



**COMMONWEALTH of VIRGINIA**  
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October 26, 2021

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

Re: Periodic Review of the Policy for the Protection of Water Quality in Virginia's Shellfish  
Growing Waters (9 VAC 25-370 *et seq.*)

Dear Director Paylor:

I have reviewed the above-referenced regulations. It is my opinion that the State Water Control Board has the statutory authority for the regulation pursuant to Chapter 3.1 of Title 62.1 of the Code of Virginia.

This certification 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 regulation.

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

Sincerely,

*David Grandis*

David C. Grandis  
Senior Assistant Attorney General