



**COMMONWEALTH of VIRGINIA**  
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MEMORANDUM

FROM: Darrell W. Kuntz, III  
Assistant Attorney General

TO: Lisa McGee, Policy and Planning Director for DCR

DATE: 10/30/2025

RE: Certification of Periodic Review Findings – 4VAC3-11 *et seq.*

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*Please note that this memorandum does not constitute an opinion, formal or informal, of the Attorney General. Rather, this memorandum contains the legal analysis of the individual staff member providing it.*

Pursuant to Executive Order 19 (2022) and §§ 2.2-4007.1 and 2.2-4017 of the Code of Virginia, the Virginia Board of Soil and Water Conservation has conducted a periodic review of 4 Va. Admin. Code § 3-11 *et seq.*, and is not proposing any modifications to these regulations at this time. Since the Board is not proposing to make any changes to these regulations, no further review is required by the Office of Attorney General at this time.

The Board has the authority to “promulgate regulations necessary for the execution of the Public Beach Conservation Development Act...” pursuant to Va. Code § 10.1-107(B). The Board therefore had the authority to create the regulations set forth at 4VAC3-11 and would have the authority to modify same if it so chose. However, no such action is being recommended at this time and no further review is required by OAG.

This regulatory action is therefore certified.