



# COMMONWEALTH *of* VIRGINIA

Office of the Attorney General

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May 24, 2006

The Honorable David K. Paylor, Director  
Virginia Department of Environmental Quality  
629 East Main Street  
Richmond, Virginia 23219

Re: Amendments to Water Quality Standards:  
Authority to Amend Sections of the Water Quality Standards Regulation relating to  
Lakes and Reservoirs, Final Adoption 9 VAC 25-260

Dear Director Paylor:

I have reviewed the above-referenced amended regulation addressing criteria to protect designated uses of lakes and reservoirs from nutrients impacts. Based upon your agency's representations, it is my opinion that the State Water Control Board has authority to promulgate the regulation 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,

Alfred B. Albiston  
Assistant Attorney General  
Environmental Unit

cc: Cindy Berndt