COMMONWEALTH of VIRGINIA

Office of the Attorney General

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M E M O R A N D U M

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: November 10, 2026

Subject: Letter of Assurance for Proposed Amendments to the Geology Certification Program Regulations found at 18 VAC 145-40

I have reviewed the Virginia Board for Professional Soil Scientists, Wetland Professionals, and Geologists' Proposed Amendments to the Geology Certification Program Regulations found at 18 VAC 145-40 that were posted on the Virginia Regulatory Town Hall on November 3, 2026. 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 and Chapters 505 and 722 of the 2025 Acts of Assembly. 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 appeal 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.