



Economic Impact Analysis Virginia Department of Planning and Budget

4 VAC 10-30 – Virginia State Forest Regulations

Department of Forestry

December 12, 2013, revised February 6, 2014 to reflect change in proposal

Summary of the Proposed Amendments to Regulation

The State Forester proposes to add and amend language to reflect current practice.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

Prior to 2012, the Code of Virginia (§ 10.1-1152) stated that the State Forester is authorized, with the approval of the Board, to require any person who hunts, fishes, traps, rides mountain bikes, or rides horses on any of the lands described in § [10.1-1151](#) to obtain a special use permit. A special use permit to engage in these activities on any such lands would be issued for a fee, not to exceed \$15 annually, as fixed by the State Forester. Permits to trap on such lands could be issued in combination with the hunting permits, or separately, at a fee not to exceed \$15 annually for each such permit, to be fixed by the State Forester.

Chapter 484 of the 2012 Acts of Assembly removed the explicit \$15 fee from statute, and instead specifies that the fee is to be established by regulations promulgated by the Department of Forestry. The State Forester proposes to set the fee at the existing \$15 rate in these regulations. Other proposed changes also reflect current practice and will be beneficial in that they will increase clarity.

Businesses and Entities Affected

The proposed amendments affect the estimated 6,000 to 7,000 individuals who use state forests for hunting, trapping, fishing, and biking, camping or horseback riding.¹

Localities Particularly Affected

The regulations potentially affect anyone interested in hunting, trapping, fishing, biking, camping or horseback riding, but may particularly affect those who live near the state forests. The 23 state forests are located in the following counties: Appomattox, Bedford, Buckingham, Carroll, Chesterfield, Craig, Cumberland, Essex, Fauquier, Grayson, King and Queen County, King William, Lancaster, Nelson, New Kent, Prince Edward, Prince William, Rockbridge, Rockingham, Russell, Shenandoah, Sussex, and Washington

Projected Impact on Employment

The proposal amendments are unlikely to significantly affect employment.

Effects on the Use and Value of Private Property

The proposed amendments are unlikely to significantly affect the use and value of private property.

Small Businesses: Costs and Other Effects

The proposed amendments are unlikely to significantly affect small businesses.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed amendments are unlikely to adversely affect small businesses.

Real Estate Development Costs

The proposed amendments are unlikely to affect real estate development costs.

Legal Mandate

General: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia and Executive Order Number 14 (2010). Section 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to:

¹ Data source: Department of Forestry

- the projected number of businesses or other entities to whom the proposed regulatory action would apply,
- the identity of any localities and types of businesses or other entities particularly affected,
- the projected number of persons and employment positions to be affected,
- the projected costs to affected businesses or entities to implement or comply with the regulation, and
- the impact on the use and value of private property.

Small Businesses: If the proposed regulatory action will have an adverse effect on small businesses, § 2.2-4007.04 requires that such economic impact analyses include:

- an identification and estimate of the number of small businesses subject to the proposed regulation,
- the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents,
- a statement of the probable effect of the proposed regulation on affected small businesses, and
- a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

Additionally, pursuant to § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules (JCAR) is notified at the time the proposed regulation is submitted to the *Virginia Register of Regulations* for publication. This analysis shall represent DPB's best estimate for the purposes of public review and comment on the proposed regulation.

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