



COMMONWEALTH of VIRGINIA

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MEMORANDUM

TO: Carl E. Garrison, III, State Forester
Virginia Department of Forestry

FROM: Karri B. Atwood
Assistant Attorney General

DATE: October 25, 2013

RE: Proposed Amendments to State Forest Regulations

I have reviewed the proposed amendments and the repeal of certain sections of the *State Forest Regulations*, 4 VAC 10-30 *et seq.* Current State Forest regulations were reviewed by the Board of Forestry (BOF) and staff of the Department and were determined to be insufficient for current practices as no changes had been made to the State Forest regulations in the last forty years. New sections regarding the use of state forests and permitting as well as amendments to current regulations are proposed. Several sections are being repealed altogether to conform to current forestry practice within the authority granted to the State Forester and the Department.

It is my view that the State Forester and the Department, contingent on approval by the Governor, has legal authority to promulgate the subject amendments and the repeal of a portion of the regulations pursuant to Virginia Code §§ 10.1-1101, 10.1-1104, 10.1-1151, and 10.1-1152. If I may be of any further assistance to you relating to this matter, please do not hesitate to contact me.