



COMMONWEALTH of VIRGINIA
Office of the Attorney General

Kenneth T. Cuccinelli II
Attorney General

900 East Main Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

MEMORANDUM

TO: David Johnson, Director
Virginia Department of Conservation and Recreation

FROM: Elizabeth A. Andrews
Senior Assistant Attorney General

DATE: September 10, 2012

RE: Amendment to 4 VAC 50-60-54.E of the VSMP Permit Regulations
re: Addressing Approved TMDLs in Stormwater Pollution
Prevention Plans

I have reviewed the above-referenced final regulation amending a portion of the Virginia Stormwater Management Program (VSMP) Permit Regulations, 4 VAC 50-60-54.E, concerning addressing Total Maximum Daily Loads (TMDLs) in Stormwater Pollution Prevention Plans. It is my opinion that the Soil and Water Conservation Board has authority to adopt this final regulation based upon applicable law, including Article 1.1 of Chapter 6 of Title 10.1 of the **CODE** of Virginia.

If I may be of further assistance to you relating to this matter, please do not hesitate to contact me.