



# COMMONWEALTH of VIRGINIA

Office of the Attorney General

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July 15, 2008

Hon. David K. Paylor, Director  
Department of Environmental Quality  
629 East Main Street  
Richmond, Virginia 23219

**RE: Protection of Eastern Shore Tidal Waters for Clams and Oysters  
[9 VAC 25 – 260 - 275]**

Dear Dave:

I have reviewed the proposed regulation as presented for the State Water Control Board's consideration. As proposed, it is my opinion that the State Water Control Board has authority to promulgate the regulation under applicable law, including Chapter 3.1 of Title 62.1 of the *Code of Virginia*.

With kindest regards, I am

Sincerely,

A handwritten signature in black ink, appearing to read "Alfred B. Albiston".

Alfred B. Albiston  
Assistant Attorney

General