



**COMMONWEALTH of VIRGINIA**  
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MEMORANDUM

TO: Matthew S. Wells, Director  
Department of Conservation and Recreation

FROM: Richard A. Mahevich  
Senior Assistant Attorney General, Chief

DATE: June 14, 2024

RE: Review of Fast Track Regulations Establishing Standards for Classification of Real Estate as Devoted to Open Space Use Under the Virginia Land Use Assessment Law 4 VAC 5-20-10 *et seq.*

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*Please note that this memorandum does not constitute an opinion, formal or informal, of the Attorney General. Rather, this memorandum contains the legal analysis of the individual staff member providing it.*

In response to a request from the Department of Conservation and Recreation, I reviewed the above-referenced regulations. I find they are within the statutory authority of the Department of Conservation and Recreation pursuant to §§ 58.1-3230 and 10.1-104 of the Code of Virginia.

Please let me know if you have any questions.