



Virginia Department of Planning and Budget **Economic Impact Analysis**

4 VAC 10-30 Virginia State Forest Regulations

Department of Forestry

Town Hall Action/Stage: 6707/10764

June 20, 2025

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 (Code) and Executive Order 19. The analysis presented below represents DPB’s best estimate of the potential economic impacts as of the date of this analysis.¹

Summary of the Proposed Amendments to Regulation

The Department of Forestry (Department) proposes revising *Virginia State Forestry Regulations* (4 VAC 10-30) to update terminology, clarify the language, remove sections that are redundant of statute or other regulations, and add four new sections to address emerging uses of state forests.

Background

Executive Directive 1 (2022) directs executive branch entities under the authority of the Governor “...to initiate regulatory processes to reduce by at least 25 percent the number of regulations not mandated by federal or state statute, in consultation with the Office of the Attorney General, and in a manner consistent with the laws of the Commonwealth.”² The Department undertook a comprehensive review of this regulation to meet this objective. The proposed changes would clarify or consolidate current requirements, remove requirements that

¹ Code § 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the analysis should include but not be limited to: (1) the projected number of businesses or other entities to whom the proposed regulatory action would apply, (2) the identity of any localities and types of businesses or other entities particularly affected, (3) the projected number of persons and employment positions to be affected, (4) the projected costs to affected businesses or entities to implement or comply with the regulation, and (5) the impact on the use and value of private property.

² See <https://www.governor.virginia.gov/media/governorvirginiagov/governor-of-virginia/pdf/ed/ED-1-Regulatory-Reduction.pdf>

are redundant of statute or other regulations, and add four sections pertaining to uses of state forests that are not currently addressed in the regulation. The proposed additions would reflect current practice and are intended to clarify what activities are allowed, with or without permits, and what activities are prohibited. The most substantive changes are summarized below.

- Section 10 (Definitions) would be amended to add certain definitions for clarity; definitions for “bicycle,” “electric personal assistive mobility device,” “electric power-assisted bicycle,” and “motor vehicle” would refer to their current definitions in statute. Other terms such as “bike trail,” “firearm,” “group,” “hiking trail,” “hunting,” “multi-use trail,” “silvicultural activity,” and “unmanned aerial system/ unmanned aerial vehicle” would be newly defined.
- Section 40 (Permits) would be amended to specify the three types of permits currently issued by the Department, the grounds for permit revocation, and penalties. Other sections in the regulation that pertain to specific activities would be amended to specify which permit is required, if any.
- Section 50 (Preservation of the forest) would be amended to clarify that edible fruits, berries, fungi, or nuts may be collected for individual use only.
- Section 420 (Horses and horseback riding) would be newly added to specify that horses are only allowed on designated multi-use trails or roads designated for equestrian use, and that equestrian users shall remove residues (including manure) from designated parking areas.
- Section 430 (Hours of operation) would be newly added to specify that state forests are open to public use during daylight hours only unless the forest user is permitted or engaged in lawful hunting activities as defined by the Virginia Department of Wildlife Resources and for other uses as permitted by the State Forests Superintendent.
- Section 440 (Rock climbing and rappelling) would be newly added to specify that these activities are prohibited in state forests except at designated areas and require a Conditional Activity Permit.
- Section 450 (Target shooting) would be newly added to prohibit target shooting in any state forest and to define target shooting as the discharge of a firearm, muzzleloader, or archery equipment for purposes other than hunting, trapping, or self-defense.

- Lastly, the following sections of the regulation would be struck because they are restatements of existing law or are otherwise no longer necessary: Refuse and rubbish; disposal (Section 70); Pollution of waters (Section 80); Disorderly conduct, public nuisance, etc. (Section 90); Gambling (Section 100); Intoxicating liquors, beverages or unlawful drugs (Section 110); Charges (Section 120); Picnic area (Section 130); Bathing, where permitted (Section 150); Dressing and undressing (Section 160); Fishing (Section 210); Obstructing traffic (Section 260); Speed limit (Section 270); and View into vehicles (Section 280).

Estimated Benefits and Costs

The proposed amendments seek to update and clarify the regulation to reflect current practice and remove redundant language. Members of the public would benefit from the proposed changes to the extent that they use the regulation to determine what activities are prohibited or need permits. The Department website also provides the same information with a link to the regulation in the Virginia Administrative Code.³

Businesses and Other Entities Affected

The proposed amendments do not appear to directly affect any businesses or other entities. Businesses that operate educational or recreational group activities, or organize events, in state forests may benefit from referring to updated regulations. The Code of Virginia requires DPB to assess whether an adverse impact may result from the proposed regulation.⁴ An adverse impact is indicated if there is any increase in net cost or reduction in net benefit for any entity, even if the benefits exceed the costs for all entities combined.⁵ Since the proposed changes do not create any new costs or reduce benefits, an adverse impact is not indicated.

³ See <https://dof.virginia.gov/education-and-recreation/state-forests/before-you-visit/>

⁴ Pursuant to Code § 2.2-4007.04(D): In the event this economic impact analysis reveals that the proposed regulation would have an adverse economic impact on businesses or would impose a significant adverse economic impact on a locality, business, or entity particularly affected, the Department of Planning and Budget shall advise the Joint Commission on Administrative Rules, the House Committee on Appropriations, and the Senate Committee on Finance.

⁵ Statute does not define “adverse impact,” state whether only Virginia entities should be considered, nor indicate whether an adverse impact results from regulatory requirements mandated by legislation. As a result, DPB has adopted a definition of adverse impact that assesses changes in net costs and benefits for each affected Virginia entity that directly results from discretionary changes to the regulation.

Small Businesses⁶ Affected:⁷

This regulation does not have an adverse impact on small businesses. Small businesses that operate educational or recreational group activities, or organize events, in state forests may benefit from referring to updated regulations.

Localities⁸ Affected⁹

The regulation particularly affects localities that contain state forests by protecting the air and water and other environmental determinants of public health, and by indirectly supporting private economic activity that relies on the continued maintenance and protection of state forests. For example, the presence of state forest land likely drives tourism to the locality and enables businesses connected to hunting, fishing, and other permitted recreational activities. The proposed amendments do not affect costs for local governments.

Projected Impact on Employment

The proposed amendments do not affect total employment.

Effects on the Use and Value of Private Property

The proposed amendments would not affect the use or value of private property. Real estate development costs would not be affected.

⁶ Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as “a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than \$6 million.”

⁷ If the proposed regulatory action may have an adverse effect on small businesses, Code § 2.2-4007.04 requires that such economic impact analyses include: (1) an identification and estimate of the number of small businesses subject to the proposed regulation, (2) 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, (3) a statement of the probable effect of the proposed regulation on affected small businesses, and (4) a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation. Additionally, pursuant to Code § 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 shall be notified.

⁸ “Locality” can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulatory change are most likely to occur.

⁹ § 2.2-4007.04 defines “particularly affected” as bearing disproportionate material impact.