrc.virginia.gov).**

### **Summary:**

*The amendments establish the 2015 recreational black sea bass season as May 15 through September 21 and October 22 through December 31.*

### **4VAC20-950-45. Recreational possession limits and seasons.**

A. It shall be unlawful for any person fishing with hook and line, rod and reel, spear, gig, or other recreational gear to possess more than 15 black sea bass. When fishing is from a boat or vessel where the entire catch is held in a common hold or container, the possession limit shall be for that boat or vessel and shall be equal to the number of persons on board legally licensed to fish, multiplied by 15. The captain or operator of the boat or vessel shall be responsible for that boat

or vessel possession limit. Any black sea bass taken after the possession limit has been reached shall be returned to the water immediately.

B. Possession of any quantity of black sea bass that exceeds the possession limit described in subsection A of this section shall be presumed to be for commercial purposes.

C. The open recreational fishing ~~seasons; in 2014 season~~ shall be from May ~~19~~ 15 through September 21 and October ~~18~~ 22 through December 31.

D. It shall be unlawful for any person fishing recreationally to take, catch, or possess any black sea bass, except during an open recreational season.

V.A.R. Doc. No. R15-4379; Filed April 30, 2015, 12:07 p.m.

**Final Regulation**

**Title of Regulation: 4VAC20-1090. Pertaining to Licensing Requirements and License Fees (amending 4VAC20-1090-30).**

**Statutory Authority:** § 28.2-201 of the Code of Virginia.

**Effective Date:** May 1, 2015.

**Agency Contact:** Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002, or email [jennifer.farmer@mrc.virginia.gov](mailto:jennifer.farmer@mrc.virginia.gov).

**Summary:**

*The amendments reduce fees for saltwater recreational fishing licenses, combined sportfishing licenses, combined sportfishing trip licenses, and tidal boat sportfishing licenses.*

**4VAC20-1090-30. License fees.**

The following listing of license fees applies to any person who purchases a license for the purposes of harvesting for commercial purposes, or fishing for recreational purposes, during any calendar year. The fees listed below include a \$1.00 agent fee.

1. COMMERCIAL LICENSES	
Commercial Fisherman Registration License	\$190.00
Commercial Fisherman Registration License for a person 70 years or older	\$90.00
Delayed Entry Registration.	\$190.00
Delayed Entry Registration License for a person 70 years or older	\$90.00
Seafood Landing License for each boat or vessel	\$175.00
For each Commercial Fishing Pier over or upon subaqueous beds (mandatory)	\$83.00

Seafood Buyer's License -- For each boat or motor vehicle	\$63.00
Seafood Buyer's License -- For each place of business	\$126.00
Clam Aquaculture Product Owner's Permit	\$10.00
Oyster Aquaculture Product Owner's Permit	\$10.00
Clam Aquaculture Harvester's Permit	\$5.00
Oyster Aquaculture Harvester's Permit	\$5.00
Nonresident Harvester's License	\$444.00
<b>2. OYSTER RESOURCE USER FEES</b>	
Any licensed commercial fisherman harvesting oysters by hand	\$50.00
For any harvester using one or more gear types to harvest oysters or for any registered commercial fisherman who solely harvests or possesses any bushel limit described in 4VAC20-720-80, only one oyster resource user fee, per year, shall be paid	\$300.00
On any business shucking or packing no more than 1,000 gallons of oysters	\$500.00
On any business shucking or packing more than 1,000 but no more than 10,000 gallons of oysters	\$1,000.00
On any business shucking or packing more than 10,000 but no more than 25,000 gallons of oysters	\$2,000.00
On any business shucking or packing more than 25,000 gallons of oysters	\$4,000.00
On any oyster buyer using a single truck or location	\$100.00
On any oyster buyer using multiple trucks or locations	\$300.00
Commercial aquaculture operation, on riparian assignment or general oyster planting grounds	\$50.00
<b>3. OYSTER HARVESTING, SHUCKING, AND BUYERS LICENSES</b>	
Any person purchasing oysters caught from the public grounds of the Commonwealth or the Potomac River, for a single place of business with one boat or motor vehicle used for buying oysters	\$50.00

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Any person purchasing oysters caught from the public grounds of the Commonwealth or the Potomac River, for a single place of business with multiple boats or motor vehicles used for buying oysters	\$100.00	<b>5. CRAB POT LICENSES</b>	
For each person taking oysters by hand, or with ordinary tongs	\$10.00	For up to 85 crab pots	\$48.00
For each single-rigged patent tong boat taking oysters	\$35.00	For over 85 but not more than 127 crab pots	\$79.00
For each double-rigged patent tong boat taking oysters	\$70.00	For over 127 but not more than 170 crab pots	\$79.00
Oyster Dredge Public Ground	\$50.00	For over 170 but not more than 255 crab pots	\$79.00
Oyster Hand Scrape	\$50.00	For over 255 but not more than 425 crab pots	\$127.00
To shuck and pack oysters, for any number of gallons under 1,000	\$12.00	<b>6. HORSESHOE CRAB AND LOBSTER LICENSES</b>	
To shuck and pack oysters, for 1,000 gallons, up to 10,000	\$33.00	For each person harvesting horseshoe crabs by hand	\$16.00
To shuck and pack oysters, for 10,000 gallons, up to 25,000	\$74.00	For each boat engaged in fishing for, or landing of, lobster using less than 200 pots	\$41.00
To shuck and pack oysters, for 25,000 gallons, up to 50,000	\$124.00	For each boat engaged in fishing for, or landing of, lobster using 200 pots or more	\$166.00
To shuck and pack oysters, for 50,000 gallons, up to 100,000	\$207.00	<b>7. CLAM HARVESTING LICENSES</b>	
To shuck and pack oysters, for 100,000 gallons, up to 200,000	\$290.00	For each person taking or harvesting clams by hand, rake or with ordinary tongs	\$24.00
To shuck and pack oysters, for 200,000 gallons or over	\$456.00	For each single-rigged patent tong boat taking clams	\$58.00
<b>4. BLUE CRAB HARVESTING AND SHEDDING LICENSES, EXCLUSIVE OF CRAB POT LICENSES</b>		For each double-rigged patent tong boat taking clams	\$84.00
For each person taking or catching crabs by dip nets	\$13.00	For each boat using clam dredge (hand)	\$19.00
For ordinary trotlines	\$13.00	For each boat using clam dredge (power)	\$44.00
For patent trotlines	\$51.00	For each boat using hydraulic dredge to catch soft shell clams	\$83.00
For each single-rigged crab-scrape boat	\$26.00	For each person taking surf clams	\$124.00
For each double-rigged crab-scrape boat	\$53.00	<b>8. CONCH (WHELK) HARVESTING LICENSES</b>	
For up to 210 peeler pots	\$36.00	For each boat using a conch dredge	\$58.00
For up to 20 tanks and floats for shedding crabs	\$9.00	For each person taking channeled whelk by conch pot	\$51.00
For more than 20 tanks or floats for shedding crabs	\$19.00	<b>9. FINFISH HARVESTING LICENSES</b>	
For each crab trap or crab pound	\$8.00	Each pound net	\$41.00
		Each stake gill net of 1,200 feet in length or under, with a fixed location	\$24.00
		All other gill nets up to 600 feet	\$16.00

# Regulations

All other gill nets over 600 feet and up to 1,200 feet	\$24.00	Fish dip net	\$7.00
Each person using a cast net or throw net or similar device	\$13.00	Fish cast net	\$10.00
Each fyke net head, weir, or similar device	\$13.00	Up to two eel pots	\$10.00
For fish trotlines	\$19.00	<b>12. SALTWATER RECREATIONAL FISHING LICENSE</b>	
Each person using or operating a fish dip net	\$9.00	Individual, resident	<del>\$22.50</del> <u>\$17.50</u>
On each haul seine used for catching fish, under 500 yards in length	\$48.00	Individual, nonresident	<del>\$30.00</del> <u>\$25.00</u>
On each haul seine used for catching fish, from 500 yards in length to 1,000 yards in length	\$146.00	Temporary 10-Day, resident	<del>\$15.00</del> <u>\$10.00</u>
For each person using commercial hook and line	\$31.00	Temporary 10-Day, nonresident	<del>\$15.00</del> <u>\$10.00</u>
For each person using commercial hook and line for catching striped bass only	\$31.00	Recreational boat, resident	<del>\$53.00</del> <u>\$48.00</u>
For up to 100 fish pots or eel pots	\$19.00	Recreational boat, nonresident, provided a nonresident may not purchase a recreational boat license unless his boat is registered in Virginia	<del>\$84.00</del> <u>76.00</u>
For over 100 but not more than 300 fish pots or eel pots	\$24.00	Head Boat/Charter Boat, resident, six or less passengers	<del>\$224.00</del> <u>\$190.00</u>
For over 300 fish pots or eel pots	\$62.00	Head Boat/Charter Boat, nonresident, six or less passengers	<del>\$421.00</del> <u>\$380.00</u>
<b>10. MENHADEN HARVESTING LICENSES</b>		Head Boat/Charter Boat, resident, more than six passengers, plus \$5.00 per person, over six persons	<del>\$224.00</del> <u>\$190.00</u>
Any person purchasing more than one of the following licenses, as described in this subsection, for the same vessel, shall pay a fee equal to that for a single license for the same vessel.		Head Boat/Charter Boat, nonresident, more than six passengers, plus \$5.00 per person, over six persons	<del>\$421.00</del> <u>\$380.00</u>
On each boat or vessel under 70 gross tons fishing for the purse seine menhaden reduction sector	\$249.00	Rental Boat, resident, per boat, with maximum fee of \$703	<del>\$19.00</del> <u>\$14.00</u>
On each vessel 70 gross tons or over fishing for the purse seine menhaden reduction sector	\$996.00	Rental Boat, nonresident, per boat, with maximum fee of \$1270	<del>\$23.00</del> <u>\$18.00</u>
On each boat or vessel under 70 gross tons fishing for the purse seine menhaden bait sector	\$249.00	Commercial Fishing Pier (Optional)	<del>\$669.00</del> <u>\$632.00</u>
On each vessel 70 gross tons or over fishing for the purse seine menhaden bait sector	\$996.00	Disabled Resident Lifetime Saltwater License	\$10.00
<b>11. COMMERCIAL GEAR FOR RECREATIONAL USE</b>		Disabled Nonresident Lifetime Saltwater License	\$10.00
Up to five crab pots	\$36.00	Reissuance of Saltwater Recreational Boat License	\$5.00
Crab trotline (300 feet maximum)	\$10.00	<b>13. COMBINED SPORTFISHING LICENSE</b>	
One crab trap or crab pound	\$6.00	This license is to fish in all inland waters and tidal waters of the Commonwealth during open season.	
One gill net up to 300 feet in length	\$9.00	Residents	<del>\$44.50</del> <u>\$39.50</u>
		Nonresidents	<del>\$76.00</del> <u>\$71.00</u>

# Regulations

<b>14. COMBINED SPORTFISHING TRIP LICENSE</b>	
This license is to fish in all inland waters and tidal waters of the Commonwealth during open season for five consecutive days.	
Residents	<del>\$28.00</del> <u>\$24.00</u>
Nonresidents	<del>\$35.00</del> <u>\$31.00</u>
<b>15. TIDAL BOAT SPORTFISHING LICENSE</b>	
Residents	<del>\$131.00</del> <u>\$126.00</u>
Nonresidents	<del>\$206.00</del> <u>\$201.00</u>
<b>16. LIFETIME SALTWATER RECREATIONAL FISHING LICENSES</b>	
Individual Resident Lifetime License	\$276.00
Individual Nonresident Lifetime License	\$500.00
Individual Resident Lifetime License age 45 - 50	\$132.00
Individual Nonresident Lifetime License age 45 - 50	\$240.00
Individual Resident Lifetime License age 51 - 55	\$99.00
Individual Nonresident Lifetime License 51 - 55	\$180.00
Individual Resident Lifetime License age 56 - 60	\$66.00
Individual Nonresident Lifetime License age 56 - 60	\$120.00
Individual Resident Lifetime License age 61 - 64	\$35.00
Individual Nonresident Lifetime License age 61 - 64	\$60.00
Individual Resident Lifetime License age 65 and older	\$5.00

VA.R. Doc. No. R15-4333; Filed April 30, 2015, 12:08 p.m.

## Final Regulation

**Title of Regulation:** 4VAC20-1270. Pertaining to Atlantic Menhaden (amending 4VAC20-1270-50).

**Statutory Authority:** § 28.2-201 of the Code of Virginia.

**Effective Date:** May 1, 2015.

**Agency Contact:** Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002, or email [jennifer.farmer@mrc.virginia.gov](mailto:jennifer.farmer@mrc.virginia.gov).

## Summary:

*The amendments establish the commercial nonpurse seine menhaden bait sector quota as 4,629,542 pounds, allocated by gear type.*

## 4VAC20-1270-50. Nonpurse seine menhaden bait sector quota; allocation and bycatch provisions.

A. For 2015 and 2016, the The commercial nonpurse seine commercial bait sector's allocation shall be by gear type as follows:

1. Cast net: ~~1,930~~ 1,779 pounds.
2. Dredge: ~~3,069~~ 2,829 pounds.
3. Fyke net: ~~2,115~~ 1,950 pounds.
4. Gill net: ~~1,521,108~~ 1,402,368 pounds.
5. Hook and line: ~~234~~ 216 pounds.
6. Pot: ~~2,064~~ 1,903 pounds.
7. Pound net: ~~3,412,020~~ 3,145,673 pounds.
8. Seine: ~~20,103~~ 18,534 pounds.
9. Trawl: ~~58,847~~ 54,254 pounds.
10. Trot line: ~~39~~ 36 pounds.

B. Pursuant to § 28.2-400.4 of the Code of Virginia, once the commissioner announces the date of closure for the nonpurse seine bait fishery, any person licensed in the nonpurse seine menhaden bait sector may possess and land up to 6,000 pounds of menhaden per day.

VA.R. Doc. No. R15-4380; Filed April 30, 2015, 12:07 p.m.

## Final Regulation

**Title of Regulation:** 4VAC20-1280. Pertaining to Fishing License and Privilege Revocation (adding 4VAC20-1280-10 through 4VAC20-1280-40).

**Statutory Authority:** § 28.2-201 of the Code of Virginia.

**Effective Date:** May 1, 2015.

**Agency Contact:** Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002, or email [jennifer.farmer@mrc.virginia.gov](mailto:jennifer.farmer@mrc.virginia.gov).

## Summary:

*This chapter establishes the penalties for violation of a commission-ordered revocation of any fishing license or of fishing privileges within the Commonwealth's tidal waters.*

### CHAPTER 1280

### PERTAINING TO FISHING LICENSE AND PRIVILEGE REVOCATION

#### 4VAC20-1280-10. Purpose.

The purpose of this chapter is to establish penalties for any individual found fishing illegally after the Marine Resources

Commission has ordered the revocation of his fishing license or his fishing privileges, or both.

**4VAC20-1280-20. Definition.**

The following word and term when used in this chapter shall have the following meaning unless the context indicates otherwise:

"Fishing" means all operations involved in (i) taking or catching marine fish, shellfish, and marine organisms; (ii) using, setting, operating, or piloting any apparatus or vessel employed in killing, taking, or catching marine fish, shellfish, and marine organisms; or (iii) transporting or preparing for market marine fish, shellfish, and marine organisms.

**4VAC20-1280-30. Unlawful fishing after fishing license has been revoked.**

It shall be unlawful for any person to participate in any fishing at any time during the period his fishing licenses or fishing privileges are revoked by the Marine Resources Commission.

**4VAC20-1280-40. Penalty.**

As set forth in § 28.2-903 of the Code of Virginia, any person violating a provision of this chapter shall be guilty of a Class 3 misdemeanor. A second violation and each subsequent violation of any provision of this chapter committed by the same person within 12 months of a prior violation is a Class 1 misdemeanor.

VA.R. Doc. No. R15-4334; Filed April 30, 2015, 12:09 p.m.

**TITLE 18. PROFESSIONAL AND OCCUPATIONAL LICENSING**

**BOARD OF PHARMACY**

**Final Regulation**

**REGISTRAR'S NOTICE:** The Board of Pharmacy is claiming an exemption from Article 2 of the Administrative Process Act in accordance with § 2.2-4006 A 3, which excludes regulations that consist only of changes in style or form or corrections of technical errors. The Board of Pharmacy will receive, consider, and respond to petitions by any interested person at any time with respect to reconsideration or revision.

**Title of Regulation:** 18VAC110-20. Regulations Governing the Practice of Pharmacy (amending 18VAC110-20-727).

**Statutory Authority:** §§ 54.1-2400 and 54.1-3420 of the Code of Virginia.

**Effective Date:** June 17, 2015.

**Agency Contact:** Caroline Juran, RPh, Executive Director, Board of Pharmacy, 9960 Mayland Drive, Suite 300, Richmond, VA 23233-1463, telephone (804) 367-4416, FAX (804) 527-4472, or email caroline.juran@dhp.virginia.gov.

**Summary:**

The amendment removes incorrect references to certain subsections of 18VAC110-725 that had been renumbered and sets out the correct text.

**18VAC110-20-727. Pharmacists repackaging for clients of a CSB or BHA.**

A. As an alternative to repackaging as defined in 18VAC110-20-725, a pharmacist at a CSB or BHA may repackage a client's prescription drugs that have been dispensed by another pharmacy into compliance packaging that complies with the requirements of 18VAC110-20-340 B and subsections G, H, and J of 18VAC110-20-725. A primary provider pharmacy may also provide this service in compliance with the provisions of 18VAC110-20-535, under the following conditions:

1. A prescription drug order shall not be repackaged beyond the assigned expiration date noted on the prescription label of the dispensed drug, if applicable, or beyond one year from the date the drug was originally dispensed by a pharmacy, whichever date is earlier.
2. The compliance packaging shall comply with the requirements of 18VAC110-20-340 B.
3. A record of repackaging shall be made and maintained for one year from the date of repackaging and shall include the following:
  - a. Date of repackaging;
  - b. Name of client;
  - c. Prescription number of the originally dispensed prescription drug order;
  - d. Pharmacy name;
  - e. Drug name and strength;
  - f. Quantity of drug repackaged; and
  - g. Initials of the person performing the repackaging and verifying the accuracy of the repackaged drug container.
4. Any portion of a prescription drug order remaining at the CSB or BHA that has exceeded any labeled expiration date or one year from the original pharmacy dispensing date on the label shall be separated from unexpired drugs, stored within a designated area of the board-approved drug storage location, and destroyed within 30 days of expiration with the written agreement of the client. Remaining portions of discontinued prescription drug orders retained by the CSB or BHA shall also be separated from active stock and either returned to the client or destroyed within 30 days of discontinuance with the written agreement of the client.

B. A primary provider pharmacy may also provide this service in compliance with the provisions of 18VAC110-20-535.

VA.R. Doc. No. R15-4319; Filed April 27, 2015, 7:41 a.m.

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# GOVERNOR

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## EXECUTIVE ORDER NUMBER 42 (2015)

### **Establishing the Virginia Environmental Literacy Challenge**

#### Importance of the Issue

Virginia's natural resources and its environment are among the Commonwealth's most important assets. Our fields, forests, streams, and rivers help to grow food, and ensure that we have clean air and water. The Virginia Constitution details our responsibility to conserve and protect these resources, saying in part, "To the end that the people have clean air, pure water, and the use and enjoyment for recreation of adequate public lands, waters, and other natural resources, it shall be the policy of the Commonwealth to conserve, develop, and utilize its natural resources, its public lands, and its historical sites and buildings."

An educated population who understand the value of our environment is crucial to the protection of our natural resources. Future generations should be prepared to continue the important work of conservation. Meaningful outdoor experiences and field investigations allow students to learn science and other subjects through their observations of and interactions with nature. School sustainability programs can allow students to learn about the fundamental scientific mechanisms that make it possible to reduce the impact of school facilities on the environment. The teaching and learning of environmental and sustainability concepts will ensure that today's students will have the knowledge and skills to be ready to take up the mantle tomorrow. Our ultimate goal is to develop and nurture a future environmentally literate citizenry who will make informed decisions concerning the environment, and will develop the propensity to act on those decisions to improve the well-being of other individuals, societies, and the global environment.

Today, environmental literacy is advocated and promoted by state agencies, universities and nongovernmental organizations through the Virginia Resource Use Education Council. Schools across the Commonwealth are learning more about environmental challenges and students are demonstrating that they are conserving natural resources and protecting the environment in their communities in significant ways. Students are learning to address complex issues, from science, economics and policy issues to cultural and global perspectives. Through the outdoor inquiry approach, students are becoming more engaged in learning, gaining content knowledge in all subject areas, and increasing awareness about individual actions they can take to restore the health of the natural environment.

This Executive Order is designed to complement and support the efforts of the Virginia Resource Use Education Council by establishing my long term vision for the Commonwealth that: 1) Virginia students graduate with the knowledge and skills to make informed environmental decisions; 2)

educators responsible for instruction about or in the environment have access to sustained professional development opportunities, tools, and resources that support efforts to provide students with high quality environmental education; and 3) Virginia schools maintain their buildings, grounds, and operations to support positive environmental and human health outcomes.

#### Initiative

Accordingly, by virtue of the authority vested in me as Governor under Article V of the Constitution of Virginia and under the laws of the Commonwealth, and subject to my continuing and ultimate authority and responsibility to act in such matters, I hereby create the Virginia Environmental Literacy Challenge. This challenge will involve schools at the classroom and school division levels. At the classroom level, individual teachers will be encouraged and supported as they engage their students in innovative learning and programs, which ultimately support environmental literacy. At the school division level, the challenge gives school divisions a pathway to engage and commit to taking a systemic approach to the promotion and improvement of environmental literacy.

This Executive Order requires state agencies participating in the Virginia Resource Use Education Council to take the following immediate actions:

1. Establish the Conservation Classroom Challenge. In recognition of the fact that classroom teachers are often the driving force behind environmental literacy and sustainability efforts, this classroom-level challenge highlights and will support the efforts of classroom teachers. The Conservation Classroom Challenge will provide educators with entry-level resources to introduce students to environmental concepts and actions. Teachers will be recognized for engaging their students in school-sustainability efforts and for participating in field investigations that connect to educational goals contained within the Standards of Learning.

Implementation: State education and natural resource agencies participating in the Virginia Resource Use Education Council shall:

- i. develop classroom level challenges for various grade levels that either: 1) engage students in reducing the impact of their school's facilities on their local watershed, environment, and human health, or 2) engage students in meaningful outdoor experiences that increase their environmental literacy;
- ii. develop specific challenges by working with nongovernmental partner organizations that are engaged in the promotion of environmental literacy;
- iii. combine specific challenges from partner organizations and make them available to educators;

iv. establish an online tool for educators to self-report completion of these challenges; and

v. promote the Conservation Classroom Challenge through websites, communications to school divisions, and information distributed to outside stakeholders.

2. Establish the Environmental Literacy Challenge for Systemic Sustainability (ELCSS). The best way to make a long-lasting impact on environmental literacy in the Commonwealth's schools is to take a systemic approach. Accordingly, ELCSS is designed to recognize and encourage those school divisions that want to make a significant commitment to environmental literacy.

Implementation: State education and natural resource agencies participating in the Virginia Resource Use Education Council shall:

i. establish criteria for meeting this voluntary challenge (in consultation with outside partner organizations), including but not limited to the following:

1. developing a systemic plan for environmental literacy that identifies environmental literacy programs and learning opportunities at each grade level;

2. identifying an environmental literacy lead to participate in regional environmental literacy training or conferences to be led by state agencies and nongovernmental partner organizations, to promote and support environmental literacy learning within the division, identify curricular connections, promote best practices, build partnerships, and design professional development;

3. engaging teachers in trainings and professional development opportunities designed to improve their ability to use the environment as a context for learning in and out of the classroom;

4. committing to provide significant numbers of student opportunities to participate in field-based environmental investigations and meaningful outdoor experiences designed to improve environmental literacy;

5. providing environmental leadership training to principals and administrators; and

6. dedicating existing local and state funding or seeking outside funding partners for environmentally based activities in the public and private sectors;

ii. develop an application for school divisions to demonstrate their execution of the practices identified above;

iii. review applications on an ongoing basis and determine which divisions have completed the challenge;

iv. promote the Environmental Literacy Challenge for Systemic Sustainability through their websites, communications to school divisions, and information distributed to outside stakeholders; and

v. coordinate with outside partners participating in the Virginia Resource Use Education Council to provide a list of potential outside funding partners to school divisions seeking to complete the Environmental Literacy Challenge for Systemic Sustainability.

Effective Date of the Executive Order

This Executive Order shall become effective upon its signing and shall remain in full force and effect unless amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 22nd Day of April, 2015.

/s/ Terence R. McAuliffe  
Governor

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## GUIDANCE DOCUMENTS

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Sections 2.2-4008 and 2.2-4103 of the Code of Virginia require annual publication in the *Virginia Register* of guidance document lists from state agencies covered by the Administrative Process Act and the Virginia Register Act. A guidance document is defined as "...any document developed by a state agency or staff that provides information or guidance of general applicability to the staff or public to interpret or implement statutes or the agency's rules or regulations..." Agencies are required to maintain a complete, current list of all guidance documents and make the full text of such documents available to the public.

Generally, the format for the guidance document list is: document number (if any), title of document, date issued or last revised, and citation of Virginia Administrative Code regulatory authority or Code of Virginia statutory authority. Questions concerning documents or requests for copies of documents should be directed to the contact person listed by the agency.

### OLD DOMINION UNIVERSITY

Copies of the following documents may be viewed during regular work days from 8 a.m. until 5 p.m. in the office of the University Policy Manager/Executive Secretary to the Board of Visitors, Koch Hall, Room 2010 E, Norfolk, VA 23529. Copies may be obtained, free of charge, by contacting Donna Meeks at the same address, telephone (757)683-3072, or email [dmeeks@odu.edu](mailto:dmeeks@odu.edu). All of the documents are available at [www.odu.edu](http://www.odu.edu) and may be viewed using the links below. Questions regarding interpretation or implementation of these guidance documents should also be directed to Ms. Meeks.

#### **Guidance Documents:**

[Board of Visitors Bylaws](#)

[Board of Visitors Policies](#)

[University Policies and Procedures](#)

[Teaching and Research Faculty Handbook](#)

[Adjunct Faculty Handbook](#)

[Administrative and Professional Faculty Guidebook](#)

[Classified Employee Guidebook](#)

[Wage Employee Guidebook](#)

[Undergraduate Catalog, 2014-2015](#)

[Graduate Catalog, 2013-2014](#)

[Gun and Weapon Regulation](#)

[Parking Regulations](#)

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# GENERAL NOTICES/ERRATA

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## DEPARTMENT OF ENVIRONMENTAL QUALITY

### Water Quality Improvement Plan for Chestnut Creek

The Virginia Department of Environmental Quality will hold a public meeting to present the draft water quality improvement plan for reducing agricultural, residential, and urban sources of fecal bacteria and sediment in Chestnut Creek (Carroll and Grayson Counties and the City of Galax) on Tuesday, May 26, 2015. The meeting will be held from 6 p.m. to 8 p.m. at the Galax Public Library Meeting Room, 610 West Stuart Drive, Galax, Virginia.

Segments of Chestnut Creek do not meet state water quality standards for fecal bacteria (i.e., E. coli) and aquatic life. Elevated levels of E. coli indicate an increased risk of illness for people who come in contact with water in the affected streams. Identified sources of E. coli in these watersheds include failing septic systems, discharges of untreated human waste (i.e., straight pipes), pets, and livestock waste. Low aquatic life scores in Chestnut Creek are affected by sedimentation and are an indication of reduced water quality. Sediment sources include stream channel erosion, runoff from pastureland and cropland, and stormwater runoff from residential and urban areas.

The public meeting provides an opportunity for citizens and interested parties to ask questions and provide comments on the plan. The meeting will begin a 30-day period during which written public comments on the plan will be accepted. The comment period will close on June 26.

Questions, information requests, and comments should be addressed to Chris L. Burcher, Nonpoint Source Pollution Coordinator, Department of Environmental Quality, 355-A Deadmore Street, Abingdon, VA 24210, email [chris.burcher@deq.virginia.gov](mailto:chris.burcher@deq.virginia.gov), or telephone (276) 676-4803.

## VIRGINIA LOTTERY

### Director's Orders

The following Director's Orders of the Virginia Lottery were filed with the Virginia Registrar of Regulations on April 27, 2015. The orders may be viewed at the Virginia Lottery, 900 East Main Street, Richmond, VA, or at the office of the Registrar of Regulations, 201 North 9th Street, 2nd Floor, Richmond, VA.

#### Director's Order Number Forty (15)

Certain Virginia FastPlay Game; End of Game - Virginia Lottery's FastPlay Cold Hard Cash (161 14) (This Director's Order is effective nunc pro tunc to March 15, 2015, and shall remain in full force and effect unless amended or rescinded by further Director's Order)

#### Director's Order Number Forty-One (15)

Certain Virginia FastPlay Game; End of Game - Virginia Lottery's FastPlay Bankroll Bingo (114 14) (This Director's Order is effective nunc pro tunc to March 15, 2015, and shall remain in full force and effect unless amended or rescinded by further Director's Order)

#### Director's Order Number Forty-Two (15)

Certain Virginia FastPlay Game; End of Game - Virginia Lottery's FastPlay \$15,000 Cash Blast (112 14) (This Director's Order is effective nunc pro tunc to March 15, 2015, and shall remain in full force and effect unless amended or rescinded by further Director's Order)

#### Director's Order Number Forty-Three (15)

Certain Virginia FastPlay Game; End of Game - Virginia Lottery's FastPlay \$50,000 Blackjack (113 14) This Director's Order is effective nunc pro tunc to March 15, 2015, and shall remain in full force and effect unless amended or rescinded by further Director's Order

#### Director's Order Number Forty-Four (15)

Virginia's Instant Game Lottery 1562 "High Cards" Final Rules for Game Operation (effective April 16, 2015)

#### Director's Order Number Forty-Five (15)

Virginia's Instant Game Lottery 1553 "Triple Cash Crossword" Final Rules for Game Operation (effective April 16, 2015)

#### Director's Order Number Forty-Six (15)

Virginia's Instant Game Lottery 1514 "Blackjack" Final Rules for Game Operation (effective April 6, 2015)

#### Director's Order Number Forty-Eight (15)

Virginia's Instant Game Lottery 1554 "Red, White & Blue Winnings" Final Rules for Game Operation (effective April 16, 2015)

#### Director's Order Number Forty-Nine (15)

Virginia's Lottery's "Summer Jam Mega Power Promotion" Final Rules for Operation (effective June 2, 2015)

#### Director's Order Number Fifty-One (15)

Virginia's Instant Game Lottery 1543 "\$100,000 Home Changer" Final Rules for Game Operation (effective April 7, 2015)

#### Director's Order Number Fifty-Three (15)

Certain Virginia Instant Game Lotteries; End of Games.

In accordance with the authority granted by §§ 2.2-4002 B 15 and 58.1-4006 A of the Code of Virginia, I hereby give notice that the following Virginia Lottery instant games will officially end at midnight on Friday, April 17, 2015:

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# General Notices/Errata

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Game 1326	Triple The Money
Game 1412	\$
Game 1444	10X The Money
Game 1454	Bankroll Doubler
Game 1458	High Cards
Game 1465	High Stakes
Game 1474	20X The Money
Game 1476	High Voltage
Game 1482	5X The Money
Game 1485	7-11-21
Game 1486	Find The 9's
Game 1510	Redskins Game Face
Game 1517	Diamonds & Gold

The last day for lottery retailers to return for credit unsold tickets from any of these games will be Monday, June 1, 2015. The last day to redeem winning tickets for any of these games will be Wednesday, October 14, 2015, 180 days from the declared official end of the game. Claims for winning tickets from any of these games will not be accepted after that date. Claims that are mailed and received in an envelope bearing a postmark of the United States Postal Service or another sovereign nation of Wednesday, October 14, 2015, or earlier, will be deemed to have been received on time. This notice amplifies and conforms to the duly adopted State Lottery Board regulations for the conduct of lottery games.

This order is available for inspection and copying during normal business hours at the Virginia Lottery headquarters, 900 East Main Street, Richmond, Virginia, and at any Virginia Lottery regional office. A copy may be requested by mail by writing to Director's Office, Virginia Lottery, 900 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on the date of its signing and shall remain in full force and effect unless amended or rescinded by further Director's Order.

/s/ Paula I. Otto  
Executive Director  
April 10, 2015

### Director's Order Number Fifty-Eight (15)

Virginia's Computer-Generated Game Lottery "\$1,000,000 Money Ball" Final Rules for Game Operation (This Director's Order becomes effective April 6, 2015, fully replaces any and all prior Virginia Lottery "\$1,000,000 Money Ball" game rules, and shall remain in full force and effect unless amended or rescinded by further Director's Order)

## STATE BOARD OF SOCIAL SERVICES

### Notice of Periodic Review and Small Business Impact Review

Pursuant to Executive Order 17 (2014) and §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the Department of Social Services is currently reviewing each of the regulations listed below to determine whether the regulation should be repealed, amended, or retained in its current form. The review of each regulation will be guided by the principles in Executive Order 17 (2014). Public comment is sought on the review of any issue relating to each regulation, including whether the regulation (i) is necessary for the protection of public health, safety, and welfare or for the economical performance of important governmental functions; (ii) minimizes the economic impact on small businesses in a manner consistent with the stated objectives of applicable law; and (iii) is clearly written and easily understandable.

#### **22VAC40-680, Virginia Energy Assistance Program - Low Income Home Energy Assistance Program (LIHEAP)**

Agency Contact: Denise Surber, Energy Assistance Program Consultant, Department of Social Services, 804 East Main Street, Richmond, VA 23219, telephone (804) 726-7386, FAX (804) 726-7358, or email [denise.t.surber@dss.virginia.gov](mailto:denise.t.surber@dss.virginia.gov).

#### **22VAC40-780, Elimination of Financial Eligibility Criteria for Direct Social Services**

Agency Contact: Phyl Parrish, Program Manager-Legislation, Regulation and Guidance, Department of Social Services, 801 East Main Street, Richmond, VA 23219, telephone (804) 726-7926, FAX (804) 726-7895, or email [phyl.parrish@dss.virginia.gov](mailto:phyl.parrish@dss.virginia.gov).

#### **22VAC40-890, Human Subject Research Regulations**

Agency Contact: Gail Jennings, Administrator, Institutional Review Board, Department of Social Services, 801 East Main Street, Richmond, VA 23219, telephone (804) 726-7490, FAX (804) 726-7906, or email [gail.jennings@dss.virginia.gov](mailto:gail.jennings@dss.virginia.gov).

#### **22VAC40-901, Community Services Block Grant Program**

Agency Contact: Matt Fitzgerald, Community Service Program Manager, Department of Social Services, 801 East Main Street, Richmond, VA 23219, telephone (804) 726-7142, FAX (804) 726-7088, or email [matt.fitzgerald@dss.virginia.gov](mailto:matt.fitzgerald@dss.virginia.gov).

The comment period begins May 18, 2015, and ends June 8, 2015.

Comments may be submitted online to the Virginia Regulatory Town Hall at

<http://www.townhall.virginia.gov/L/Forums.cfm>. Comments may also be sent to the agency contacts listed above.

Comments must include the commenter's name and address (physical or email) information in order to receive a response to the comment from the agency. Following the close of the public comment period, a report of both reviews will be posted on the Town Hall, and a report of the small business impact review will be published in the Virginia Register of Regulations.

## DEPARTMENT OF TAXATION

### Notice of Periodic Review and Small Business Impact Review

Pursuant to Executive Order 17 (2014) and §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the Department of Taxation is currently reviewing each of the regulations listed below to determine whether the regulation should be repealed, amended, or retained in its current form. The review of each regulation will be guided by the principles in Executive Order 17 (2014). Public comment is sought on the review of any issue relating to each regulation, including whether the regulation (i) is necessary for the protection of public health, safety, and welfare or for the economical performance of important governmental functions; (ii) minimizes the economic impact on small businesses in a manner consistent with the stated objectives of applicable law; and (iii) is clearly written and easily understandable.

**23VAC10-55, Virginia Corn Excise Tax**

**23VAC10-60, Virginia Egg Excise Tax**

**23VAC10-65, Virginia Peanut Excise Tax**

**23VAC10-75, Virginia Soybean Excise Tax Regulations**

**23VAC10-400, Writ Taxes Regulations**

The comment period begins May 18, 2015, and ends June 8, 2015.

Agency Contact: Joseph E. Mayer, Lead Policy Analyst, P.O. Box 27185, Richmond, VA 23261-7185, telephone (804) 371-2299, FAX (804) 371-2355, or email [joseph.mayer@tax.virginia.gov](mailto:joseph.mayer@tax.virginia.gov).

Comments may be submitted online to the Virginia Regulatory Town Hall at <http://www.townhall.virginia.gov/L/Forums.cfm>. Comments may also be sent to the agency contact listed above.

Comments must include the commenter's name and address (physical or email) information in order to receive a response to the comment from the agency. Following the close of the public comment period, a report of both reviews will be posted on the Town Hall, and a report of the small business impact review will be published in the Virginia Register of Regulations.

## STATE WATER CONTROL BOARD

### Proposed Enforcement Action for Fairfax County Board of Supervisors

The Department of Environmental Quality (DEQ) is extending the public comment period that was noticed on March 23, 2015, and was to close on April 23, 2015, for an enforcement action being proposed for the Fairfax County Board of Supervisors. The order resolves violations of State Water Control Law stemming from sanitary sewer overflows from the Fairfax County Wastewater Collection system into Holmes Run and Hunting Creek in the Potomac River Basin. A description of the proposed action is available at the DEQ office named below or online at [www.deq.virginia.gov](http://www.deq.virginia.gov). Sarah Baker will accept comments by email at [sarah.baker@deq.virginia.gov](mailto:sarah.baker@deq.virginia.gov), FAX at (703) 583-3821, or postal mail at Department of Environmental Quality, Northern Regional Office, 13901 Crown Court, Woodbridge, VA 22193, through May 28, 2015.

### Enforcement Action for the Town of Independence

An enforcement action has been proposed for the Town of Independence for violations of the State Water Control Law at the Independence Sewage Treatment Plant in Grayson County. A description of the proposed action is available at the Department of Environmental Quality office named below or online at [www.deq.virginia.gov](http://www.deq.virginia.gov). Ralph Hilt will accept comments by email at [ralph.hilt@deq.virginia.gov](mailto:ralph.hilt@deq.virginia.gov), FAX at (276) 676-4899, or postal mail at Department of Environmental Quality, Southwest Regional Office, 355-A Deadmore Street, Abingdon, VA 24210, through June 18, 2015.

### Proposed Consent Order for WAP MHC I, LLC

An enforcement action has been proposed for WAP MHC I, LLC for violations at the Bexley Mobile Home Park. The action seeks to resolve the unpermitted withdrawal of groundwater in a groundwater management area. The consent order describes a settlement to resolve these violations. A description of the proposed action is available online at [www.deq.virginia.gov](http://www.deq.virginia.gov). Lee Crowell will accept comments by email at [lee.crowell@deq.virginia.gov](mailto:lee.crowell@deq.virginia.gov) or postal mail at Department of Environmental Quality, P.O. Box 1105, Richmond, VA 23219, through June 17, 2015.

## VIRGINIA CODE COMMISSION

### Notice to State Agencies

**Contact Information:** *Mailing Address:* Virginia Code Commission, General Assembly Building, 201 North 9th Street, 2nd Floor, Richmond, VA 23219; *Telephone:* Voice (804) 786-3591; *Email:* [varegs@dls.virginia.gov](mailto:varegs@dls.virginia.gov).

**Meeting Notices:** Section 2.2-3707 C of the Code of Virginia requires state agencies to post meeting notices on their

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## General Notices/Errata

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websites and on the Commonwealth Calendar at <http://www.virginia.gov/connect/commonwealth-calendar>.

**Cumulative Table of Virginia Administrative Code Sections Adopted, Amended, or Repealed:** A table listing regulation sections that have been amended, added, or repealed in the *Virginia Register of Regulations* since the regulations were originally published or last supplemented in the print version of the Virginia Administrative Code is available at <http://register.dls.virginia.gov/documents/cumultab.pdf>.

**Filing Material for Publication in the *Virginia Register of Regulations*:** Agencies use the Regulation Information System (RIS) to file regulations and related items for publication in the *Virginia Register of Regulations*. The Registrar's office works closely with the Department of Planning and Budget (DPB) to coordinate the system with the Virginia Regulatory Town Hall. RIS and Town Hall complement and enhance one another by sharing pertinent regulatory information.