



COMMONWEALTH of VIRGINIA

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TO: Joseph H. Maroon
Director
Department of Conservation and Recreation

FROM: Elizabeth A. Andrews
Assistant Attorney General

DATE: October 2, 2008

RE: Amendments to CBLAB Model Public Participation Guidelines, 9 VAC 10-10 and
9 VAC 10-11

I have reviewed the above-referenced amendments which repeal the current Chesapeake Bay Local Assistance Board (CBLAB) Public Participation Guidelines (9 VAC 10-10) and promulgate new Public Participation Guidelines (9 VAC 10-11). Based upon your agency's representations, it is my opinion that CBLAB has the authority to promulgate the amendments to the above regulations based upon applicable law, including Chapter 321 of the 2008 Acts of Assembly, which mandated that state agencies with the authority to promulgate regulations must adopt model public participation guidelines by December 1, 2008.

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