

SENATE BILL NO. 461

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources  
on February 6, 2024)

(Patron Prior to Substitute--Senator Marsden)

A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 11 of Title 10.1 a section  
numbered 10.1-1103.1, relating to Department of Forestry; Forestland and Urban Tree Canopy  
Conservation Plan required.

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Article 1 of Chapter 11 of Title 10.1 a section  
numbered 10.1-1103.1 as follows:**

**§ 10.1-1103.1. Forestland and Urban Tree Canopy Conservation Plan.**

A. The Department shall establish a Forestland and Urban Tree Canopy Conservation Plan (the  
Plan) to conserve the Commonwealth's forestland and incentivize the protection of forests and other  
similar sensitive natural areas as an integral part of state forestry planning and the local comprehensive  
planning process. The Plan shall be reviewed by the Board of Forestry. In developing the Plan, the  
Department shall include elements determined by the State Forester, including the following:

1. Examine the current status and trends of forests and tree canopies in the Commonwealth;

2. Identify challenges to forest health, forestland, and tree canopy conservation efforts, including  
land use, climate change, forest fires, and invasive species and other challenges identified by the  
stakeholder group;

3. Identify priority forests for conservation emphasizing protection of streams or wetlands, areas  
with steep slopes or highly erodible soils, wildlife corridors, and large contiguous blocks of forest;

4. Develop forest-related and tree canopy-related goals;

5. Identify current and potential funding streams and state and local entities that will be vital to  
achieve forest and tree canopy conservation goals; and

27 6. Ensure consistency with the objectives of the Board of Forestry with respect to forest  
28 management, including forest protection, management, and replacement.

29 B. The Plan, reviewed by the Board of Forestry, shall be developed in coordination with a  
30 Technical Advisory Committee that shall include representatives from the Department of Environmental  
31 Quality, Department of Wildlife Resources, Department of Conservation and Recreation, agricultural and  
32 forestry industries, environmental and conservation organizations, local governments, the Virginia  
33 Cooperative Extension, professional environmental technical experts, residential and commercial  
34 development industries, and other stakeholders as the Department deems appropriate.

35 C. The Department shall update the Plan at least once every five years and shall reconvene the  
36 Technical Advisory Committee and seek input prior to approval of any updates to the Plan. The  
37 Department shall hold a 30-day public comment period on the Plan and any subsequent updates to the  
38 Plan. Following any such update, the Plan shall be made available on its website and submitted to the  
39 Governor and the Chairmen of the House Committee on Agriculture, Chesapeake and Natural Resources  
40 and the Senate Committee on Agriculture, Conservation and Natural Resources.

41 **2. That the initial Forestland and Urban Tree Canopy Conservation Plan required by § 10.1-1103.1**  
42 **of the Code of Virginia, as created by this act, shall be established by November 1, 2026. The**  
43 **Department of Forestry shall post the Plan on its website and submit the Plan to the Governor and**  
44 **the Chairmen of the House Committee on Agriculture, Chesapeake and Natural Resources and the**  
45 **Senate Committee on Agriculture, Conservation and Natural Resources no later than November**  
46 **30, 2026.**

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