



COMMONWEALTH of VIRGINIA
Office of the Attorney General

Mark R. Herring
Attorney General

202 North Ninth Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

July 26, 2021

The Honorable David K. Paylor, Director
Virginia Department of Environmental Quality
1111 East Main Street
Richmond, Virginia 23219

Re: Authority to Promulgate Amendments to the Chesapeake Bay Preservation Area
Designation and Management Regulations (9 VAC 25-830 *et seq.*)

Dear Director Paylor:

I have reviewed the amendments to the above-referenced regulations. It is my opinion that the State Water Control Board has authority to promulgate the amendments to the regulations under applicable law including Chapter 3.1 of Title 62.1 of the Code of Virginia. It is also my view that the amendments are exempt from Article 2 of the Administrative Process Act pursuant to the 2020 Acts of Assembly Ch. 1207, enactment clause 2.

If I may be of any further assistance to you relating to this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "David C. Grandis".

David C. Grandis
Senior Assistant Attorney General