



COMMONWEALTH of VIRGINIA

Office of the Attorney General

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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 20, 2026

Subject: Letter of Assurance for Proposed Amendments to Professional Soil Scientists Regulations found at 18 VAC 145-20

I have reviewed the Virginia Board for Professional Soil Scientists, Wetland Professionals, and Geologists' Proposed Amendments to Professional Soil Scientists Regulations found at 18 VAC 145-20 that were posted on the Virginia Regulatory Town Hall on August 20, 2026. In my view, as counsel to the Department of Professional and Occupational Regulation and 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. Further, I certify that the proposed changes are exempt from the Administrative Process Act under Code of Virginia § 2.2-4006(A)(4)(a) as they are necessary to conform to changes in Virginia statutory law or the appropriation act where no agency discretion is involved. 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 appeal 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.