



COMMONWEALTH of VIRGINIA

*Office of the Attorney General
Richmond 23219*

Jason S. Miyares
Attorney General

202 N. 9th Street
Richmond, Virginia 23219
804 - 786 - 2071
804 - 225 - 4541 TDD

MEMORANDUM

To: Kathleen R. Nosbisch, Executive Director
Board for Professional Soil Scientists, Wetland Professionals, and Geologists
Department of Professional and Occupational Regulation

From: Joshua E. Laws
Senior Assistant Attorney General

Date: September 30, 2024

Subject: Letter of Assurance for General Review of Regulations Governing Certified Professional Wetland Delineators – Proposed Amendments to Professional Wetland Delineators Regulations found at 18 VAC 145-30

I have reviewed the Board for Professional Soil Scientists, Wetland Professionals, and Geologists Proposed Amendments to Professional Wetland Delineators Regulations found at 18 VAC 145-30 that were posted on the Virginia Regulatory Town Hall on September 25, 2024. In my view, as counsel to the Department of Professional and Occupational Regulation and the Board for Professional Soil Scientists, Wetland Professionals, and Geologists, these regulations may be promulgated pursuant to Title 54.1 of the Code of Virginia. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.