



# **COMMONWEALTH of VIRGINIA**

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March 21, 2007

Mr. Joseph H. Maroon  
Director  
Department of Conservation and Recreation  
203 Governor Street  
Richmond, Virginia 23219

**Re: Virginia Soil and Water Conservation Board Impounding  
Structure Regulations – Amendments to 4 VAC 50-20-10, *et seq.***

Dear Mr. Maroon:

I have reviewed the above proposed regulatory amendments which were thoroughly reviewed by this Office and are the subject of a previous memorandum to you dated December 14, 2006.

Based on that review, it is my view that the Soil and Water Conservation Board has the statutory authority to promulgate these amendments pursuant to the Dam Safety Act, §§ 10.1-604, *et seq.* of the Code of Virginia and § 10.1-605 in particular.

If you need more, please let me know.

Sincerely,

Roger L. Chaffe  
Senior Assistant Attorney General

cc: David Dowling, DCR