



COMMONWEALTH of VIRGINIA

Office of the Attorney General

Jason S. Miyares
Attorney General

202 North 9th Street
Richmond, Virginia 23219
804-786-2071
804-371-8946 TDD

MEMORANDUM

To: Kathleen R. Nosbisch, Executive Director
Board for Professional Soil Scientists, Wetland Professionals, and Geologists
Department of Professional and Occupational Regulation

From: Joshua E. Laws
Senior Assistant Attorney General

Date: August 9, 2023

Subject: Letter of Assurance for Periodic Review of Regulations – Regulations for the Geology Certification Program found at 18 VAC 145-40

Pursuant to the *Code of Virginia* and Executive Order 19 (2022), a periodic review of a regulation every four years shall include an examination by the Office of the Attorney General to ensure statutory authority. In that regard, I have reviewed the Professional Soil Scientists, Wetland Professionals, and Geologists regulation referenced above. In my view, as counsel to the Board for Professional Soil Scientists, Wetland Professionals, and Geologists, these regulations may be promulgated pursuant to Title 54.1 of the *Code of Virginia*. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.