



***COMMONWEALTH of VIRGINIA***  
*Office of the Attorney General*  
*Richmond 23219*

**Judith Williams Jagdmann**  
Attorney General

900 East Main Street  
Richmond, Virginia 23219  
804-786-2071  
804-371-8947 TDD

March 14, 2005

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

Re: Amendments to Water Quality Standards – Chesapeake Bay and Tidal Waters Criteria for Dissolved Oxygen, Water Clarity and Chlorophyll a and Designated Uses, 9 VAC 25-260, Final

Dear Director Burnley:

I have reviewed the above-referenced regulation. 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,

Cathie F. Hutchins  
Assistant Attorney General  
Environmental Unit

cc: Ellen Gilinsky  
Cindy Berndt