



COMMONWEALTH of VIRGINIA

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MEMORANDUM

TO: Roger L. Oberndorf, Chairman
Virginia Aviation Board

Randall P Burdette, Director
Virginia Department of Aviation

FROM: Lori L. Pound 
Assistant Attorney General

DATE: October 15, 2010

SUBJECT: Letter of Assurance for Fast-Track Public Participation
Regulations of the Virginia Aviation Board

I have reviewed the proposed Virginia Aviation Board ("Board") public participation regulations that are being offered pursuant to the fast-track rule-making process, as set forth in § 2.2-4012.1 of the *Code of Virginia* (1950), as amended ("*Code*"). In my view, as counsel to the Board, the Board may promulgate these regulations pursuant to §§ 2.2-4007.02 and 5.1-2.2(5) of the *Code*. The proposed 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 only addresses legal matters and is not intended to serve, nor should it be constructed, as a comment for or against the merits of the proposed regulatory amendments.