



COMMONWEALTH of VIRGINIA

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MEMORANDUM

TO: Joseph H. Maroon, Director
Virginia Department of Conservation and Recreation

FROM: Elizabeth A. Andrews
Assistant Attorney General

DATE: March 27, 2009

RE: Proposed Amendments to Parts I, II and III of the Stormwater Management Regulations, 4 VAC 50-60

I have reviewed the above-referenced proposed regulations approved for public comment by the Soil and Water Conservation Board (the Board) at its meeting on September 24, 2008. Based upon your agency's representations, it is my opinion that the Board has authority to promulgate these proposed regulations based upon applicable law, including Article 1.1 of Chapter 6 of Title 10.1 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.