



***COMMONWEALTH of VIRGINIA***  
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The Honorable Robert G. Burnley, Director  
Virginia Department of Environmental Quality  
629 East Main Street  
Richmond, Virginia 23219

Re: Authority to Promulgate Draft Amendments to the Water Quality Standards to Designate Waters as Exceptional State Waters; 9 VAC 25-260-30.

Dear Director Burnley:

I have reviewed the above-referenced proposed amendments. It is my opinion that the State Water Control Board has authority to promulgate such amendments under applicable law, including Chapter 3.1 of Title 62.1 of the Code of Virginia.

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

Sincerely,

Rick R. Linker  
Assistant Attorney General  
Environmental Unit